



## 2011-2012 SUBSTITUTE TEACHER HANDBOOK

### WELCOME

Your teaching service provides our school district the opportunity to continue a quality educational program for students when it is necessary for their regular teachers to be absent. The staff commends you for the support you give to their role as teachers and to our overall educational program. Your role as a substitute teacher is highly valued by this district and the parents who entrust the care and education of their children to us every day. We realize that the job of a substitute teacher may be as challenging as it is gratifying and hope that this handbook will assist you in your efforts.

### BELIEF STATEMENT

We believe that our students:

- ◆ Should be prepared to compete and excel in a global society.
- ◆ Should be prepared to become lifelong learners and responsible citizens.
- ◆ Deserve a safe and nurturing learning environment.
- ◆ Deserve the opportunity to realize and maximize their potential.
- ◆ Deserve the best educational opportunities possible through a community-wide commitment to excellence.

### MISSION STATEMENT

The responsibility of the Rolla School District is to provide, in partnership with the community, the best educational opportunities possible for our students through a commitment to excellence in personnel, facilities, curriculum, and instruction.

### SUMMARY CHECKLIST

- Complete application process on DESE website--except those with a current, regular valid MO teaching certificate (see pg. 1).
- Schedule and complete an electronic fingerprint-background check appointment with L-1 Enrollment Services (\$52.20 fee payable by applicant). If it was done in the past, it can't be more than one year old (see pg. 2).
- Fill out application/payroll paperwork forms included with handbook (handbook is available online but forms are only available as hard copies).
- Contact Lori Vaughn ([lvaughn@rolla.k12.mo.us](mailto:lvaughn@rolla.k12.mo.us); 573-458-0101 ext. 11101) to schedule a time to bring in completed forms. This can be done either while your substitute teaching certificate and/or background check is being processed or after it has been completed.
- Bring two acceptable forms of identification (see pg. 3) and a voided check when you bring in your completed paperwork.
- After you are placed on the substitute teacher list, contact pertinent campuses to introduce yourself (see pgs. 2 & 4).

The substitute teaching certificate process (including background check and official transcript sent to DESE) takes 2-3 weeks.

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## IMPORTANT EMPLOYMENT INFORMATION

### SUBSTITUTE TEACHING CERTIFICATION

There are two criteria to receive a substitute teaching certificate: (1) completion of 60 semester hours or more of credit in the content areas from an academic degree-granting institution contained within the U.S. Department of Education's Directory of Post-Secondary Institutions and (2) completion of an electronic fingerprint background check. Those wishing to substitute teach (except those with a current MO teaching certificate who are exempt from this part of the process) should apply through the Dept. of Elementary & Secondary Education (DESE)--[http://www.dese.mo.gov/divteachqual/teachcert/documents/helpdocument\\_001.pdf](http://www.dese.mo.gov/divteachqual/teachcert/documents/helpdocument_001.pdf). If there are questions, feel free to contact Lori Vaughn. The laws pertaining to teacher certification apply to substitutes as well as full-time teachers. A valid Missouri teaching certificate or a substitute teaching certificate is required to serve as a substitute teacher. There are two types of substitute teaching certificates: 'content' and 'career/technical'. Substitute teaching certificates are good for unlimited use throughout Missouri beginning with the effective date and continuing through the expiration date.

### APPLICATION / COLLEGE TRANSCRIPT(S)

Substitute teacher applicants must apply on the DESE website (which includes submitting an official transcript to DESE and completing an electronic fingerprint background check—more information on page 2) to receive a substitute teaching certificate and be placed on our current substitute teaching list. Those with a current, regular valid Missouri teaching certificate are exempt from applying on the DESE website; however, they do need to have a current background check clearance. Applicants also must complete the appropriate district application forms. As soon as your substitute teaching certificate has been processed and the forms completed, you will be placed on our district substitute teacher list which will be distributed to the designated contact person at each campus. New applicants are added to the list throughout the school year. The substitute teacher is responsible for keeping all information current (address, phone number, availability, banking information, etc.). Please notify Lori Vaughn at (573) 458-0101, ext. 11101, to update your information or in the event you become unable to substitute so that the appropriate changes can be made.

**IMPORTANT NOTE:** DESE requires that you send an official transcript to them as part of their application process (if you do not have a regular Missouri teaching certificate). If you send your official transcript to DESE, please attach a copy of your profile page from your record on the DESE website or include your educator identification number. If you request your university to send your official transcript to DESE, please ask the university to make a note of all names used, include your social security number and date of birth, and note that it is for a substitute teaching certificate. DESE's address is: DESE, Substitute Teaching Certificate, PO Box 480, Jefferson City, MO 65102-0480.

## **GOVERNMENT I-9 / TAX FORMS / SOCIAL SECURITY**

It is necessary to provide proper identification for proof of U.S. citizenship before being employed. Please bring identification when returning your completed application (examples of acceptable documents are shown on page 3 of this handbook). Deductions are made for federal and state withholdings as determined by the U.S. W-4 and Missouri W-4 forms, which you will complete. Substitute teachers in the Rolla School District are covered by Social Security and deductions are made for the same.

**NOTE:** As of January 1, 2009, we are required by law (HB 1549) to participate in E-Verify to determine employment eligibility. To learn more about E-Verify, you may contact the Department of Homeland Security at (888)464-4218 or go to their website at [www.dhs.gov](http://www.dhs.gov).

## **BACKGROUND CHECK – MANDATORY REQUIREMENT**

Satisfactory professional conduct and criminal record checks are a mandatory condition of employment. Statute 168.133, RSMo, requires school districts to ensure that a criminal background check is conducted on any person employed after January 1, 2005, authorized to have contact with pupils. The Department of Elementary & Secondary Education (DESE) Professional Conduct & Investigations Section and MO State Highway Patrol work together to process the background check.

