

APPROVED 12-11-06

POLICY B-41
HIPAA POLICY

The district shall comply with all applicable Health Insurance Portability and Accountability Act (HIPAA) provisions ensuring the confidentiality of protected health information.

Staff Training Required

The district shall provide appropriate and timely professional development activities regarding HIPAA requirements.

Compliance Required

All staff shall abide by HIPAA requirements and maintain the confidentiality of protected health information. The district shall provide notice to staff and students as required by law.

NOTICE OF PRIVACY PRACTICES

WEST ELK USD #282, HEALTH INSURANCE PLAN
(referred to as the "Group Health Plan", "We" "Our" or "Us" in this document)

This notice describes how Protected Health Information (PHI) about you may be used and how you can get access to the information.

PLEASE READ IT CAREFULLY.

PHI is individually identifiable information about you. All of the following are examples of PHI:

- **demographic information: Your name, address, social security number and date of birth; or**
- **medical information: relating to Your past, present or future physical or mental health that is collected/created/received from You, a health care provider, a health plan, employer or health care clearinghouse; or**
- **the providing of health care; or**
- **the past, present or future payment for providing health care to You.**

OUR LEGAL DUTY

We are required by applicable federal and state laws to maintain the privacy of your PHI. We are also required to give you this notice about our privacy practices, our legal duties, and your rights concerning your PHI. We must follow the privacy practices that are described in this notice while it is in effect. This notice takes effect on April 14, 2004 or the date coverage became effective for you, whichever is later, and will remain in effect until we replace it.

We reserve the right to change our privacy practices and the terms of this notice at any time, provided such changes are permitted by applicable law. We reserve the right to make the changes in our privacy practices and the new terms of our notice effective for all PHI that we maintain, including PHI we created or received before we made the changes. Before we make a significant change in our privacy practices, we will change this notice and send the new notice to our health plan subscribers at the time of the change.

You may request a copy of our notice at any time. For more information about our privacy practices, or for additional copies of this notice, please contact us using the information listed at the end of this notice.

USES AND DISCLOSURES OF YOUR PHI

We use and disclose PHI about you for treatment, payment and health care operations. For example:

- **Treatment:** We may disclose your PHI to a doctor, hospital or other health care provider on request when necessary to assist in your treatment. For example, we might disclose your PHI to assist in case managements or pre-certification activities.
- **Payment:** We may use and disclose Your PHI to pay claims from doctors, hospitals and other providers for services delivered to you that are covered by your health plan. For example, we might disclose your PHI to determine your eligibility for benefits, to coordinate benefits, to examine medical necessity and to issue explanations of benefits to the person who subscribes to the health plan in which you participate. We may disclose your PHI to a health care provider or entity subject to the federal Privacy Rules so they can obtain payment or engage in these payment activities.
- **Health Care Operations:** We may use and disclose your PHI in connection with our health care operations. Health care operations include:
 - Rating our risk and determining contributions for your health plan;
 - Quality assessment and improvement activities;
 - Reviewing the competence or qualifications of health care professionals, evaluating practitioner and provider performance, conducting training programs, accreditation, certification, licensing or credentialing activities
 - Medical review, legal services and auditing, including fraud and abuse detection and compliance;
 - Business planning and development; and
 - Business management and general administrative activities, including management activities relating to privacy, customer service, resolution of internal grievances, and creating
 - de-identified PHI or a limited data set.

We may disclose your PHI to another entity which has a relationship with you and is subject to the federal Privacy Rules, for their health care operations relating to quality assessment and improvement activities, reviewing the competence or qualifications of health care professionals, or detecting or preventing health care fraud and abuse.

ON YOUR AUTHORIZATION: You may give a written authorization to use your PHI to disclose it to anyone for any purpose. If you give us an authorization, you may revoke it in writing at any time. Your revocation will not affect any use or disclosure permitted by your authorization while it was in effect. Unless you give us a written authorization, we cannot use or disclose your PHI for any reason except those described in this notice.

TO YOUR FAMILY AND FRIENDS: We may disclose your PHI to a family member, friend or other person to the extent necessary to help with your health care or with payment for your health care. We may use or disclose your name, location and general condition or death to notify or assist in the notification of (including identifying or locating) a person involved in your care. Before we disclose your PHI to a person involved in your health care or payment for your health care, we will provide you with an opportunity to object to such uses or disclosures. If you are not present, or in the event of your incapacity or an emergency, we will disclose your PHI based on our professional judgment of whether the disclosure would be in your best interest.

UNDERWRITING: We may receive your PHI for underwriting, premium rating or other activities relating to the creation, renewal or replacement of a contract of health insurance or health benefits. We will not use or further disclose this PHI for any other purpose, except as required by law, unless the contract of health insurance or health benefits is placed with us. In that case, our use and disclosure of your PHI will only be as described in this notice.

DISASTER RELIEF: We may use or disclose your PHI to a public or private entity authorized by law or by its charter to assist in disaster relief efforts.

