


MEMO

TO: Board of Education
CC: Central Office Administrators
FROM: Sarah Riss 
DATE: June 8, 2016
RE: BOE Policy Subcommittee Report

Following is the report from the BOE Policy Subcommittee. These changes will be presented during our June 11th meeting and then put on the agenda for approval on the June 27th meeting. Please feel free to contact one of the committee members with any questions.

WEBSTER GROVES SCHOOL DISTRICT
BOARD OF EDUCATION ITEM OF CONSIDERATION

DATE: June 11, 2016

TOPIC/PROPOSAL:

Approval of proposed policy changes recommended by the Board Policy Subcommittee
Policies: BCA, BCCA, EBAB, EBAC, GBEC, GCE, JECA, JECC, JHCB, JHG, and KKB .

BACKGROUND INFORMATION:

The Board Policy Subcommittee has reviewed the policy changes recommended by MSBA. A summary of the proposed changes for selected policies is attached for your review. These will be shared during the June 11th board meeting and voted on during the June 27th Board of Education meeting.

INSTRUCTIONAL IMPACT/RATIONALE:

The proposed policy changes will better reflect the current practices of WGSD and improve the practices of WGSD.

CSIP/DISTRICT GOAL ADDRESSED: All

FISCAL NOTE: NA

ADMINISTRATIVE RECOMMENDATION:

- Action Requested: ____
- Information: X
- Proposed Motion for Approval (if applicable):

Will be put on agenda for approval on June 27, 2016.

PREPARED BY: Sarah Booth Riss

Motion: _____ **Second:** _____

Board Vote: ____ (yes) ____ (no) ____ (abstain) ____ (Consent Agenda)

Policy Subcommittee Meeting

May 23, 2016

Policy	Title	Type of Change	Recommended Change
BCA	Board Organizational Meeting	Minor	Accept MSBA recommendations, however, maintained Board Secretary handling election and deleted process for selecting MSBA delegate. It is recommended that the current process of doing this as part of liaison assignments continues.
BCCA	MSBA Delegate and Alternate	Minor	Accept MSBA recommendations.
EBAB	Hazardous Materials	Minor	Accept MSBA recommendations.
EBAC	Integrated Pest Management	Minor	Accept MSBA recommendations with one deletion.
GBEBC	Criminal Background Checks	Minor	Accept MSBA recommendations.
GCE	Part-Time and Substitute Employment	Minor	Accept MSBA recommendations.
JECA	Admission of Students	Grammar	Accept MSBA recommendations.
JECC	Assignment of Students to Grade Levels/Classes	Grammar	Accept MSBA recommendations.
JHCB	Immunization of Students	Minor	Accept MSBA recommendations.
JHG	Reporting and Investigating Child Abuse/Neglect	Minor	Accept MSBA recommendations.
KKB	Audio and Visual Recording	Minor	Accept MSBA recommendations.

Next Meeting Date: TBD

Types of Changes:

Grammar	Grammatical
Minor	Minimal word changes not impacting current practice
Major	Major change that impacts current practice
Current	Changes that better reflect current practice

**MSBA FULL MAINTENANCE POLICY SERVICE
2016A POLICY UPDATE CHECKLIST**

March 8, 2016

District: Webster Groves

In order to best serve your district and to maintain your policies accurately, please **click on the drop-down boxes below** and indicate what action your Board has taken on each of the policy reference copies enclosed for your review. We will send the district a clean copy of the policies after we receive and process this checklist.

- **Please include a Board adoption date for every policy that has been adopted.**
- **Please mail, e-mail or fax a copy of any revisions made by the district to MSBA.**

NOTE: Those policies listed in **BOLD** font were revised as a result of state or federal law.

Please **fill in or update custom information** where indicated on the checklist under Board Action.

POLICY CODE	BOARD ACTION	BOARD ADOPTION DATE
BCA	Click here	
BCCA	Click here	
EBAB	Click here	
EBAC	Click here	
GB (formerly GCE)	Click here	
GBEBC	Click here	
IGAEB	Click here	
JECA	Click here	
JECC	Click here	
JHCB	Click here	
JHG	Click here	
KKB	Click here	

Name of district personnel filling out checklist

Date checklist completed

Please return to your MSBA Full Maintenance editor at: **atwood@msbanet.org**
or mail to: MSBA Policy Services, 2100 I-70 Drive S.W., Columbia, MO 65203

REFERENCE COPY

FILE: BCA
Critical

EXPLANATION: BOARD ORGANIZATIONAL MEETING

MSBA has modified this policy to align with MSBA's recommendation that MSBA delegates and alternates be appointed at the annual reorganizational meeting. MSBA has also modified policy BCCA, MSBA Delegate and Alternate, to reflect the change in association governance structure adopted by the assembly of delegates, which increased the responsibilities of the district-appointed delegate. See policy BCCA, also in this update, for more information on the duties of the delegate.

Districts are strongly encouraged to consult the article *Board Reorganization FAQ's* on the MSBA website for more information about elections and other reorganization questions.

<i>MSBA recommends that copies of this document be routed to the following areas because the content is of particular importance to them. The titles on this list may not match those used by the district. Please forward copies to the district equivalent of the title indicated.</i>					
X	Board Secretary		Business Office		Coaches/Sponsors
	Facility Maintenance		Food Service		Gifted
	Human Resources		Principals		Library/Media Center
	Health Services		Counselor		Special Education
	Transportation		Public Info/Communications		Technology

FILE: BCA
Critical

REFERENCE COPY

REFERENCE COPY

FILE: BCA
Critical

BOARD ORGANIZATIONAL MEETING

According to state law, the annual organizational meeting of the Board of Education shall be held within 14 days after the annual Board election. The newly elected members shall qualify by taking the oath of office as prescribed in Article VII, Section 11, of the Constitution of Missouri. The Board secretary shall administer the oath to the new members.

Board Secretary or in his/her absence the superintendent,
Following the administration of the oath of office, the Superintendent, serving as temporary chairperson, shall conduct the election of the president and vice president. Once the president and vice president have been elected, the president will preside over the remainder of the meeting. The Board shall organize by the election of a president and vice president, and the Board shall, on or before July 15 of each year, elect a secretary and a treasurer who shall assume their respective duties on or before July 15. The secretary and treasurer may or may not be members of the Board. All votes will be taken by voice vote, show of hands or another method of voting that clearly reveals each member's vote. Secret ballots are not permitted by law.

~~The Board secretary or in the absence of the Board secretary the superintendent, who will serve as temporary chairperson, shall conduct the election of the president. The newly elected president will conduct the election of the vice president and other officers deemed necessary by the Board.~~

~~In addition, the Board will appoint one of its members to serve as the Missouri School Boards' Association delegate and one to serve as an alternate. If, pursuant to MSBA bylaws, the district is entitled to more than one delegate, the Board will appoint the number of delegates to which the district is entitled and an alternate delegate. Appointed delegates will perform the duties as outlined in policy BCCA.~~

When the Board has been organized, the meeting shall be adjourned. If other business is to be carried out, a special meeting may be convened immediately following the reorganizational meeting. Members of the Board and the general public should be notified in accordance with state statutes if there is to be a special meeting following the organizational meeting.

* * * * *

Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.

Reviewed: 11/14/2011

Adopted: 09/13/1993

FILE: BCA
Critical

REFERENCE COPY

Revised: 12/11/2000; 06/14/2004;2

Legal Refs: Mo. Const. Art. VII, § 11
§§ 162.301, 610.010 - .028, RSMo.

Webster Groves School District, St. Louis, Missouri

OK
as is

REFERENCE COPY

FILE: BCCA
Basic

EXPLANATION: MSBA DELEGATE AND ALTERNATE

MSBA has modified this policy to match the change in governance structure adopted by its delegate assembly, which increased the responsibilities of the district-appointed delegate. In order to ensure that MSBA member districts receive information as efficiently as possible, MSBA encourages districts to provide MSBA with the names and contact information for the delegates. If the district does not provide this information, it is MSBA's policy to assign the delegate position to the Board president.

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X	Board Secretary		Business Office		Coaches/Sponsors
	Facility Maintenance		Food Service		Gifted
	Human Resources		Principals		Library/Media Center
	Health Services		Counselor		Special Education
	Transportation		Public Info/Communications		Technology

FILE: BCCA
Basic

REFERENCE COPY

REFERENCE COPY

FILE: BCCA
Basic

MSBA DELEGATE AND ALTERNATE

At its annual organizational meeting, the Board of Education shall appoint a Missouri School Boards' Association (MSBA) delegate and alternate. If, pursuant to MSBA bylaws, the district is entitled to more than one delegate, the Board will appoint the number of delegates to which the district is entitled and an alternate delegate. The Board prefers to appoint a member who has at least two years of experience as a Board member. The Board secretary or designee will forward the name(s) of the delegate(s) and alternate as well as their contact information, including e-mail address, to MSBA.

Duties of the MSBA Delegate

The MSBA delegate shall have the following duties:

1. Serve as the liaison between MSBA and the Board of Education.
2. Serve as the contact for communications from the Regional Executive Committee (REC) chair, the MSBA Board of Directors and MSBA staff. The delegate will provide MSBA an e-mail account to receive those communications and regularly monitor it for this purpose.
3. Share information received from the REC chair, MSBA Board of Directors and MSBA staff with the Board. Agendas for regular open Board meetings will include an opportunity for a delegate report. Report monthly to the Board on important issues identified by MSBA to includeThe report will include information about state and national issues impacting public education; opportunities and concerns related to public schools; and other specific information important to boards of education and the school districts they represent.
4. Serve as a ~~resource to member of the r~~Regional Leadership Action ~~c~~Committee ~~in identifying persons with leadership skills to serve in regional leadership positions~~(RAC).
5. Actively participate in the development and promotion of ~~the MSBA platform~~advocacy positions.
6. Serve as an advocate for public education by maintaining a working relationship with elected officials who represent the district at the local, state and federal levels.
7. Attend and participate in the ~~annual MSBA d~~Delegate assemblyAssemblies.
8. Attend and participate in ~~MSBA spring and fall~~the RAC meetings.

FILE: BCCA
Basic

REFERENCE COPY

Duties of the MSBA Alternate

The MSBA alternate delegate will assume the role of delegate if the delegate is unable to serve.

* * * * *

Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.

Adopted: 12/08/1997

Revised: 11/14/2011; 02/13/2012

Webster Groves School District, St. Louis, Missouri

REFERENCE COPY

ok
as is

FILE: EBAB
Basic

EXPLANATION: HAZARDOUS MATERIALS

MSBA initially revised this policy and accompanying procedures to include a chemical hazard communication program, as discussed below. However, MSBA also took this opportunity to thoroughly review this policy and update accompanying procedures as well.

