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**USD 417 Mission Statement**

*Employees, parents, and patrons through their cooperative efforts assure district students of the knowledge, skills, and attitudes necessary to develop into lifelong learners who respect themselves and others, contribute to their communities, and succeed in a changing world.*

All students shall have an equal opportunity to pursue and acquire knowledge and to master the curriculum's objectives. The program shall provide for student mastery of basic skills, higher order thinking skills, the ability to work in groups and individually, individual physical and mental well-being and other varied needs and interests of students. The curriculum shall be outcomes-oriented and the instructional program research-based.

The educational process shall be a comprehensive program undertaken in cooperation with parents, institutions and community programs.

Approved: JUL 20 1998

IAA Academic Freedom

IAA

Academic Freedom

No arbitrary limitations shall be placed by teachers upon study, investigation, presentation and interpretation of facts and ideas when pursued in accordance with the approved curriculum.

Approved: JUL 20 1998

## **School Site Councils**

**IB**

(See KA)

A site council shall be established in each district building. Each council shall be responsible for providing advice and counsel for evaluating state, school district, and school site performance goals and objectives and in recommending methods that may be employed at the school site to meet these goals and objectives. Discussions may include allocations of the school budget and administrative and management functions.

The membership of each council shall include, at a minimum, the building principal, and representatives of: teachers and other school personnel, parents of pupils attending the school, the business community, and community leaders.

The principal shall recommend site council members for board approval.

Each site council shall establish meeting schedules. Each council shall report to the board at least 2 times a year.

Approved: 07/11/2022

KASB Recommendation–7/96; 6/04; 4/07; 6/14; 6/22

**IC      Educational Program** (See ID, IDAA, IDAB, IDAC and IJ)

**IC**

The academic program shall assist students to grow intellectually, to master the curriculum objectives, and to prepare for further education or training. The board shall consider the district's basic educational program each year. And, when approved, the program shall constitute the district's basic curriculum.

**Curricular Offerings**

An outline of each curricular offering and the learning objectives to be mastered shall be developed. When approved by the board, they shall become a part of these policies and rules by reference.

**Educational Goals and Objectives**

District educational goals and curriculum objectives for the basic educational program shall be on file in the district office, and available for inspection upon request.

**Additional Educational Programs**

Additional educational programs shall be in one of the following categories:

Special Programs (IDAA), Support Programs (IDAB) and Exceptional Programs (IDAC).

Approved: 08/10/20

KASB Recommendation – 6/04; 04/07; 6/10; 6/20

The board supports the use of pilot projects before any new instructional technique is implemented on a district-wide basis.

Pilot project means any research or experimentation program or project designed to explore or develop new, unproven teaching methods or techniques. All instructional materials, including teachers' manuals, audio/visual materials or any other supplementary instructional material to be used in connection with a pilot project shall be available for inspection by parents or guardians of students engaged in the program or project.

#### Pilot Project Evaluation

Before any pilot project proposal is submitted to the board for approval, an evaluation format shall be developed and included with the pilot project.

#### Student Surveys

Except as provided in board policy IDAE with regard to surveys about a student's or the student's parents' or guardians' personal beliefs or practices on issues such as sex, family life, morality, or religion, any instrument designed to survey students, either by district staff or by an outside agency or individual, shall be made available for inspection by parents or guardians before the survey is administered.

Approved: KASB Recommendation – 7/03; 6/04; 4/07; 6/14

USD 417 Approved 7/2014

Use of current research findings to improve instruction is required as a part of the district's school improvement efforts. Staff development programs will be designed to help teachers learn research-based instructional skills and to apply them in daily instruction.

Approved: KASB Recommendation – 6/04; 4/07; 6/10

Approved: USD 417 BOE July 12, 2010



**ID    Instructional Program (See BBG, CJ, CL, IC and IJ)**

**ID**

All certified staff shall cooperatively develop an integrated, comprehensive, performance-oriented preK-12 Instructional Program, which will be composed of the specific courses and programs offered that allow students to meet the goals and objectives set forth in the educational program. The instructional program is to include district instructional goals and learning objectives and be based on valid educational research and current State Board of Education requirements. After board of education approval, district instructional goals and learning objectives shall be used by the staff as the basis for developing and implementing specific curricula. The superintendent shall develop a schedule for periodic curriculum reviews.

**Modification**

Additions, deletions or alterations to the Instructional Program shall be approved by the board.

**Personnel**

Outside resources and district personnel may be used in curriculum development.

**Financial Resources**

The board encourages the superintendent to secure federal, state and private grants, or other alternative funding sources for use in curriculum development. The certified staff is encouraged to use available commercial, public domain and community resources to assist in developing the instructional program and extending it beyond the traditional classroom setting.

**Evaluation (See IJ)**

Approved: KASB Recommendation – 6/04; 4/07; 6/10

**Approved: USD 417 BOE July 12, 2010**

IDA Educational Program (See IC)

IDA

— The academic program shall assist students to grow intellectually, to master the curriculum objectives, and to prepare for further education or training. The board shall consider the district's basic educational program each year. And, when approved, the program shall constitute the district's basic curriculum.

Curriculum Handbooks

Curriculum handbooks shall contain an outline of each basic course and the learning objectives to be mastered. Each handbook, when approved by the board, shall become a part of these policies and rules by reference.

Educational Goals and Objectives

District educational goals and curriculum objectives for the basic educational program shall be on file in the district office, and available for inspection upon request. (See CN)

Other Educational Programs

Other educational programs provided by the district shall be in one of the following categories:

Special Programs (IDAA), Support Programs (IDAB) and Exceptional Programs (IDAC).

Approved: JUL 20 1998



**IDAA    Special Programs** (See AEB, IC, and JJ)

**IDAA**

In addition to the educational program, the district shall provide programs to meet special needs. These programs shall be outlined in the appropriate handbooks or other documents following board review and approval.

**Partnerships/Work-Study Program**

The board may approve partnership/work-study programs with business and/or educational institutions for the purpose of improving and/or expanding the quality of curricular offerings, and may approve opportunities for partnership organizations to assist with specified programs.

A periodic review of the partnership's goals and objectives shall be conducted.

Approved: 07/12/2021

KASB Recommendation – 6/04; 4/07; 6/21

## **Support Programs**

**IDAB**

(See IC and LDD)

Support program information approved by the board shall be filed with the clerk and made available to staff as needed.

### Drug Education

All students shall be made aware of the legal, social and health consequences of drug and alcohol use. Students shall be instructed on effective techniques for resisting peer pressure to use illicit drugs or alcohol. Students shall be informed that the use of illicit drugs and the unlawful possession and use of alcohol is both wrong and harmful.

The board's comprehensive drug and alcohol abuse and prevention program shall be included as part of the district's curriculum. The curriculum at each grade level shall be age-appropriate and developmentally based.

A student who voluntarily seeks assistance, advice or counseling from school personnel regarding drugs or drug abuse shall not be disciplined by school authorities because the student sought assistance.

### Student Mental Health

The superintendent may develop and implement a student mental health awareness program. The superintendent shall identify community or area mental health agencies able to provide assistance.

### Dropout Prevention

The superintendent may develop and implement programs to prevent students from dropping out of school or to encourage dropouts to return to school.

The staff shall incorporate the philosophy and goals of this policy into the schools' programs.

### At-Risk Students

The superintendent shall be responsible for developing a program for identifying and working with at-risk students.

### Guidance

The guidance program shall be organized to serve all students.

Counselor(s) shall provide guidance services consistent with district philosophy, job descriptions and board policies.

### Homebound Instruction

Homebound instruction may be provided to a student as deemed necessary by the superintendent or by the student's Individualized Education Program (IEP) team or Section 504 team.

Approved: 02/13/2023

KASB Recommendation – 6/04; 4/07; 12/22

IDAC Exceptional Programs

IDAC

- In addition to the basic programs approved by the board, the district shall provide programs to meet exceptional needs. Program information approved by the board shall be filed with the clerk and made available to staff as needed.

List Other Appropriate Information Here

Approved: JUL 20 1998

## **IDACA Special Education Services**

## **IDACA**

In accordance with the provisions of Federal and state law, it is the policy of this district to provide a free appropriate public education for every exceptional child (as defined by K.S.A. 72-3404) who is a resident of this district or attends a private or parochial school located in this district. Special education services are provided for such children, including individual educational programs offered in the least restrictive environment.

### **Child Find, Identification, and Eligibility**

The district shall coordinate and maintain a system which schedules and structures available services for pupils who are referred to determine eligibility for special education services in accordance with procedural processes established in Federal and state law.

### **Actions and Due Process for Students**

Parental involvement and cooperation is important to the success of these educational programs. In order to encourage the involvement and cooperation of parents in special education services and to safeguard the rights of exceptional children to a free appropriate public education, the board utilizes and refers parents to the "Procedural Safeguards in Parent Rights in Special Education" published by the Kansas State Department of Education.

In the provision of special education and related services, the district will implement all Federal and Kansas statutes, rules, and regulations.

Approved: 8/18

KASB Recommended - 6/14; 6/18

**IDACB Section 504 Accommodations for Students**

**IDACB**

In accordance with the provisions of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act, the district is committed to providing students with disabilities the opportunity to participate in and benefit from its programs and activities. Accordingly, the district will make reasonable modifications to its programs and activities to accommodate otherwise qualified students with disabilities, unless such modifications would impose an undue burden on the operation of the particular program or activity or would fundamentally alter the nature or purpose of the program or activity. No district board member, employee, or contractor shall retaliate against any person because of his or her exercise of rights under Section 504.