PUBLIC BENEFIT: We may use or disclose your PHI as authorized by law for the following purposes deemed to be in the public interest or benefit:

- As required by law;
- For public health activities, including disease and vital statistics reporting, child abuse reporting, FDA oversight, and to employers regarding work-related illness or injury;
- To report adult abuse, neglect or domestic violence;
- To health oversight agencies;
- In response to court and administrative orders and other lawful processes;
- To law enforcement officials pursuant to subpoenas and other lawful processes, concerning crime victims, suspicious deaths, crimes on Our premises, reporting crimes in emergencies and for purposes of identifying or locating a suspect or other person;
- To coroners, medical examiners and funeral directors;
- To organ procurement organizations;
- To avert a serious threat to health or safety;
- In connection with certain research activities;
- To the military and to federal officials for lawful intelligence, counterintelligence and national security activities;
- To correctional institutions regarding inmates; and
- As authorized by state workers compensation laws.

HEALTH RELATED SERVICES: We may use your PHI to contact you with information about health-related benefits and services or about treatment alternatives that may be of interest to you. We may disclose your PHI to a

business associate to assist us in these activities. We may use or disclose your PHI to encourage you to purchase or use a product or service by face-to-face communication or to provide you with promotional gifts.

INDIVIDUAL RIGHTS

- **Access:** You have the right to look at or get copies of your PHI, with limited exceptions. You may request that we provide copies in a format other than photocopies. We will use the format you request unless we cannot practicably do so. You must make a request in writing to obtain access to Your PHI when you make the request as an exercise of your HIPAA Privacy rights. Many records are available without making the request as an exercise of HIPAA Privacy rights. You may obtain a form to request access by using the contact information listed at the end of this notice. If you request copies, we will charge you a fee for the costs of copying, other supplies and postage if you want the copies mailed to you and staff time associated with your request. For information maintained off-site in archival warehouses or that is not reasonably identifiable and accessible, We will charge the actual cost of the time and other resources required to make the information available. If you request an alternative format, we will charge a cost-based fee for providing your PHI in that format. If you prefer, we will prepare a summary or an explanation of your PHI for a fee. Contact us using the information listed at the end of this notice for a full explanation of our fee structure.
- **Disclosure Accounting:** You have the right to receive a list of instances in which we or our business associates disclosed your PHI for purposes other than for treatment, payment, health care operations, as authorized by you, and for certain other activities since April 14, 2004 or the date coverage became effective for you, whichever is later. For example, we would account for your PHI or demographic information we disclose during an audit by a government oversight agency or pursuant to a court order. You must make your request in writing. We will provide you with the date on which we made a disclosure, the name of the person or entity to whom we disclosed your PHI, a description of the PHI we disclosed, the reason for the disclosure and certain other information. If you request this accounting more than once in a 12-month period, we may charge you a reasonable, Cost-based, fee for responding to these additional requests. Contact us using the information listed at the end of this notice for a full explanation of our fee structure and how to make your request.
- **Restriction:** You have the right to request that we place additional restrictions on our use or disclosure of your PHI. You must make a request in writing if you wish to request additional restrictions. You may obtain a form to request additional restriction by using the contact information listed at the end of this notice. We are not required to agree to these additional restrictions, but if we do, we will abide by our agreement (except in an emergency). Both your request and any agreement to additional

restrictions must be in writing signed by the person making the request and (for our agreement) by a person authorized to make such an agreement on our behalf. We will not be bound unless our agreement is so stated in writing.

- **Confidential Communications:** You have the right to request that we communicate with you about your PHI by alternative means or to an alternative location. You must make your request in writing, and you must state that the information could endanger you if it is not communicated in confidence as you request. We must accommodate your request if it is reasonable, specifies that alternative means or location and continues to permit us to collect premiums and pay claims under your health plan, including issuance of explanations of benefits to the subscriber of the health plan in which you participate. An explanation of benefits issued to the subscriber for health care that you received for which you did not request confidential communications or about the subscriber or others covered by the health plan in which you participate may contain sufficient information to reveal that you obtained health care, even though you requested that we communicate with you about that health care in confidence. Other transactions under the membership may also detract from the level of confidentiality you might obtain from an alternate communication or address.
- **Amendment:** You have the right to request that we amend your PHI. Your request must be in writing, and it must explain why the information should be amended. If you need information about making a request or amendment, contact us using the contact information listed at the end of this notice. We may deny your request if we did not create the information you want amended and the originator remains available or for certain other reasons. If we deny your request, we will provide you a written explanation. You may respond with a statement of disagreement to be appended to the information you wanted amended. If we accept your request to amend the information, we will make reasonable efforts to inform others, including giving people your name, of the amendment and to include the changes in any future disclosures of that information.
- **Electronic Notice:** If you receive this notice on our web site or by electronic mail (e-mail), you are entitled to receive this notice in written form. Please contact us using the information listed at the end of this notice to obtain this notice in written form.

QUESTIONS AND COMPLAINTS

If you want more information about our privacy practices or have questions or concerns, please contact us using the information listed below. If you are concerned that we may have violated your privacy rights, or you disagree with a decision we made about access to your PHI or in response to a request you made to amend or restrict the use or disclosure of your PHI or to have us communicate with you by alternative means or at an alternative location, you

may complain to us using the contact information listed below. You also may submit a written complaint to the U.S. Department of Health and Human Services. We will provide you with the address to file your complaint with the U.S. Department of Health and Human Services upon request. We support your right to the privacy of your PHI. We will not retaliate in any way if you choose to file a complaint with us or with the U.S. Department of Health and Human Services.