L-1 Enrollment Services - Electronic Fingerprinting Services (\$52.20 fee payable by the applicant)--estimated 2 weeks process time: You may visit their website (<https://mo.ibtfingerprint.com/>) or call them toll-free at (866)522-7067 to schedule an appointment to have your fingerprints taken electronically. There are a variety of locations across the state, including Rolla. Please notify Lori Vaughn (573-458-0101, ext. 11101 or [lvaughn@rolla.k12.mo.us](mailto:lvaughn@rolla.k12.mo.us)) of the scheduled date of your background check appointment. Important information necessary for scheduling an appointment: Agency number/ORI – MO920320Z; OCA Number – 081096; Extra OCA Identifier – Substitute Teacher or Certified Educator.

**NOTE:** Per DESE requirements, you must work at least one full day in our district during each fiscal year (July 1-June 30) in order to be exempt from having to go through an additional fingerprint background check if you want to continue to be on our district substitute teacher list.

## **PAYROLL INFORMATION**

### Short-term Assignment:

The rate of pay for a substitute teacher will be \$75 per day (a day is designated to be from 7:45 a.m. to 3:15 p.m.). A partial day (three-hour minimum) rate of \$32.25 will be paid with additional pay for hours beyond the minimum rate if assigned by the principal. Duties will be assigned by the principal, according to the needs of the district, which could include other areas in the school. Substitutes will have a 30-minute duty-free lunch.

### Long-term Assignment:

Substitute teachers who teach in the same position for more than ten consecutive school days will be considered on a different salary schedule for the days in excess of ten (10). Substitute teachers with long-term assignments will be paid according to Step A-1 of the regular teacher salary schedule if they have both a degree in the subject area and a Missouri teaching certificate in the subject area for which they are substituting. Retirement will be deducted when the assignment is for more than 600 hours and will be retroactive to the first day of their long-term assignment. All other substitute teachers with long-term assignments will be paid at a rate of \$105 per day after ten days. **Substitute teachers will be paid on the 25th of the month or the last working day prior to that date. Pay periods run from the 16th of the previous month through the 15th of the current month.**

In addition, those serving in a long-term substitute teaching assignment are required to have retirement withheld. Therefore, you are required to notify the superintendent's office if you are on a long-term assignment either at Rolla Public Schools or at another school district. At that time, you will be temporarily removed from our regular substitute teaching list until you have completed your long-term assignment.

### Retired Teachers:

All PSRS retirees are required to keep track of their **actual hours worked** (including substitute teaching and volunteer work). This is necessary because of the rule of not being allowed to work more than 550 hours per year. This rule includes all working experience, including both paid and unpaid.

### Direct Deposit:

Effective as of the 2001-02 school year, all employees are required to use direct deposit for payroll. Funds become available at 9:00 a.m. on the designated pay date at the financial institution of your choosing. When returning your completed application, please bring a voided check which will be attached to the direct deposit form that you will fill out. If you are using a savings account or a debit card, please obtain a form from your financial institution that designates the routing number and account number.

### Tax Sheltered Annuities (403(b) Plan):

Recognizing the fact that the Internal Revenue Service has made it possible for employees of public schools and other non-profit organizations to subsidize their retirement program with tax free dollars through the use of a Tax Sheltered Annuity program, and in view of the constant desire of the Rolla Board of Education to make such advantages available to all employees, the Rolla Board of Education does authorize the writing of Tax Sheltered Annuities for the employees of the Rolla Public Schools. For a list of approved TSA providers and agents, contact the payroll department. (See enclosed information for more details.)

## **NOTIFICATION / REPORTING TO SUBSTITUTE**

After your substitute teaching certificate has been processed through DESE and you have filled out the appropriate district paperwork, you will be eligible to be placed on our substitute teaching list. At that time, please introduce yourself to the principal or designated person in each building in which you would like to substitute. **YOU WILL NOT BE REQUESTED TO SUBSTITUTE UNLESS YOU HAVE DONE SO.** A campus contact list is located on page 4 in this handbook.

Building principals or their designees make arrangements for substitute teacher assignments as needed. When possible, arrangements are made in advance. Upon your arrival at school, the principal or secretary will direct you to the classroom. A folder for Substitute Teachers will be available which outlines all building procedures and personnel, special instructions, class lists and lesson plans. Upon your departure at the end of the day, please turn in requested reports, keys, and any other items issued to you for the day.

## GENERAL EXPECTATIONS

### **CLASSROOM RESPONSIBILITIES:**

Direct any outsider seeking information about a child, or seeking permission to take a child from the room, to principal's office; Follow the program as outlined by regular teacher; Be prompt in releasing your students for their scheduled activities; Notify nurse immediately in the event of a student's illness, injury or accident; Abide by the seating arrangement designated by regular teacher; Leave room neat and in order before leaving (locking the door is advised); Supervise your students at all times; Maintain strict confidentiality regarding all student and parental matters; Refer serious behavioral concerns to principal.

### **THE SUBSTITUTE EXPECTS TO FIND IN THE CLASSROOM:**

Well-organized, well-oriented plan for the day, including name of the text and page numbers; The daily schedule showing recesses, physical education, music or art periods, lunch and dismissal times; An up-to-date and easy-to-read seating chart; Fire and emergency drill procedures; A teacher who does not criticize the work of the substitute in the presence of students or other teachers; An atmosphere of good will toward the substitute as discussions preceded his/her coming, concerning responsibilities of the students to the substitute.

