

NORTH CENTRAL KANSAS
SPECIAL EDUCATION COOPERATIVE
(NCKSEC)

Interlocal District #636

2010-11
BOARD POLICIES & PROCEDURES

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MISSION STATEMENT

The Mission of the North Central Kansas Special Education Cooperative Interlocal #636 is to provide a free appropriate public education to all students under our care. It is important that this education takes place in a positive environment with input from all caregivers involved in the student's education. Ultimately, our goal is to help all students be productive citizens and participate as fully as possible in our society.

COOPERATIVE GOVERNANCE

The North Central Special Education Cooperative, Interlocal District #636, is responsible for providing special education services to exceptional students in 11 Unified School Districts located in 6 counties. A 11 member Board of Directors, comprised of one board member from each participating school district, governs the Cooperative. The Board meets monthly to establish policy and oversee the operation of the Cooperative. It functions with all the rights and authority of a school district, with the exception of the authority to levy taxes. Regularly scheduled Board meetings are held.

Elections and Appointments. The following will be established and/or appointed at the first board meeting held in July: attorney, clerk, treasurer, depository for Interlocal funds, official legal newspaper(s), persons authorized to sign checks and representatives in matters pertaining to Federal funds. The persons so appointed shall have the duties, responsibilities, and authority as designated by the board.

The Director of the Cooperative is the chief executive officer of the Board. All matters of personnel control, instructional policy, and the execution of Board policies will be carried out through the Director as the agent of the Board of Directors, Interlocal District #636.

An employee serving in a specified role will comply to the following visualization of its political structure:



Interested individuals may obtain copies of the Interlocal Agreement Board Policies & Procedures and the Master Contract for examination from the Cooperative office.

PUBLIC PARTICIPATION AT BOARD MEETINGS

Any patrons wishing to speak to the board should first notify the director prior to the meeting and state the reason(s) for the request. The director shall determine whether said request can be resolved by the staff without appearance of the patron before the board. If not, the director shall place the patron's request on the agenda of the next regular board meeting under

community presentation. It is recommended that such requests be made at least seven days before the board meeting.

The board president may impose a limit on the amount of time a visitor may have to address the board. The board president, at his/her discretion to utilize board time wisely, may ask groups with the same special interest to appoint a spokesperson.

The individual or the spokesperson wishing to speak for a group shall be recognized by the chairperson of the meeting and will be asked to come forward and give his/her name and address and what group, if any, he/she represents. He/she shall then be asked to state the position he/she has taken regarding an issue before the board or to state the problem or complaint.

The board will hear all persons within limits of good parliamentary procedure and business. The board will not tolerate disruptive, disrespectful or abusive behavior, nor will it permit visitor participation in matters irrelevant to the business at hand. Visitors and members of the audience may participate in the business at hand only by invitation of the board.

Privacy rights of individual employees and students will be adhered to and are not to be discussed in open meeting by the patron(s). Anyone violating this rule will be denied the floor.

KNOWLEDGE OF POLICIES AND PROCEDURES

This Board Policies & Procedures serves as an expansion on policy to clarify procedures to Cooperative personnel. Any staff member may request a copy or may download a copy at www.ncksec.net. All staff members are expected to become familiar with this document as well as the district's policies for the districts they serve. Questions unanswered by this document should be transmitted to the Director of the Cooperative.

CHANNELS OF COMMUNICATION CHAIN

The demands made upon special education staff may, at times, create problems. Because of this, a communication chain shall be established to resolve differences among people.

Therefore, channels through which problems of certified staff personnel shall follow are (1) among those individuals involved, (2) through the principal of the school(s) in which the staff member is working, (3) through the Director of Special Education, (4) through the superintendent of school(s) in which the staff member is working (5) through the NCKSEC Council of Superintendents, (6) through the NCKSEC Board of Directors.

STUDENTS

All identified exceptional students shall adhere to the policies and procedures of the school district and attendance center in which the student receives services.

Any variance from the above statement must be determined by the Individualized Education Program Team according to federal and state regulations and statues. The variance shall be identified in the student's IEP.

Each member school district shall be responsible for reporting student absences as required by K.S.A. 72-1113 and amendments thereto.

APPLICATION FOR EMPLOYMENT

All employees will complete an application prior to employment. Providing of false, inaccurate, or incomplete information in the application or interview or failure to disclose requested information will cause the individual to be ineligible for employment, or, if hired, subject to termination.

COST REIMBURSEMENT FOR CREDIT HOURS

Upon request/approval of the Director and agreement by the educator, said educator will complete college or university coursework in a designated class or discipline. The primary purpose of this is to offset the cost of obtaining special education certification for those educators hired under the Waiver and Provisional licensure programs, as well as to help train educators for hard to fill positions. The Board of Directors will reimburse for up to 12 credit hours of tuition per school year (beginning Aug 1 and ending July 31) for successful completion of requested coursework. Reimbursement will be at a rate of \$150.00 per credit hour or actual cost, whichever is less. Educators must submit the Application for Tuition Reimbursement to the director (see timeline below) and upon approval will be eligible for reimbursement following completion of the course. Once the course is completed the educator should submit proof of successful completion and receipt showing actual tuition cost. It is the expectation of the Board of Directors that by accepting reimbursement for requested coursework for any semester that the educator agrees to remain employed with the NCKSEC for that semester and at least one additional semester. Should the educator choose to cease employment with the NCKSEC without fulfilling this expectation the Board may request repayment accordingly.

Requirements for Educator Eligibility:

1. Written request from Director for completion of coursework.
2. Plan of study signed by the college/university licensure officer.
3. Application for Tuition Reimbursement to the director no later than:
 - May 15 for the summer session
 - August 15 for the fall session
 - December 15 for the spring session
4. Receipt showing actual tuition cost.
5. Transcript or grade card proving successful completion of coursework (passing grade).
6. Applications forms are available at the Interlocal office or can be downloaded at www.ncksec.net.