Approved: KASB Recommended – 6/14

USD 417 Approved 7/2014

**IDAD    Title I Programs**

**IDAD**

The board shall ensure the district's Title I programs operate in accordance with federal laws and conditions. The superintendent is responsible for administering the district's Title I program; assessing the educational needs of all students, particularly the needs of educationally disadvantaged children; developing appropriate communication channels between all parties; to the extent practicable, providing full opportunities for the participation of parents/guardians with limited English proficiency, parents/guardians with disabilities, and parents/guardians of migrant children, including providing information and school reports required under federal law in a format and language such parents/guardians can understand; developing in-service training for parents and staff; and developing appropriate evaluation procedures.

**Annual Parent Meeting**

The board shall designate at least one meeting date each school year to provide parents of Title I students an opportunity to meet with school personnel in order to participate in the design and implementation of the Title I program.

Approved: KASB Recommendation – 6/00; 7/03; 6/04; 4/07; 12/13

USD 417 Approved 7/2014

## **Student Privacy Policy**

**IDAE**

(See BCBK, ICA, ICAA, II, and JR et seq.)

The superintendent, the board and staff shall protect the right of privacy of students and their families in connection with any surveys or physical examinations conducted, assisted, or authorized by the board or administration. The district shall annually provide parents notice of their rights under the Protection of Pupil Rights Amendment and the Student Data Privacy Act, at the beginning of each school year, and at any other time the school district policies in the area are substantially changed.

### Student Data Restrictions

Any student data submitted to and maintained by a statewide longitudinal student data system shall only be disclosed in accordance with the Student Data Privacy Act. Disclosure of all other student data or student record information maintained is governed by the Family Educational Rights and Privacy Act ("FERPA").

Annual written notice presented to parents and legal guardians of district students shall: 1) require parent or guardian's signature; and 2) shall state student data submitted to and maintained by a statewide longitudinal data system only be disclosed as follows.

Student data may be disclosed to:

- The authorized personnel of an educational agency or the state board of regents who require disclosures to perform assigned duties; and
- The student and the parent or legal guardian of the student provided the data pertains solely to the student.

Student data may be disclosed to authorized personnel of any state agency, or to a service provider of a state agency, educational agency, or school performing instruction, assessment, or longitudinal reporting, provided a data-sharing agreement between the educational agency and other state agency or service provider provides the following:

- purpose, scope, and duration of the data-sharing agreement;
- recipient of student data use such information solely for the purposes specified in agreement;
- recipient shall comply with data access, use, and security restrictions specifically described in agreement; and
- student data shall be destroyed when no longer necessary for purposes of the data-sharing agreement or upon expiration of the agreement, whichever occurs first.

## **Student Privacy Policy**

**IDAE-2**

\*A service provider engaged to perform a function of instruction may be allowed to retain student transcripts as required by applicable laws and rules and regulations.

Destruction shall comply with the NISTSP800-88 standards of data destruction.

Unless an adult student or parent or guardian of a minor student provides written consent to disclose personally identifiable student data, student data may only be disclosed to a governmental entity not specified above or any public or private audit and evaluation or research organization if the data is aggregate data. "Aggregate data" means data collected or reported at the group, cohort, or institutional level and which contains no personally identifiable student data.

The district may disclose:

- Student directory information when necessary and the student's parent or legal guardian has consented in writing;
- directory information to an enhancement vendor providing photography services, class ring services, yearbook publishing services, memorabilia services, or similar services;
- any information requiring disclosure pursuant to state statutes;
- student data pursuant to any lawful subpoena or court order directing such disclosure; and
- student data to a public or private postsecondary educational institution for purposes of application or admission of a student to such postsecondary educational institution with the student's written consent.

### Student Data Security Breach

If there is a security breach or unauthorized disclosure of student data or personally identifiable information of any student submitted to or maintained on a statewide student longitudinal data system, each affected student or the parent or legal guardian of the student, if a minor, shall be immediately notified, and an investigation into the causes and consequences of the breach or unauthorized disclosure will be conducted.

### Biometric Data

The district shall not collect biometric data from a student or use any device or mechanism to assess a student's physiological or emotional state, unless the adult student or the parent or legal guardian of the minor student consents in writing. "Biometric data" includes measurable biological or behavioral characteristics that can be used for automated recognition of an individual, such as fingerprints, retina and iris patterns, voiceprints, DNA sequence, facial characteristics, and handwriting.



Nothing in this policy shall prohibit the collection of audio voice recordings, facial expression information, and student handwriting for:

- provision of counseling or psychological services,
- conducting student threat assessments,
- completing student disciplinary investigations or hearings, or
- conducting child abuse investigations.

#### Select Student Surveys

No nonacademic test, questionnaire, survey, or examination containing any questions about the personal and private attitudes, values, beliefs, or practices of the student or the student's parents, guardians, family members, associates, friends, or peers that is administered during the school day shall be administered to any kindergarten through 12<sup>th</sup> grade student unless:

- the parent or guardian is notified in writing not more than four months in advance of the administration of such test, questionnaire, survey, or examination that such is to be administered; and
- the parent or guardian of the student gives consent through a written or electronic signature or, in the event of an immediate need, gives verbal consent for the student to participate.

Advance notification to a parent or guardian must include:

- A copy of the test, questionnaire, survey, or examination that is to be administered;
- Information on how the parent or guardian may provide written consent to authorize the student to take such test, questionnaire, survey, or examination;
- The name of the company or entity that produces or provides the test, questionnaire, survey, or examination to the school; and
- Whether the school will receive or maintain the resulting data and an explanation of how the school intends to use and maintain such data.

For written consent to be accepted, timely notice in compliance with the requirements of this policy must be provided, and the parent or guardian must have had an opportunity to review the information contained in the notice. Written consent must be provided separately for each individual test, questionnaire, survey, or examination that is to be administered. Prior to administering any such test, questionnaire, survey, or examination, a copy of it must be posted and maintained on the district's website.

A student has the right to refuse to take any test, questionnaire, survey, or examination as described herein at any time, regardless of receipt of parent or guardian consent to participate. Prior to administering any such test, questionnaire, survey, or examination, each student shall be informed that such student has the right to refuse to take it and that the student will not suffer any adverse consequences based on refusal to participate.

No personally identifiable student data shall be collected through any such test, questionnaire, survey, or examination.

Except as otherwise provided in this policy, the provisions of this subsection shall apply to any test, questionnaire, survey, or examination as described herein that is administered or proposed to be administered to any student by any employee of a school district, including, but not limited to, any administrator, teacher, counselor, social worker, psychologist, or nurse.

If, however, any district employee becomes aware that a student may be at risk of suicide by a credible report from the student, the student's peers, or another school district employee, the school personnel who are designated to administer a suicide risk assessment or screening tool may administer such risk assessment or screening tool in accordance with the provisions of this subsection to determine whether the student could be at risk for suicide. Such designated school personnel may include, but is not limited to, any administrator, teacher, counselor, social worker, psychologist, or nurse. Prior to the administration of any such risk assessment or screening tool, the designated staff member shall verbally notify the parent or guardian before the administration of such risk assessment or screening tool and obtain the consent of the parent or guardian.

If the designated staff member is unable to verbally notify the parent or guardian of the student and obtain consent after reasonable attempts to do so, the designated staff member may administer the risk assessment or screening tool without such consent. If a risk assessment or screening tool is administered without the parent or guardian's consent, as soon as contact with the parent or guardian is made, the designated staff member shall notify the parent or guardian of the administration of such assessment or screening tool and provide to the parent or guardian all information obtained from the risk assessment or screening tool administered to the student.

Approved: 07/11/2022

KASB Recommendation – 7/03; 6/04; 4/07; 6/14; 6/16; 6/22

With parental permission, eligible students who can complete graduation requirements as prescribed by the board are eligible to be released from school during the regular school day to attend classes at a Regent's university, community college, technical college, vocational educational school or Washburn University.

Concurrent Enrollment

A student enrolled in grades 10, 11 or 12, or a gifted child in grades 9 through 12 who has demonstrated the ability to benefit from participation in the regular curricula of eligible postsecondary education institutions, may apply to the principal for permission to enroll at an eligible postsecondary education institution.

The district may enter into an agreement with the college for the purpose of allowing these students to receive dual credit.

Approved 8-11-2008

Any district elementary or middle school that includes any of the grades six through nine may conduct athletic practice during the school day only at times when one or more elective academic courses or a study period is offered to students.

District high school/s shall not conduct athletic practice during the school day, and practice shall not be counted for credit or as a part of the school term.

District schools shall neither offer credit for athletic practice nor count athletic practice as a physical education course.

Approved: 7/03

## **IE Instructional Arrangements**

**IE**

Each building principal shall organize the instructional program in a manner compatible with these policies.

### **Class Size**

Class size shall be determined by: class enrollment, teacher availability, budget and facility limitations.

### **Scheduling for Instruction**

Class schedules shall be developed to meet district instructional goals and learning objectives. Any substantial change to the Council Grove Junior High School daily schedule must be approved by the Board of Education. A substantial schedule change is defined as changing from the current multi-period per day (6/7-period) schedule to a block, trimester, or other form of daily operating schedule.

### **Pre-enrollment**

The administration shall develop and coordinate pre-enrollment activities each spring.

Approved: June 18, 2018

KASB Recommendation – 6/04; 4/07; 6/2018

The board may consider a petition for the creation of a charter school if the petition meets all requirements of current law and regulations.

If a petition is denied, the board shall follow applicable provisions of current law.

Amended: July 12, 2004

## **Textbooks, Instructional Materials and Media Centers**

**IF**

(See IKD and KN)

All textbooks, instructional materials and the selection criteria for district media center materials shall be subject to board approval.