### **THE CLASSROOM TEACHER EXPECTS THE SUBSTITUTE TO:**

Follow the regular plans and schedule as closely as possible; Maintain a neat, attractive and orderly environment; Leave a statement of the work covered, together with any comments about special difficulty or outstanding cooperation, work completed or unfinished; Keep accurate attendance records; Maintain good classroom discipline; Leave equipment in proper place; Refrain from discussing teachers' instruction methods or ideas in or out of the classroom; Refer requests from parents for pupil progress to the teacher; Check the teacher's mailbox, if so directed, for bulletins, announcements, or special arrangements.

### **HINTS FOR SUCCESS:**

Write your name on the board so students will know how to address you; Write directions or lesson plans neatly on the board; this will be of great help in the orderly beginning of a day's work; Be ready when the bell rings to supervise the passing of students in and out of the classroom, caring for belongings and getting settled in seats; Be an informed substitute; Know the school rules; Take firm control of the class from the beginning; Physical punishment, sarcasm, ridicule, or hasty decisions are not accepted ways of pupil control; Use positive rather than negative comments and suggestions; Start class promptly by avoiding unnecessary delays in instruction; Treat all students with respect; Refer serious discipline concerns to the principal; Ask the principal or the classroom teacher to evaluate your performance in order to offer helpful suggestions; Develop a file of meaningful back-up plans; Dress in professional attire.

### LISTS OF ACCEPTABLE DOCUMENTS All documents must be unexpired

| LIST A<br>Documents that Establish Both<br>Identity and Employment<br>Authorization   | OR | LIST B<br>Documents that Establish<br>Identity  | AND | LIST C<br>Documents that Establish<br>Employment Authorization  |
|---|----|---|-----|---|
| 1. U.S. Passport or U.S. Passport Card  |    | 1. Driver's license or ID card issued by a State or outlying possession of the United States provided it contains a photograph or information such as name, date of birth, gender, height, eye color, and address |     | 1. Social Security Account Number card other than one that specifies on the face that the issuance of the card does not authorize employment in the United States |
| 2. Permanent Resident Card or Alien Registration Receipt Card (Form I-551)  |    | 2. ID card issued by federal, state or local government agencies or entities, provided it contains a photograph or information such as name, date of birth, gender, height, eye color, and address                |     | 2. Certification of Birth Abroad issued by the Department of State (Form FS-545)  |
| 3. Foreign passport that contains a temporary I-551 stamp or temporary I-551 printed notation on a machine-readable immigrant visa  |    | 3. School ID card with a photograph   |     | 3. Certification of Report of Birth issued by the Department of State (Form DS-1350)  |
| 4. Employment Authorization Document that contains a photograph (Form I-766)  |    | 4. Voter's registration card  |     | 4. Original or certified copy of birth certificate issued by a State, county, municipal authority, or territory of the United States bearing an official seal     |
| 5. In the case of a nonimmigrant alien authorized to work for a specific employer incident to status, a foreign passport with Form I-94 or Form I-94A bearing the same name as the passport and containing an endorsement of the alien's nonimmigrant status, as long as the period of endorsement has not yet expired and the proposed employment is not in conflict with any restrictions or limitations identified on the form |    | 5. U.S. Military card or draft record   |     | 5. Native American tribal document  |
|   |    | 6. Military dependent's ID card   |     | 6. U.S. Citizen ID Card (Form I-197)  |
|   |    | 7. U.S. Coast Guard Merchant Mariner Card   |     | 7. Identification Card for Use of Resident Citizen in the United States (Form I-179)  |
|   |    | 8. Native American tribal document  |     | 8. Employment authorization document issued by the Department of Homeland Security  |
|   |    | 9. Driver's license issued by a Canadian government authority   |     |   |
|   |    | For persons under age 18 who are unable to present a document listed above:   |     |   |
| 6. Passport from the Federated States of Micronesia (FSM) or the Republic of the Marshall Islands (RMI) with Form I-94 or Form I-94A indicating nonimmigrant admission under the Compact of Free Association Between the United States and the FSM or RMI   |    | 10. School record or report card  |     |   |
|   |    | 11. Clinic, doctor, or hospital record  |     |   |
|   |    | 12. Day-care or nursery school record   |     |   |

Illustrations of many of these documents appear in Part 8 of the Handbook for Employers (M-274)

## 2011-2012 SCHOOL CALENDAR

|                            |   |
|----------------------------|---|
| August 17                  | SCHOOL OPENS  |
| September 5                | NO SCHOOL – Labor Day Recess                            |
| September 14 (Sept 21-Alt) | School Dismissed at 1 p.m. – CSD Meeting 1:30-4:00 p.m. |
| October 10                 | NO SCHOOL – CSD Meetings                                |
| October 28                 | NO SCHOOL – Parent Teacher Conferences                  |
| November 2 (Nov 9-Alt)     | School Dismissed at 1 p.m. – CSD Meeting 1:30-4:00 p.m. |
| November 23-25             | NO SCHOOL – Thanksgiving Break                          |
| December 22                | School Dismissed at 1 p.m.                              |
| Dec 23 – Jan 3             | NO SCHOOL – Winter Holiday Break                        |
| January 4                  | Classes Resume  |
| January 16                 | NO SCHOOL – Martin Luther King Day                      |
| February 17 (Feb 24-Alt)   | NO SCHOOL – CSD Meetings (2 sessions-2½ hrs each)       |
| February 20                | NO SCHOOL – President's Day                             |
| March 23                   | NO SCHOOL – Parent Teacher Conferences                  |
| March 26–30                | NO SCHOOL – Spring Break                                |
| May 23                     | SCHOOL CLOSES – School dismissed at 1 p.m.              |
| May 25                     | Commencement  |