CONTRACTS

1. Employees must sign a contract prepared by the Director and approved by the Interlocal Board. A copy of the contract will be returned to the employee after being signed by the Board President and attested by the Clerk of the Board.

2. Any changes to the contracted duties and/or financial compensation will be arranged by mutual agreement of both parties, and the changes will be stated on an addendum to the contract to be signed by the aforementioned parties. The addendum shall be attached to the original contract and shall become a part thereof. The employee will be provided with a copy of the addendum. Persons obtaining additional hours of education, which they wish to have considered for movement in salary, must submit a transcript and/or grade card to the clerk of the board no later than September 1 in order for an adjustment to be made.

CONDITIONS OF EMPLOYMENT

The following items must be filed with the Clerk of the Board as part of the conditions of employment:

- A. Valid Kansas teaching certificate or licensure for contracted assignment. (Required by KAR 72-1390 before salary is initiated). Staff hired on an approved waiver will be exempt from this requirement.
- B. Copy of complete college transcripts
- C. Record of former experience
- D. W-4 Federal Withholding form
- E. Health Certificate
- F. Copy of Social Security Card and Driver's License
- F. Loyalty Oath
- G. KPERs Enrollment Form (if eligible)

HEALTH EXAMINATIONS

1. Employee's who come into regular contact with students shall complete health examinations as required by law.
2. As a condition to entering employment, new employees are required, at their expense, to complete a physical examination at the time of employment with the Cooperative. The employee must present a cooperative-approved form, completed by a health care professional, to the clerk which states "that there is no evidence of physical condition that would conflict with the health, safety, or welfare of the pupils; and that freedom from tuberculosis has been established." The employee should submit the completed health certificate form to the clerk within 30 days of employment. The NCKSEC understands that scheduling a physical examination with the employee's primary care provider may cause the employee not to be able to submit the completed health certificate form within 30 days of employment. In such a case, the employee will be required to submit a plan of action within 30 days of employment which will include the scheduled date of the physical examination. If at any time there is a reasonable cause to believe any employee is suffering from an illness detrimental to the health of the pupils, the Board may require a new certificate of health (K.S.A. 72-5213).
3. NCKSEC reserves the right to have any employee examined at any time by a physician of the board's choice to determine if the employee is able to fulfill and perform the obligations of employment and to abide by and implement the policies and rules of NCKSEC. The cost of any examination required will be borne by NCKSEC.

HEALTH INSURANCE

An employee retiring from the NCKSEC who has been employed by the NCKSEC (or previous USD 325/NCKSEC experience) with at least 10 consecutive years of service immediately preceding retirement date will have the option to continue on the Interlocal group health insurance coverage until the age of 65 providing that group coverage is provided to all active employees at the time of retirement. An employee must provide notice of retirement no later than April 1st. The cost of the premium will be the sole responsibility of the retired employee submitted monthly to NCKSEC. Resignation for any reason other than retirement before the end of the school year will cancel the option of continued health insurance through the group and the only option for continued health insurance would be Cobra.

MEDICATIONS, ADMINISTERING

The supervision of any medications shall be in strict compliance with the rules and regulations of KSDE and the local district. Employees may not dispense or administer any medications, including prescription and non-prescription drugs to students except as directed by the building principal.

EQUAL OPPORTUNITY EMPLOYER

1. The NCKSEC is an equal opportunity employer and shall not discriminate in its employment practices and policies with respect to hiring, compensation, terms, conditions, or privileges of employment because of an individual's race, color, religion, sex, age, disability or national origin.
2. The board shall hire employees on the basis of ability and the Cooperative's needs.

NON-DISCRIMINATION POLICY

1. The NCKSEC shall not discriminate against any applicant, employee, or student on the basis of race, creed, national origin, marital status, sex, disability, or age.
2. Any individual who believes that he or she is a victim of discrimination may file a written complaint with the Director who shall serve as the coordinator for complaints of violations.
3. Complaints should provide the name and address and be signed by the complainant or an authorized representative.

CONFIDENTIALITY

1. Student Information - Confidential student information, whether written or oral, shall be handled in a confidential manner and be discussed only with the Legal Educational Decision Maker of the particular student and the appropriate school personnel. Violations of this rule, which violates the privacy rights of students, could result in disciplinary actions being taken against the employee, including termination.

2. Personnel Information - Confidential personnel information, whether written or oral, shall be handled in a confidential manner and be discussed only with the appropriate school personnel. Violations of this rule which violates the privacy right of personnel could result in disciplinary actions being taken against the employee, including termination.

KANSAS PUBLIC EMPLOYEE'S RETIREMENT SYSTEM

1. All staff entering school services in Kansas are required to participate in the Kansas Public Employee's Retirement System if they work at least 630 hours per year.
2. Members hired prior to July 1, 2009 and new hires after July 1, 2009 who were inactive, vested members returning to work will have 4% of the Employee's salary deducted and submitted to the system. Interest is credited annually based on the balance in your account; the interest rate percentage varies depending on the year of membership.
3. Members hired after July 1, 2009 first employed in a covered position and who are new to the KPERs system will have 6% of the Employee's salary deducted and submitted to the system. Interest is credited annually based on the balance in your account; the interest rate percentage varies depending on the year of membership.
4. An employee's contributions may be withdrawn if he/she leaves the Kansas school service.