HEALTH RECORDS

(Request for Amendment Form)

To: _____, the West Elk USD #282 privacy official.

From: _____

Date: _____

I request that the district make the following amendment to protected health information:

I would like the amendment made for the following reason(s):

* * * * *

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

Implemented: (adopt, date)
Date)

(Revise

West Elk USD #282

POLICY B-42
BULLYING BY STAFF

The Board of Education prohibits bullying in any form either by any student, staff member or parent towards a student, or by a student, staff member or parent towards a staff member on school property, in a school vehicle or at a school sponsored activity or event. The administration shall propose, and the Board shall review and approve a plan to address bullying on school property, in a school vehicle or at a school sponsored activity or event. "Staff member" means any person employed by the district.

"Bullying" and "School Vehicle" definitions follow:

1. "Bullying" means:

(A) Any intentional gesture or any intentional written, verbal or physical act or threat that is sufficiently severe, persistent or pervasive that it creates an intimidating, threatening, or abusive educational environment for a student or staff member that a reasonable person, under the circumstances knows or should know will have the effect of:

- (i) Harming a student or staff member, whether physically or Mentally;
- (ii) Damaging a student's or staff member's property;
- (iii) Placing a student or staff member in reasonable fear of harm to the student or staff member; or
- (iv) Placing a student or staff member in reasonable fear of damage to the student's or staff member's property; or

(B) Any other form of intimidation or harassment prohibited by the Board of Education of the school district policies concerning bullying pursuant to K.S.A. 72-8256 or subsection (e) of K.S.A. 72-8205, and amendments thereto. USD 282 will not tolerate these actions by students, staff, or parents.

(C) Bullying also includes cyberbullying. "Cyberbullying" means bullying by use of any electronic communication device through means including but not limited to, e-mail, instant messaging, text messages, blogs, mobile phones, pagers, online games and websites.

2. "School Vehicle" means any school bus, school van, other school vehicle and private vehicle used to transport students or staff

members to and from school or any school sponsored activity or event.

The plan shall include provisions for the training and education of staff members and students and shall include appropriate community involvement as approved by the Board. Students who have bullied others in violation of this policy may be subject to disciplinary action, up to and including suspension and expulsion. If appropriate, students who violate the bullying prohibition shall be reported to local law enforcement.

Staff members who bully others in violation of this policy may be subject to disciplinary action, up to and including suspension and/or termination. If appropriate, staff members who violate the bullying prohibition shall be reported to local law enforcement.

The USD 282 Bullying Plan shall be attached to Policies B42, B42A and E19 when adopted by the Board.

POLICY B-42A
BULLYING BY PARENTS

The Board of Education prohibits bullying in any form either by any student, staff member or parent towards a student, or by a student, staff member or parent towards a staff member on school property, in a school vehicle or at a school sponsored activity or event. The administration shall propose, and the Board shall review and approve a plan to address bullying on school property, in a school vehicle or at a school sponsored activity or event. "Parent" means any person who has the legal decision making rights for any student attending West Elk USD#282.

"Bullying" and "School Vehicle" definitions follow:

1. "Bullying" means:

(A) Any intentional gesture or any intentional written, verbal or physical act or threat that is sufficiently severe, persistent or pervasive that it creates an intimidating, threatening, or abusive educational environment for a student or staff member that a reasonable person, under the circumstances knows or should know will have the effect of:

- (i) Harming a student or staff member, whether physically or Mentally;
- (ii) Damaging a student's or staff member's property;
- (iii) Placing a student or staff member in reasonable fear of harm to the student or staff member; or
- (iv) Placing a student or staff member in reasonable fear of damage to the student's or staff member's property; or

(B) Any other form of intimidation or harassment prohibited by the Board of Education of the school district policies concerning bullying pursuant to K.S.A. 72-8256 or subsection (e) of K.S.A. 72-8205, and amendments thereto. USD 282 will not tolerate these actions by students, staff, or parents.

(C) Bullying also includes cyberbullying. "Cyberbullying" means bullying by use of any electronic communication device through means including but not limited to, e-mail, instant messaging, text messages, blogs, mobile phones, pagers, online games and websites.

2. "School Vehicle" means any school bus, school van, other school vehicle and private vehicle used to transport students or staff

members to and from school or any school sponsored activity or event.

Parents participating in prohibited bullying conduct aimed at district students and/or staff members may jeopardize their access to district facilities; district property; school sponsored activities, programs, and events; and/or district students and/or staff members through the district's communication systems. As appropriate, reports to local law enforcement will be filed to report criminal bullying behaviors.

This policy and the district bullying plan shall be posted on the district's website and copies of such documents shall be made available to parents of current students upon request.

The USD 282 Bullying Plan shall be attached to Policies B42, B42A and E19 when adopted by the Board.