Asbestos

The laws regarding the identification, management and abatement of asbestos in school buildings have not changed. However, MSBA realizes that some districts are not clear on their obligations in this area. For that reason, MSBA has added more specific language in both this policy and EBAB-AP1.

For more information on the school district's responsibilities regarding asbestos, go to:

<http://www2.epa.gov/asbestos/school-buildings>.

Chemical Hazards

MSBA has developed policy language and a procedure, EBAB-AP3, to comply with Occupational Safety and Health Administration (OSHA) requirements for employers to communicate with employees about hazardous chemicals.

While public school districts in general are not subject to federal OSHA regulations, state law requires all employers to institute reasonable safety rules. Further, workers' compensation laws provide financial incentives for employers to institute and enforce workplace safety rules as well. School districts take the safety of employees and students seriously, and most want to implement the most current rules used in the private sector to keep employees and students safe. For these reasons, MSBA recommends that districts adopt a chemical hazard communication program as outlined in this policy and in EBAB-AP3. Any district that decides not to develop a chemical hazard communication program may simply delete this section and not implement the procedure.

Lead

MSBA has decided to take a broader approach to lead abatement. While there are specific state laws governing sources of lead in water pipes, districts should also identify and abate lead paint and other sources of lead in the district. For more information about the impact of lead poisoning on child development, go to:

FILE: EBAB
Basic

REFERENCE COPY

<http://www.cdc.gov/nceh/lead/>.

Emergency Plans

MSBA recommends that the district include hazardous materials incidents in district emergency plans. The State of Missouri school emergency planning portal "Missouri 1Plan" (<http://www.moces.org/services/missouri-1plan>) has best practice templates for ensuring the district's emergency plan embraces current best practices related to dealing with hazardous materials incidents. The State of Missouri makes this resource available for free to all schools in the state of Missouri, and the Center for Education Safety can provide additional information on this valuable resource. Contact info@moces.org.

<i>MSBA recommends that copies of this document be routed to the following areas because the content is of particular importance to them. The titles on this list may not match those used by the district. Please forward copies to the district equivalent of the title indicated.</i>					
	Board Secretary	X	Business Office		Coaches/Sponsors
X	Facility Maintenance		Food Service		Gifted
X	Human Resources	X	Principals		Library/Media Center
X	Health Services		Counselor		Special Education
	Transportation	X	Public Info/Communications		Technology

REFERENCE COPY

FILE: EBAB
Basic

HAZARDOUS MATERIALS

To promote the health and safety of the students, staff and patrons of the district, and to ensure ~~the environment is reasonably protected from hazardous materials~~ that hazardous materials are handled appropriately, the Board of Education of the Webster Groves School District directs the administration, under the guidance of the superintendent, to develop procedures ~~which~~ that address the purchase, storage, handling, transportation and disposal of hazardous materials for all school facilities and operations of the district. ~~Emergency response actions and evacuation plans will also be coordinated with the procedures.~~

~~Hazardous materials shall be defined as any substance specifically designated as such by state or federal law, or any other substance or mixture of substances which may be explosive, ignitable, corrosive, reactive and/or toxic. The Board directs district staff to avoid using hazardous materials to the extent feasible and to minimize the quantities of such substances used by or stored in the school district. In addition, district employees shall follow the procedures developed by the administration and shall take the necessary precautions recommended by manufacturers' warnings when handling or transporting hazardous materials.~~

The procedures developed by the administration shall comply with all local, state and federal laws and regulations ~~which~~ that pertain to the proper management of hazardous materials. The superintendent or designee is responsible for identifying any substances ~~which~~ that may be hazardous; and ensuring such substances are properly disposed in a state-approved facility or landfill.

~~When necessary, the district shall contact the U.S. Environmental Protection Agency (EPA) and/or the Waste Management Program of the Missouri Department of Natural Resources in order to obtain relevant information regarding hazardous waste management.~~

~~District personnel will be encouraged to make less dangerous substitutions for hazardous substances to the extent possible and to minimize quantities of such substances generated by the school district. In addition, district employees shall follow the procedures developed by the administration and shall take the necessary precautions recommended by manufacturers' warnings when handling or transporting hazardous materials.~~

Emergency Plans

The superintendent or designee will include in district emergency plans appropriate responses and evacuation plans for situations where hazardous materials threaten the health or safety of persons on district property or when hazardous materials on district property threaten the health or safety of people in the surrounding area.

Asbestos

~~The district shall survey and assess the exposure of friable asbestos in all buildings. This report shall be filed with appropriate state agencies, and will be available for public review in each site's office. The district shall take all steps necessary to comply with the Asbestos Hazard Emergency Response Act, as described in regulations of the EPA. The district will use appropriately accredited professionals and laboratories and will follow all federal and state laws regarding the identification, management and abatement of asbestos in district buildings.~~

The superintendent will designate an employee to supervise the implementation of the district's asbestos management plan and federal laws regarding asbestos management in the district. The employee designated will receive adequate training to perform his or her duties as required by law.

Hazardous Chemicals

The superintendent or designee will provide information to district employees about the hazardous chemicals used in their workplaces by developing, implementing and maintaining a written chemical hazard communication program. Employees will be provided appropriate training and safety devices when handling these materials.

Lead

The superintendent or designee is directed to identify and develop plans to eliminate all potential sources of lead poisoning from district property.

Lead Contamination Inspection

~~The district shall monitor the periodic collection of drinking water samples from all sources in the district by the Missouri Department of Health, and shall review the results from the EPA-certified laboratory that performs the tests, when the results become available.~~

~~The Board shall assist the Department of Health in any way necessary to assure that any testing program mandated by law is completed within the time frame allowed, and will act immediately to secure funding for the repair of drinking water sources that do not meet federal standards, or for the disconnection of the sources. Pipes that contain lead soldering shall be repaired using a non-lead solder, and water coolers that are found to contain lead in the lining of their tanks will be repaired or replaced.~~

* * * * *

REFERENCE COPY

FILE: EBAB
Basic

Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.

Reviewed: 11/12/2012

Adopted: 09/13/1993

Revised: 12/11/2000;

Legal Refs: §§ ~~640.120~~, 643.225 *et seq.*, RSMo.

~~10 C.S.R. 10-6.240, 25-16.273, 60-15~~

The Asbestos Hazard Emergency Response Act of 1986, ~~2015~~ U.S.C. §§ ~~4011 et seq.~~ 2641-2656

Asbestos School Hazard Abatement Reauthorization Act, ~~1520~~ U.S.C. §§ ~~2641 et seq.~~ 4011-4022

29 C.F.R. § 1910.1200

40 C.F.R. Part 763

Webster Groves School District, St. Louis, Missouri

REFERENCE COPY

FILE: EBAC
Critical

EXPLANATION: INTEGRATED PEST MANAGEMENT

This is a NEW policy for district consideration. (The district previously declined this policy.)

MSBA has updated and simplified this policy based on guidance from the Environmental Protection Agency (EPA).

For more information about integrated pest management, go to the Missouri Department of Agriculture's website at <http://agriculture.mo.gov/plants/ipm/ipm.php>. The EPA also has resources at:

<http://www2.epa.gov/managing-pests-schools/ipm-schools-model-pesticide-safety-and-ipm-guidance-policy-school-districts>.

While this policy and accompanying procedure are not required by law in Missouri, MSBA does recommend that districts seriously consider utilizing integrated pest management. More and more students and employees are sensitive to chemicals, and most experts agree that children's exposure to chemical pesticides should be minimized.

MSBA recommends that copies of this document be routed to the following areas because the content is of particular importance to them. The titles on this list may not match those used by the district. Please forward copies to the district equivalent of the title indicated.

	Board Secretary		Business Office		Coaches/Sponsors
X	Facility Maintenance	X	Food Service		Gifted
	Human Resources		Principals		Library/Media Center
	Health Services		Counselor		Special Education
	Transportation		Public Info/Communications		Technology

FILE: EBAC
Critical

REFERENCE COPY

REFERENCE COPY

FILE: EBAC
Critical

INTEGRATED PEST MANAGEMENT

Recognizing the potential impact of both chemicals and pests on health and the environment, the Board of Education of the Webster Groves School District requires that all district property and facilities utilize a system of integrated pest management (IPM) for controlling insects, rodents, weeds and other pests. Integrated pest management is the use of a variety of methods for effective pest control while minimizing or eliminating chemical pesticide use.

Definitions

Biological Controls — ~~Use of a pest's natural enemies to control pest population. Conservation and augmentation are the biological control strategies most commonly used by school districts. Conservation simply preserves the natural biological controls already present. Augmentation means increasing the number of biological controls in a particular area.~~

Chemical Controls — ~~Pheromones; insect growth regulators; repellants; dusts, soaps and oils; synthetic or botanical insecticides, fungicides and other similar substances. For the purposes of this policy, chemical controls do not include the application of germ killers, disinfectants, sanitizing agents, water purifiers, swimming pool chemicals or self-applied personal insect repellants.~~

Integrated Pest Management (IPM) — ~~The use of a variety of methods for effective pest control while minimizing pesticide use.~~

Pest — ~~Includes, but is not limited to: weeds, insects, arachnids, rodents, reptiles, birds and other animals other than those used in classroom instruction.~~

Pest Tolerance Level — ~~The level of pests deemed tolerable before action will be taken.~~

IPM Components

The superintendent or designee will ~~work with representatives of school food services, facilities management, maintenance services, building administrators and a school nurse to~~ develop an integrated pest management plan and procedures for implementation of this policy with the ultimate goal of minimizing or eliminating the use of chemical pesticides.

These procedures must include:

1. ~~A method for monitoring the types and numbers of pests present on district property.~~
2. ~~A method for accurately identifying the pests to be controlled.~~
3. ~~An acceptable pest tolerance level (i.e., the level of pests deemed tolerable).~~

4. ~~A list of acceptable pest control tactics to be applied in this order:~~
 - ~~→ No action~~
 - ~~→ Erection of physical barriers~~
 - ~~→ Alterations to current practices that contribute to pest problems~~
 - ~~→ Application of exterior biological controls~~
 - ~~→ Chemical controls beginning with the least toxic pesticides appropriate~~
5. ~~Methods for educating students, parents and staff about pest prevention.~~

Application of Pesticides and Notice of Treatment

~~All chemical treatment will be conducted~~Pesticides will not be used on a routine or regularly scheduled basis in the district. However, the district may apply chemical pesticides when reasonable nonchemical approaches do not provide adequate control or in situations where pests pose an immediate threat to persons or property. In those situations, the superintendent or designee will select products that pose the least risk to people and the environment and will only authorize the use of pesticides when and where pests are present or expected to be present.