WORKERS COMPENSATION

1. Notice of Accidents - employees must notify the NCKSEC clerk of the board within ten (10) days of an accident or the claim may be barred. Additional information about your rights and responsibilities under workers compensation may be obtained from your supervisor or the central office.
2. Coverage's - benefits are for personal injury from accident or occupational disease arising out of, and in the course of, employment with NCKSEC. Injuries which occur during recreational or social events under circumstances where the employee is under no duty to attend, and where the injury did not result from the performance of tasks related to normal job duties, are not covered under workers compensation.
3. Any employee who is off work and drawing workers compensation shall be required to provide the clerk of the board with a written doctor's release before the employee is allowed to return to work. In addition, should the employee be released to return to work by a doctor and fail to do so, all benefits under sick leave shall be ended and those benefits under workers compensation shall be restricted as provided by current statute.
4. The workers compensation plan will provide coverage for medical expenses and wages to the extent required by statute to those employees who qualify. The employee must inform the doctor or hospital that he/she is covered by NCKSEC workers compensation plan.
5. Whenever an employee is absent from work and is receiving workers compensation benefits due to a work-related injury, the employee may use available paid sick leave to supplement the workers compensation or Coop's payments.
6. In no event shall the employee be entitled to a combination of workers compensation benefits and salary in excess of his/her full salary. Available paid sick leave may be used for this purpose until:

- a. available paid sick leave benefits are exhausted,
 - b. the employee returns to work, or
 - c. employment is terminated.
7. Sick leave shall be deducted on a prorated amount equal to the percentage of salary paid by the Cooperative.

UNEMPLOYMENT COMPENSATION

For answers to question regarding unemployment insurance policies, benefits and claims, contact the clerk of the board or the nearest Department of Human Resources, District Job Insurance Office.

COOP EMPLOYEE CALENDAR ASSIGNMENT

1. The Director of Special Education will assign a district calendar for the Coop employee to follow at the initial time of employment. The calendar will be selected from a district the employee serves.
2. The Director of Special Education will have the option to reassign the calendar, selected from one of the districts the employee serves, if;
 - A. The employee's work assignment is changed by the Director of Special Education.
 - B. The employee requests an assignment change and it is approved.
3. A change in the employee's calendar may be made by mutual agreement between the Director of Special Education and the employee at any time.
4. An employee serving more than one district is required to submit monthly schedules to the Coop secretary, who will then distribute the schedules to the districts being served by the employee.

FLEX TIME

Employees may receive compensatory time at a ratio of 1•1 for required time working directly with parents or students 30 minutes beyond the contract day based on their mileage base, or actual travel time whichever is less. This compensatory time will be determined at the discretion of the building principal when and where the extended time occurred. Compensatory flex time, if approved must be used in the district where the time was acquired. The time must be used within eight (8) weeks from the time it was acquired or it will be lost. Flex time should not be used when scheduled to provide direct service to students. Eight hours of Flex time will equal one day. Flex time forms are available at the Interlocal office or can be downloaded at www.ncksec.net.

ACTS OF NATURE

1. Coop employees will follow their assigned calendar regarding school closing procedures and that district's schedule for any make-up days. Coop personnel should make arrangements to be notified by personnel in their assigned district that school has been canceled or has a late start.

2. An employee must report to their assigned school(s) if the district continues to have school in session regardless if Acts of Nature forces other districts to cancel school in or near where the employee resides.
 - A. If employee fails to report, the absence will be deducted from;
 - i. salary, or
 - ii. personal leave, or
 - iii. the day(s) will be made up prior to the end of the contract year. This will be arranged by administrators from the district(s) and the Special Education Director.

EXTRA CURRICULAR ACTIVITIES - SUPPLEMENTAL CONTRACTS

1. Extra curricular activities are considered a normal part of an employee's work, and Cooperative staff members are encouraged to participate in such activities in schools within the Cooperative.
2. Cooperative employees serving the NCKSEC and employed by a member district through a supplemental contract, shall be allowed to fulfill the duties and responsibilities of said contract provided the employee has fulfilled their contractual duties as determined by the building level Principal(s), Superintendent(s), and Special Education Director.
3. Supplemental duties as defined by Kansas law will be scheduled and contracted by the local district and not by NCKSEC. All compensation for such supplemental duties shall be paid by the local school district.

ACCIDENTS

1. Any school employee who discovers an accident on school property shall report the accident to the building principal or designated representative.
2. If the person requires medical treatment, the employee shall
 - a. send for medical help;
 - b. make the individual as comfortable as possible while waiting for competent medical assistance to arrive; and
 - c. notify the principal or designated representative.
3. If an employee present is qualified to administer first aid, that aid may be given. If an employee is injured on the job, the supervisor should be contacted immediately and a report shall be made within ten days. The supervisor will then be responsible for contacting the clerk of the board, who will in turn supply the injured employee with the appropriate forms to complete.

NCKSEC INTERLOCAL #636 PROFESSIONAL DEVELOPMENT PLAN

The NCKSEC maintains a Kansas State School Board approved Professional Development Plan (PDP). Participation in the PDP is required for certified teaching staff to gain professional development points for licensure renewal. The NCKSEC PDP is posted on our website or a print copy may be obtained by contacting the NCKSEC office.

EVALUATION OF DIRECTOR & ADMINISTRATIVE PERSONNEL

1. Director Evaluation

The board shall evaluate the director in accordance with the minimum statutory requirements for the first four years of employment and annually thereafter. Individual board members shall complete and submit appraisal forms to the board president at the board meeting. The board president shall create a summary of the individual responses. The summary shall use the same format as the individual board member's appraisal form. The board shall then formulate consensus goals set by the board of directors for the director. The board president shall sign the summary of responses and the goals set by the board of directors as the board's agent and as the evaluator.

The board shall review the summary with the director in an executive session. If written comments are needed, the president or the director may seek additional clarification from individual board member(s). After the evaluation is complete, the individual appraisal forms shall be destroyed; and the summary and any response shall be maintained in the director's personnel file. The director's evaluation shall be confidential and be made only to the board, the director, and others as provided by law.