\*CSD-Continuous Staff Development

### SCHOOL INFORMATION

| <b>SCHOOL</b>   | <b>ADMINISTRATOR</b>   | <b>SECRETARIES</b>                                      |
|---|--|---|
| <b>Mark Twain Elementary (K-4)</b><br>1100 Mark Twain Drive; Phone: 458-0170                  | Dr. Jim Pritchett, Principal   | Charlene Mumma<br>Delinda Gillardi                      |
| <b>Truman Elementary (K-4)</b><br>1001 East 18 <sup>th</sup> ; Phone: 458-0180                | Darlene Bramel, Principal  | Colleen Evans<br>Brenda Wilson                          |
| <b>Wyman Elementary (K-4)</b><br>402 Lanning Lane; Phone: 458-0190                            | Dr. Susan Bowles, Principal  | Nan Magdits<br>Reva Stevenson                           |
| <b>Rolla Middle School (5-7)</b><br>1111 Soest Road; Phone: 458-0120                          | Monica Davis, Principal<br>Josh Smith(*), Asst. Principal<br>Jodi Elder, Admin. Intern   | Dianne Steelman<br>Michelle Froehlich<br>Erin Coverdell |
| <b>Rolla Junior High (8-9)</b><br>1360 Soest Road; Phone: 458-0130                            | Monica Elseman, Principal<br>Andy Stormes(*), Asst. Principal                            | Mindi Lamar<br>Robin Whitaker<br>Rhonda Veik            |
| <b>Rolla Senior High (10-12)</b><br>900 Bulldog Run; Phone: 458-0140                          | Nathan Hoven, Principal<br>Amy Herrman(*), Asst. Principal<br>Corey Ray, Asst. Principal | Suzie Kraus   |
| <b>Rolla Technical Institute (9-12/Adult)</b><br>1304 East 10 <sup>th</sup> ; Phone: 458-0150 | Matt Duncan, Director<br>Lucas Chapman(*), Asst. Director                                | Debbie Grosenbacher                                     |
| <b>Rolla Technical Center (9-12/Adult)</b><br>500 Forum; Phone: 458-0160                      | Matt Duncan, Director<br>Paula Haas(*), Asst. Director                                   | Donna Young   |

(\* Designated Substitute Teacher Contact)

**PROHIBITION AGAINST ILLEGAL DISCRIMINATION AND HARASSMENT**

**General Rule**

The Rolla Public Schools Board of Education is committed to maintaining a workplace and educational environment that is free from illegal discrimination or harassment in admission or access to, or treatment or employment in, its programs, activities and facilities. Discrimination or harassment against employees, students or others on the basis of race, color, religion, sex, national origin, ancestry, disability, age or any other characteristic protected by law is strictly prohibited in accordance with law. The Rolla Public Schools is an equal opportunity employer. Students, employees and others will not be disciplined for speech in circumstances where it is protected by law. The Board also prohibits:

1. Retaliatory actions based on making complaints of prohibited discrimination or harassment or based on participation in an investigation, formal proceeding or informal resolution concerning prohibited discrimination or harassment.
2. Aiding, abetting, inciting, compelling or coercing discrimination or harassment.
3. Discrimination or harassment against any person because of such person's association with a person protected from discrimination or harassment due to one (1) or more of the above-stated characteristics.

All employees, students and visitors must immediately report to the district for investigation any incident or behavior that could constitute illegal discrimination or harassment.

**Additional Prohibited Behavior**

Behavior that is not unlawful or does not rise to the level of illegal discrimination or harassment might still be unacceptable for the workplace or the educational environment. Demeaning or otherwise harmful actions are prohibited, particularly if directed at personal characteristics including, but not limited to, socioeconomic level, sexual orientation or perceived sexual orientation.

**Consequences**

Employees who violate this policy will be disciplined, up to and including employment termination. Students who violate this policy will be disciplined, which may include suspension or expulsion. Patrons, contractors, visitors or others who violate this policy may be prohibited from school grounds or otherwise restricted while on school grounds. The superintendent or designee will contact law enforcement or seek a court order to enforce this policy when necessary or when actions may constitute criminal behavior.

In accordance with law and district policy, any person suspected of abusing or neglecting a child will be reported to the Children's Division (CD) of the Department of Social Services.

**Definitions**

*Discrimination* – Conferring, refusing or denying benefits or providing differential treatment to a person or class of persons in violation of law based on race, color, religion, sex, national origin, ancestry, disability, age or any other characteristic protected by law, or based on a belief that such a characteristic exists.

*Harassment* – A form of discrimination, as defined above, that occurs when the school or work environment becomes permeated with intimidation, ridicule or insult that is sufficiently severe or pervasive enough that it unreasonably alters the employment or educational environment.

Behaviors that could constitute illegal harassment include, but are not limited to, the following acts if based on race, color, religion, sex, national origin, ancestry, disability, age or any other characteristic protected by law or a belief that such a characteristic exists: graffiti; display of written material or pictures; name calling; slurs; jokes; gestures; threatening, intimidating or hostile acts; theft; or damage to property.

*Sexual Harassment* – A form of discrimination, as defined above, on the basis of sex. Sexual harassment is unwelcome conduct that occurs when a) benefits or decisions are implicitly or explicitly conditioned upon submission to, or punishment is applied for refusing to comply with, unwelcome sexual advances, requests for sexual favors or conduct of a sexual nature; or b) the school or work environment becomes permeated with intimidation, ridicule or insult that is based on sex or is sexual in nature and that is sufficiently severe or pervasive enough to alter the conditions of participation in the district's programs and activities or the conditions of employment. Sexual harassment may occur between members of the same or opposite sex. The district presumes a student cannot consent to behavior of a sexual nature with an adult regardless of the circumstance.