Textbooks and instructional materials shall support the district's instructional program. Media center materials shall support and supplement the curriculum, promote wise use of leisure time, develop literary discrimination and appreciation, and encourage students to become productive citizens.

### Selection Criteria: Textbooks and Instructional Materials

Textbooks and instructional materials shall provide:

An effective education for all students;

Factual knowledge, literary appreciation, aesthetic values, and ethical standards;

Practice for students to develop abilities in critical thinking, communication, mathematics, and science skill;

Information which helps students develop an appreciation of American cultural, ethnic and racial diversity, and balanced views concerning international, national, state, and local issues and problems; and

Sufficient flexibility for meeting the special needs of individuals and groups.

The superintendent shall develop selection procedures which meet the above criteria, which shall include a review of available material by appropriate staff members.

### Selection Criteria: Media Center Materials

Materials shall be chosen for accuracy, artistic quality, format, and authoritativeness.

Materials shall be chosen on various reading levels presenting different points of view, including current issues.

Books and other media materials shall be evaluated before purchase, either through direct examination or by using reputable, unbiased, professionally prepared selection tools.

The media center(s) shall obtain, process, and circulate materials and equipment and provide references and other services to students and faculty. Media specialists shall work toward providing resources so that students have an opportunity to achieve high levels of performance.

### Collection Development

The media collection shall be developed systematically, be well balanced in coverage of subjects, and include various types of materials and diverse content in multiple formats.



The collection shall reflect, enhance, and complement the broad interests represented in the curriculum. The collection should be large enough to allow materials to be placed in classrooms for extended periods of time.

#### Challenges of Materials

Any student, parent, or legal guardian of a student currently enrolled in the district having a complaint about textbooks, media center, or other instructional materials shall meet with the teacher, media specialist, or principal. If the concern is addressed to a teacher or media specialist, they shall report the matter to the principal. If the matter cannot be resolved, the principal shall notify the superintendent and ask the complainant to complete a request for review form which is available through building principals or at the district office. After receiving the completed form, the superintendent shall review and consider the request.

If the issue outlined in the request is not resolved after review by the superintendent, the requestor may seek review by the board. If the board chooses to consider the request, it shall forward all appropriate written materials to a review committee.

#### Composition of Review Committee

When a review committee is established to handle requests for review concerning textbooks, media center, or instructional materials, the review committee shall be composed of:

The building principal, library media specialist, two subject area specialists, two community members, and one student. If the request for review proposes that the material is inappropriate for minors, the student representative may be left off the committee. The superintendent shall be responsible for appointing review committee members, unless otherwise determined by the board on a case-by-case basis.

#### Purview of Review Committee

The review committee shall examine and evaluate the material as a whole; consider the district's policy, procedures, and philosophy for selection of textbook, instruction materials, and media center materials; weigh strengths and weaknesses; and form opinions based upon the selection criteria.

#### Written Report

Within 30 days of receiving access to the challenged materials, the review committee shall review the material and prepare a written report containing conclusions and recommendations for the board of education.

If the board receives simultaneous challenges of multiple material or if circumstances render the 30-day timeline impracticable, the board may extend the committee's deadline to complete its review.



No reviews will be conducted during summer break or when school is not in session for one week or longer. The timeline for any review shall be tolled during such breaks.

#### Board Review and Action

The board shall review the recommendation of the review committee within 30 days of receipt thereof and may accept the review committee's recommendation, reject the review committee's recommendation, or make its own determination regarding the challenged book or material.

The decision of the board is final.

#### Removing Challenged Materials

Challenged materials may be removed from use during the review period at the discretion of the superintendent.

#### Impact of Simultaneous Requests

If more than one request for review is received simultaneously, or, if one or more requests for review is received while another review is pending, timelines established in this policy may be extended by the superintendent or the board to allow the requests to be processed in turn. When more than one request for review is received on the same book or material, such requests may be consolidated to reduce redundancy in review at any stage of this process.

Approved: 07/11/2022

KASB Recommendation – 6/04; 4/07; 6/22

**IF TEXTBOOKS, INSTRUCTIONAL MATERIALS & MEDIA CENTERS**

USD 417 MORRIS COUNTY  
REQUEST FOR REVIEW OF A TEXTBOOK,  
INSTRUCTIONAL MATERIAL,  
OR  
MEDIA CENTER MATERIAL

Request initiated by \_\_\_\_\_

Telephone \_\_\_\_\_ Address \_\_\_\_\_

Complainant represents: \_\_\_\_\_ self; or if a group:

Name of group \_\_\_\_\_

The material I object to is a: film\_\_\_\_ recording \_\_\_\_ magazine \_\_\_\_ pamphlet \_\_\_\_ textbook \_\_\_\_  
other \_\_\_\_.

Book or other material \_\_\_\_\_

Author (if known)\_\_\_\_\_

Publisher (if known) \_\_\_\_\_

1. Are you familiar with the district policy, procedure and philosophy regarding selection of textbooks, instructional materials, and media center materials? \_\_\_\_ Y \_\_\_\_ N

2. Did you read or view all the material provided in the entire work? \_\_\_\_ Y \_\_\_\_ N If no, how did you select the parts for reading or viewing?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. Please identify the objectionable material. (Please be specific; cite pages or items.)

\_\_\_\_\_  
\_\_\_\_\_

4. What is the basis for your objection to the specific sections or parts identified?

\_\_\_\_\_  
\_\_\_\_\_

**IF TEXTBOOKS, INSTRUCTIONAL MATERIALS & MEDIA CENTERS**

5. What do you believe is the major theme of this material? \_\_\_\_\_

\_\_\_\_\_

6. What would you recommend the school do with this material?

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

7. In its place, what material of equal educational quality would you recommend?

\_\_\_\_\_

8. Additional comments: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
Administrator

\_\_\_\_\_  
Signature of complainant

Date received: \_\_\_\_\_

KASB Recommendation – 12/21

Approved: 01/12/2022

## **Classroom Displays**

**IFA**

(See IKD, IKDA and KN)

Materials displayed in and around a classroom are generally considered instructional materials and must comply with board policy. They may be selected by the classroom teacher but should be grade-level appropriate and align with the subject-matter being taught. Materials or displays not meeting these criteria are subject to removal by the principal.

Classrooms are not public forums for the display or distribution of political, religious, or personal viewpoints. Employees may not use classrooms for the posting or display of materials to promote or convey a political, religious, or personal message.

This policy does not require a principal to remove photos, decorations, or other personal items from a teacher's desk or surrounding area as long as the items do not disrupt the learning process.

Approved: 02/13/2023

KASB Recommendation – 12/22

IFBH Outside Speakers (See IKB)

IFBH

-- With administrative approval, outside speakers may be invited to meet with groups of students as part of the educational process.

The board shall establish rules governing the selection and behavior of outside speakers.

Approved: JUL 20 1998

IFBH-R Outside Speakers

IFBH-R

Outside speakers should be selected so that various points of view are presented.

Speakers shall be informed of this policy and its rules when they are invited to make a presentation.

Language cannot be used that calls for students to be disruptive.

- The teacher/sponsor or any member of the school administration may interrupt or suspend any proceedings if the speaker is not abiding by these regulations.

With prior board approval an honorarium may be paid to outside speakers.

Approved: JUL 20 1998

**IFC    Community Resources (See KFD)**

**IFC**

The use of community resources is encouraged where legitimate educational objectives may be advanced.

The licensed staff shall maintain a list of suitable community resources which may be used for field trips and other excursions.

Approved:

KASB Recommendation – 6/04; 4/07; 6/19

USD Approved Field Trips

Field trips may be approved by the principal when reasonable educational objectives can be established.

Advance requests for field trips including transportation and other resource needs shall be submitted by the teacher to the principal. Each building principal shall develop a form to notify parents of a forthcoming field trip. The form shall include the nature of the trip, departure time, expected return time, name of sponsor(s) and mode of travel. The form shall also include a space where a parent may ask that a child be excused and the reasons for the excuse.

Non-Sanctioned Field Trips

Non-sanctioned field trips organized by employees acting as independent contractors/agents involving students on a volunteer, self-supporting basis are not approved by the board and are not considered a part of the curriculum. Total responsibility for privately planned field trips or tours rests with the individual(s) and agency sponsoring them. The district assumes no legal or financial responsibilities for non-sanctioned field trips.

Every attempt should be made to schedule non-board approved trips during weekends and/or vacation periods. If travel arrangements necessitate that some school days are missed, normal procedures for staff and students absences must be followed.

Non-sanctioned Field Trips(continued)

If recruitment of students is sought through the schools(s), the request for recruitment shall be made in accordance with those of private citizens. Recruitment efforts **may not** occur during class time or the employee's work day.

Approved: 7-18-05



## **Overnight Accommodations**

**IFCC**

During school district sponsored travel that requires overnight stays by students, separate overnight accommodations will be provided for students of each biological sex.

### Definitions

“Biological sex” means the biological indication of male and female in the context of reproductive potential or capacity, such as sex chromosomes, naturally occurring sex hormones, gonads, and nonambiguous internal and external genitalia present at birth, without regard to an individual’s psychological, chosen, or subjective experience of gender.

“School district sponsored travel” means any travel that is necessary for students to attend, participate, or compete in any event or activity that is sponsored or sanctioned by a school operated by the school district, including, but not limited to, any travel that is organized:

- By any club or other organization recognized by the school;
- Through any communication facilitated by the school, such as email; or
- Through fundraising activities conducted, in whole or in part, by school district employees or on school district property.

### Notice to Parents

This policy will be provided to parents prior to a student’s participation in a school district sponsored activity or travel that requires overnight stays by students.