Only certified pesticide applicators, licensed under Missouri law and trained in integrated pest management, will apply pesticides on district properties. No individual may disperse any type of pest control device without authority from the superintendent or designee.

Unless an emergency exists, chemical pesticides will only be applied at a time when buildings are unoccupied, other than the individuals conducting the treatment. Notice of chemical treatment must be posted in buildings where the treatment is scheduled.

~~Each notice will include the name of the active ingredients, the locations of the application, date of the application, approximate time and length of the application, the safe re-entry time or date and the name of the person to contact for additional information.~~

Prohibitions and Requirements

~~No form of chemical pest management may be applied on district property unless the application is performed by a licensed individual who has prior approval in accordance with this policy and appropriate procedures. The district will only use or contract with companies that use appropriately certified individuals for pesticide application. No individual may disperse any type of pest control device without authority from the superintendent or designee. For the purposes of this policy, chemical pest management does not include the application of germ killers, disinfectants, sanitizing agents, water purifiers, swimming pool chemicals or self-applied personal insect repellants.~~

REFERENCE COPY

FILE: EBAC
Critical

~~The district will purchase pesticides in limited amounts calculated to meet the district's needs for no more than one year. The school nurse will be provided a copy of the Material Safety Data Sheet (MSDS) for each pesticide used.~~

Exclusions

For the purposes of this policy, chemical pesticides do not include the application of antimicrobial pesticides, disinfectants, sanitizing agents, water purifiers, swimming pool chemicals or self-applied personal insect repellants. Insecticide or rodenticide baits in premanufactured, tamper-resistant containers and insecticide baits in gel or paste form are also not considered pesticides as long as they are placed in areas inaccessible to children and the containers are clearly labeled.

Complaint Resolution

Complaints and concerns about the district's pest management program should be directed to the superintendent.

* * * * *

Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.

Adopted:

Legal Refs: Missouri Pesticide Use Act, §§ 281.040 - .115, RSMo.
2 C.S.R. 70-25.010 - .120
29 C.F.R. § 1910.1200

Webster Groves School District, St. Louis, Missouri

REFERENCE COPY

ok
as is

FILE: GBECB
Critical

CRIMINAL BACKGROUND CHECKS

The Webster Groves School District is committed to providing a safe environment for students to learn. As part of this effort, in accordance with this policy, the district will require criminal background checks of employees as well as certain volunteers and others working on ~~school grounds~~ district property. The Board directs the superintendent or designee to develop procedures and practices consistent with this policy.

Definitions

Criminal Background Check – A search of the Federal Bureau of Investigation's (FBI) criminal history files; the Missouri State Highway Patrol's (MSHP) criminal history database and sexual offender registry; the Family Care Safety Registry (FCSR) or the central registry of child abuse and neglect of the Children's Division (CD) of the Department of Social Services; Missouri Case.net; and other databases required by law or by the district.

Driving Records – Traffic-related offenses contained in the Missouri Department of Revenue's databases.

Employees

Generally, the district will conduct criminal background checks in accordance with law on all new employees authorized to have contact with students prior to the employees working with students; however, the district may forgo a criminal background check when:

1. A teacher is employed to work on a part-time or substitute basis within one year of having retired from the Webster Groves School District.
2. An employee or potential employee has had a background check conducted by another Missouri public school within the past year and the district receives a copy of the background check directly from the other district or obtains electronic access to the previous background check. ~~If the district requires a new background check, it will be at the district's expense.~~
3. An employee or potential employee has successfully completed a criminal background check, including a check of the FCSR, as part of the professional license application process within one year prior to employment.

Any offer of employment is contingent upon the satisfactory outcome of the criminal background check, when required by the district. The district has the sole and absolute discretion to determine whether the outcome is satisfactory.

Drivers

The district will conduct a criminal background check on all bus drivers the district employs. The district may allow bus drivers to operate district transportation pending the results of the criminal background check with employee supervision.

If the district contracts for student transportation services, the contract will require the transportation company to conduct background checks on the company's employees who will have contact with district students. The contract will require the company to exclude persons who have exhibited behavior that is violent or harmful to children or adults.

Volunteers

The district will conduct a search of the ~~Missouri Highway Patrol~~ MSHP's criminal history database and the FCSR or the CD's central registry of child abuse and neglect ~~of the CD~~ on all persons volunteering in positions where they will be left alone with a single child, and the superintendent may also require a search of the FBI's criminal history files. If the volunteer is a sponsor, advisor or coach of a district-sponsored activity, he or she must satisfactorily complete the criminal background check required of employees.

The superintendent or designee is directed to identify any additional volunteer positions in the district that will also require a criminal background check. The superintendent or designee must receive the results of the background check and officially approve the volunteer before he or she may begin service in the identified volunteer position.

Payment

In general, applicants for employment and volunteers are responsible for the cost of the criminal background check. However, when an applicant has had a background check conducted by another Missouri public school within the past year and the district receives a copy of the background check directly from the other district or obtains electronic access to the previous background check, the district will not require an additional background check as a condition of employment unless the district pays the cost, in accordance with law.

The district will pay the expenses associated with conducting and renewing criminal background checks for current employees. In cases where the district requires independent contractors to conduct criminal background checks, payment for the background checks will be determined by the contract.

Updating Information

REFERENCE COPY

FILE: GBECB
Critical

The district reserves the right to require any employee or volunteer to submit to additional criminal background checks at the district's expense or to rerun background checks at any time. The district will provide the Department of Elementary and Secondary Education (DESE) the relevant personnel information necessary to conduct postemployment background checks as allowed by law.

The district may update the driving records for all drivers of district transportation every six months. Any employee refusing to submit to a background check may be disciplined or terminated. The district may decline to utilize the services of volunteers or contractors who refuse to participate.

District Notification

As a condition of continuing to work within the district, all employees and other persons required to submit to a criminal background check pursuant to this policy must notify the district if they are charged, convicted, plead guilty to or are otherwise found guilty of any misdemeanor or felony, regardless of the imposition of sentence. This notification must be made as soon as possible, but no later than five business days after the event.

Reporting Requirements

The district will report to DESE when information is obtained that a certificated person has pled guilty or no contest to or been found guilty of a crime or offense, regardless of whether a sentence has been imposed, in this state, another state or another country that may put the person's certificate in jeopardy pursuant to Missouri law.

Confidentiality

Information received by the district pursuant to this policy is confidential. Except as allowed by law, the district will only use this information for the district's internal purposes in determining the suitability of an applicant, employee, volunteer or other worker on district property. The district will keep this information in a location that is only accessible to persons who need to know the information to carry out their responsibilities with the district. Any person submitting to a background check may receive a copy of the background check information received by the district.

Pursuant to state law and upon the written request of an employee or former employee, the district may transfer a background check to another school district within one year of receiving the background check.

Consequences

The superintendent or designee may exclude from employment or take action to terminate individuals whose criminal background checks reveal that they have exhibited behavior that is

FILE: GBEBBC
Critical

REFERENCE COPY

violent or harmful to children or adults and may terminate any employee or exclude any applicant if the background check reveals behavior that would make him or her unsuitable for the position in the discretion of the superintendent or designee. A person whose background check reveals behavior that would make the person unsuitable to volunteer in the district will not be allowed to volunteer. Employees who fail to keep background checks results confidential as required by law or this policy or who violate any portion of this policy or district procedure will be subject to disciplinary action up to and including termination.

* * * * *

Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.

Reviewed: 08/20/2012

Adopted: 03/12/2007

Revised: 02/14/2011; 06/11/2012;

Cross Refs: IICC, School Volunteers

Legal Refs: §§ 43.540, .543, 168.133, 576.050, RSMo.

Webster Groves School District, St. Louis, Missouri

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as is

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FILE: GCE
Critical

EXPLANATION: PART-TIME AND SUBSTITUTE EMPLOYMENT

MSBA has recoded and modified this policy so that it applies to both professional and support staff. Many of the laws and recommended policy language regarding part-time and substitute employment are applicable to all employees, not just certificated staff.

1. **Job Sharing.** This section of the policy is based on § 168.303, RSMo., and state regulation 5 C.S.R. 20-400.100. These laws essentially require the district to provide pro rata leave to part-time employees if they meet the requirements of "job sharing." However, they exclude some employees. Previously, these employees were not listed. MSBA has added the list of excluded employees in this version. Note: The district previously removed this section. Let MSBA know if you'd like it added.

In reality, many districts provide paid leave to regular part-time employees on a pro rata basis anyway, including part-time employees serving in the positions excluded under the job sharing statute (see policies GCBDA and GDBDA). If this is the case in your district, this section is meaningless and can be deleted.

2. **Substitute Employees.** State statute requires a majority of the Board to approve employment of all persons. § 162.301, RSMo. Substitute teachers and other substitutes are district employees and must likewise be approved by the Board. Many districts obtain this approval through a consent agenda item. While Board approval is necessary, MSBA recommends that the Board carefully read lists of substitute teachers before voting to avoid illegal nepotism.
3. **Employing Retired Employees.** MSBA has expanded this section to apply to all retirees, not just those under the Public School Retirement System (PSRS). The laws regarding re-employment of retirees are identical under PSRS and the Public Education Employee Retirement System (PEERS) with the exception of compensation. The laws restricting compensation for persons receiving allowances under PSRS are quite strict but are nonexistent under PEERS.

MSBA has added a few additional points under this section based on revised PSRS and PEERS regulations. New regulations now require retirees to prorate the 550 hours they are able to work throughout the school year. The retiree may only work a total of 550 hours if the employee works the entire school year. If a retiree returns to work in a school district in January, for example, the retiree may only work 275 hours in the remainder of the school year. In addition, retirees are now required to keep a log of the days and hours worked for the district, and the district needs to maintain a copy

of that log to present to PSRS or PEERS upon request to prove that the district and the employee are in compliance with the 550-hour limitations.

PSRS and PEERS have recently revised state regulations to put additional restrictions on the re-employment of retirees soon after they have retired. A retiree cannot reach an agreement to work for the district, whether written or unwritten, until the retiree has received his or her first retirement benefit payment. *See 16 C.S.R. 10-5.010, 16 C.S.R. 10-6.060.* While the consequences are primarily on the employee, as they will be required to repay any retirement benefit received, MSBA has added language to the policy as well. Most districts do not want to do anything that would put an employee's retirement at risk.