Behaviors that could constitute sexual harassment include, but are not limited to:

1. Sexual advances and requests or pressure of any kind for sexual favors, activities or contact.
2. Conditioning grades, promotions, rewards or privileges on submission to sexual favors, activities or contact.
3. Punishing or reprimanding persons who refuse to comply with sexual requests, activities or contact.
4. Graffiti, name calling, slurs, jokes, gestures or communications of a sexual nature or based on sex.
5. Physical contact or touching of a sexual nature, including touching of intimate parts and sexually motivated or inappropriate patting, pinching or rubbing.

*Grievance* – A verbal or written report (also known as a complaint) of discrimination or harassment made to the compliance officer.

### **Compliance Officer**

The Board designates the following individual to act as the district's compliance officer:

Director of Human Resources

Rolla Public Schools

500A Forum Drive

Rolla, MO 65401

Phone: 573-458-0100; Fax: 573-458-0105

The compliance officer will:

1. Coordinate district compliance with this policy and the law.
2. Receive all grievances regarding discrimination and harassment in the Rolla Public Schools.
3. Serve as the district's designated Title IX, Section 504 and Americans with Disabilities Act (ADA) coordinator, as well as the contact person for compliance with other discrimination laws.
4. Investigate or assign persons to investigate grievances; monitor the status of grievances; and recommend consequences.
5. Seek legal advice when necessary to enforce this policy.
6. Report to the superintendent and the Board aggregate information regarding the number and frequency of grievances and compliance with this policy.
7. Make recommendations regarding the implementation of this policy.
8. Coordinate and institute training programs for district staff and supervisors as necessary to meet the goals of this policy, including instruction in recognizing behavior that constitutes discrimination and harassment.
9. Perform other duties as assigned by the superintendent.

In the event the compliance officer is unavailable or is the subject of a report that would otherwise be made to the compliance officer, reports should instead be directed to the acting compliance officer:

Superintendent of Schools

Rolla Public Schools

500A Forum Drive

Rolla, MO 65401

Phone: 573-458-0100; Fax: 573-458-0105

### **Public Notice**

The superintendent or designee will continuously publicize the district's policy prohibiting illegal discrimination and harassment and disseminate information on how to report discrimination and harassment. Notification of the district's policy will be posted in a public area of each building used for instruction or employment or open to the public. Information will also be distributed annually to employees, parents/guardians and students as well as to newly enrolled students and newly hired employees. District bulletins, catalogs, application forms, recruitment material and the district's website will include a statement that the Rolla Public Schools does not discriminate in its programs, activities, facilities or with regard to employment. The district will provide information in alternative formats when necessary to accommodate persons with disabilities.

### **Reporting**

All persons must report incidents that might constitute illegal discrimination or harassment directly to the compliance officer or acting compliance officer. All district employees will direct all persons seeking to make a grievance directly to the compliance officer. Even if the potential victim of discrimination or harassment does not file a grievance, district employees are required to report to the compliance officer any observations, rumors or other information regarding discrimination or harassment prohibited by this policy. If a verbal grievance is made, the person will be asked to submit a written complaint to the compliance officer or acting compliance officer. If a person refuses or is unable to submit a written complaint, the compliance officer will summarize the verbal complaint in writing. A grievance is not needed for the district to take action upon finding a violation of law, district policy or district expectations.

Students, employees and others may address concerns directly with the person alleged to have caused harassment or discrimination in an attempt to resolve the issue, but are not expected or required to do so.

## **Student-on-Student Harassment**

Building-level administrators are in a unique position to identify and address discrimination and harassment between students, particularly when behaviors are reported through the normal disciplinary process and not through a grievance. The administrator has the ability to immediately discipline a student for any behavior that otherwise would lead to disciplinary action in accordance with the district's discipline policy. The administrator will report all incidents of harassment and discrimination to the compliance officer and will direct the parent/guardian and student to the compliance officer for further assistance. The compliance officer may determine that the incident has been appropriately addressed or recommend additional action. When a grievance is filed, the investigation and complaint process detailed below will be used.

### **Investigation**

The district will immediately investigate all grievances. All persons are required to cooperate fully in the investigation. The district compliance officer or other designated investigator may utilize an attorney or other professionals to conduct the investigation.

In determining whether alleged conduct constitutes discrimination or harassment, the district will consider the surrounding circumstances, the nature of the behavior, the relationships between the parties involved, past incidents, the context in which the alleged incidents occurred and all other relevant information. Whether a particular action or incident constitutes a violation of this policy requires a determination based on all of the facts and surrounding circumstances. If, after investigation, school officials determine that it is more likely than not that discrimination, harassment or other prohibited behavior has occurred, the district will take immediate corrective action.

### **Grievance Process Overview**

1. If a person designated to hear a grievance or appeal is the subject of the grievance, the next highest step in the grievance process will be used.
2. Investigation and reporting deadlines are not mandatory upon the district when more time might be necessary to adequately conduct an investigation and to render a decision. When extended, the person filing the complaint will be notified. If more than twice the allotted time has expired without a response, the appeal may be taken to the next level.
3. Failure of the person filing the grievance to appeal within the timelines given will be considered acceptance of the findings and remedial action taken.
4. The district will investigate all grievances, even if an outside enforcing agency such as the Office for Civil Rights, law enforcement or the CD is also investigating a complaint arising from the same circumstances.
5. The district will only share information regarding an individually identifiable student or employee with the person filing the grievance or other persons if allowed by law and in accordance with Board policy.
6. Upon receiving a grievance, district administrators or supervisors, after consultation with the compliance officer, will take immediate action if necessary to prevent further potential discrimination or harassment during the pending investigation.