USD 282 Bullying Plan **(Also see USD#282 Policies B42, B42A, and E19)**

Bullying means: Any intentional gesture or any intentional written, verbal, electronic, or physical act or threat either by any student, staff member, or parent towards a student or by any student, staff member or parent towards a staff member that is sufficiently severe, persistent, or pervasive that it creates an intimidating, threatening, or abusive educational environment that a reasonable person, under the circumstances, knows or should know will have the effect of:

- **Harming a student or staff member, whether physically or mentally;**
- **Damaging a student's or staff member's property;**
- **Placing a student or staff member in reasonable fear of harm; or**
- **Placing a student or staff member in reasonable fear of damage to the student's or staff member's property.**

Bullying also includes cyberbullying. "Cyberbullying" means bullying by use of any electronic communication device through means including, but not limited to, e-mail, instant messaging, text messages, blogs, mobile phones, pagers, online games, and websites.

Additionally, bullying means any form of intimidation or harassment prohibited by the board of education of the school district in policies concerning bullying adopted pursuant to K.S.A. 72-8256 or subsection (e) of K.S.A. 72-8205, and amendments thereto. USD 282 will not tolerate these actions by students, staff, or parents.

For the purposes of this plan and its authorizing policies, "parent" includes a biological, adoptive, or step-parent; guardian; custodian; or other person with authority to act on behalf of a student.

Similarly, a "staff member" means any person employed by the district.

Any act of bullying by either an individual student or group of students towards a student or staff member of the district is prohibited on or while utilizing school property, in a school vehicle, or at school-sponsored activities, programs, and events. This policy applies to students who directly engage in an act of bullying, to students who, by their behavior, support another student's act of bullying, and to all staff members and parents who engage in similar behaviors.

Training concerning identifying, reporting, investigating, and preventing bullying behaviors as outlined in district policies and this plan shall be provided to students and staff members using district resources available for such purpose and shall be provided through school assemblies, staff development, or other appropriate forums at least annually.

The board or the district administration on behalf of the board may seek student, staff, parent, and/or community input on the adoption, revision, and/or implementation of the board's bullying policies or plan as directed or approved by the board.

No teacher, administrator, or school district employee shall engage in, permit, or tolerate bullying.

Retaliation against a victim, good faith reporter, or a witness to bullying is prohibited. A student or staff member who engages in an act of bullying, reprisal, retaliation or false reporting of bullying, shall be subject to discipline in accordance with school district policy and procedures. The school administration and/or board may take into account the following factors when determining an appropriate disciplinary action for such prohibited conduct: the ages of the parties involved; the developmental and maturity levels, special education needs of the parties involved, and the severity of the behavior.

Discipline guidelines for student bullying may be found in student and employee handbooks. Offenses over time or single offenses which are severe in nature may result in discipline up to and including suspension and/or expulsion or termination from employment. Parents participating in prohibited bullying conduct aimed at district students and/or staff members may jeopardize their access to district facilities; district property; school sponsored activities, programs, and events; and/or district students and/or staff members through the district's communication systems. As appropriate, reports to local law enforcement will be filed to report criminal bullying behaviors. (See Policies B42, B42A and E19)

Report to Local Law Enforcement USD 282

Pursuant to K.S.A. 72-89b03, the administrator or other school employee whose signature appears below is reporting the following crimes.

{Briefly describe each incident and the person/s involved in felonies, misdemeanors and weapons}

Date	School/Location	Student/s or Person/s Involved	Brief Description
1.			
2.			
3.			
4.			
5.			

School Districts are required by Federal Law and K.S.A. 72-6214 to protect the privacy rights of students under the age of 18.

Signed: _____
Building/District Administrator

cc: Superintendent of Schools, USD 282
___ Student/s file
___ Staff Member/s file
___ Parent/s file

POLICY B-43
EMERGENCY SAFETY INTERVENTIONS

The Board of Education is committed to limiting the use of Emergency Safety Interventions (“ESI”), such as seclusion and restraint, with all students. Seclusion and restraint shall be used only when a student’s conduct necessitates the use of an emergency safety intervention as defined below. The Board of Education encourages all employees to utilize other behavioral management tools, including prevention techniques, de-escalation techniques, and positive behavioral intervention strategies.

This policy shall be made available on the district website with links to the policy available on any individual school pages. In addition, this policy shall be included in at least one of the following: each school’s code of conduct, school safety plan, or student handbook.

Definitions (See K.A.R. 91-42-1)

“Emergency Safety Intervention” is the use of seclusion or physical restraint.

“Seclusion means placement of a student in a location where all of the following conditions are met: (1) the student is placed in an enclosed area by school personnel; (2) the student is purposefully isolated from adults and peers; and (3) the student is prevented from leaving, or reasonably believes that he or she will be prevented from leaving, the enclosed area.

“Chemical Restraint” means the use of medication to control a student’s violent physical behavior or restrict a student’s freedom of movement.

“Mechanical Restraint” means any device or object used to limit a student’s movement.

Parent means: (1) a natural parent; (2) an adoptive parent; (3) a person acting as a parent as defined in K.S.A. 72-1046(d)(2), and amendments thereto; (4) a legal guardian; (5) an education advocate for a student with an exceptionality; or (6) a student who has reached the age of majority or is an emancipated minor.

“Physical Restraint” means bodily force used to substantially limit a student’s movement, except that consensual, solicited or unintentional contact and contact to provide comfort, assistance or instruction shall not be deemed to be physical restraint.

“Physical Escort” means the temporary touching or holding the hand, wrist, arm, shoulder, or back of a student who is acting out for the purpose of inducing the student to walk to a safe location.