Approved: 8/14/2023

KASB Recommendation – 6/23

## **IHA Grading System**

**IHA**

The district shall have methods for assessing and reporting the quality of student academic progress to parents as approved by the board.

### **Grades K - 3**

The student progress reporting system for grades K - 3 shall be "satisfactory" or "unsatisfactory." Parent/Teacher conferences will be held at the 1<sup>st</sup> and 3<sup>rd</sup> nine week grading period for all students in grades K - 3.

### **Grades 4 - 12**

Conferences will be held for students in grade 4 at the end of the 1<sup>st</sup> and 3<sup>rd</sup> nine-week grading periods.

In the event that percentage-grading system is used to determine a letter grade in grades 4 - 12, the following scale shall be used:

A = 100% to 90%

B = 80% to 89%

C = 70% to 79%

D = 60% to 69%

F = 59% to 0%

I = Incomplete

Approved: July 20, 1998

## **IHA Grading System**

**IHA**

The district shall have methods for assessing and reporting the quality of student academic progress as approved by the board.

### Grades K-2

The student progress reporting system for grades K-2 shall be “mastered”, “improvement shown”, or “improvement needed.” Parent/Teacher conferences will be held at the 1<sup>st</sup> and 3<sup>rd</sup> nine-week grading periods for all students in grades K-2.

### Grades 3-12

In the event that a percentage-grading system is used, the grading system to be used for grades 3-12 shall be based on the following scale:

A = 100% - 90%

B = 80% - 89%

C = 70% - 79%

D = 60% - 69%

F = 59% - 0%

I = Incomplete

Schools may develop a + or – system within the framework of the grading system shown above. This will be conveyed to students and parents in the student handbooks distributed to students at the start of each school year.

### Grades 3-8

Parent/Teacher conferences will be held at the 1<sup>st</sup> and 3<sup>rd</sup> nine-week grading periods for all students in grades 3-8.

### Grades 9-12

Parent/Teacher conferences will be held once in the fall to coincide with the end of the 1<sup>st</sup> trimester and in the late winter to coincide with the end of the 2<sup>nd</sup> trimester.

Approved USD 417 BOE 5-13-2013

IHB Homework

IHB

Homework shall not be used as a means to discipline students. Homework shall be assigned as needed to reinforce lessons introduced in the classroom.

Approved: JUL 20 1998

IHEA Make-Up Opportunities (See JBD, JDD)

IHEA

Within time limits established by the administration, all teachers shall supply make-up work assignments when requested. The time limits shall be included in the staff and student handbooks each year.

Approved: JUL 20 1998

The board may adopt graduation requirements exceeding the minimums set forth by state regulation. Unless otherwise provided herein, in order to qualify for graduation, the board requires each candidate to earn 24 academic credits of a type meeting state and district requirements beginning with the class of 2016.

Exceptions may be granted by the board to waive local graduation requirements that are in excess of the state minimum requirements for students on a case by case basis.

The board shall award a student a diploma if the student is at least 17 years old; is enrolled or resides in the district; was in custody of the Secretary of the Kansas Department of Corrections (KDOC), the Secretary for DCF, or a federally recognized Indian tribe in this state at any time on or after the student's 14<sup>th</sup> birthday; and has achieved at least the minimum high school graduation requirements adopted by the state board of education.

Other situations which may warrant waiver of graduation requirements in excess of the minimum requirements adopted by the state board include, but may not be limited to, the following circumstances:

- If such student is an adult learner whose four-year cohorts have graduated; or
- if such student is attending an alternative school or program and has experienced high mobility, teen pregnancy, long-term illness, or other hardship conditions.

KASB Recommendation 9/97; 6/04; 4/07; 8/15



## II Educational Testing Program (See JR et seq.)

II

The district educational testing program shall consist of multiple assessments. These assessments shall include, as a minimum, individual teacher subject matter tests, district group achievement tests, and state required tests.

### Test Integrity

The board requires all licensed staff members to protect the integrity of the student assessment process. Honest administration of the test and accurate reporting of student achievement to the board, the community and the state of Kansas is necessary to maintain accountability measures. All students and staff are required to maintain a high level of integrity in the administration and completion of student assessments.

### Reporting Test Results

The superintendent shall report annually in writing to the board the results of the district's academic achievement testing program. State required test results shall be disaggregated as required by current regulation and shall be reported annually to the board, district patrons and the State Board of Education.

Approved: *August 10, 2006*



## **Performance-Based Credits**

**IIA**

A student may earn credits towards high school graduation by demonstrating mastery of the course outcomes through a performance instrument. The standards for designing and passing the performance instrument shall be set sufficiently high to ensure credits earned by such means shall be equivalent to those offered in the framework of the Carnegie unit.

A written request to “test out” of a class must be submitted prior to the beginning of each semester/year. A student may not request to “test out” of a class in which he or she is currently enrolled or has been enrolled.

The request is to be evaluated within 30 school days by a review committee composed of: a building administrator, a school counselor, a faculty member appointed by the principal, and the students’ parent(s) or guardian(s).

If the request is approved, the course instructor will have 30 school days to design a performance instrument that reflects mastery of all course outcomes. Commercially available instruments may be used if they cover all course objectives. A performance instrument shall be approved by the principal. The principal, in consultation with the instructor, will determine the setting and the timelines for the administration of the instrument, as well as the criteria for successful completion of those tasks.

The student has 10 school days in which those designated tasks developed by the teacher and approved by the administration must be performed.

Credit for such classes shall be awarded only on a pass/fail basis. Students will be allowed only one opportunity to “test out” of any particular class. It will not be the responsibility of the school or the instructor to provide instructional and/or review time for the student. However, the outcomes, as noted in the district curriculum guide, and class syllabus will be made available.

### Graduation Credit Through Integrated Coursework

The board may allow graduation credit for integrated academic or career and technical education course work. The teacher awarding academic credit shall be fully licensed and may work collaboratively with another instructor to develop a course plan for instruction. The teacher shall monitor the student's progress and level of achievement. The plan will be reviewed periodically to maintain rigor and relevance.

### Credit Through Alternative Educational Opportunities

Students enrolled in grades six through twelve may earn course credits through alternative educational opportunities with sponsoring entities. For the purposes of this policy, terms have the following meanings.

- “Alternative educational opportunity” means instruction that primarily occurs outside the classroom with a sponsoring entity.
- “Sponsoring entity” means a business, not-for-profit organization, nonprofit organization, trade association, parent of a student, teacher, or administrator that partners with a school district to provide an alternative educational opportunity to students.

#### Eligibility Requirements for Sponsoring Entities

The board may accept a proposal from a sponsoring entity if the alternative educational opportunity provided by the sponsoring entity provides an additional learning opportunity for students through a work-based, pre-apprenticeship, apprenticeship, internship, industry certification, or community program; and either the proposal is approved by the state board of education as an alternative educational opportunity, or it complies with the requirements of this policy regarding such opportunities.

#### Requirements for the Provision of Alternative Educational Opportunities

Each approved alternative educational opportunity with a sponsoring entity shall be managed and directed by a licensed teacher employed by the school district. The teacher may work collaboratively with the principal, the sponsoring entity, or another teacher to develop a course plan for instruction with learning outcomes identified. The teacher shall monitor the student’s progress and level of achievement based on this plan. The plan will be reviewed periodically and adjusted as needed to promote a quality learning experience. The principal shall provide a report annually, or as requested, to the superintendent evaluating the additional educational opportunity provided to participating students and making recommendations to the superintendent on continuation, termination, or modification of the opportunity.

#### Processes for Submitting a Proposal for an Additional Educational Opportunity

Sponsoring entities wishing to partner with the district to provide additional educational opportunities to students, shall submit a proposal to the superintendent outlining the contact information and credentials of the person(s) that would be working directly with the student participants in this experience; educational goals for the partnership; any time, place, manner, and number of participant restrictions regarding how the learning opportunity would be provided; proposed learning outcomes for participating students; and any details regarding prerequisite coursework, certification, or experience a candidate for this experience should possess prior to entering the program.

#### Criteria for Evaluating Such Proposals

Prior to making a recommendation to the board on whether the district should partner with or continue to partner with a sponsoring entity, the superintendent shall review the proposed alternative educational opportunity in comparison with the board approved curriculum and goals, consulting other

staff members as necessary in that process. Before recommending action to continue such partnership from year-to-year, the superintendent may seek and shall review any available reports on the opportunity provided by the principal in accordance with this policy.

The board should consider the recommendation of the superintendent in determining whether to partner with or continue partnership with a sponsoring entity. In order for the board to partner with a sponsoring entity and to maintain such partnership, the sponsoring entity must first meet the eligibility requirements as outlined in this policy.

Additional considerations weighing into the decision to partner with a sponsoring entity may include, but may not be limited to: whether the learning experience meets the curricular, rigor, and relevance needs of the student and/or the district; qualifications, experience, reputation, and responsibility of the sponsoring entity and/or individuals that would be working directly with students; related costs for the district, regarding the provision of transportation, equipment, human resources to monitor the experience, etc.; space and time constraints if the experience will be provided in district facilities; student and staff safety; the need for and/or availability of insurance coverage, as applicable; effect on other district course offerings and activities; and student interest. As the welfare of students is of paramount importance to the board, the district reserves the right to complete background checks on any individuals working directly with students on behalf of the sponsoring entity and to base decisions on entering or exiting such a partnership, in whole or in part, on the results thereof.

#### Determining the Course Credit that May Be Earned Through These Opportunities

The superintendent may develop procedures for review of the experience and the award of credit in accordance with board approved curriculum. The superintendent may award credit for the experience as deemed appropriate for district elective offerings based on meeting local standards for those offerings. In order for any alternative educational experience to be approved for credit in a state-required course, such experience must meet all applicable statutory, regulatory, and Kansas State Board of Education approved standards for award of such credit.