### **Grievance Process**

1. Level I – A grievance is filed with the district's compliance officer. The compliance officer may, at his or her discretion, assign a school principal or other appropriate supervisor to conduct the investigation when appropriate.

Regardless of who investigates the grievance, an investigation will commence immediately, but no later than ten (10) working days after the compliance officer receives the grievance. The compliance officer will complete a written report within 30 working days of receiving the grievance that 1) summarizes the facts; 2) makes conclusions on whether the facts constitute a violation of this policy; and 3) if a violation of this policy is found, recommends corrective action to the superintendent. If someone other than the compliance officer conducts the investigation, the compliance officer or acting compliance officer will review and sign the report. The person who filed the grievance will be notified in writing, in accordance with law and district policy, regarding whether the policy has been violated.

2. Level II – Within five (5) working days after receiving the Level I decision, the person filing the grievance may appeal the compliance officer's decision to the superintendent by notifying the superintendent in writing. The superintendent may, at his or her discretion, designate another person (other than the compliance officer) to review the matter when appropriate.

Within ten (10) working days, the superintendent will complete a written decision on the appeal, stating whether a violation of this policy is found and, if so, stating what corrective actions will be implemented. If someone other than the superintendent conducts the appeal, the superintendent will review and sign the report before it is given to the person appealing. A copy of the appeal and decision will be given to the compliance officer or acting compliance officer. The person who filed the grievance will be notified in writing, in accordance with law and district policy, regarding whether the policy has been violated.

3. Level III – Within five (5) working days after receiving the Level II decision, the person filing the grievance may appeal the superintendent's decision to the Board by notifying the Board secretary in writing. The person filing the grievance will be allowed to address the Board, and the Board may call for the presence of such other persons deemed necessary. The Board will issue a decision within 30 working days for implementation by the administration. The Board's decision and any actions taken are final. The Board secretary will give the compliance officer or acting compliance officer a copy of the appeal and decision. The person who filed the grievance will be notified in writing, in accordance with law and district policy, regarding whether the policy has been violated.

## Confidentiality and Records

To the extent permitted by law and in accordance with Board policy, the district will keep confidential the identity of the person filing a grievance and any grievance or other document that is generated or received pertaining to grievances. Information may be disclosed if necessary to further the investigation, appeal or resolution of a grievance, or if necessary to carry out disciplinary measures. The district will disclose information to the district's attorney, law enforcement, the CD and others when necessary to enforce this policy or when required by law. In implementing this policy, the district will comply with state and federal laws regarding the confidentiality of student and employee records. Information regarding any resulting employee or student disciplinary action will be maintained and released in the same manner as any other disciplinary record.

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Adopted: 06/18/1998

Revised: 11/08/2001; 09/20/2007

Cross Refs: EHB, Technology Usage  
GBCB, Staff Conduct  
GBH, Staff/Student Relations  
GBL, Personnel Records  
GCD, Professional Staff Recruiting and Hiring  
GDC, Support Staff Recruiting and Hiring  
IGBA, Programs for Students with Disabilities  
IGBCB, Programs for Migrant Students  
IGBH, Programs for Limited English Proficient/Language Minority Students  
IGD, District-Sponsored Extracurricular Activities and Organizations  
IICC, School Volunteers  
JFCF, Hazing and Bullying  
JG, Student Discipline  
KK, Visitors to District Property/Events

Legal Refs: Individuals with Disabilities Education Act, 20 U.S.C. §§ 1400-1487  
Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681  
Equal Pay Act, 29 U.S.C. § 206(d)  
Age Discrimination in Employment Act, 29 U.S.C. §§ 621 - 634  
The Rehabilitation Act of 1973, Section 504, 29 U.S.C. § 794  
Title VI of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000d - 2000d-7  
Title VII of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000e - 2000e-17  
Age Discrimination Act of 1975, 42 U.S.C. §§ 6101 - 6107  
Americans with Disabilities Act, 42 U.S.C. §§ 12101 - 12213  
Missouri Human Rights Act, §§ 213.010 - 213.137, RSMo.  
Female Employees' Wages, §§ 290.400 - .450, RSMo.  
Davis v. Monroe County Bd. of Educ., 526 U.S. 629 (1999)  
Faragher v. City of Boca Raton, 524 U.S. 775 (1998)  
Burlington Industries v. Ellerth, 524 U.S. 742 (1998)  
Gebser v. Lago Vista Ind. Sch. Dist., 524 U.S. 274 (1998)  
Oncale v. Sundowner Offshore Services, 523 U.S. 75 (1998)  
Harris v. Forklift Systems, Inc., 510 U.S. 17 (1993)

Rolla Public Schools, Rolla, Missouri

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Note: The reader is encouraged to review administrative procedures and/or forms for related information in support of this policy area.

## DRUG-FREE WORKPLACE

Student and employee safety is of paramount concern to the Board of Education. In recognition of the threat to safety posed by employee use or possession of drugs or alcohol, the Board of Education commits itself to a continuing good-faith effort to maintain a drug-free workplace. The Board of Education shall not tolerate the manufacture, use, possession, sale, distribution or being under the influence of controlled substances, alcoholic beverages or unauthorized prescription medications by district employees on any district property; on any district-approved vehicle used to transport students to and from school or district activities; off district property at any district-sponsored or district-approved activity, event or function, such as a field trip or athletic event, where students are under the supervision of the school district; or during any period of time such employee is supervising students on behalf of the school district or is otherwise engaged in school district business.

When it is evident that an employee has consumed alcoholic beverages or controlled substances off school property before or during a district activity, the staff member will not be allowed on school property or to participate in the activity and will be subject to the same disciplinary measures as for possession or consumption on district property.