“Time-out” means a behavioral intervention in which a student is temporarily removed from a learning activity without being confined.

Prohibited Types of Restraint

All staff members are prohibited from engaging in the following actions with all students:

- **Using face-down (prone) physical restraint;**
- **Using face-up (supine) physical restraint;**
- **Using physical restraint that obstructs the student’s airway;**
- **Using physical restraint that impacts a student’s primary mode of communication;**
- **Using chemical restraint, except as prescribed by a licensed healthcare professional for treatment of a medical or psychiatric condition; and**
- **Use of mechanical restraint, except:**
 - **Protective or stabilizing devices required by law or used in accordance with an order from a licensed healthcare professional;**
 - **Any device used by law enforcement officers to carry out law enforcement duties; or**
 - **Seatbelts and other safety equipment used to secure students during transportation.**

Use of Emergency Safety Interventions

ESI shall be used only when a student presents a reasonable and immediate danger of physical harm to such student or others with the present ability to effect such physical harm. Less restrictive alternatives to ESI, such as positive behavior interventions support, shall be deemed inappropriate or ineffective under the circumstances by the school employee witnessing the student’s behavior prior to the use of any ESI. The use of ESI shall cease as soon as the immediate danger of physical harm ceases to exist. Violent action that is destructive of property may necessitate the use of an ESI. Use of an ESI for purposes of discipline, punishment or for the convenience of a school employee shall not meet the standard of immediate danger of physical harm.

Seclusion Restrictions

A student shall not be subjected to seclusion if the student is known to have a medical condition that could put the student in mental or physical danger as a result of seclusion. The existence of such medical condition must be indicated in

a written statement from the student's licensed health care provider, a copy of which has been provided to the school and placed in the student's file.

When a student is placed in seclusion, a school employee shall be able to see and hear the student at all times. All seclusion rooms equipped with a locking door shall be designed to ensure that the lock automatically disengages when the school employee viewing the student walks away from the seclusion room, or in case of emergency, such as fire or severe weather.

A seclusion room shall be a safe place with proportional and similar characteristics as other rooms where students frequent. Such room shall be free of any condition that could be a danger to the student and shall be well-ventilated and sufficiently lighted.”

Training

All staff members shall be trained regarding the use of positive behavioral intervention strategies, de-escalation techniques, and prevention techniques. Such training shall be consistent with nationally recognized training programs on the use of emergency safety interventions. The intensity of the training provided will depend upon the employee's position. Administrators, licensed staff members, and other staff deemed most likely to need to restrain a student will be provided more intense training than staff who do not work directly with students in the classroom. District and building administration shall make the determination of the intensity of training required by each position. The building shall maintain documentation regarding the training that was provided and a list of participants.

Notification and Documentation

The principal or designee shall notify the parent, or if a parent cannot be notified then shall notify an emergency contact person for such student, the same day the ESI was used. Documentation of the ESI used shall be completed and provided to the student's parents no later than the school day following the day on which the ESI was used. The parent shall be provided the following information after the first and each subsequent incident in which an ESI is used during each school year: (1) a copy of this policy which indicates when ESI can be used; (2) a flyer on the parent's rights; (3) information on the parent's right to file a complaint through the local dispute resolution process (which is set forth in this policy) and, once it has been developed, the complaint process of the state board of education; and (4) information that will assist the parent in navigating the complaint process, including contact information for Families Together and the Disability Rights Center of Kansas. Upon the first occurrence of an incident involving the use of emergency safety interventions, the foregoing information shall be provided in printed form and upon the occurrence of a second or

subsequent incident shall be provided through a full website address containing such information.

In addition, the building administrator shall maintain documentation any time ESI is used with a student. Such documentation must include all of the following:

- Date and time of the intervention,
- Type of intervention,
- Length of time the intervention was used, and
- School personnel who participated in or supervised the intervention.

All such documentation shall be provided to the building principal, who shall be responsible for providing copies of such documentation to the superintendent on at least a biannual basis. At least once per school year, the building principal or designee shall review the documentation of ESI incidents with appropriate staff members to consider the appropriateness of the use of ESI in those instances.

Reporting Data

District administration shall report ESI data to the state department of education as required.

Three (3) Incidents of ESI for Same Student

If a student with an IEP or a Section 504 plan has three incidents of ESI in a school year, then such student's IEP team or Section 504 team shall meet within ten (10) days following the third incident to discuss the incident and consider the need to conduct a functional behavioral assessment, develop a behavior intervention plan or amend the behavior intervention plan if already in existence, unless the IEP team or Section 504 team as agreed on a different process.

If a student without an IEP or Section 504 plan has three incidents of ESI in a school year, then the school staff and the parent shall meet within ten (10) days following the third incident to discuss the incident and consider the appropriateness of a referral for a special education evaluation, the need for a functional behavioral assessment, or the need for a behavior intervention plan. Any such meeting shall include the student's parent, a school administrator for the school the student attends, one of the student's teachers, a school employee involved in the incident, and any other school employees designated by the school administrator as appropriate for such meeting.

The student who is the subject of such meetings after a third ESI incident shall be invited to attend the meeting. The time for calling such a meeting may be extended beyond the 10-day limit if the parent of the student is unable to attend within that time period. Nothing in this section shall be construed to prohibit the development and implementation of a functional behavior assessment or a behavior intervention plan for any student who has not had three ESI incidents in a school year.