2. Administrative Personnel Evaluation

Administrative personnel shall be evaluated in writing by the director in accordance with the minimum statutory requirements for the first four years of employment and at least annually thereafter. Administrative personnel files and evaluations shall be available only to the board, the appropriate administrator, the director, and others authorized by law.

EVALUATION OF CERTIFIED STAFF

1. Evaluation shall be conducted in compliance with KSA 72-9003 which includes:
 - A. All first and second year employees shall be evaluated at least two times each year. The first evaluation is to be completed prior to the 60th school day of the first semester, the second prior to the 60th school day of the second semester.
 - B. All third and fourth year employees shall be evaluated at least one time each year, and the evaluation is to be completed prior to February 15th of the school year.
 - C. Employees with four or more years of employment shall be evaluated at least once every three years by no later than February 15 of the school year in which the employee is evaluated.
 - D. Any employee who is not employed for the entire semester shall not be required to be evaluated for that semester.
2. NCKSEC administration will be the evaluating administrator for each employee.
3. Persons to be evaluated should participate in their evaluations, and shall be afforded the opportunity for self-evaluation. This opportunity shall be documented on the evaluation instrument.

4. Evaluation shall be based on information gained from at least two classroom visits or on the job observation and can include information from other sources. The evaluation shall be documented on the NCKSEC board approved evaluation instrument either prior to the evaluation conference or during the evaluation conference.
5. The evaluator will discuss the results of the evaluation with the employee in a scheduled evaluation conference.
6. In all cases where unsatisfactory performance is identified, the evaluation conference will be followed in not less than two nor more than four weeks, by a written follow-up report by the evaluator regarding progress or lack thereof in correcting the deficiency.
7. If an employee feels that an evaluation is incomplete, inaccurate, or unfair, he/she may respond to the evaluation in writing within two weeks after signing the evaluation form.
8. All completed evaluation reports shall be kept on file in the NCKSEC Administration office for a period of not less than three years from the date each evaluation is made. This file shall be open to the inspection of the employee during normal business hours.
9. Completed evaluations shall be available to all agents identified as having that right as stated by Kansas Statutes (11.S.1. 72-9005).
10. The evaluation report will be distributed to the staff member and the NCKSEC administrative office.

SOLICITATIONS OF EMPLOYEES

Unless permission is granted by the Director, solicitation of employees by any vendor, student, other school district employee or patron during normal duty hours is prohibited.

SOLICITATIONS BY EMPLOYEES

1. No employee will attempt, during the day or on school property, to sell or endeavor to influence any student or school employee to buy any product, article, instrument, service, or other items which may directly or indirectly benefit the school employee.
2. No employee will engage in sales or solicitation on behalf of the school or use the school name without the prior approval of the Director.

CONFLICT OF INTEREST

NCKSEC employees are prohibited from engaging in any activity which may conflict with or detract from the effective performance of their duties.

OUTSIDE EMPLOYMENT

Employees shall not engage in outside employment which impairs the effectiveness of their service.

MILEAGE BASE ASSIGNMENT & CHANGES

1. The Director of Special Education will assign a mileage base to the Coop employee serving the NCKSEC at the initial time of employment.
2. If an employee's work assignment is changed by the Director of Special Education, the employee will be allowed to maintain his/her present mileage base.
3. A change in the employee's mileage base may be made by mutual agreement between the Director of Special Education and the employee at any time.

MILEAGE

1. Coop employees serving the NCKSEC, who use their own automobile for travel, will be paid mileage to and from the employees assigned mileage base or actual miles driven whichever is less, for job related activities (i.e. teaching, consulting, inservice, meetings, etc.), as approved by the Director.
2. Mileage reimbursement for all personnel will be paid at the rate established by the State.

NCKSEC OWNED/LEASED VEHICLE USE

1. Except for de minimis personal use and commuting, the use of NCKSEC owned/leased vehicles is to be for coop business only. Commuting value will be calculated as per Internal Revenue Service regulations and added annually as taxable income.

SUPPLY AND EQUIPMENT REQUESTS

1. A request for materials form (blue) shall be completed in its entirety before any request is considered. Include current prices, catalogue numbers, and mailing addresses.
2. Supplies and equipment request from staff who serve a single district shall be submitted to the building principal who approves the requests and forwards the request to the NCKSEC office for the Director's approval.
3. Staff members who serve multiple districts shall submit their requests to the building principal where the supplies or equipment being requested will primarily be used. The request will then be forwarded to the NCKSEC office for the Director's approval.
4. Itinerant staff members housed at NCKSEC shall forward their request for supplies or equipment directly to the Director of Special Education.
5. Cut off dates for all supplies and equipment request needed prior to year end will be on or about April 15.
6. Each Unified School District shall be responsible for -
 - A. classroom furniture normally provided for regular education classrooms in the district;
 - B. standard consumable supplies normally furnished in regular education classrooms in the districts;
 - C. standard equipment supplied by the district for use in regular education classrooms including computers.

7. The Cooperative shall furnish and provide all the other furniture, equipment, education materials and other items required for the Cooperative program.

SUPPLY AND EQUIPMENT, LOCAL PURCHASE

1. Prior to purchasing any local item under \$50.00 (supplies, donuts, food, rewards for students, film, equipment, etc.), you must complete the "NCKSEC Requisition for Local Purchases Under \$50" and submit it to NCKSEC for the Director's approval.
2. After consideration, the form will be returned to you. If approved, you then may purchase the item(s). When purchasing, make sure the local vendor has NCKSEC on the ticket, retain a copy of the ticket, and send it to Phillipsburg.
3. If you do not receive prior approval, the cost of the purchase will not be paid for by NCKSEC.
4. Paraeducators can not sign the requisition form; this must have the signature of certified staff only. Paras may pick up purchases and sign the ticket. They need to sign their name and in parenthesis, indicate the name of the certified staff that received prior approval.