Staff members will be tested for alcohol and controlled substances if the district has reasonable suspicion that the staff member has violated this policy. In addition, staff members who operate district transportation must submit to alcohol and drug testing as otherwise required by law. All testing will be conducted in accordance with Board policy, administrative procedures and law.

Any employee who violates this policy will be subject to disciplinary action, which may include satisfactory participation in rehabilitation programs, suspension, termination and referral for prosecution. Employees needing help in dealing with substance abuse problems are encouraged to use our health insurance plan, as appropriate. Conscientious efforts to seek such help will not jeopardize any employee's job, and will not be noted in any personnel record, except where the employee has committed violations of this policy within the scope of employment as otherwise described herein.

Each employee of this school district is hereby notified that, as a condition of employment, the employee must abide by the terms of this policy and notify the superintendent or designee of any criminal drug statute conviction for a violation occurring in or on the premises of this school district, or while engaged in regular employment. Such notification must be made by the employee to the superintendent or designee in writing no later than five (5) calendar days after conviction. The superintendent or designee will provide notice in writing of such violation to the United States Department of Education or other appropriate federal agency within ten (10) calendar days after the superintendent or designee receives such notification if the district receives any federal grants directly from such agency, as opposed to federal grants received through the Department of Elementary and Secondary Education (DESE).

The district will take appropriate disciplinary action within 30 days.

The district will institute a drug-free awareness program to inform employees of the dangerous and harmful nature of drug and alcohol abuse in the workplace, of this policy of maintaining a drug-free workplace, of available counseling and rehabilitation, and of the penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.

The Board of Education recognizes that employees who have a drug abuse problem should be encouraged to seek professional assistance. Although the district will not assume financial responsibility, treatment facilities or agencies in the community may be recommended to an employee requesting assistance.

Upon the request of DESE or an agency of the United States, the district shall certify that it has adopted and implemented the drug prevention program described in this policy. The district shall conduct a biennial review of this policy to determine its effectiveness, implement necessary changes and ensure that the disciplinary sanctions are consistently enforced.

This policy shall be communicated in writing to all present and future employees. Compliance with this policy is mandatory.

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Adopted: 06/18/1998

Revised: 05/25/2006

Cross Refs: EBBA, Accident Response and Prevention  
JFCH, Student Alcohol/Drug Abuse

Legal Refs: § 287.120, RSMo.  
Controlled Substances Act, 21 U.S.C. § 812(c)  
21 C.F.R. 1300.11-1308.15  
Drug-Free Workplace Act of 1988, 41 U.S.C. §§ 701 - 707

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Note: The reader is encouraged to review administrative procedures and/or forms for related information in support of this policy area.

## TECHNOLOGY USAGE

The Rolla Public Schools' technology exists for the purpose of maximizing the educational opportunities and achievement of district students. Research shows that students who have access to technology improve achievement. In addition, technology assists with the professional enrichment of the staff and Board and increases engagement of students' families and other patrons of the district, all of which positively impact student achievement. The district will periodically conduct a technology census to ensure that instructional resources and equipment that support and extend the curriculum are readily available to teachers and students.

The purpose of this policy is to facilitate access to district technology and to create a safe environment in which to use that technology.

### Definitions

For the purposes of this policy and related procedures and forms, the following terms are defined:

*Technology Resources* – Technologies, devices and resources used to access, process, store or communicate information. This definition includes, but is not limited to: computers, modems, printers, scanners, fax machines and transmissions, telephonic equipment, audio-visual equipment, Internet, electronic mail, electronic communications devices and services, multi-media resources, hardware and software.

*User* – Any person who is permitted by the district to utilize any portion of the district's technology resources including, but not limited to, students, employees, School Board members and agents of the school district.

*User Identification (ID)* – Any identifier that would allow a user access to the district's technology resources or to any program including, but not limited to, e-mail and Internet access.

*Password* – A unique word, phrase or combination of alphabetic, numeric and non-alphanumeric characters used to authenticate a user ID as belonging to a user.

### Authorized Users

The district's technology resources may be used by authorized students, employees, School Board members and other persons such as consultants, legal counsel and independent contractors. All users must agree to follow the district's policies and procedures. Unless authorized by the superintendent or designee, all users must have a signed User Agreement on file with the district before they are allowed access to district technology resources.

Use of the district's technology resources is a privilege, not a right. No potential user will be given an ID, password or other access to district technology if he or she is considered a security risk by the superintendent or designee.

### User Privacy

A user does not have a legal expectation of privacy in the user's electronic communications or other activities involving the district's technology resources, including e-mail and access to the Internet or network drives. By consenting to having their electronic communications and all other use monitored by the district. A user ID with e-mail access will only be provided to that the user consents to interception of or access to all communications accessed, sent, received or stored using district technology.

Electronic communications, downloaded material and all data stored on the district's technology resources, including files deleted from a user's account, may be intercepted, accessed or searched by district administrators or designees at any time in the regular course of business to protect users and district equipment. Any such search, access or interception will be reasonable in inception and scope and shall comply with all applicable laws.

### Technology Administration

The Board directs the superintendent or designee to create procedures governing technology usage and to assign trained personnel to maintain the district's technology in a manner that will protect the district from liability and will protect confidential student and employee information retained on or accessible through district technology resources.

Administrators of computer resources may suspend access to and/or availability of the district's technology resources to diagnose and investigate network problems or potential violations of the law or district policies and procedures. All district technology resources are considered district property. The district may maintain or improve technology resources at any time. The district may remove, change or exchange hardware or other technology between buildings, classrooms or users at any time without prior notice. Authorized district personnel may install or remove new programs or information, install new equipment, upgrade any system or enter any system to correct problems at any time.