4. **Affordable Care Act and Part-Time Employees.** Many districts have become concerned about the impact of the Affordable Care Act (ACA) on the re-employment of district employees who have retired. The ACA does not impact most retirees, but if the district uses the look-back measurement method, it could have implications for persons who worked full-time for the district, retired, and are immediately re-employed on a part-time basis the following year. See the explanation and revisions to GCBC-AP1 and GDBC-AP1 in this update.

The look-back measurement method works prospectively. If an employee works for the district full-time during the district's measurement period, then the district must offer the employee insurance during the stability period, even if the employee's hours are reduced, as long as the employee is still on the district's payroll. Even if the employee retires or resigns, if there has not been a 26-week break in service before the employee is re-employed, the district cannot consider the employee as "new," and the employee is entitled to be offered insurance during the stability period. There is an exception that is discussed more thoroughly in the explanation and revisions to GCBC-AP1 and GDBC-AP1, but even if that exception applies, the district is required to offer insurance for at least three calendar months. This is a problem because most districts do not offer and have not budgeted for insurance costs for part-time employees.

Although most districts are primarily concerned about the ACA's impact on rehiring retirees, the reality is that the ACA regulations have a similar impact on any full-time employee who moves to a part-time position if the district uses the look-back measurement method to determine the full-time status of an employee.

Now that districts are realizing the impact of using the look-back measurement method, many have asked MSBA for sample policy language. MSBA has not put language directly into its sample policies because not all districts are using the look-back measurement method. Further, some districts have such a difficult time finding

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qualified teachers that they do not want policy language that would limit the administration's ability to secure qualified staff, even if it means paying for a few additional months of insurance. Finally, policy language is not absolutely necessary. The district's administration can contemplate impact on the budget when assigning or hiring staff to part-time positions in the district without a Board directive. Nevertheless, many districts have requested some sample language. For that reason, MSBA has created the following language, which can be inserted into this policy:

Restrictions on Employment and Transfer

The district does not offer health coverage for part-time or substitute employees, unless required by law to do so. Therefore the district will not consider re-employing in a part-time or substitute capacity a recently retired or former employee if the person would be entitled by law to district-paid health coverage. However, the district will consider an application once the person has gone 26 weeks without being credited for an hour of service with the district.

Likewise, the district will not consider transferring a full-time employee to a part-time position if the employee would be entitled by law to district-paid health coverage.

MSBA recommends that copies of this document be routed to the following areas because the content is of particular importance to them. The titles on this list may not match those used by the district. Please forward copies to the district equivalent of the title indicated.

	Board Secretary	X	Business Office		Coaches/Sponsors
	Facility Maintenance		Food Service		Gifted
X	Human Resources	X	Principals		Library/Media Center
	Health Services		Counselor		Special Education
	Transportation		Public Info/Communications		Technology

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PART-TIME AND SUBSTITUTE PROFESSIONAL STAFF EMPLOYMENT

Part-Time Teachers

Part-time teachers shall meet the qualifications required of full-time teachers in the district, as well as the requirements for teachers under state law and/or state regulations. Part-time teachers must satisfactorily complete the same background checks and screenings required of full-time teachers by the district.

The contracts of all professional staff employed on a regular, part-time basis must explicitly state the percentage of full-time employment (FTE) that the employee is contracted to work so that the district may accurately calculate the accumulation of tenure. The district may employ part-time employees and employees who will work on a substitute basis in the district. These employees must meet the same qualifications as full-time staff, must be appropriately certified or licensed when necessary, and are subject to the same policies, procedures and other rules as full-time employees. Part-time and substitute employees must satisfactorily complete the same background checks and screenings required of full-time employees.

Substitute Employees

In accordance with law, a majority of the whole Board must approve the employment of all employees, which includes substitute employees. The superintendent will present an initial list of substitute employees to the Board for approval. If substitute employees are added to or removed from the list, the superintendent will submit the revised list or the individual changes to the Board for approval.

Previously Retired TeachersEmploying Retirees

~~Any~~The district may employ persons retired and currently receiving a retirement allowance other than for disability under the Missouri Public School Retirement System ~~may be employed~~ (PSRS) or the Public Education Employee Retirement System (PEERS) in any capacity on either a part-time, or temporary/ or substitute basis. As long as these employees do not work in excess of not to exceed a total of 550 hours in any one school year as prorated by state law, these employees will not contribute to PSRS or PEERS.

The district may employ a retiree for more than 550 hours or even employ a retiree full-time with the mutual understanding that this will result in a new retirement account being established and that the employee will not be eligible to receive his or her retirement allowance for any month during which he or she is employed by the district unless the district can demonstrate that it has a critical shortage of qualified employees as required under state law.

In accordance with law, the district will not reach a written or unwritten agreement for future employment with a person who has retired or is going to retire under PSRS or PEERS until the person has received his or her first retirement benefit payment.

All persons employed by the district who are receiving a retirement allowance from PSRS or PEERS are required to provide the district an accurate record of the dates and hours they work for the district. Such records will be maintained by the district.

Limits on Compensation for Retirees under PSRS

~~and, through such employment,~~ Retirees receiving a retirement allowance under the PSRS who are employed by the district may earn up to 50 percent of the annual compensation payable under the employing district's salary schedule for the position or positions filled by the retiree, given such person's level of experience and education, without a discontinuance of the person's retirement allowance.

If the position in question is not subject to the district's salary schedule, an employed retiree may earn up to 50 percent of the annual compensation paid to the person or persons who last held such position or positions. If the position or positions did not previously exist, the compensation limit ~~shall be determined in accordance with rules of the Board of Trustees of the retirement system provided that it shall not exceed~~ 50 percent of the annual compensation payable for the position in the school district that is most comparable to the position filled by the retiree.

In any case where a retiree under PSRS fills more than one position during the school year, the 50 percent limit on permitted earnings shall be based on the annual compensation of the highest-paid position occupied by the retiree for at least one-fifth of the total hours worked during the year. ~~Such a person shall not contribute to the retirement system or to the Public Education Employee Retirement System because of earnings during such period of employment.~~

~~A retired teacher may be employed for more than 550 hours, but this will result in a new retirement account being established pursuant to law, and he or she shall not be eligible to receive his or her retirement allowance for any month during which he or she is so employed.~~

Contracts

The contracts of all teachers employed on a regular, part-time basis must explicitly state the percentage of full-time equivalent (FTE) work for which they are contracted so that the district may accurately calculate the accumulation of tenure.

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Substitute Teachers

All substitute teachers must be certified by the Department of Elementary and Secondary Education (DESE) through an application submitted in accordance with state law. The superintendent will present an initial list of substitute teachers to the Board for approval. If substitute teachers are added to the list, the superintendent will submit the revised list or the individual changes to the Board for approval. Substitute teachers must satisfactorily complete the same background checks and screenings required of full-time teachers by the district.

* * * * *

Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.

Reviewed: 08/20/2012

Adopted: 09/13/1993

Revised: 12/09/2002; 06/14/2004; 01/18/2008; 11/10/2008; 06/27/2011;

Legal Refs: §§ 162.301, 168.101 - .130, .303, 169.560, .596, .660, RSMo.
5 C.S.R. 20-400.110, .220
16 C.S.R. 10-5.010, -6.060

Webster Groves School District, St. Louis County, Missouri

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FILE: JECA
Critical

EXPLANATION: ADMISSION OF STUDENTS (District Allows Tuition-Paying, Nonresident Students to Enroll and Attend)

Senate Bill 116 (2015) modified the residency rules pertaining to children of military families by clarifying that children living in a district with someone other than a parent or legal guardian are permitted to attend school and be counted as resident students if one or both parents are "stationed or deployed out of state or deployed within Missouri under Title 32 or Title 10 active duty."

Previously the exception only applied to deployment and active duty, and not situations where the parent was absent due to being stationed in another location.

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	Facility Maintenance		Food Service		Gifted
	Human Resources	X	Principals		Library/Media Center
	Health Services		Counselor		Special Education
	Transportation		Public Info/Communications		Technology

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ADMISSION OF STUDENTS

(District Allows Tuition-Paying, Nonresident Students to Enroll and Attend)

In general, in order to enroll in the Webster Groves School District, a student, the parent, legal guardian, military guardian, person acting as a parent or the student must provide proof of legal residency in the district or request a waiver of proof of residency (as outlined in this policy) and must complete all admission requirements as determined by Board policies, regulations and procedures. Students who do not provide proof of residency in the district will only be admitted without payment of tuition if permitted in this policy or required by law. This district allows nonresident students living in Missouri who are otherwise entitled to attend the Webster Groves School District to enroll ~~or~~in and attend this district upon payment of tuition.

The Board directs the superintendent or designee to create procedures for enrolling students and for collecting tuition or other payments when applicable and authorized under this policy.

Resident Students

A student is a "resident" student if he or she meets at least one of the following criteria:

1. The student physically resides and is domiciled in the district. For the purposes of this policy the domicile of a minor student is the domicile of a parent, military guardian pursuant to a military-issued guardianship or court-appointed legal guardian. A "power of attorney" document alone is insufficient to satisfy the "court-appointed legal guardian" requirement, with the exception of a special power of attorney document relevant to the guardianship of a child in the household of an active duty member of the military.
2. The student physically resides in the district for reasons other than obtaining access to the district's schools, regardless of with whom the student is living, and has a waiver of proof of residency on file.

Waiver of Proof of Residency

In cases where a student living in the district wishes to ~~register~~enroll, but the student does not live with a parent, military guardian or court-appointed guardian in the district and is not otherwise allowed by law or contractual relationship with another district to attend, the student, parent, military guardian, legal guardian or person acting as a parent must request a waiver of proof of residency. Waiver of proof of residency will only be granted on the basis of hardship or good cause. Good cause shall include situations where the student is living in the district for reasons other than attending school in the district.

The Board delegates to the superintendent or designee the responsibility of bringing to the Board's attention any application for a waiver in which the student is not clearly entitled to attend school in the district. All other applications will be accepted and granted by the superintendent or designee on behalf of the Board. Once an application for a waiver has been identified for Board review, the Board shall convene a hearing to consider a waiver request as soon as possible, but no later than 45 days after receipt of the waiver request or the waiver shall be deemed granted. The Board president may appoint a committee of the Board to act in lieu of the Board to consider waiver requests.