EQUIPMENT AND SUPPLIES

Use of equipment and supplies is for the performance of official and approved assignments only. Use of the Cooperative's equipment or supplies for personal projects is prohibited without prior permission of the employee's supervisor.

COOPERATIVE RESOURCE CENTER (LIBRARY)

1. The Cooperative Resource Center (CRC) is based at NCKSEC. At the present time the CRC has over 500 titles. These include both print materials and computer software.
2. The CRC is organized as a decentralized support service, as most of the Cooperative inventory of instructional materials are field based within the interrelated classrooms. The basic thrust of the CRC is to provide materials support in addition to what materials are available locally.
4. An inventory of all instructional materials available through the CRC is available to each staff member. The CRC secretary and each instructor has an inventory list of materials in their possession. It is a goal to initiate inter-school as well as inter-district exchange of materials to encourage maximum utilization of the materials available.
5. The CRC is open Monday through Friday 8:00 a.m. to 4:00 p.m. Staff members are free to use the CRC any day of the week for checking out materials. The employee may call the CRC and effort will be made to send the requested items with one of the itinerant staff.
6. Check-out Procedures
 - A. Materials of both an instructional and professional nature are available on an unlimited loan basis. Employees will be sent a listing of materials that they have checked out every nine weeks. At that time they will be asked to return materials that they are no longer using.
 - B. If another employee needs an item, an individual may be asked to return the item on an agreed upon time.

- C. If staff members find a need for materials for an entire year or anticipate using the material on a year-to-year basis, the materials should be requested to be purchased by the individual for their classroom.
 - D. Computer software will only be on loan for nine weeks.
 - E. A checkout card must be filled out and left on the desk in the CRC office. If there is not a card on the material, a note should be left for the secretary so she is aware that the materials have been checked out.
7. Use of Materials
- A. In some cases, CRC materials may be consumed. Employees who would like to use them in this manner should check with the Director. In cases when materials must be preserved, the employee might:
 - a. have the student respond on another sheet of paper, or
 - b. make Xerox copies of CRC materials.
 - B. If a material is broken, damaged, or has missing parts, it should be returned with a note attached, stating what is wrong with the material. This is particularly important with computer software so that the disk can be replaced if necessary.
 - C. Before returning materials, employees should check to see that all pieces are there. A content label will be on each material that has several pieces. All specified pieces must be returned.

COMMUNICABLE DISEASE

1. Whenever an employee has been diagnosed by a physician as having a communicable disease as defined in current regulation, the employee shall report the diagnosis and nature of the disease to the Director of Special Education so that a proper reporting may be made to the county or joint board of health as required by statute.
2. An employee afflicted with a communicable disease dangerous to the public health shall be suspended from duty for the duration of the contagiousness in order to give maximum health protection to other district employees and to students.
3. The employee shall be allowed to return to duty upon recovery from the illness, or when the employee is no longer contagious as authorized by the employee's physician.
4. The board reserves the right to require a written statement from the employee's physician indicating that the employee is free from all symptoms of the communicable disease.
5. If an employee has been diagnosed as having a communicable disease and the Director has been notified by the employee, as provided in policy, the Director shall determine whether a release shall be obtained from the employee's physician before the employee returns to duty.
6. Decisions regarding the type of employment setting for an employee with a communicable disease shall be made by the Director based upon consideration of the physical condition of the employee and the following factors:
 - A. the nature of the risk;
 - B. the duration of the risk;

- C. the severity of the risk; and
- D. the probability that the disease will be transmitted or cause harm to the employee or to others who will share the same setting.

AIDS

1. In each case involving an employee with AIDS, the board shall reserve the right to make a final decision regarding the employment status of the employee after taking into account the recommendations of the Review Board, the risks and benefits to both the employee and to others in the proposed work setting.
2. No information regarding employees with communicable diseases shall be released by district personnel without the employee's consent except to comply with state or federal statutes.
3. The Cooperative establishes the following guideline for dealing with the problems presented by NCKSEC employees who have or could transmit HIV to other school employees or students.
 - A. The guidelines will be reviewed periodically and revised as necessary to reflect new medical information regarding HIV.
 - B. Based upon the present knowledge that HIV is primarily transmitted by blood or sexual contact, and that casual person-to-person contact as would occur among school employees appears to pose no risk, individuals known to be infected with HIV virus should not be restricted from the work setting unless otherwise medically indicated.
4. Case Review Guidelines
 - A. The determination of the appropriate education setting for HIV infected individuals will be made on a case-by-case basis by a Review board.
 - B. The school nurse or county health nurse will serve as Chairperson of the Review Board and serve as the contact source for all referred cases.
 - C. In each case, the review board shall consider (1) the nature of the risk, (2) the duration of the risk, (3) the severity of the risk, and (4) the probability that the disease will be transmitted or cause harm to the employee or to others who will share the same setting.
 - D. The Review Board may consist of, but not necessarily limited to, the employee's physician, school officials including the Director of Special Education and school administrators, the employee and/or a representative of the employee, the county health officer, and other individuals as deemed necessary. The school attorney may assist the Review Board as an observer and advise the Board on legal questions.
 - E. Dealing with School Employee with HIV - the Review Board shall develop additional procedures to periodically assess the employee's condition to assist in determining the employee's status to work. Establishment of a plan for periodic review of the employee's status shall be established by the Review Board at the initial meeting.

5. Confidentiality

- A. To the extent possible, knowledge of the employee's condition shall be retained within the Review Board members.
- B. In some situations, it may be necessary that other personnel also be advised. This will be determined by the Director.