#### State Reporting Requirements

The superintendent or the superintendent's designee shall make reports to the Kansas State Department of Education as required thereby. Such reports will include information regarding the alternative educational opportunities offered at each school, the names of sponsoring entities, the number of students participating in such opportunities, and credits earned.

Approved: 07/11/2022

KASB Recommendation – 7/02; 6/04; 4/07; 12/21; 6/22

Purpose

The district provides computer network and internet access for its students and employees. This service allows employees and students to share information, learn new concepts, research diverse subjects, and create and maintain school-based websites. The district has adopted the following Acceptable Use Guidelines to govern the conduct of those who elect to access the computer network or district Internet.

Acceptable Use Guidelines

Users shall adhere to the following guidelines of acceptable use:

- All use of the Internet will be in support of educational activities.
- Users will report misuse and breaches of network security.
- Users shall not access, delete, copy, modify, nor forge other users' e-mails, files, or data.
- Users shall not use other users' passwords nor disclose their password to others.
- Users shall not pursue unauthorized access, disruptive activities, nor other actions commonly referred to as "hacking," internally or externally to the district.
- Users shall not disclose confidential information about themselves or others.
- User shall not utilize unlicensed software.
- Users shall not access or permit access to pornography, obscene depictions, or other materials harmful to minors.



- Students shall not disable or attempt to disable Internet filtering software.

### Prohibitions

Although the district reserves the right to determine what use of the district network is appropriate, the following actions are specifically prohibited:

- Transferring copyrighted materials to or from any district network without the express consent of the owner of the copyright.
- Use of the network for creation, dissemination, or viewing of defamatory, factually inaccurate, abusive, obscene, profane, sexually oriented, threatening, harassing, or other material prohibited by law or district policy.
- Dissemination of personnel or student information via the network when such information is protected by law, including the Family and Educational Rights Act or Student Data Privacy Act.
- Utilization of the network to disseminate non-work-related material.
- Utilization of the network as a means for advertising or solicitation.

### Monitoring

The school district reserves the right to monitor, without prior notice, any and all usage of the computer network and district Internet access, including, but not by way of limitation, e-mail transmissions and receptions. Any information gathered during monitoring may be copied, reviewed, and stored. All such information files shall be and remain the property of the school district, and no user shall have any expectation of privacy regarding his/her use of the computer network or the district Internet.

Internet Safety

In compliance with the Children's Internet Protection Act (CIPA) and the Kansas Children's Internet Protection Act, the school district will implement filtering and or blocking software to restrict access to Internet sites containing child pornography, obscene depictions, or other materials harmful to minors. The school district, however, cannot and does not guarantee the effectiveness of filtering software. Any student who connects to such a site must immediately disconnect from the site and notify a teacher. An employee who accidentally connects to such a site must immediately disconnect from the site and notify a supervisor. If a user sees another user is accessing inappropriate sites, he or she should notify a teacher or supervisor immediately. The school district administration reserves the right to prohibit access to any network or Internet it deems inappropriate or harmful. The school district shall instruct students regarding appropriate online behavior including cyberbullying.

Penalties for Improper Use

Access to the network and Internet is a privilege, not a right, and inappropriate use will result in the restriction or cancellation of the access. The school district has the right to make the determination of what constitutes inappropriate use and use as an educational tool. Inappropriate use may lead to any disciplinary and/or legal action, up to and including suspension and/or expulsion of district students and suspension and/or termination of employees. Law enforcement shall be notified of inappropriate use which may constitute a violation of Federal or state law, and such use may result in criminal prosecution.



Approved: KASB Recommendation - 6/14

USD 417 Approved 7/2014

Use of District Computers and Devices/Privacy Rights

District issued computer systems and electronic devices (including, but not limited to, Smartboards, iPads, iTouches, iPhones, eReaders, and eBooks) are for educational and professional use only. All information created by staff or stored thereon shall be considered district property and shall be subject to unannounced monitoring by district administrators. Unauthorized access to and/or unauthorized use of the district server or security system (including, but not limited to, surveillance footage) is also prohibited. The district retains the right to discipline any student, up to and including expulsion, and any employee, up to and including termination, for violation of this policy.

Copyright

Software acquired by staff, using either district or personal funds, and installed on district computers or electronic devices must comply with copyright laws. Proof of purchase (copy or original) for software must be filed in the district office.

Installation

No software, including freeware and shareware, or other applications may be installed on any district computer or electronic device until cleared by the network administrator. The administrator will verify the compatibility of the software or application with existing software, hardware, and applications and prescribe installation and de-installation procedures. Program files must have the superintendent's approval to be installed on any district server or computer.

Hardware

Staff shall not install unapproved hardware on district computers or make changes to software settings that support district hardware.



Audits

The administration may conduct periodic audits of software and applications installed on district equipment to verify legitimate use.

E-mail Privacy Rights

Employees and/or students shall have no expectation of privacy when using district e-mail or other official communication systems. Any e-mail or computer application or information in district computers, computer systems, or electronic devices is subject to monitoring by the administration.

Ownership of Employee Computer and Device Materials

Computer materials, devices, software, or applications created as part of any assigned district responsibility or classroom activity undertaken on school time shall be the property of the board.

Lost, Stolen, or Damaged Computers and/or Equipment

Students and staff members shall be responsible for reimbursing the district for replacement of or repair to district issued computers or electronic devices which are lost, stolen, or damaged while in the students' or staff members' possession.

Approved: KASB recommendation – 9/97; 9/00; 7/02; 7/03; 6/04; 4/07; 6/08;  
6/12; 12/13

USD 417 Approved 7/2014

The district shall implement and enforce an internet safety plan meeting the requirements of both the federal and the Kansas Children's Internet Protection Acts (CIPA). The superintendent shall develop a plan to implement the Children's Internet Protection Acts.

Such plan shall include technology protection measures and such other measures as deemed appropriate to address the following issues:

- (1) Access by minors to inappropriate matter on the Internet and World Wide Web,
- (2) The safety and security of minors when using electronic mail, chat rooms, and other forms of direct electronic communications,
- (3) Unauthorized access, including so-called "hacking," and other unlawful activities by minors online;
- (4) Unauthorized disclosure, use, and dissemination of personal information regarding minors; and
- (5) Measures designed to restrict minors' access to materials that may be harmful to them.

For the purposes of this policy, "minor" shall be defined to mean any student who is under 18 years of age. The board charges the superintendent to develop the CIPA implementing plan so that all of the protections provided by this policy and the corresponding plan may be afforded to all district students, regardless of their age.

If the district is providing public access to any computer, the CIPA plan shall also implement and enforce technology protection measures to ensure no

**IIBGA Children's Internet Protection Act**

**IIBGA-2**

minor has access to visual depictions that are pornographic of any form, harmful to minors, or obscene. This plan shall be on file with the board clerk and in each school office with Internet access, and copies shall be made available upon request. The superintendent shall ensure compliance with CIPA by completing Federal Communication Commission forms as required.

Approved USD 417 BOE – August 12, 2013

## **District Technology Policies & Procedures**

### **1. Acceptable Use Policy-**

USD 417 has purchased computers and their peripherals and connected to the world wide web to enhance the learning environment of all students, to help students reach the goals and outcomes of the district, and to aide the faculty and staff in carrying out their respective duties. However, with this usage of the "new" technology comes responsibility on the parts of faculty, staff and students.

#### **Usage-**

In this fast paced world students must learn to be critical thinkers and selective users of vast amounts of information. This involves thinking rationally and creatively, solving problems, managing and retrieving information, and communicating effectively.

The use of computers, the Internet, and other on-line resources must support education and research that is consistent with the educational objectives and outcomes of USD 417.

The use of or access to district computers and computer software is primarily for but not limited to district employees and students on a building-by-building basis. The primary student use of computers and the Internet is for the performance of student assignments and research. Personal use by students is prohibited without prior approval from the teacher.

#### **Software-**

Only software purchased by the district may be loaded onto district computers without prior approval. Software licensed to the district (unless as part of a license agreement) shall not be used on non-district computers. District software shall not be copied for personal use. Students and staff may not load personal software onto a machine for limited usage without prior approval of the lab administration or technical personnel.

#### **E-mail-**

The guidelines for the use of e-mail are to be created and monitored by each district building. Email is only to be used for educational purposes. It is not to be used for personal use or to harass staff, students or other individuals.

#### **Privacy-**

Students and staff should not expect privacy when using district e-mail or computer systems. E-mail messages must use appropriate language and graphics. Students are expected to use the computer system following the guidelines approved by each teacher in his/her respective classroom. Any e-mail or computer application or information in district computers or computer systems is subject to monitoring by the staff and/or administration. The school retains the right to duplicate any

information created in a computer system or on any individual computer. Students who violate these rules or any other classroom rules related to computer usage are subject to disciplinary action up to and including suspension from school.

#### **Usage Violations-**

The following is a partial list of violations:

1. Illegal activities including cyber bullying, breaking copyright laws
2. Continuing in inappropriate sites
3. Using the district computers for financial gain
4. Vandalizing other student or teacher data
5. Gaining unauthorized access to resources
6. Invading privacy
7. Using inappropriate language or graphics
8. Vandalizing computers, the systems, and peripherals
9. Posting student personal information or pictures on the Internet without parental and staff permission
10. Altering the computer system

#### **Disclaimer-**

Users may encounter material that is controversial, inappropriate, or offensive. However, on the World Wide Web, it is impossible to control effectively the content of data and an industrious user may discover controversial materials. It is the user's responsibility to stop access to such material immediately.