Once a waiver of proof of residency has been requested and the superintendent or designee has determined that attendance is in the best interest of the student, the student may be permitted to ~~register~~enroll and attend school until such time as the Board or designee decides to grant or deny the waiver request.

In the event there is reason to suspect that admission of a student will create an immediate danger to the safety of other students and employees of the district, the enrollment of the student may be delayed and the superintendent or designee may convene a hearing within five working days of the ~~registration~~enrollment request and determine whether the student may ~~register~~enroll.

Students Otherwise Entitled by Law to Enroll

In accordance with law, students will be enrolled and admitted without going through the waiver process when they:

1. Are considered homeless in accordance with state and federal law (42 U.S.C. § 11431 - 11435; § 167.020, RSMo.).
2. Are attending the district as participants in the voluntary transfer state program established under a court-ordered desegregation program as long as the district continues to receive funding (§ 167.020, RSMo.).

Voluntary transfer students (as defined in the voluntary transfer program instituted under *Craton Liddell, et al. v. The Board of Education etc., et al.*, U.S. District Court No. 72-0100C (E. Dist. Mo.) who are admitted to the district may attend school without paying tuition as long as the district continues to receive appropriate funding from the state.

3. Are wards of the state and have been placed in a residential care facility within the district by state officials (§ 167.020, RSMo.).
4. Have been placed in a residential care facility within the district due to a mental illness or developmental disability (§ 167.020, RSMo.).

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5. Have been placed in a residential care facility within the district by a juvenile court (§ 167.020, RSMo.).
6. Are assigned to the district by the commissioner of education due to an unusual or unreasonable transportation hardship (§ 167.121, RSMo.). The resident district will pay the tuition.
7. Have been identified as students with disabilities under state eligibility criteria and are in the district for reasons other than accessing the district's educational program (§ 167.020, RSMo.).
8. Have a permanent or temporary home in the district and are orphans, have only one parent living or their parents do not contribute to their support, as long as the students are between the ages of 6 and 20 years old and are unable to pay tuition (§ 167.151, RSMo.).
9. Are children of parents/guardians who pay school taxes on property in the school district but do not live in the district. These students may attend school in the district on a tuition basis (§ 167.151, RSMo.). School taxes paid to the school district by the parents/guardians of nonresident students shall be deducted from the tuition charge applicable to the school term or fractional part thereof, concurrent with the calendar year in which the taxes are paid. The deduction will be prorated among the number of students per family attending the district's schools. A tax statement must be submitted to the superintendent or designee before a student will be admitted.
10. Are children of parents/guardians who own real estate of which 80 acres or more are used for agricultural purposes and upon which their residence is situated. These children may attend school, without paying tuition, in any district in which a part of such real estate, contiguous to that upon which their residence is situated, lies, provided that 35 percent of the real estate is located in the district of choice (§ 167.151, RSMo.). Such parents/guardians are required to send notification by June 30 to all school districts involved specifying which district their children will attend, and the children will only attend the district notified for that school year. If notification is not received, such children shall attend the school in which the majority of the parent's/guardian's property lies.
11. Have been placed by the Missouri Department of Mental Health, the Missouri Department of Social Services or by court order in facilities or programs located within the district, even if their domicile is in another district (§ 167.126, RSMo.).

The domicile district of a student is the school district where ~~he or she~~ the student would have been educated if not placed in the facility or program. Each domicile district will pay the Webster Groves School District the average sum produced per child by the domicile district's

local tax effort. A special school district will pay the average sum produced per child by the local tax efforts of the domiciliary districts. The district may, if such funds are available, receive payment from the Department of Elementary and Secondary Education (DESE) for educational costs that exceed the amount received from the domicile district, state aid and other state funds. In addition, the district may receive payments from DESE in lieu of receiving the local tax effort from the domiciliary district in some situations.

12. Are residing in a Missouri school district that has been declared unaccredited by the Missouri State Board of Education (State Board) and that is located in the same county as the Webster Groves School District or an adjoining county (§167.131, RSMo.). The unaccredited district will pay tuition as calculated by the Webster Groves School District or the State Board. The Webster Groves School District is not responsible for providing transportation.

As to students domiciled in an unaccredited school district allowed to enroll in the school district, such students shall not be allowed to attend unless and until the tuition provided by law for such students is either paid in full or such payment is guaranteed in a manner that is agreeable to the Board of Education of the school district.

The Board will annually set tuition for each grade-level grouping in accordance with law. If an unaccredited district disputes the amount of tuition, the Board will submit the dispute to the State Board for resolution.

13. Are living in a district that is located in the same county as the Webster Groves School District or an adjoining county if that district does not provide education for all grade levels, such as K–6 or K–8 districts (§ 167.131, RSMo.). The sending district will pay tuition as calculated by the Webster Groves School District or the State Board. The Webster Groves School District is not responsible for providing transportation.

The Board will annually set tuition for each grade-level grouping in accordance with law. If a sending district disputes the amount of tuition, the Board will submit the dispute to the State Board for resolution.

14. Are placed in the care of another person living in the district because one or both of their parents/guardians ~~are~~have been stationed or deployed out of state or deployed within Missouri by the military or because of active duty military service. These students will be allowed to attend school in the district without the payment of tuition (§§ 160.2000, 167.020, RSMo.). In addition, if the active duty orders expire during the school year, the students may finish the school year in the district in accordance with law.

15. Were enrolled in the Webster Groves School District but, due to the active duty military service of a parent/guardian, are placed in the care of a person who resides in another school

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district. These students will be allowed to continue to attend school in the Webster Groves School District without payment of tuition (§ 160.2000, RSMo.).

16. Attend a private school within the district and are enrolled in the district for the limited purpose of special education identification and the receipt of some special education services when available as mandated by federal special education law (§ 167.020, RSMo.).
17. Have been placed in foster care outside the district if they previously attended the district and are placed in an adjacent district (§ 167.019, RSMo.).
18. Are otherwise required by law to be enrolled and admitted.

Enrollment at the Option of the District

The Board in its discretion may also allow students to enroll and attend under the following circumstances without going through the waiver process. Unless required by law, no student will be enrolled in the Webster Groves School District if the enrollment might result in overcrowding, disruption to the educational environment or a financial hardship to the district.

By law the district does not provide any students special education services because the Special School District of St. Louis County, a separate educational and taxing entity, is legally responsible for providing those services to students living in St. Louis County and enrolled in a public school. The Special School District will not provide special education services to students who do not live in St. Louis County and therefore the district cannot enroll a nonresident student who does not live in St. Louis County if the student needs special education services. In addition, the district cannot continue to enroll nonresident students who are determined to need those services if those students do not already live in St. Louis County.

1. The district may enroll and educate nonresident students on a contractual basis with another school district that will pay the tuition or educational expenses (§ 167.020, RSMo.). For example, students may attend a district alternative education program on a contractual basis or as part of a regional or cooperative education program.
2. Children of nonresident district employees who are employed full time may attend schools in the district for the purpose of receiving general education services free of tuition charges on a space available basis and in an attendance area determined by the district after one year of successful parental employment. (§§ 163.011, 168.151, RSMo.). In accordance with law, these students will be considered resident students for the purpose of determining average daily attendance, and the Board shall not solicit or receive money from a nonresident district employee employed by the district for the purpose of paying tuition or any other expenses for the operation of schools.

3. The district may enroll students pursuant to a contractual arrangement that complies with the Enrollment Option Act (§§ 162.1040 - .1059, RSMo.). A nonresident student enrolled pursuant to an enrollment option program shall be counted as a resident student for the purposes of determining state aid.
4. Nonresident students living in Missouri will be permitted to enroll in the district's schools upon payment of tuition as long as the admission will not require the district to exceed the district's target class sizes and student-to-teacher ratios set by the Board. Nonresident students will only be permitted to enroll upon agreement to pay tuition, as calculated by the Webster Groves School District or the State Board, unless the students are exempt from payment of tuition as allowed by law or another arrangement has been made with Board approval. Tuition rates shall be determined annually on the basis of the per-pupil cost for the preceding year for the operation, maintenance and debt service of the schools, as prescribed by state law. A nonresident student shall be defined as a student who does not meet the requirements to be a resident student of the Webster Groves School District, as defined in Board policies and law. Priority shall first be given to:
 - a. Children of nonresident district employees,
 - b. Next to existing nonresident tuition students,
 - c. Next to siblings of existing nonresident tuition students,
 - d. Next to the approved number of foreign exchange students, and
 - e. Finally, to all other students whose tuition is paid, as more specifically provided later in this policy.
5. In accordance with law, the district may enroll nonresident students in its summer school program if there is room in the district's program to accommodate the students and the students are not attending summer school in another district (§ 167.227, RSMo.). The district will either count the students as residents for state aid purposes or allow them to attend upon payment of tuition by another district or the parents/guardians.

The district will not enroll nonresident students in summer programs funded entirely by federal funds unless there is an interdistrict agreement to provide those services.
6. Foreign exchange students living within the boundaries of the school district who have obtained a J-1 visa and who are sponsored by an organization listed on the Council on Standards for International Educational Travel (CSIET) Advisory List will be allowed to enroll in the school district. Such enrollment will be conditioned upon approval of the

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superintendent and in accordance with procedures set forth by the superintendent or designee. The Board of Education reserves the right to limit the number of foreign exchange students enrolled in a given year. Attendance by foreign exchange students is a privilege, not a right.

7. Children residing in institutions located within the district that provide a place of residence for three or more such children whose domicile is not in the state of Missouri may be admitted pursuant to a contractual arrangement, provided that the school district, its taxpayers, the state of Missouri or its political subdivisions bear no financial burden as a result of the placement (§ 167.126, RSMo.).

Tuition

The amount of tuition, when referenced in this policy, will be determined by the Webster Groves School District or the State Board, in accordance with law.

Removal of Students Ineligible to Attend

The superintendent or designee will investigate any information the district receives indicating that a student is not a resident of the district or not otherwise entitled to attend the district in accordance with law or this policy. If the superintendent or designee determines after the investigation that the student is not a resident of the district and is not otherwise entitled to enroll in and attend the district in accordance with law and the district's policy, the district will notify the student's parents/guardians, ask them to withdraw the student by a specific date, and offer the parents/guardians a hearing. If the parents/guardians do not request a hearing by the specified deadline and do not withdraw the student, the district will formally remove the student from its rolls and notify the parents/guardians that the student may no longer attend school in the district.

Educational Larceny

It is a crime to provide the district false information regarding residency. The Board authorizes the superintendent or designee to seek all criminal and civil recourse against any person who attempts to fraudulently assert residency in the district.