DRUG FREE WORKPLACE

1. The Board believes that maintaining a drug free work place is important in establishing an appropriate learning environment. The unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the Cooperative. This policy is intended to implement the requirements of the federal regulations promulgated under the Drug-Free Workplace Act of 1988, CFR Part 85, Subpart 6.
2. As condition of employment in the Cooperative, employees shall abide by the terms of this policy.
 - A. Employees shall not unlawfully manufacture, distribute, dispense, posses or use controlled substances in the workplace.
 - B. Any employee who is convicted under a criminal drug statute for a violation occurring at the workplace must notify the Director of the conviction within five days after the conviction.
 - D. Within 30 days after the notice of conviction is received, the Cooperative will take appropriate action with the employee.
 - E. Such action may include the initiation of termination proceedings, suspension, placement on probationary status, or other disciplinary action.
 - F. Alternatively, or in addition to any action short of termination, the employee may be required to participate satisfactorily in an approved drug abuse assistance or rehabilitation program as a condition of continued employment. The employee shall bear the cost of participation in such program.
3. This policy is not intended to supplant or otherwise diminish disciplinary personnel actions which may be taken under existing board policies.

SEXUAL HARASSMENT POLICY

1. It is the policy of the NCKSEC to maintain a learning and working environment free from sexual harassment. Sexual harassment of employees or students of the Cooperative by Board members, administrators, certified and support personnel, students, and any others having business or other contact with the Cooperative is strictly prohibited.
2. It shall be a violation of this policy for any employee to sexually harass a student, for a student to sexually harass another student, or for any employee to discourage a student from filing a complaint or to fail to investigate or refer for investigation, any complaint lodged under the provisions of this policy.
3. Sexual harassment is unwelcome sexual advances, requests for sexual favors and other inappropriate oral, written or physical conduct of a sexual nature when made by a member of the school staff to a student or when made by any student to another student when:
 - A. submission to such conduct is made, explicitly or implicitly, a term of condition of the individual's education;

- B. submission to or rejection of such conduct by an individual is used as the basis for academic decisions affecting that individual; or
 - C. such conduct has the purpose or effect of interfering with an individual's academic or professional performance or creating an intimidating, hostile or offensive academic environment.
 - D. Sexual harassment may include, but is not limited to: verbal harassment or abuse; pressure for equal activity; repeated remarks to a person with sexual or demeaning implication; unwelcome touching; or suggesting or demanding sexual involvement accompanied by implied or explicit threats concerning a student's grades, participation in extra-curricular activities, or in any and all other activities of the NCKSEC involving board members, employees, students, certified and support personnel and any others having business through or contact with the Cooperative.
4. Any individual who believes she/he has been subjected to sexual harassment by a peer or a school employee should discuss the problem with the Cooperative Director, who is designated as the human rights officer by the Board of Directors.
- A. If the complaint involves the Director, the individual should discuss the problem with the president of the Board of Directors.
 - B. Upon receipt of a report or complaint alleging sexual harassment, the human rights officer or president shall immediately authorize an investigation. This investigation may be conducted by the Director or by a disinterested third party as designated by the Board President.
 - C. The Director or other investigator shall make a report to the Board of Directors upon completion of the investigation.
 - D. Prior to Board action, the results of the investigation will be communicated to the accused party who shall have the right to a hearing with the Board of Directors.
 - E. The hearing shall provide that individual a fair opportunity to address the charges and present whatever evidence is appropriate in defense, including the right to call witnesses.
 - F. Upon receipt of a recommendation that the complaint is valid, the Board of Directors shall determine appropriate action based on the results of the investigation and hearing. Action may include warning, suspension or immediate discharge.
 - G. The result of the investigation of each complaint filed under these procedures will be reported in writing to the complainant. The report will document any disciplinary action taken as a result of the complaint.
 - H. These procedures do not deny the right of any individual to pursue other avenues of recourse which may include initiating civil action or seeking redress under state criminal statutes and/or federal law.

BLOOD BORNE PATHOGENS EXPOSURE CONTROL PLAN (UNIVERSAL PRECAUTIONS)

1. In the spring of 1992, pursuant to state statutes, The Kansas Department of Human Resources announced it would apply the Occupational Safety and Health Administration's safety standard regulations for the handling of blood borne pathogens to entities such as NCKSEC.

2. For employees who can reasonably anticipate having "occupational exposure" (e.g. reasonably anticipated skin, eye, mucous membrane, or potential contact with blood or other potentially infectious materials that may result from the performance of the employees' duties,) NCKSEC will make the Hepatitis B vaccination series available.
3. If employee has an exposure said employee will follow the district's exposure plan in which the exposure occurs.
4. Whenever an employee is involved in an incident which results in potential exposure, the employee shall report the incident to the Director of Special Education, or if not available, any other NCKSEC administrator before the end of the work day during which the incident occurred.
5. Staff having questions about whether their position has "occupational exposure", additional information and/or a copy of the Blood Borne Pathogens Exposure Control Plan for Interlocal #636 is available by contacting the Director of Special Education.

CHILD ABUSE / NEGLECT

Required Reporting of Suspected Abuse &/or Neglect:

When any teacher or administrator has reason to suspect that a student has been injured as a result of physical, mental or emotional abuse or neglect or sexual abuse, he or she is required by law to report that information to the state department of social rehabilitation services at 800-264-3798 (M-F 8:00 to 5:00); after hours 800-922-5330 or local law enforcement. Failure to make the report is a class B misdemeanor, moreover preventing or interfering with any other individual with the intent to prevent them from making a report required by this statute is also a class B misdemeanor.

It is not the responsibility of school personnel to determine the validity of the abuse or neglect, that investigative role belongs to SRS and law enforcement. You do have a mandatory responsibility to report all cases of suspected abuse or neglect. If you have any questions or concerns regarding your responsibility, contact the NCKSEC Director.