Local Dispute Resolution Process

The Board of Education encourages parents to attempt to resolve issues relating to the use of ESI informally with the building principal and/or the superintendent before filing a formal complaint with the Board. In the event that the complaint is resolved informally, the administrator must provide a written report of the informal resolution to the superintendent and the parents and retain a copy of the report at the school. The superintendent will share the informal resolution with the Board of Education and provide a copy to the state department of education.

If the issues are not resolved informally with the building principal and/or the superintendent, the parents may submit a formal written complaint to the Board of Education by providing a copy of the complaint to the clerk of the Board and the superintendent within thirty (30) days after the parent is informed of the ESI.

Upon receipt of a formal written complaint, the Board president shall assign an investigator to review the complaint and report findings to the Board as a whole. Such investigator may be a Board member, a school administrator selected by the Board, or a Board attorney. Such investigator shall be informed of the obligation to maintain confidentiality of student records and shall report the findings and recommended action to the Board in executive session.

Any such investigation must be completed within thirty (30) days of receipt of the formal written complaint by the Board clerk and superintendent. On or before the 30th day after receipt of the written complaint, the Board shall adopt written findings of fact and, if necessary, appropriate corrective action. A copy of the written findings of fact and any corrective action adopted by the Board shall only be provided to the parents, the school, and the state department of education. Once such a procedure has been developed, a parent may file a complaint under the state board of education complaint process within thirty (30) days from the date a final decision is issued pursuant to the local dispute resolution process.

The USD 282 “Emergency Safety Intervention Documentation” letter shall be attached to Policy B43 when adopted by the Board.



West Elk U.S.D. 282

PO Box 607

Howard, Kansas 67349

(620) 374-2113

Fax (620) 374-2414

EMERGENCY SAFETY INTERVENTION [ESI] DOCUMENTATION

Date: _____

Dear: _____

The purpose of this letter is to inform you that on _____, at _____ the need for the use of an Emergency Safety Intervention was required for _____.

K.A.R. 91-42-1(c) defines Emergency Safety Interventions (ESI) as the use of seclusion or physical restraint. When a student presents an immediate danger to self or others. Violent action that is destructive of property may necessitate the use of an ESI. ESI shall be used only when a student presents a reasonable and immediate danger of physical harm to such student or others with the present ability to effect such physical harm.} Whenever an ESI is used, the parent(s)/guardian(s) must be informed the same day the ESI was used. Documentation of the ESI used shall be completed and provided no later than the school day following the day on which the ESI was used.

Type of Emergency Safety Intervention Used:

Seclusion _____

Restraint _____

Duration of Seclusion/Restraint: _____ (minutes)

Location: _____

Person(s) Providing the Seclusion/Restraint: _____

Witnesses (if any): _____

Description of Incident:

Please contact the building principal if you have any questions regarding this use of ESI.

(Signature of person completing report)

(Date)

*Parent(s)/guardian(s) notified of this incident on _____ by

(Date)

(Name of staff member)

*Original provided to Building Principal

*Copy provided to (Parents/Guardians, and Superintendent)



West Elk U.S.D. 282

PO Box 607

Howard, Kansas 67349

(620) 374-2113

Fax (620) 374-2414

ESI Acknowledgement Form

Kansas regulations now require that we provide all parents with notice of our written policies regarding Emergency Safety Interventions (“ESI”). Attached is a copy of our district’s policy. It also is available on our website at www.westelk.us and in our **Board Policy Handbook – Policy B43**.

By my signature below, I acknowledge that I have received a copy of the policy.

DATE

PARENT SIGNATURE

ADOPTED 7-14-14

POLICY B-43.1

MAINTAINING PROPER CONTROL

Each employee is responsible for maintaining proper control in the school. Unless otherwise specified in Board policy, 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.

POLICY B 43.2
SUPERVISION OF STUDENTS

Students shall be supervised by school personnel when they are under the jurisdiction of the school.

Each building principal shall coordinate and assign teachers, aides or paraprofessionals to supervise students engaged in school sponsored activities. All school-sponsored activities shall be supervised by an adult approved by the administration.

Each building principal shall ensure appropriate staff members are available for supervising students at specific times and in designated areas.

POLICY B-44
HOMELESS STUDENTS

The district, in accordance with state and federal law and the Kansas state plan will ensure that homeless children in the school district have access to a free and appropriate public education. Homeless students are individuals who lack a fixed, regular and adequate nighttime residence.

Homeless students shall, by definition, include the following:

- Children and youth who are sharing the housing of other persons due to loss of housing, economic hardship or a similar reason; are living in motels, hotels, trailer parks or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement.
- Children and youth who have a primary nighttime residence that is public or private place not designated for or ordinarily used as a regular sleeping accommodation for human beings.
- Children and youth who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations or similar settings.
- Migratory children who meet one of the above-described circumstances.

Services

Each homeless child or youth shall be provided services comparable to services offered to other students in the district including, but not limited to, transportation services; educational services for which the child meets the eligibility criteria, such as educational programs for disadvantaged students, students with disabilities and gifted and talented students; vocational programs and technical education; school meals programs; preschool programs; before- and after-school programs; and programs for students with limited English proficiency. Homeless students will not be segregated based on the student's status as homeless.