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Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.

Adopted: 09/13/1993

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Revised: 12/08/2003; 12/13/2004; 06/13/2005; 03/12/2007; 11/10/2008; 03/30/2009;
05/10/2010; 03/10/2014; 04/13/2015;

Cross Refs: IGBCA, Programs for Homeless Students
IGBE, Students in Foster Care
IHB, Class Size

Legal Refs: §§ 160.2000, 162.1040 - .1059, 163.011, 167.019 - .022, .121, .126, .131, .151, .227,
168.151, 475.060, RSMo.
8 U.S.C. § 1101
McKinney-Vento Homeless Education Assistance Improvements Act of 2001,
42 U.S.C. §§ 11431 - 11435
Blue Springs R-IV Sch. Dist. v. School Dist. of Kansas City, —415 S.W.3d —110
(Mo. 2013)
Breitenfeld v. School Dist. of Clayton, 399 S.W.3d 816 (Mo. 2013)
Martinez v. Bynum, 461 U.S. 321 (1983)
Horton v. Marshall Public Sch., 769 F.2d 1323 (8th Cir. 1985)
Washington v. Ladue Sch. Dist. Bd. of Educ., 564 F. Supp. 2d 1059 (E.D. Mo. 2008)

Webster Groves School District, St. Louis County, Missouri

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ok w/minor change

FILE: JECC
Critical

EXPLANATION: ASSIGNMENT OF STUDENTS TO GRADE LEVELS/CLASSES

MSBA has updated this policy to reflect the name change of the North Central Association of Colleges and Schools to AdvancED.

MSBA recommends that copies of this document be routed to the following areas because the content is of particular importance to them. The titles on this list may not match those used by the district. Please forward copies to the district equivalent of the title indicated.

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	Health Services	X	Counselor		Special Education
	Transportation		Public Info/Communications		Technology

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ASSIGNMENT OF STUDENTS TO GRADE LEVELS/CLASSES

The district will first consider placing students in grade levels or classes with students of similar age; *however,* age will not necessarily be the determining factor. Any student's placement may be adjusted by the principal or designee as needed, after consultation with the student's parent/guardian. The district's administrative staff will make the final decision regarding assignment of students to grade levels or classes. Students receiving special education services will be placed in accordance with law.

Transfers from Accredited Schools

For the purposes of this policy, an "accredited school" is the Missouri Virtual Instruction Program (MoVIP); a private agency where students with disabilities are placed by a public school; or any school or school district accredited by the Missouri Department of Elementary and Secondary Education (DESE), ~~the North Central Association of Colleges and Schools (NCA)~~ AdvancED, the Independent Schools Association of the Central States (ISACS) or the University of Missouri Committee on Accredited Schools ~~Non-Public~~ (CAS). If a school or school district is located in another state or country, that school or school district must be accredited by that state's or country's department of education, ~~NCA~~ AdvancED, ISACS or the equivalent agencies.

In general, if a student transfers to the Webster Groves School District from an accredited school, this district will accept the units of credit completed in the previous school or school district and rely on the grade-level placement in the previous school to the extent that it coincides with the district's program. However, the district may adjust the student's placement as needed to meet his or her educational needs, after consultation with the student's parent/guardian.

All credits must be equated to the Carnegie Unit as defined in Missouri. Only credits that correspond to course offerings accepted by the Missouri State Board of Education or by the Webster Groves School District may be accepted to meet graduation requirements.

Transfers from Unaccredited Schools

For the purposes of this policy an "unaccredited school" is any public or private school or school district or home school that does not meet the definition of "accredited" above.

In general, if a student transfers to the Webster Groves School District from an unaccredited school, the principal or designee will examine a number of criteria to determine grade-level or class placement including age, achievement tests or other performance data, transcripts, course descriptions, textbooks used and home-schooling logs. If necessary, the district will administer additional tests to aid placement decisions. Once placed, the district may further adjust the student's placement to meet his or her educational needs, after consultation with the student's parent/guardian.

The district will attempt to award credit for classes completed in previous schools if there is sufficient evidence of achievement. All credits must be equated to the Carnegie Unit as defined in Missouri. Only credits that correspond to course offerings accepted by the Missouri State Board of Education or by the Webster Groves School District may be accepted to meet graduation requirements.

Transfers of Students of Military Families

If a transfer student is in the household of an active duty member of the military, including some veterans who are deceased or injured as defined by law, the district will initially place the student in the same courses and programs the student was in while attending the previous district, to the extent the district offers such courses and programs. After placement, the district may perform additional evaluations to ensure that the student has been placed appropriately and may change the student's placement after consultation with the student's parent/guardian.

Transfers of Students in Foster Care

Students in foster care will be placed in courses and programs pursuant to law and the district's policy on foster care students.

* * * * *

Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.

Reviewed: 03/10/2014

Adopted: 09/13/1993

Revised: 01/10/2000; 09/13/2004; 11/10/2008; 03/30/2009; 06/08/2013;

Cross Refs: IGBA, Programs for Students with Disabilities
IGBCA, Programs for Homeless Students
IGBE, Students in Foster Care
IKF, Graduation Requirements
IKFB, Graduation Exercises

REFERENCE COPY

FILE: JECC
Critical

Legal Refs: §§ 160.2000, 161.670, 167.031, 171.171, RSMo.
5 C.S.R. 20-100.230

Webster Groves School District, St. Louis, Missouri

REFERENCE COPY

ok
as is

FILE: JHCB
Critical

EXPLANATION: IMMUNIZATION OF STUDENTS

Senate Bill 341 (2015) requires preschools, daycare centers and nursery schools to notify parents/guardians of children in those schools that they can ask whether any child in the preschool, daycare center or nursery school has an immunization exemption on file. (Please note that one exception—the parental exception—is available to parents/guardians of preschool children but is not available to K–12 students.) If a district does not operate a preschool, daycare center or nursery school, the district does not need to add this section, but the district should adopt the other revisions to this policy.

All children enrolling in any preschool, daycare center or nursery school must either have records demonstrating the child has the age-appropriate immunizations, documentation that they are in the process of receiving those immunizations or a medical, religious or parental exemption from obtaining those immunizations. Since many school districts operate preschools, daycare centers or nursery schools, MSBA has included that requirement in this policy.

The law does not require the district to release any information other than the fact that there is at least one student with an exemption. The law does not require the district to release the name of the child who has the exemption or the type of exemption, and MSBA does not recommend releasing this information.

Unless the parent/guardian was notified at the time of initial enrollment, the district must notify the parents/guardians of all students currently enrolled in district-sponsored preschools, daycare centers or nursery schools that they may request notice as to whether any students enrolled in those programs have filed an immunization exemption.

MSBA recommends that copies of this document be routed to the following areas because the content is of particular importance to them. The titles on this list may not match those used by the district. Please forward copies to the district equivalent of the title indicated.

	Board Secretary		Business Office		Coaches/Sponsors
	Facility Maintenance		Food Service		Gifted
	Human Resources	X	Principals		Library/Media Center
X	Health Services	X	Counselor		Special Education
	Transportation	X	Public Info/Communications		Technology

FILE: JHCB
Critical

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FILE: JHCB
Critical

IMMUNIZATION OF STUDENTS

It is the policy of the Webster Groves School District that all students attending the district schools shall be immunized in accordance with law.

The district will not allow a student to attend school until the district has satisfactory evidence on file demonstrating that the student has been immunized, that the immunization process has begun and satisfactory progress is being accomplished or that the student is exempted from obtaining immunizations in accordance with law.

A student is exempted from obtaining immunizations if the district has on file the completed, original forms necessary to prove that the student will not be immunized for religious or medical reasons. An exemption for medical reasons requires certification by a licensed doctor of medicine or doctor of osteopathy that either the immunization would seriously endanger the child's health or life or that the child has documentation of laboratory evidence of immunity to the disease. An exemption for religious reasons requires written certification from one parent or guardian that immunization of the student violates his or her religious beliefs.

Homeless students who cannot provide proof of immunization will be immediately enrolled, and the district's homeless coordinator will work with the students to obtain the necessary immunizations as soon as possible. Students who are in the household of an active duty member of the military and who cannot provide evidence of having received immunizations required under Missouri law shall be immediately enrolled and given 30 days to obtain the required immunizations or, if the immunization is a series, to begin the series.

The district will exclude from school all students who are not immunized or exempted as required by law. When immunization is in progress, failure to meet the next scheduled appointment constitutes noncompliance with the immunization law, and the student should be excluded from school immediately.

The district must report to the Department of Health and Senior Services (DHSS) the name of any parent or guardian who neglects or refuses to permit a nonexempted student to be immunized. The district will also report to the Children's Division (CD) of the Department of Social Services any instance of educational or medical neglect.

The superintendent or designee shall maintain procedures for the maintenance of health records, which are to show the immunization status of every child enrolled or attending in the district, and for the completion of all necessary reports in accordance with guidelines prepared by DHSS.

District-Sponsored Preschool, Daycare Centers and Nursery Schools

No child is permitted to enroll in or attend district-sponsored preschools, daycare centers or nursery schools until the district has satisfactory evidence demonstrating that the child has been immunized, that immunizations are in progress or that the student has an immunization exemption as permitted by law.

Upon request from a parent/guardian of a student enrolled in or attending district-sponsored preschools, daycare centers or nursery schools, the district will inform the parent/guardian whether any student enrolled or currently attending the facility in which the district-sponsored preschool, daycare center or nursery school is located has an immunization exemption on file. The district will only verify whether any student has an exemption on file. The district will not release any information that would identify a particular student with an exemption or a particular type of exemption.

The district will notify parents/guardians at the time of initial enrollment of their student in district-sponsored preschools, daycare centers or nursery schools that they may request notice from the district as to whether any students currently enrolled in or attending the facility have an immunization exemption on file with the district.

* * * * *

Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.

Adopted: 09/13/1993

Revised: 01/12/1998; 09/13/2004; 11/27/2006; 06/08/2013; 06/14/2014;

Cross Refs: IGBCA, Programs for Homeless Students

Legal Refs: §§ 160.2000, 167.181 - .191, 210.003, RSMo.
19 C.S.R. 20-28.010, 20-28.040
No Child Left Behind Act of 2001, 20 U.S.C. §§ 6301 - 7941

Webster Groves School District, St. Louis, Missouri

as is

REFERENCE COPY

FILE: JHG
Critical

EXPLANATION: REPORTING AND INVESTIGATING CHILD ABUSE/NEGLECT

MSBA has updated this policy to help districts understand the mandated reporting requirements for school personnel and to indicate that student-on-student abuse must be reported.