SCHOOL SAFETY AND SECURITY ACT

1. Definitions. As used in this act:

- (a) "Board of Education" means the board of education of a unified school district or the governing authority of an accredited nonpublic school.
- (b) "School" means a public school or an accredited nonpublic school.
- (c) "Public school" means a school operated by a unified school district organized under the laws of this state.
- (d) "Accredited nonpublic school" means a nonpublic school participating in the quality performance accreditation system.
- (e) "School employee" means any administrative, professional or paraprofessional employee of a school.
- (f) "Superintendent of schools" means the superintendent of schools appointed by the board of education of a unified school district or the chief administrative officer of an accredited nonpublic school appointed by the board of education of the school.

2. Information regarding identity of specified pupils, disclosure requirements; criminal acts, reports to law enforcement agencies and state board of education; school safety and security policies, availability; civil liability, immunity.

- (a) If a school employee has information that a pupil is a pupil to whom the provisions of this subsection apply, the school employee shall report such information and identify the pupil to the superintendent of school. The superintendent of schools shall investigate the matter and, upon determining that the identified pupil is a pupil to whom the provisions of this subsection apply shall provide the reported information and identify the pupil to all school employees who are directly involved or likely to be directly involved in teaching or providing other school related services to the pupil. The provisions of this subsection apply to:
1. Any pupil who has been expelled for the reason provided by subsection (c) of K.S.A. 72-8901, and amendments thereto, for conduct which endangers the safety of others;
 2. any pupil who has been expelled for the reason provided by subsection (d) of K.S.A. 72-8901, and amendments thereto;
 3. any pupil who has been expelled; under a policy adopted pursuant to K.S.A. 72-89a02, and amendments thereto;
 4. any pupil who has been adjudged to be a juvenile offender and who offense, if committed by an adult, would constitute a felony under the laws of Kansas or the state where the offense was committed, except any pupil adjudicated as a juvenile offender for a felony theft offense involving no direct threat to human life; and
 5. any pupil who has been tried and convicted as an adult of any felony, except any information concerning a pupil specified in this subsection if the expulsion, adjudication as a juvenile offender or conviction of a felony occurred more than 365 days prior to the school employee's report to the superintendent of schools.
- (b) Each board of education shall adopt a policy that includes:
1. A requirement that an immediate report be made to the appropriate state or local law enforcement agency by or on behalf of any school employee who knows or has reason to believe that an act has been committed at school, on school property, or at a school supervised activity and that the act involved conduct which constitutes the commission of a felony or misdemeanor or which involves the possession, use or disposal of explosives, firearms or other weapons; and
 2. the procedures for making such a report
- (c) School employees shall not be subject to the provision of subsection (b) of K.S.A. 72-89b04 and amendments thereto if;
1. They follow the procedures from a policy adopted pursuant to the provisions of subsection (b); or
 2. their board of education fails to adopt such policy.
- (d) Each board of education shall annually compile and report to the state board of education at least the following information relating to school safety and security: The types and frequency of criminal acts that are required to be reported pursuant to the provisions of subsection (b), disaggregated by occurrences at school, on school property and at school supervised activities. The report shall be incorporated into and become part of the current report required under the quality performance accreditation system.
- (e) Each board of education shall make available to pupils and their parents, to school employees and, upon request, to others, district policies and reports concerning school safety and security, except that the provisions of this subsection shall not

apply to reports made by a superintendent of schools and school employees pursuant to subsection (a).

- (f) Nothing in this section shall be construed or operate in any manner so as to prevent any school employee from reporting criminal acts to school officials and to appropriate state and local law enforcement agencies.
- (g) The state board of education shall extract the information relating to school safety and security from the quality performance accreditation report and transmit the information to the governor, the legislature, the attorney general, the secretary of health and environment, the secretary of social and rehabilitation services and the commissioner of juvenile justice.
- (h) No board of education, member of any such board, superintendent of schools or school employee shall be liable for damages in a civil action resulting from a person's good faith acts or omissions in complying with the requirements or provisions of the Kansas school safety and security act.

3. Penalties for failure to make reports, preventing or interfering with reports; sanctions for making reports prohibited; immunity from liability.

- (a) Willful and knowing failure of a school employee to make a report required by subsection (b) (1) of K.S.A. 72-89b03, and amendments thereto is a class B non-person misdemeanor. Preventing or interfering with, with the intent to prevent, the making of a report required by subsection (b) (1) of K.S.A. 72-89b03, and amendments thereto, is a class B non-person misdemeanor.
- (b) Willful and knowing failure of any employee designated by a board of education to transmit reports made by school employees to the appropriate state or local law enforcement agency as required by subsection (b)(1) of K.S.A. 72-89b03, and amendments thereto, is a class B non-person misdemeanor. Preventing or interfering with, with the intent to prevent, the transmission of reports required by subsection (b) (1) of K.S.A. 72-89b03, and amendments thereto is a class B non-person misdemeanor.
- (c) No board of education shall terminate the employment of, or prevent or impair the profession of, or impose any other sanction on any school employee because the employee made an oral or written report to, or cooperated with an investigation by, a law enforcement agency relating to any criminal act that the employee knows has been committed or reasonably believes will be committed at school, on school property, or at a school supervised activity.
- (d) Any board of education, and any member or employee thereof, participating without malice in the making of an oral or written report to a law enforcement agency relating to any criminal act that is known to have been committed or reasonably is believed will be committed at school, on school property, or at a school supervised activity shall have immunity from any civil liability that might otherwise be incurred or imposed. Any such participants shall have the same immunity with respect to participation in any judicial proceedings resulting from the report.

CRIMINAL CONVICTIONS

An employee convicted of a felony or who enters a pleas of guilty or diversion agreement, must notify the Director within five days after the conviction or diversion agreement.

HAZARDOUS WASTE

When hazardous waste material is produced in a class, or otherwise located, its disposal shall be in accordance with state and federal laws, rules, and regulations.

No employee shall bring hazardous materials to school without prior approval of the supervisor. Such material shall be in an appropriate container and properly labeled. If an employee discovers waste material which is, or may be, hazardous, he/she should notify his/her supervisor immediately.