## **2. Inventory-**

The USD 417 technology coordinator maintains a complete inventory of all hardware and software for the entire district. The inventory is broken down by building. Each building maintains its own inventory of hardware and software.

### **2a. Gift Acceptance Policy-**

The district is always willing to accept computer hardware and software that is compatible with our current systems and is in good working condition. Hardware that is in need of repair by a service contractor will not be accepted.

### **2b. Hardware/Software Disposal Process-**

In this fast changing technological world, computer systems and software packages can become obsolete or unusable. With this in mind, USD 417 has the following process for disposing of old equipment and software.

Old computer systems and software will go through the following evaluation and disposal process:

1. Building technology personnel will determine there is no use for the hardware/software in the building in which it is housed.
2. Hardware/Software goes to the district coordinator for evaluation.
3. Usable hardware/software is offered to the other district buildings.

4. If the equipment is non-usable, usable parts will be removed and stored with non-usable parts being disposed of properly or recycled.
5. Usable hardware that is no longer needed by the district will be offered to non-profit organizations first and then put to public auction.
6. Because of licensing agreements, software that is not usable by the district will be destroyed.

### **3. Filtering Systems-**

The district has in place and in working order the SonicWall Internet filtering system and Open DNS.

Frequent monitoring of Internet usage will be conducted. Quarterly, staff will randomly select two, one-week periods to run an Internet usage report. The reports will be given to building principals and the superintendent. Any issues discovered will be addressed by the administrative team.

### **4. Technology Committee-**

Each attendance center has at least one representative who understands that particular building's technology needs. Each year, the technology committee meets a minimum of seven times to evaluate current needs and to assess upcoming needs.

The duties of the committee include but are not restricted to

1. Keep up with the needs of the buildings
2. Investigate equipment and software needs specific to respective buildings
3. Meet with the committee to prioritize district ordering
4. Develop a 5-year plan for purchasing and repairing equipment and for training personnel
5. Develop a rotation plan for upgrading
6. Create a 3-Year Technology Plan submitted to the state and annually update and evaluate the plan's effectiveness.
7. Evaluate building equipment and software to keep the building's technology as up to date as possible
8. Keep the district technology coordinator updated with needs and concerns

### **5. Procedure for upgrading technology-**

The superintendent makes technology decisions with the recommendations of the technology coordinator and the technology committee.

Network operations is the highest priority for the Technology Committee. Switches and servers need to be maintained and upgraded to run efficiently.

The Technology Committee recommends upgrading teacher's machines every three



years and labs every 5 years. Replaced machines are then made available to students in the library or individual classrooms.

Other technology is upgraded based on building needs and priorities as needed for instruction.

In December, Building Principals discuss and prioritize with each building staff their technology needs and goals. These are shared with the Technology Committee at the January meeting.

In January, requests are accepted from individual teachers, curriculum committees, and staff by building tech representatives. The technology representatives work with their building principals to analyze and prioritize requests.

By February 1st, each building's prioritized requests are delivered to the Technology Coordinator. The Tech Coordinator then prepares them to be presented to the Technology Committee at the February meeting and begin prioritizing as a district. Final prioritizing is done at the March meeting.

By April 1st, requests are delivered to the Superintendent for consideration and taken to the Board of Education for approval pending funds availability.

#### **6. Equitable distribution of available technology-**

Each building has computer technology available to all students. This does not mean that every student can have complete access all through the day, but that each student has the chance to be able to use available technology at some point throughout the day.

Each elementary building has computer labs or classroom machines that are available at predetermined times of the day or after school when contracted personnel can monitor them. The high school has some computer lab time but also accommodates students by having some classroom machines available for use while teachers are on contract time. Laptops are available for check-out through the library during the day and/or to take home after school hours. Usage of available machines is monitored by staff and restricted only when students abuse the privilege.

The individual teachers determine the amount of technology integration within their curricula.

#### **7. Staff Development-**

The technology committee in conjunction with the professional development committee is responsible for providing in-service activities for both certified and classified staff in the school district. This training is available on an as needed basis determined by building needs assessments, Individual Growth Plans, and the

recommendation of the Building Leadership Teams. It is open to all district employees who are notified when the workshops will be presented. Non-contract time workshops are available for professional development points.

The above policies outline our plans to meet the requirements of CIPA.

11/11/11 Adopted



Application

Students may apply for permission to enroll in an online course for credit. Applications for the next academic year shall be submitted to the principal no later than April 20. The student and the student's parents shall be informed of the building principal's decision in writing no later than June 1.

Guidelines

The following guidelines shall be used by the administration:

1. Only administration approved courses shall be posted on student transcripts.
2. Approval of any course shall be based upon the course content and rigor, its length and scope, its method of assessing knowledge acquired by the student, the qualifications of the instructor, and other appropriate factors.
3. Enrollment in an on-line course will be allowed only if an appropriately certified staff member is available and willing to supervise the student's participation in the course.
4. Suspended or expelled students may also apply for permission to enroll in on-line course work.

Other Regulations or Guidelines

Approval by the administration of online coursework shall be based on Kansas State Department of Education regulations and/or guidelines in effect at the time the student request is made.

Approved: KASB Recommendation – 7/02; 6/04; 4/07; 6/12

Approved: USD 417 BOE September 10, 2012

**IIBGC Staff Online Activities** (See GAF, GBU, IIBG, IIBGA, KGA)      **IIBGC**

Employees are encouraged to use district electronic mail and other district technology resources to promote student learning and communication with parents of students and education-related entities. If those resources are used, they shall be used for purposes directly related to work-related activities. Technology-based materials, activities, and communication tools shall be appropriate for and within the range of the knowledge, understanding, age, and maturity of students with whom they are used.

District employees, including, but not limited to, classroom teachers and extracurricular activity coaches and sponsors, may set up blogs and other social networking accounts using district technological resources and following district policy and guidelines to promote communications with students, parents, and the community concerning school-related activities and for the purpose of supplementing classroom instruction. Social networking sites and other online communication options offering instructional benefits may be used for the purpose of supplementing classroom instruction and to promote communications with students and parents concerning school-related activities.

In order for district employees and activity sponsors to utilize a social networking site for instructional, administrative, or other work-related communication purposes, they shall comply with the following:

1. They shall request prior permission from the superintendent or the superintendent's designee.
2. If permission is granted, staff members will set up the site following any district guidelines developed by the superintendent and approved by the board. If the expenditure of district funds is required to complete the set-up or maintenance of the site, the requesting staff member shall present an itemized summary of such costs to the superintendent. Superintendent approval shall be required prior to the expenditure of district funds for such purpose.
3. Guidelines shall specify whether access to the site must be given to school/district administrators and technology staff.
4. If written parental consent is not otherwise granted through acceptable use policy forms provided by the district, staff shall notify parents of the site and obtain written permission for students to become "friends" of the site prior to the students being granted access. This permission shall be kept on file at the school as determined by the principal.
5. Once the site has been created, the sponsoring staff member is responsible for the following:
  - a. Monitoring and managing the site to promote safe and acceptable use and compliance with district policies; and

- b. Observing confidentiality restrictions concerning release of personally identifiable student information under state and federal law.

Staff members are discouraged from creating personal social networking accounts to which they invite current or future students to be friends. Employees taking such action do so at their own risk. All employees shall be subject to disciplinary action if their conduct relating to use of technology or online resources violates this policy or other applicable board policy, statutory, or regulatory provisions governing employee conduct or the protection of student record information; or if it impairs the staff member's job performance or effectiveness in the work setting. District staff shall endeavor to protect the health, safety, and emotional well-being of students and confidentiality of student record information both in the school setting and in their online actions. Conduct in violation of this policy, including, but not limited to, conduct relating to the use of technology, social networking, or online resources, may form the basis for disciplinary action up to and including termination from employment.

**IJ     Evaluation of Instructional Program**  
(See IC, ICAA, ID, and II)

**IJ**

The superintendent may develop guidelines to evaluate the instructional program. This evaluation may be part of the district's school improvement efforts.

The superintendent may establish special curriculum committees to study the district's instructional program on a regular schedule. The superintendent may require reports from these committees which may include the committee's recommendations for improvement, modification, or elimination of any part of the instructional program. The superintendent may submit a comprehensive report from the committees to the board.

Approved: 08/10/20

KASB Recommendation – 6/04; 4/07; 6/12; 6/19; 6/20

**IKA** **Financial Literacy** (See ID)

**IKA**

The board supports the goal of providing district students with sufficient knowledge of economic systems to make informed, financial choices. In furtherance of this goal, the board directs the superintendent to develop and implement a plan to incorporate outcome-based personal financial literacy education into the district's instructional program.

The superintendent shall document district efforts to provide financial literacy education opportunities for district students and shall provide, upon request, feedback or information to the Kansas State Department of Education on such efforts.

Approved: 8/2015

KASB Recommendation – 8/15



IKB Controversial Issues (See IAA)

IKB

When a controversial subject arises in the classroom, teachers may use the opportunity to teach about the controversy.

Teachers shall ensure that various positions concerning any controversial subject are presented and that students have the opportunity to freely discuss the topic.

Approved: JUL 20 1998

Opt-Out Procedure and Form

Parents or guardians (or a student over eighteen years of age) who does not want the student involved in all or some portion of the district's Human Sexuality and AIDS education classes shall be provided a written copy of the goals and objectives for the student's appropriate Human Sexuality and AIDS class. Following review of the curriculum goals on file at the board of education office, the parent or guardian must complete the district opt-out form and state the portion(s) of the curriculum in which the student is not to be involved.