## **Content Filtering and Monitoring**

The district will monitor the online activities of minors and operate a technology protection measure ("filtering/blocking device") on the network and/or all computers with Internet access, as required by law. The filtering/blocking device will be used to protect against access to visual depictions that are obscene or harmful to minors or are child pornography, as required by law. Filtering/Blocking devices are not foolproof, and the district cannot guarantee that users will never be able to access offensive materials using district equipment. Evasion or disabling, or attempting to evade or disable, a filtering/blocking device installed by the district is prohibited.

The superintendent, designee or the district's technology administrator may disable the district's filtering/blocking device to enable a non-student user access for bona fide research or for other lawful purposes. In making decisions to disable the district's filtering/blocking device, the administrator shall consider whether the use will serve a legitimate educational purpose or otherwise benefit the district.

## **Closed Forum**

The district's technology resources are not a public forum for expression of any kind and are to be considered a closed forum to the extent allowed by law. The district's webpage will provide information about the school district, but will not be used as an open forum.

All expressive activities involving district technology resources that students, parents/guardians and members of the public might reasonably perceive to bear the imprimatur of the district and that are designed to impart particular knowledge or skills to student participants and audiences are considered curricular publications. All curricular publications are subject to reasonable prior restraint, editing and deletion on behalf of the school district for legitimate pedagogical reasons. All other expressive activities involving the district's technology are subject to reasonable prior restraint and subject matter restrictions as allowed by law and Board policies.

## **Records Retention**

Trained personnel shall establish a retention schedule for the regular archiving or deletion of data stored on district technology resources that complies with the Public School District Records Retention Manual as well as the General Records Retention Manual published by the Missouri Secretary of State. In the case of pending or threatened litigation, the district's attorney will issue a litigation hold directive to the superintendent or designee.

The litigation hold directive will override any records retention schedule that may have otherwise called for the transfer, disposal or destruction of relevant documents until the hold has been lifted by the district's attorney. E-mail and computer accounts of separated employees that have been placed on a litigation hold will be maintained by the district's information technology department until the hold is released. No employee who has been so notified of a litigation hold may alter or delete any electronic record that falls within the scope of the hold. Violation of the hold may subject the individual to disciplinary actions, up to and including termination of employment, as well as personal liability for civil and/or criminal sanctions by the courts or law enforcement agencies.

## **Violations of Technology Usage Policies and Procedures**

Use of technology resources in a disruptive, manifestly inappropriate or illegal manner impairs the district's mission, squanders resources and shall not be tolerated. Therefore, a consistently high level of personal responsibility is expected of all users granted access to the district's technology resources. Any violation of district policies or procedures regarding technology usage may result in temporary, long-term or permanent suspension of user privileges. User privileges may be suspended pending investigation into the use of the district's technology resources.

Employees may be disciplined or terminated, and students suspended or expelled, for violating the district's technology policies and procedures. Any attempted violation of the district's technology policies or procedures, regardless of the success or failure of the attempt, may result in the same discipline or suspension of privileges as that of an actual violation.

## **Damages**

All damages incurred by the district due to a user's intentional or negligent misuse of the district's technology resources, including loss of property and staff time, will be charged to the user. District administrators have the authority to sign any criminal complaint regarding damage to district technology.

## **No Warranty/No Endorsement**

The district makes no warranties of any kind, whether expressed or implied, for the services, products or access it provides. The district's technology resources are available on an "as is, as available" basis.

The district is not responsible for loss of data, delays, nondeliveries, misdeliveries or service interruptions. The district does not endorse the content nor guarantee the accuracy or quality of information obtained using the district's technology resources.

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Adopted: 04/10/2003

Revised: 06/05/2008

Cross Refs: AC, Prohibition Against Illegal Discrimination and Harassment  
IGDB, Student Publications  
IGDBA, Distribution of Noncurricular Student Publications  
JO, Student Records  
KB, Public Information Program

MSIP Refs: 6.4, 6.8

Legal Refs: §§ 170.051, 182.827, 431.055, 537.525, 542.402, 569.095 - .099, 610.010 - .028, RSMo.  
Chapter 109, RSMo.  
Chapter 573, RSMo.  
Electronic Communications Privacy Act, 18 U.S.C. §§ 2510-2520  
Stored Communications Act, 18 U.S.C. §§ 2701 - 2711  
Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g  
Children's Internet Protection Act, 47 U.S.C. § 254(h)  
Federal Rule of Civil Procedure 34  
Reno v. ACLU, 521 U.S. 844 (1997)  
Hazelwood Sch. Dist. v. Kuhlmeier, 484 U.S. 260 (1988)  
Bethel Sch. Dist. No. 403 v. Fraser, 478 U.S. 675 (1986)  
Sony Corp. of America v. Universal City Studios, Inc., 464 U.S. 417 (1984)  
FCC v. Pacifica Foundation, 438 U.S. 726 (1978)  
Ginsberg v. New York, 390 U.S. 629 (1968)  
Biby v. Bd. of Regents of the Univ. of Nebraska, 419 F.3d 845 (8th Cir. 2005)  
Henerey by Henerey v. City of St. Charles Sch. Dist., 200 F.3d 1128 (8th Cir. 1999)  
Bystrom v. Fridley High Sch. Ind. Sch. Dist., 822 F.2d 747 (8th Cir. 1987)  
Urofsky v. Gilmore, 216 F.3d 401 (4th Cir. 2000)  
Beussink v. Woodland R-IV Sch. Dist., 30 F. Supp. 2d 1175 (E.D. Mo 1998)  
J.S. v. Bethlehem Area Sch. Dist., 757 A.2d 412 (Pa. Commw. 2000)

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Note: The reader is encouraged to review administrative procedures and/or forms for related information in support of this policy area.