Under Missouri law, all school personnel—from maintenance workers and bus drivers to the superintendent—are mandated reporters and have a legal duty to report any instances of child abuse or neglect to the Children's Division. Failure to do so is a crime.

The law specifically states that abuse or neglect is a crime if it is inflicted by someone with "care, custody and control" of the child. Usually, this means someone like a parent, guardian, grandparent, etc. The law also defines someone exercising "care, custody and control" as "those exercising supervision over a child for any part of a 24-hour day." Thus, the definition expands to teachers, daycare workers, babysitters, etc.—anyone who has any type of supervision over the child during the day.

Usually, these definitions and parameters are easy to figure out for school districts. The more difficult question arises when a student is suspected of being "abused" by another student. Under the above definition, another student does not exercise "care, custody or control" of the victim. So, as mandated reporters, if district personnel know or suspect that one student has sexually (or otherwise) abused another student, is that technically child abuse that must be reported under Missouri law?

The answer is yes.

Under § 210.115.1, RSMo. (the "mandated reporter" statute), the term "abuse" is not limited to abuse inflicted by a person responsible for the child's care, custody and control. The term abuse also includes any abuse inflicted by "any other person." Thus, if a student is suspected of abusing another student, even though the alleged perpetrator does not have care, custody or control of the victim, it is still considered child abuse under Missouri law and must be reported.

This means that all district personnel (who are all mandated reporters) must report all suspected incidents of student-on-student abuse as well as any abuse perpetrated by someone with care, custody and control of the child.

MSBA has added relevant definitions to this policy. The new definition of "abuse" includes language requiring school personnel to report suspected instances of student-on-student abuse.

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MSBA recommends that copies of this document be routed to the following areas because the content is of particular importance to them. The titles on this list may not match those used by the district. Please forward copies to the district equivalent of the title indicated.

	Board Secretary		Business Office		Coaches/Sponsors
	Facility Maintenance		Food Service		Gifted
X	Human Resources	X	Principals		Library/Media Center
X	Health Services	X	Counselor		Special Education
	Transportation		Public Info/Communications		Technology

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FILE: JHG
Critical

REPORTING AND INVESTIGATING CHILD ABUSE/NEGLECT

The Webster Groves School District and its employees will take action to protect students and other children from harm including, but not limited to, abuse and neglect, and will respond immediately when discovering evidence of harm to a child. Employees must cooperate fully with investigations of child abuse and neglect. The district prohibits discrimination, negative job action or retaliation against any district employee who, in good faith, reports alleged child abuse or neglect, including alleged misconduct by another district employee.

Employees failing to follow the directives of this policy or state or federal law will be subject to discipline including, but not limited to, termination, and may be subject to criminal prosecution.

Definitions

Abuse – Any physical injury, sexual abuse or emotional abuse inflicted on a child other than by accidental means by those responsible for the child's care, custody and control or by any other person, except that discipline including spanking, administered in a reasonable manner, shall not be construed as abuse. Physical injury, sexual abuse and emotional abuse are defined by the Children's Division (CD) of the Department of Social Services in 13 C.S.R. 35-31.010.

Child – Any person under 18 years of age.

Neglect – The failure to provide, by those responsible for the care, custody and control of the child, the proper or necessary support, education as required by law, nutrition or medical, surgical or any other care necessary for the child's well-being.

Those Responsible for the Care, Custody and Control of the Child – Includes, but is not limited to, any person exercising supervision over a child for any part of a 24-hour day as well as any adult who has access to the child.

Public School District Liaison

The superintendent shall designate a specific person or persons to serve as the public school district liaison(s) and forward that information to the local division office of the ~~Children's Division (CD) of the Department of Social Services~~. The liaison(s) shall develop protocols in conjunction with the chief investigator of the local division office to ensure information regarding the status of a child abuse or neglect investigation is shared with appropriate school personnel.

The liaison(s) will also serve on multidisciplinary teams used in providing protective or preventive social services along with law enforcement, the juvenile officer, the juvenile court and other agencies, both public and private.

Training

The superintendent or designee shall implement annual training necessary to assist staff members in identifying possible instances of child abuse and neglect, including annual updates regarding any changes in the law. Such training shall:

1. Provide current and reliable information on identifying signs of sexual abuse in children and danger signals of potentially abusive relationships between children and adults.
2. Emphasize how to establish an atmosphere of trust so that students feel that their school has concerned adults with whom they feel comfortable discussing matters related to abuse.
3. Emphasize that all mandatory reporters shall, upon finding reasonable cause, directly and immediately report suspected child abuse or neglect. These reports must be made even if the person suspected of abusing the child is another mandated reporter, such as another school employee.
4. Emphasize that no supervisor or administrator may impede or inhibit any reporting under state law.
5. Emphasize that no person making a report in accordance with law shall be subject to any sanction, including any adverse employment action, for making such a report.

Reporting Child Abuse/Neglect

The Board of Education requires its staff members to comply with the state child abuse and neglect laws and the mandatory reporting of suspected neglect and/or abuse. Any school official or employee acting in his or her official capacity who knows or has reasonable cause to suspect that a child has been subjected to abuse or neglect, or who observes the child being subjected to conditions or circumstances that would reasonably result in abuse or neglect, shall directly and immediately make a report to the CD, including any report of excessive absences that may indicate educational neglect. No internal investigation shall be initiated until such a report has been made, and even then the investigation may be limited if the report involves sexual misconduct by a school employee. Employees who make such reports to the CD must notify the school principal or designee that a report has been made. The principal or designee will notify the superintendent or designee and the district liaison(s) about the report.

The school principal or designee may also notify law enforcement or the juvenile office when appropriate. If an employee has reason to believe that a victim of such abuse or neglect is a resident of another state or was injured as a result of an act that occurred in another state, then, in addition

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to notifying the Missouri CD pursuant to this policy, he or she may also make a report to the child protection agency with the authority to receive such reports, pursuant to law, in the other state.

~~In accordance with law, if a student reports alleged sexual misconduct on the part of a school district employee to an employee of this district, the employee who receives the report and the superintendent shall immediately report the allegation to the CD as set forth in law.~~

The reporting requirements ~~in this section~~ are individual, and no supervisor or administrator may impede or inhibit any reporting under this section. No employee making a report in accordance with law shall be subject to any sanction, including any adverse employment action, for making such a report. Further, the superintendent and other district administrators shall ensure that any employee mandated by law to make a report shall have immediate and unrestricted access to the communication technology necessary to make an immediate report. Employees shall also be temporarily relieved of other work duties for such time as is required to make any mandated report.

Reporting Allegations of Sexual Misconduct by a School Employee

The district takes all allegations of sexual misconduct seriously, regardless of the source. However, an allegation of sexual misconduct by a school employee is particularly serious. In accordance with law, if a student reports alleged sexual misconduct on the part of a school district employee to an employee of this district, the employee who receives the report and the superintendent shall immediately report the allegation to the CD as set forth in law, regardless of whether the employee or superintendent has reasonable cause to suspect abuse. For the purposes of this policy, the term "sexual misconduct" includes, but is not limited to, any conduct with a student, on or off district property, that could constitute a crime that is sexual in nature under Chapter 566 of the Missouri Revised Statutes including, but not limited to, 1) the crime of sexual misconduct; 2) any conduct with a student that could constitute a serious violation of policy AC, as determined by the district; 3) any conduct that is inappropriate and of a sexual nature that endangers the welfare of a student or students, as determined by the district; or 4) child abuse involving sexual behavior, as determined by the CD.

The CD will investigate all allegations of sexual misconduct involving district employees. The district may investigate the allegations for the purpose of making employment decisions.

Investigating Child Abuse/Neglect

In general, the CD investigates reports of child abuse and neglect. However, state statute requires the district to initially investigate allegations of child abuse by district employees in situations other than sexual misconduct to ensure that the allegations are not made for the purpose of harassing district staff.

~~Except in situations involving sexual misconduct, w~~When the CD receives a child abuse report alleging that an employee of the district has abused a student in situations other than those involving sexual misconduct, the report shall be immediately referred to the superintendent (or the president of the School Board in situations concerning the superintendent), who will conduct an initial investigation. If the initial investigation determines that the report relates to a spanking by a certificated district employee or the use of reasonable physical force against a student for the protection of persons or property by any district personnel administered pursuant to district policy, or if it is determined that the sole purpose of the report is to harass a district employee, the report will be investigated as detailed below in accordance with law. All other reports of any nature will be immediately returned to the CD for investigation.

If a child welfare official requests to interview a child at school, the principal will verify and record the identity of the official and request an explanation of the need to question or interview the student at school. Questioning will be permitted provided there seems to be reasonable evidence to support such an inquiry. The principal ordinarily will make reasonable efforts to notify the student's parents/guardians unless the interviewer raises a valid objection to the notification.

Harassment, Spanking or Protection of Persons or Property by District Staff

If a report to the CD relates to a spanking by a certificated district employee or the use of reasonable physical force against a student for the protection of persons by any district personnel administered pursuant to district policy, or if it is determined that the sole purpose of the report is to harass a district employee, the superintendent, Board president or a designee of either will notify law enforcement of the county in which the alleged incident occurred. The district will jointly investigate the matter with the law enforcement officer. The superintendent, Board president and their designees are authorized to contact and utilize the district's attorney to assist in the investigation.

Once the investigation is concluded, the law enforcement officer and the investigating district personnel will issue separate reports of their findings, no later than seven days after the district receives notice of the allegation from the CD. The reports must contain a statement of conclusion as to whether the preponderance of evidence supports a finding that the alleged incident of child abuse is substantiated or unsubstantiated. The Board will consider the separate reports and will issue its findings and conclusions, if any, within seven days after receiving the last of the two reports. The findings and conclusions will be made as required by state law and will be sent to the CD.

Sexual Misconduct Involving an Employee

~~The district takes all allegations of sexual misconduct (as defined in policy GBLB) seriously, regardless of the source. When an allegation is made, district employees will immediately take appropriate action to protect students and other children, which will include reporting to the CD in~~

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Critical

~~accordance with Board policy and notifying the superintendent. The superintendent or designee will contact law enforcement and may suspend the employee pending an investigation.~~

~~In accordance with law, if a student reports alleged sexual misconduct on the part of a teacher or other employee of a school district to a district employee, the employee who receives the report shall notify the superintendent immediately and report the allegation to the CD. The CD will investigate all allegations of sexual misconduct involving district employees for purpose of determining whether the allegations should be substantiated. The district may investigate for purposes of making any decisions regarding the employment of the accused employee.~~

Referral to the Office of Child Advocate for Children's Protection and Services

If the CD determines that a report of child abuse or neglect is unsubstantiated, the district or a district employee may request that the report be referred to the Office of Child Advocate for Children's Protection and Services for additional review.