Opt-Out Form

Parents or guardians (or students eighteen years of age or older) may obtain the opt-out request form from the principal, completing and signing the form and returning the form to the principal. The signed form will be kept on file in the principal's office.

The building principal shall receive a copy of the signed form so the named student shall be excused from all or a portion of the Human Sexuality and AIDS classes. Arrangements shall also be made for class reassignment of the student during the opt-out period.

Annual Request Required

Opt-out requests shall be required annually and are valid only for the school year in which they are submitted.



Notice of Availability

Public notice of the availability of the Human Sexuality and AIDS curriculum goals and objectives shall be made by means of distribution at enrollment.

Approved: *August 10, 2006*

IKD Religion in Curricular or School Sponsored Activities

IKD

No religious belief or non-belief shall be promoted or disparaged by the district or its employees. Students and staff should be tolerant of each other's religious views. Students and staff members may be excused from participating in practices contrary to their religious beliefs unless there are clear issues of overriding concern which prevent it.

Teaching About Religion

Teachers may teach about religion, religious literature and history but are prohibited from promoting, expounding, criticizing or ridiculing a religion. Religious texts may be used to teach about religion, but the use of religious texts is prohibited if used to promote a particular religious doctrine.

Religion in the Curriculum and School Activities

In compliance with these rules, religious themes may be presented in the curriculum and as part of school activities.

Religious Symbols in the Classroom

Temporary display of religious symbols is permitted as part of the curriculum.

Religious Holidays (See AEA)

Holidays which have a religious and a secular basis may be observed.

Graduation and Other Ceremonies

School ceremonies shall be secular in nature.

Approved: JUL 20 1998

Religion in the Curriculum and School Activities

Music, art, literature and drama having a religious theme or basis are permitted as part of the curriculum or as part of a school activity if they are presented in a balanced and objective manner and are a traditional part of the cultural and religious tradition of a particular holiday or field of study. The emphasis on religious themes in the arts, literature and history should be only as extensive as necessary for a balanced and thorough study of these areas. These studies should never foster any particular religious tenets or demean any religious beliefs or non-beliefs.

Religious Symbols in the Classroom

The temporary use of religious symbols such as a cross, menorah, crescent, Star of David, creche, symbols of native American religions or other symbols that are a part of a religious holiday are permitted as a teaching aid if they are displayed as an example of a holiday's cultural and religious heritage.

Religious Holidays (See AEA)

School vacations shall have secular designations, e.g., Winter Vacation, Spring Break.

Graduation and Other Ceremonies

The district seeks to maintain traditions significant to the community. While recognizing the significance of tradition, the board requires that graduation exercises and dedication ceremonies be secular in nature. Inspirational addresses which do not promote religion may be permitted at these ceremonies.

Approved: JUL 20 1998

**IKDA    Religious Objections to Activities**

**IKDA**

A parent or guardian (or a student eighteen years of age or older) may request that the student be excused from participating in activities for religious reasons. The parent, guardian, or adult student must complete the district opt-out form for religious objections, stating the specific activity, the portion of the curriculum in which the activity exists, and the reasons for the request. The request may be granted, or denied, or partially granted and partially denied.

This policy shall not be interpreted to allow parents to prevent the dissemination of information which parents find religiously objectionable. Rather, this policy only extends to actual participation by their child in an activity, the performance of which is contrary to the child's religious teachings.

Approved: JUL 20 1998

**IKDA-R    Religious Objections to Activities**

**IKDA-R**

A parent or guardian seeking to opt-out their child from activities contrary to the child's religious teachings must complete the district's Activity Participation Opt-Out Form regarding religious objections which is available in the board office. Parents desiring to opt-out their children from activities due to religious reasons must return the completed and signed form to the principal. The form must be submitted within a reasonable amount of time prior to the scheduled activity in order to allow time for the principal to

consider the request. The completed form shall be kept on file with the clerk and the superintendent shall receive a copy.

The principal shall review the request and determine whether the request should be granted or denied. The principal shall notify the parents of the decision within a reasonable amount of time after the request is submitted. If the parents are dissatisfied with the principal's decision, they may appeal, in writing, to the superintendent.

If the opt-out request is granted, students who opt-out of activities for religious reasons may still be required to view the activity, to learn the subject matter of the activity, or to discuss the activity. The student may be reassigned during the activity or given alternative class assignments.

Opt-out requests must be submitted annually and are valid only for the school year in which they are submitted.

Approved: JUL 20 1998

Sample Only: Retype, remove from policy book and file with the clerk.

ACTIVITY PARTICIPATION OPT-OUT FORM

I, \_\_\_\_\_ (parent/guardian) request that my child,  
\_\_\_\_\_, be excused from participating in certain activities for religious reasons.

From what activity do you wish your child to be excused?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Identify where in the curriculum the activity exists. (Please identify the grade level, class, building.)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
For what reason do you wish your child to be excused. (Please state the particular religious objection to this activity, including the religious teaching you believe this activity violates.)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
I understand that I am requesting the school to excuse my child from certain activities and that my request is subject to review and determination by the school. I further understand that if my request is granted, my child may still be required to view the activity, discuss the activity or may otherwise be exposed to the subject matter of the activity.

\_\_\_\_\_  
Parent/Guardian Signature

\_\_\_\_\_  
Administrator Signature  
Date Received \_\_\_\_\_

IKE Assemblies

IKE

Each building principal may schedule assemblies as needed.

Approved: JUL 20 1998

IKE-R Assemblies

IKE-R

Each building principal shall develop a behavior code for students attending school assemblies.

Approved: JUL 20 1998



IKI Lesson Plans

IKI

Each teacher shall develop, maintain and follow lesson plans which conform to the approved curriculum, the district's educational goals and the expected student learning outcomes. Principals shall establish methods to regularly review teacher lesson plans.

Approved: JUL 20 1998

## **Animals and Plants in the School**

**ING**

With the prior approval of the principal, animals or plants may be brought to school for instructional purposes.

If someone is injured by an animal or comes into contact with a toxic plant, the incident shall be immediately reported to the administration by the supervising teacher. The principal shall notify the appropriate persons.

### Service Animals in the Schools

Service animals are permitted in the schools and on school property in accordance with federal law. In order for the district to accommodate the health and safety of our students and staff while maintaining our educational services, programs, and activities, employees and students are encouraged to notify their building administrator prior to bringing a service animal to school for the first time. Patrons or individuals attending functions or having short term business on school property are not required to provide advance notice to school staff in order to be accompanied by a service animal on school property.

Access to school buildings will not be denied to a service animal as long as the animal is individually trained and required to do work or perform tasks for the benefit of an individual with a disability. Such work or tasks must be directly related to the individual's disability. District staff shall not be responsible to provide care or control of a service animal, and any service animal which is out of control or is not housebroken may be excluded by district staff.

For the purpose of this policy, "service animals" is not deemed to include animals provided by the school for instructional purposes or for therapy or comfort animals.

Approved: 07/11/2022

KASB Recommendation – 1/13; 6/22

Effective: March 15, 2011

28 C.F.R. § 35.104

## § 35.104 Definitions.

For purposes of this part, the term--

1991 Standards means the requirements set forth in the ADA Standards for Accessible Design, originally published on July 26, 1991, and republished as Appendix D to 28 CFR part 36.

2004 ADAAG means the requirements set forth in appendices B and D to 36 CFR part 1191 (2009).

2010 Standards means the 2010 ADA Standards for Accessible Design, which consist of the 2004 ADAAG and the requirements contained in § 35.151.

Act means the Americans with Disabilities Act (Pub.L. 101-336, 104 Stat. 327, 42 U.S.C. 12101-12213 and 47 U.S.C. 225 and 611).

Assistant Attorney General means the Assistant Attorney General, Civil Rights Division, United States Department of Justice.

Auxiliary aids and services includes--

(1) Qualified interpreters on-site or through video remote interpreting (VRI) services; notetakers; real-time computer-aided transcription services; written materials; exchange of written notes; telephone handset amplifiers; assistive listening devices; assistive listening systems; telephones compatible with hearing aids; closed caption decoders; open and closed captioning, including real-time captioning; voice, text, and video-based telecommunications products and systems, including text telephones (TTYs), videophones, and captioned telephones, or equally effective telecommunications devices; videotext displays; accessible electronic and information technology; or other effective methods of making aurally delivered information available to individuals who are deaf or hard of hearing;

(2) Qualified readers; taped texts; audio recordings; Brailled materials and displays; screen reader software; magnification software; optical readers; secondary auditory programs (SAP); large print materials; accessible electronic and information technology; or other effective methods of making visually delivered materials available to individuals who are blind or have low vision;

(3) Acquisition or modification of equipment or devices; and

(4) Other similar services and actions.

Complete complaint means a written statement that contains the complainant's name and address and describes the public entity's alleged discriminatory action in sufficient detail to inform the agency of the nature and date of the alleged violation of this part. It shall be signed by the complainant or by someone authorized to do so on his or her behalf. Complaints filed on behalf of classes or third parties shall describe or identify (by name, if possible) the alleged victims of discrimination.

Current illegal use of drugs means illegal use of drugs that occurred recently enough to justify a reasonable belief that a person's drug use is current or that continuing use is a real and ongoing problem.

Designated agency means the Federal agency designated under subpart G of this part to oversee compliance activities under this part for particular components of State and local governments.

Direct threat means a significant risk to the health or safety of others that cannot be eliminated by a modification of policies, practices or procedures, or by the provision of auxiliary aids or services as provided in § 35.139.



## Service Animal Federal Regulations

Disability means, with respect to an individual, a physical or mental impairment that substantially limits one or more of the major life activities of such individual; a record of such an impairment; or being regarded as having such an impairment.