Records

Any records ordinarily kept by the school, including immunization records, academic records, birth certificates, guardianship records and evaluations for special services or programs of each homeless child or youth shall be maintained so that appropriate services may be given to the student, so that necessary referrals can be made and so that records may be transferred in a timely fashion when a homeless child or youth enters a new school district. Copies of records shall be made available upon request to students and parents in accordance with the Family and Educational Rights and Privacy Act.

Coordinator

The superintendent shall be designated as the Homeless Coordinator for USD#282. The district shall inform school personnel, service providers and advocates working with homeless families of the duties of the district homeless coordinator. The homeless coordinator will ensure that:

- Homeless children and youth are identified by school personnel and through coordination activities with other entities and agencies.
- Homeless children and youth enroll in and have a full and equal opportunity to succeed in the district.
- Homeless families, children and youth receive educational services for which such families, children and youth are eligible, including preschool programs administered by the district and referrals to health care services, dental services, mental health services and other appropriate services.
- The parents and guardians of homeless children and youth are informed of the educational and related opportunities available to their children and are provided meaningful opportunities to participate in the education of their children.
- Public notice of the educational rights of homeless children and youth is disseminated where such children and youth receive services, such as school, family shelters, and soup kitchens.
- Enrollment disputes are mediated in accordance with law.
- The parent or guardian of a homeless child or youth, and any unaccompanied youth, is fully informed of all transportation services, including transportation to the school of origin and is assisted in accessing transportation to the school selected.
- Unaccompanied youth will be assisted in placement and enrollment decisions, their views will be considered and they will be provided notice of the right to appeal.
- Children and youth who need to obtain immunizations, or immunization or medical records, will receive assistance.

POLICY B-45
TITLE I PROGRAM

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

Annual Parent Meeting

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

REGULATION
TITLE I PROGRAMS

Parental Involvement Encouraged

Parents shall receive information about the Title I program, the curriculum, academic assessments, and required proficiency levels, and their right to request additional meetings. All parents of Title I students shall be invited to the meetings.

The board shall strongly encourage parental involvement in the district's Title I program. Included in these efforts shall be:

Activities that will educate parents regarding the intellectual and developmental needs of their children at all age levels including:

Assistance in understanding.

State academic content and achievement standards;
How to monitor their child's progress; and
Title I regulation.

Activities that include promoting cooperation between the district and other agencies or school/community groups (such as parent-teacher groups, Head Start, Parents as Teachers, etc.) to furnish learning opportunities and disseminate information regarding parenting skills and child/adolescent development.

Implementing strategies to involve parents in the educational process, including: Joint development of a school-parent compact that outlines the shared responsibilities of the school and the parent for high student achievement by:

- Keeping families informed of opportunities for involvement and encouraging participation in various programs.
- Providing access to educational resources for parents/families to use together with their children.
- Keeping families informed of the objectives of district educational programs as well as of their child's participation and progress within these programs.
- Allowing parents reasonable access to staff who work with their children.
- Providing professional development opportunities for teachers and staff to enhance their understanding of effective parent involvement strategies.
- Promoting activities, which emphasize the importance of parent-school communication.

Activities to Enable Parental Participation

The district shall enable families to participate in the education of their children through a variety of roles. For example, family members shall be given opportunities to:

- Provide input into district policies that affect Title I programs and their children.
- Understand and participate in school improvement efforts.
- Volunteer time within classrooms and school programs.
- Perform regular evaluations of parent involvement at each school and at the district level.
- Provide access, upon request, to any instructional material used as part of the educational curriculum.
- Provide information in a language understandable to parents, if practical.

Scheduling for Parents' Convenience

The district shall, to the extent possible, schedule activities for parent involvement at times and places accessible to parents of Title I students and provide information in a format and language the parents understand.

Annual Evaluation

The district shall conduct, with involvement of parents, an annual evaluation of the contents and effectiveness of the parental involvement policy IDAD. The district shall use the findings of the evaluation to design strategies for more effective parental involvement and to revise, if necessary, the policy IDAD.

Proposed changes (if any) made to policy IDAD:

Administrators and other school employees present:

Name	Title/Position	Building

Copies to: Clerk of the Board; Superintendent of Schools; School Principal

Approved by Board of Education as Policy/Regulation: _____(date)

ADOPTED 7-14-14

POLICY B-46
SPECIAL EDUCATION SERVICES

In accordance with the provisions of federal and state law, it is the policy of this district to provide a free appropriate public education for every exceptional child (as defined by K.S.A. 72-962) who is a resident of this district or attends a private or parochial school located in this district. Special education services are provided for such children, including individual educational programs offered in the least restrictive environment.

Child Find, Identification, and Eligibility

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

Actions and Due Process for Students

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

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

APPROVED 2-8-16

POLICY B-46.1

CLASS-SIZE/CASELOAD LIMITS FOR EXCEPTIONAL STUDENTS

The superintendent shall develop and review class-size/caseload limits for students with exceptionalities.