Hazardous wastes included, but are not limited to, wastes which are flammable, corrosive, infectious, highly reactive or toxic. Hazardous waste must be placed in an appropriate container affixed with a hazardous waste label which lists the specific contents.

Unlabeled containers whose contents are undetermined, which may contain hazardous substances, shall not be put in trash containers.

All hazardous wastes must be properly labeled and stored appropriately until they can be disposed of properly. Placing them in trash containers or the sewer system is not an acceptable disposal method.

EMPLOYEE PROTECTION

An employee may use reasonable force necessary to ward off an attack, to protect a student or another person, or to quell a disturbance which threatens physical injury to others. It is recommended that all staff members be certified in MANDT training. This can be scheduled by contacting the NCKSEC central office.

STAFF IMMUNITY

No board member or school employee shall be liable for damages in a civil action resulting from a person's good faith acts or omissions in complying with the requirements or provisions of the Kansas school safety and security act.

PERSONAL PROPERTY

The Cooperative is not responsible for employees' personal property and does not provide insurance on employees' personal property. If an employee's personal property is broken, damaged, or stolen while the employee is on the job, repair or replacements is the employee's responsibility.

NO RIGHT TO PRIVACY

Employees shall have no expectation of privacy or restricted access to any information generated during the course of their official duties, or entered in any district computers. Employees waive any right to privacy in e-mail messages and consent to the access and disclosure of e-mail messages by authorized employees.

OWNERSHIP

Computer materials or devices created as part of any assigned district responsibility undertaken on school time shall be the property of the Cooperative.

INTERNET

Inappropriate use and/or transmission of any material in violation of any United States or state regulation, is prohibited. This includes, but is not limited to, copyrighted material, threatening or obscene material, or material protected by a trade secret.

COMPUTERS

1. Use of or access to Coop computers and computer software is limited to Coop employees and students. Use of computers is for the performance of official and approved assignments only. Use of computer equipment or software for personal projects is prohibited without prior permission of the employee supervisor.
2. Only software purchased by NCKSEC may be loaded onto NCKSEC computers. Software licensed to the district shall not be used on computers not owned by the Coop. NCKSEC software shall not be copied for personal use.
3. Employees shall not use electronic communications, including e-mail and the Internet, to harass staff, students, or other individuals.

SECURE FILES

All employees must secure files containing confidential student information.

SECURING WORK AREA

Employees are expected to lock or otherwise secure any files, records, safes, tools, vehicles or other coop equipment at the close of each workday and other appropriate times.

COPYING AND DUPLICATING

The copyright laws of the United States makes it illegal for anyone to duplicate copyrighted materials without permission. Severe penalties are provided for unauthorized copying of all materials covered by the act unless the copying falls within the bounds of the "fair use" doctrine. Any duplication of copyrighted materials by the Coop employees must be done with permission of the copyright holder or fall within the "fair use" doctrine.

KEYS

The Director is responsible for issuing keys to the central office and maintaining a current and accurate list of all people who have been issued keys. No keys shall be duplicated without permission.

Keys should be turned in to the Director when an employee is no longer employed by the district or is assigned to another building.

Keys shall not be loaned to anyone. Any lost keys shall be reported immediately to the Director so measures may be taken to maintain safety and security and to protect property.

BIDS AND QUOTATIONS REQUIREMENTS

(\$20,000 or more)

1. All purchases requiring competitive bids shall be made in accordance with current statutes. The purchasing agent shall develop and maintain lists of potential suppliers. Bid lists shall be used to notify potential bidders.
2. Any supplier may be included in the list upon request. The purchasing agent shall review all bid lists annually.
3. A copy of this policy shall be given to all bidders upon request.
4. All bids and supporting documentation shall be retained in the Cooperative's office with the clerk for a period of three years after bids have been opened.

A. Bid Specifications

The Cooperative's purchasing agent shall write all bid specifications. Specifications shall include, when necessary: required performance, surety, bid and statutory bond information; compliance with preferential bid law; financial statements; the board's right to reject any or all bids; compliance with all federal, state and local laws, ordinances and regulations; the date, time and place for the opening of bids; and other items as the board directs.

The board shall avoid negotiation of bid specifications after bids have been accepted and shall correct specifications if they are inadequately written and request new bids. If an error is discovered in the bid specifications all bids shall be returned unopened and the project shall be rebid using corrected and/or amended specifications.

B. Procedures

All bids must be submitted to the clerk in sealed envelopes. All bids shall be opened publicly on the stated day and time. All bidders and other interested persons may be present when the bids are opened. Bids may be opened by the purchasing agent or other person designated by the board and such opening shall be witnessed by one other cooperative employee.

C. Rejection of Bids

The board reserves the right to reject any and all bids and to ask for new bids. This reservation shall be specified in the publication or notification of the bid letting. The board reserves the right to waive any informality in, or reject any parts of a bid.

D. Responsible Bidder

All bids shall be awarded to the lowest responsible bidder. The board remains the sole judge of whether or not a bidder is "responsible". Criteria that may be used to judge "responsible", by way of illustration and not limitation, are: financial standing, reputation, experience, resources, facilities, judgment and efficiency.

The board may investigate the professionalism of any bidder by using information at hand to form an intelligent judgment, such as the district's architect, previous clients of the bidder, their own investigation, or an outside investigation agency.

E. Withdrawal of Bids

Any bid may be withdrawn and/or corrected prior to the scheduled time for opening of bids and no later than two days after the bids have been opened if a non-judgmental error has been made. Any bid received after the publicized date and time shall not be considered by the board.

HOME RULE

The board shall have the authority to conduct district business without specific statutory delegation. The board may transact all school district business and adopt policies the board deems appropriate to perform its constitutional duty to maintain, develop and operate local public schools.