Information from the Children's Division

In accordance with law, as mandated reporters district employees reporting child abuse and neglect are entitled upon request to information on the general disposition of a report of child abuse or neglect and may receive findings and information concerning the case at the discretion of the CD. The CD will also notify the district when a student is under judicial custody or when a case is active regarding a student.

Any information received from the CD will be kept strictly confidential in accordance with law and will only be shared with district employees who need to know the information to appropriately supervise the student or for intervention and counseling purposes. All written information received by any public school district liaison or the district shall be subject to the provisions of the Family Educational Rights and Privacy Act (FERPA). Information received from the CD will not be included in the student's permanent record.

Immunity

In accordance with law, any person who in good faith reports child abuse or neglect; cooperates with the CD or any law enforcement agency, juvenile office, court, or child-protective service agency of this or any other state in reporting or investigating child abuse or neglect; or participates in any judicial proceeding resulting from the report will be immune from civil or criminal liability.

Any person who is not an employee of the district and who in good faith reports to a district employee a case of alleged child abuse by any district employee will be immune from civil or

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criminal liability for making such a report or for participating in any judicial proceedings resulting from the report.

* * * * *

Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.

Reviewed: 06/14/2014

Adopted: 09/13/1993

Revised: 12/08/2003; 10/11/2004; 11/27/2006; 06/27/2011; 06/11/2012; 06/08/2013;
12/09/2013;

Cross Refs: AC, Prohibition against Discrimination, Harassment and Retaliation
GBH, Staff/Student Relations
GBLB, References
GCPD, Suspension of Professional Staff Members
GCPE, Termination of Professional Staff Members
GCPF, ~~Nonr~~Renewal of Professional Staff Members
GDPD, Nonrenewal, Suspension and Termination of Support Staff Members

Legal Refs: §§ 160.261, 162.069, 167.122 - .123, 210.110 - .165, .865, RSMo.
13 C.S.R. 35-31.010
Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g

Webster Groves School District, St. Louis County, Missouri

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ok
w/ minor change

FILE: KKB
Critical

EXPLANATION: AUDIO AND VISUAL RECORDING

This is a NEW policy for district consideration; district previously declined this policy. The proposed changes in this policy are optional for districts.

MSBA has revised this policy to reflect changes in Missouri teacher preparation programs. Candidates for teacher certification have the option to submit a video of their teaching as part of their certification assessment. This requirement is part of the Missouri Pre-Service Teacher Assessment (MoPTA). However, there is also a "nonvideo" option for teacher candidates. Districts have the option of whether to allow student teachers to make video recordings of their class(es). If a district decides not to allow video recording, the candidate then must use the "nonvideo" option to fulfill his or her certification requirements.

If a district allows video recording, the teacher candidates must follow specific guidelines and procedures before making video recordings of students in their classes. First, a candidate's supervising teacher should inform the building administration that such recording will take place and the reasons for it. After receiving permission from the administration, the candidate must obtain completed permission forms prior to recording students or other adults. Candidates must use the MoPTA forms, which can be found at:

<http://mega.ets.org/test-takers/mopta/build-submit-tasks/permission-forms>.

District or school permission forms are not accepted.

The forms are used to collect and document signed permission given for all individuals who appear in any submitted photograph or are seen or heard in video recordings. The forms also are used for student work that is submitted. The candidate must secure permission from the parents/guardians of all students in the video and must also consider securing permission from all other students in the class should they be needed for future use. These permissions must be secured whether the candidate is making the video for practice or not.

The candidate should take responsibility for ensuring that parents/guardians understand the video recordings are not about the students but are being used for professional discussions with other teachers about the best ways to teach. The candidate should ensure that the students will never be identified by their full names.

If a student's parent/guardian refuses to grant permission, the candidate must ensure that the student is seated outside the video camera's range. There must be a signed Student Permission Form for each student who appears or is heard on a submitted video recording, who is seen

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in a photograph, or whose work samples are submitted. There should also be a signed Adult Permission Form for any adult who is included in submitted video recordings or in photographs.

The supervising teacher should verify that the candidate has obtained all the necessary release forms before any video recording takes place.

MSBA has also added language to reflect the new laws concerning Unmanned Aircraft Systems (UAS), more commonly referred to as "drones." In 2015, the federal government issued new, and much more restrictive, guidelines/regulations/laws for drone operators and operation. MSBA has received numerous questions from districts using these devices to film sporting events and other district activities in regard to the requirements and limitations that districts may be under when operating them. The language added to this policy reflects those changes to the guidelines/regulations/laws concerning UAS and drones.

<i>MSBA recommends that copies of this document be routed to the following areas because the content is of particular importance to them. The titles on this list may not match those used by the district. Please forward copies to the district equivalent of the title indicated.</i>					
	Board Secretary		Business Office		Coaches/Sponsors
	Facility Maintenance		Food Service		Gifted
	Human Resources	X	Principals		Library/Media Center
	Health Services		Counselor	X	Special Education
	Transportation	X	Public Info/Communications		Technology

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FILE: KKB
Critical

AUDIO AND VISUAL RECORDING

~~The district has established limits on the use of recording equipment in order to minimize disruption and protect instructional time essential to improving student achievement. Because the district predominantly serves minors, is subject to a number of confidentiality laws, respects parent/guardian and community concerns about privacy, and seeks to minimize disruption to the education environment, the district prohibits audio and visual recordings on district property, district transportation or at a district activity unless authorized in this policy.~~

Any recording activity, even activity permitted under this policy, will be prohibited if the activity creates a disruption to the education ~~process~~ environment. No recording equipment will be used or placed in areas of the building where the occupant would have a reasonable expectation of privacy, such as restroom facilities or locker rooms.

Definitions

~~Visual Recording – Registering visual images on film, tape, digitally or by other mechanical or electronic means.~~

Audio Recording – Registering sounds on tape, digitally or by other mechanical or electronic means.

Outside Entity – Any individual, group, organization or corporation other than the administration, officers, staff or students of the Webster Groves School District or individuals authorized to act for the district.

Visual Recording – Registering visual images on film, tape, digitally or by other mechanical or electronic means.

Recording by Outside Entities

The Webster Groves School District prohibits the use of ~~video~~ visual or audio recording equipment on district property or at district activities by outside entities without permission from the superintendent or designee unless otherwise authorized by law. This prohibition shall not apply to:

1. Performances or activities to which the general public is invited such as athletic competitions, concerts and plays.
2. Recording of staff for the sole purpose of professional training or development.
3. Open meetings of the Webster Groves School District Board of Education or committees appointed by or at the direction of the Board.

4. ~~Recording of an event sponsored by an outside entity, including student-initiated groups,~~ using or renting district facilities in accordance with Board policies and established administrative procedures.

Recording by District Personnel or District Agents

The district or designated agents of the district may make audio or visual recordings to provide security, to maintain order, for professional staff development use, for educational purposes or for other purposes related to furthering the educational mission of the district. This may include the use of ~~video~~visual recording equipment in ~~school~~district buildings and on district transportation. ~~No recording equipment will be placed in areas of the building where the occupant would have a reasonable expectation of privacy, such as restroom facilities or locker rooms.~~ Recordings by or on behalf of district personnel that include students will be considered student records and will be maintained in accordance with the Family Educational Rights and Privacy Act (FERPA) and other applicable laws.

Pre-Service and Student Teachers

The district may allow student teachers or pre-service teachers to record themselves teaching or otherwise interacting with students when the recording is used for educational purposes in the student teacher or pre-service teacher preparation program. The student teacher or pre-service teacher must obtain permission to do so from the cooperating teacher and the building principal and must have signed Missouri Pre-Service Teacher Assessment permission forms from all students and adults who will appear in the recordings if those recordings will be viewed by any person who is not employed by the district. The district reserves the right to refuse to allow recording or to limit the time and place for such recordings in order to minimize disruption to the educational process.

Recording by Students

The Webster Groves School District prohibits the use of ~~video~~visual or audio recording equipment on district property or at district activities by students except:

1. If required by a ~~school~~district-sponsored class or activity.
2. At performances or activities to which the general public is invited, such as athletic competitions, concerts and plays.
3. At open meetings of the Board of Education or committees appointed by or at the direction of the Board.
4. As otherwise permitted by the building principal.

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FILE: KKB
Critical

Recording of Meetings

The Board of Education prohibits the use of audio, ~~video~~visual or other recording devices at meetings held pursuant to the Individuals with Disabilities Education Act (IDEA) or Section 504 of the Rehabilitation Act of 1973, as well as other meetings ~~between~~among district employees and ~~between~~district employees and parents/guardians. Exceptions to this prohibition will be made only in accordance with Board policy and law. Requests for such exceptions must be made within a reasonable period of time prior to the scheduled meetings. This prohibition does not apply to conversations held within view of district security cameras.

Secretive Recording or Transmission

The district prohibits secretive recordings where persons involved do not consent to the recording and it is not otherwise obvious that recording equipment is present or being used, unless the superintendent or designee determines in rare circumstances that such recordings are necessary for educational or security reasons. The district prohibits the simultaneous electronic transmission of any conversation by any person to a third party without the consent of all involved in the conversation, even if the conversation is not recorded.

Use of Unmanned Aircraft Systems

All unmanned aircraft systems (UAS) operators seeking to operate a UAS on or over district property or at a district event must receive authorization from the superintendent or designee. Authorization will be granted only when such operation is on behalf of the district, supports the mission of the district or otherwise serves a public purpose.

All UAS with the potential to capture or produce visual images of district property or district events must be operated in accordance with applicable Federal Aviation Administration regulations or safety guidelines.

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Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.

Adopted:

Cross Refs: BDA, Board Meetings
BDC, Closed Meetings, Records and Votes

FILE: KKB
Critical

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BDDL, Release of Information
ECA, Buildings and Grounds Security
IGBA, Programs for Students with Disabilities
IGDA, Student-Initiated Group Use of District Facilities
JO, Student Records

Legal Refs: §§ 610.010 - .035, RSMo.
The Individuals with Disabilities Education Act, 20 U.S.C. §§ 1400 - 1417
34 C.F.R. Part 300
The Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g
34 C.F.R. Part 99

Webster Groves School District, St. Louis, Missouri