(1)(i) The phrase physical or mental impairment means--

(A) Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: Neurological, musculoskeletal, special sense organs, respiratory (including speech organs), cardiovascular, reproductive, digestive, genitourinary, hemic and lymphatic, skin, and endocrine;

(B) Any mental or psychological disorder such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities.

(ii) The phrase physical or mental impairment includes, but is not limited to, such contagious and noncontagious diseases and conditions as orthopedic, visual, speech and hearing impairments, cerebral palsy, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, mental retardation, emotional illness, specific learning disabilities, HIV disease (whether symptomatic or asymptomatic), tuberculosis, drug addiction, and alcoholism.

(iii) The phrase physical or mental impairment does not include homosexuality or bisexuality.

(2) The phrase major life activities means functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.

(3) The phrase has a record of such an impairment means has a history of, or has been misclassified as having, a mental or physical impairment that substantially limits one or more major life activities.

(4) The phrase is regarded as having an impairment means--

(i) Has a physical or mental impairment that does not substantially limit major life activities but that is treated by a public entity as constituting such a limitation;

(ii) Has a physical or mental impairment that substantially limits major life activities only as a result of the attitudes of others toward such impairment; or

(iii) Has none of the impairments defined in paragraph (1) of this definition but is treated by a public entity as having such an impairment.

(5) The term disability does not include--

(i) Transvestism, transsexualism, pedophilia, exhibitionism, voyeurism, gender identity disorders not resulting from physical impairments, or other sexual behavior disorders;

(ii) Compulsive gambling, kleptomania, or pyromania; or

(iii) Psychoactive substance use disorders resulting from current illegal use of drugs.

Drug means a controlled substance, as defined in schedules I through V of section 202 of the Controlled Substances Act (21 U.S.C. 812).

Existing facility means a facility in existence on any given date, without regard to whether the facility may also be considered newly constructed or altered under this part.

Facility means all or any portion of buildings, structures, sites, complexes, equipment, rolling stock or other conveyances, roads, walks, passageways, parking lots, or other real or personal property, including the site where the building, property, structure, or equipment is located.

Historic preservation programs means programs conducted by a public entity that have preservation of historic properties as a primary purpose.

Historic Properties means those properties that are listed or eligible for listing in the National Register of Historic Places or properties designated as historic under State or local law.



## Service Animal Federal Regulations

Housing at a place of education means housing operated by or on behalf of an elementary, secondary, undergraduate, or postgraduate school, or other place of education, including dormitories, suites, apartments, or other places of residence.

Illegal use of drugs means the use of one or more drugs, the possession or distribution of which is unlawful under the Controlled Substances Act (21 U.S.C. 812). The term illegal use of drugs does not include the use of a drug taken under supervision by a licensed health care professional, or other uses authorized by the Controlled Substances Act or other provisions of Federal law.

Individual with a disability means a person who has a disability. The term individual with a disability does not include an individual who is currently engaging in the illegal use of drugs, when the public entity acts on the basis of such use.

Other power-driven mobility device means any mobility device powered by batteries, fuel, or other engines--whether or not designed primarily for use by individuals with mobility disabilities--that is used by individuals with mobility disabilities for the purpose of locomotion, including golf cars, electronic personal assistance mobility devices (EPAMDs), such as the Segway® PT, or any mobility device designed to operate in areas without defined pedestrian routes, but that is not a wheelchair within the meaning of this section. This definition does not apply to Federal wilderness areas; wheelchairs in such areas are defined in section 508(c)(2) of the ADA, 42 U.S.C. 12207(c)(2).

Public entity means--

- (1) Any State or local government;
- (2) Any department, agency, special purpose district, or other instrumentality of a State or States or local government; and
- (3) The National Railroad Passenger Corporation, and any commuter authority (as defined in section 103(8) of the Rail Passenger Service Act).

Qualified individual with a disability means an individual with a disability who, with or without reasonable modifications to rules, policies, or practices, the removal of architectural, communication, or transportation barriers, or the provision of auxiliary aids and services, meets the essential eligibility requirements for the receipt of services or the participation in programs or activities provided by a public entity.

Qualified interpreter means an interpreter who, via a video remote interpreting (VRI) service or an on-site appearance, is able to interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary. Qualified interpreters include, for example, sign language interpreters, oral transliterators, and cued-language transliterators.

Qualified reader means a person who is able to read effectively, accurately, and impartially using any necessary specialized vocabulary.

Section 504 means section 504 of the Rehabilitation Act of 1973 (Pub.L. 93-112, 87 Stat. 394 (29 U.S.C. 794)), as amended.

Service animal means any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition. The work or tasks performed by a service animal must be directly related to the individual's disability. Examples of work or tasks include, but are not limited to, assisting individuals who are blind or have low vision with navigation and other tasks, alerting individuals who are deaf or hard of hearing to the presence of people or sounds, providing non-violent protection or rescue work, pulling a



wheelchair, assisting an individual during a seizure, alerting individuals to the presence of allergens, retrieving items such as medicine or the telephone, providing physical support and assistance with balance and stability to individuals with mobility disabilities, and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors. The crime deterrent effects of an animal's presence and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for the purposes of this definition.

State means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, the Trust Territory of the Pacific Islands, and the Commonwealth of the Northern Mariana Islands.

Video remote interpreting (VRI) service means an interpreting service that uses video conference technology over dedicated lines or wireless technology offering high-speed, wide-bandwidth video connection that delivers high-quality video images as provided in § 35.160(d).

Wheelchair means a manually-operated or power-driven device designed primarily for use by an individual with a mobility disability for the main purpose of indoor or of both indoor and outdoor locomotion. This definition does not apply to Federal wilderness areas; wheelchairs in such areas are defined in section 508(c)(2) of the ADA, 42 U.S.C. 12207(c)(2).

**Credits**

[Order No. 3180-2010, 75 FR 56177, Sept. 15, 2010; 76 FR 13285, March 11, 2011]

SOURCE: 56 FR 35716, July 26, 1991; 75 FR 56177, Sept. 15, 2010, unless otherwise noted.

AUTHORITY: 5 U.S.C. 301; 28 U.S.C. 509, 510; 42 U.S.C. 12134.

Effective: March 15, 2011

28 C.F.R. § 35.136

**§ 35.136 Service animals.**

(a) General. Generally, a public entity shall modify its policies, practices, or procedures to permit the use of a service animal by an individual with a disability.

(b) Exceptions. A public entity may ask an individual with a disability to remove a service animal from the premises if--

(1) The animal is out of control and the animal's handler does not take effective action to control it; or

(2) The animal is not housebroken.

(c) If an animal is properly excluded. If a public entity properly excludes a service animal under § 35.136(b), it shall give the individual with a disability the opportunity to participate in the service, program, or activity without having the service animal on the premises.

(d) Animal under handler's control. A service animal shall be under the control of its handler. A service animal shall have a harness, leash, or other tether, unless either the handler is unable because of a disability to use a harness, leash, or other tether, or the use of a harness, leash, or other tether would interfere with the service animal's safe, effective performance of work or tasks, in which case the service animal must be otherwise under the handler's control (e.g., voice control, signals, or other effective means).

(e) Care or supervision. A public entity is not responsible for the care or supervision of a service animal.



(f) **Inquiries.** A public entity shall not ask about the nature or extent of a person's disability, but may make two inquiries to determine whether an animal qualifies as a service animal. A public entity may ask if the animal is required because of a disability and what work or task the animal has been trained to perform. A public entity shall not require documentation, such as proof that the animal has been certified, trained, or licensed as a service animal. Generally, a public entity may not make these inquiries about a service animal when it is readily apparent that an animal is trained to do work or perform tasks for an individual with a disability (e.g., the dog is observed guiding an individual who is blind or has low vision, pulling a person's wheelchair, or providing assistance with stability or balance to an individual with an observable mobility disability).

(g) **Access to areas of a public entity.** Individuals with disabilities shall be permitted to be accompanied by their service animals in all areas of a public entity's facilities where members of the public, participants in services, programs or activities, or invitees, as relevant, are allowed to go.

(h) **Surcharges.** A public entity shall not ask or require an individual with a disability to pay a surcharge, even if people accompanied by pets are required to pay fees, or to comply with other requirements generally not applicable to people without pets. If a public entity normally charges individuals for the damage they cause, an individual with a disability may be charged for damage caused by his or her service animal.

(i) **Miniature horses.**

(1) **Reasonable modifications.** A public entity shall make reasonable modifications in policies, practices, or procedures to permit the use of a miniature horse by an individual with a disability if the miniature horse has been individually trained to do work or perform tasks for the benefit of the individual with a disability.

(2) **Assessment factors.** In determining whether reasonable modifications in policies, practices, or procedures can be made to allow a miniature horse into a specific facility, a public entity shall consider--

(i) The type, size, and weight of the miniature horse and whether the facility can accommodate these features;

(ii) Whether the handler has sufficient control of the miniature horse;

(iii) Whether the miniature horse is housebroken; and

(iv) Whether the miniature horse's presence in a specific facility compromises legitimate safety requirements that are necessary for safe operation.

(3) **Other requirements.** Paragraphs 35.136(c) through (h) of this section, which apply to service animals, shall also apply to miniature horses.

**Credits**

[Order No. 3180-2010, 75 FR 56178, Sept. 15, 2010; 76 FR 13285, March 11, 2011]

SOURCE: 56 FR 35716, July 26, 1991; 75 FR 56177, Sept. 15, 2010, unless otherwise noted.

AUTHORITY: 5 U.S.C. 301; 28 U.S.C. 509, 510; 42 U.S.C. 12134.

Current through January 17, 2013; 78 FR 4014