ADOPTED 7-14-14

POLICY B-47
SECTION 504 ACCOMMODATIONS FOR STUDENTS

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

POLICY B-48
STUDENT PRIVACY POLICY

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

Student Data Restrictions

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

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

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

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

- The purpose, scope, and duration of the data-sharing agreement;
- The recipient of student data use such as information solely for the purposes specified in agreement;
- The recipient shall comply with data access, use, and security restrictions specifically described in agreement;
- The student data shall be destroyed when no longer necessary for purposes of the data-sharing agreement upon expiration of the agreement, whichever comes first; however, a service provider engaged to perform a function of instruction may be allowed to retain student transcripts as required by applicable laws and rules and regulations. Destruction shall comply with the NISTSP800-88 standards of data destruction.

Unless an adult student or parent or guardian of a minor student provides written consent to disclose personally identifiable student data, student data may only be disclosed to a governmental entity not specified above or any public or private audit, evaluation or research organization if the data is aggregate data.

“Aggregate data” means data collected or reported at the group, cohort, or institutional level, and which contains no personally identifiable student data.

The district may disclose:

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

Student Data Security Breach

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

Biometric Data

The district shall not collect biometric data from a student or use any device or mechanism to assess a student’s physiological or emotional state, unless the adult student or the parent or legal guardian of the minor consents in writing.

“Biometric data” includes measurable biological or behavioral characteristics that can be used for automated recognition of an individual, such as fingerprints, retina and iris patterns, voiceprints, DNA sequence, facial characteristics, and handwriting.

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

- Provision of counseling or psychological services,
- Conducting student threat assessments,
- Completing student disciplinary investigations or hearings, or
- Conducting child abuse investigations.

Select Student Surveys

No test, questionnaire, survey, or examination containing any questions about a student's or the student's parents' or guardians' personal beliefs or practices on issues such as sex, family life, morality, or religion shall be administered to any student unless:

- The parent or guardian is notified in writing; and
- The parent or guardian of the student gives written permission for the student to participate.

Nothing shall prohibit school counselors from providing counseling services, including the administration of tests and forms as part of student counseling services. Any information obtained through such tests or counseling services shall not be stored on any personal mobile electronic device which is not owned by the school district. Storage of such information on personal laptops, tablets, phones, flash drives, external hard drives, or virtual servers not owned by the district is prohibited.

Students may be questioned:

- In the provision of psychological services,
- Conducting of student threat assessments,
- Completing student disciplinary investigations or hearings, or
- Conducting child abuse investigations.

Collection of information in these limited circumstances is permitted without prior written consent of the parent, guardian, or adult student.

WEST ELK USD#282
Annual Notice of Authorized Student Data Disclosures

In accordance with the Student Data Privacy Act and West Elk Board Policy B-48, student data submitted to or maintained in a statewide longitudinal data system may only be disclosed as follows. Such data may be disclosed to:

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

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

- The purpose, scope and duration of the data-sharing agreement;
- The recipient of student data uses such information solely for the purposes specified in agreement;
- The recipient shall comply with data access, use, and security restrictions specifically described in agreement; and
- The student data shall be destroyed when no longer necessary for purposes of the data-sharing agreement or upon expiration of the agreement, whichever occurs first; however a service provider engaged to perform a function of instruction may be allowed to retain student transcripts as required by applicable laws and rules and regulations.

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

The district may disclose:

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

As an adult student or the parent or legal guardian of: _____

_____, I acknowledge that I have been provided notice of authorized student data disclosures under the Student Data Privacy Act.

Adult Student/Parent/Legal Guardian Signature

Date

POLICY B-48A
PROTECTION OF PUPIL RIGHTS AMENDMENT: REGULATION USD #282

Surveys: Parental Inspection Rights

Parents shall have the right to inspect any survey created by a third party before it is administered or distributed to students in the school. Prior to distribution, parents shall have the right to inspect any survey that seeks information about: political affiliations or beliefs of the student or the student's parent/legal guardian; mental or psychological problems of the student or the student's family; sex behavior or attitudes; illegal, anti-social, self-incriminating, or demeaning behavior; critical appraisals of other individuals with whom respondents have close family relationships; legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers; religious practices, affiliations, or beliefs of the student or student's parents/legal guardians; or income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).

Written Permission Required

If such survey is funded in whole or in part by federal funds or if the survey concerns the student's or student's parents'/guardians' beliefs or practices on sex, family life, morality, or religion, shall not be administered without providing notice to and the express consent of a parent or guardian. If the survey is not federally funded and does not cover the aforementioned topics, parents must be given direct notification of the survey, and be provided with an opportunity to opt their child out of the survey. If the survey is part of the curriculum, parents shall have the right to inspect any instructional materials used in conjunction with the survey.

Physical Examination

Prior to the administration of any non-emergency, invasive physical examination or screening that is required as a condition of attendance, administered by the school, scheduled by the school in advance and not necessary to protect the immediate health and safety of the student, the school shall provide parents with notice of the activity and provide parents with an opportunity to opt their child out of the activity. This requirement does not apply to routine dental, hearing, and vision screenings required under Kansas law.

Parental Rights: Marketing Information

If the school collects, discloses, or uses personal information from students for the purpose of marketing or selling that information, parents shall have the right to inspect any instrument used for the collection of such information before it is administered or distributed to students in the school. Parents shall be provided with notice of such activities, and provided with an opportunity to opt their child out of the activity. The requirements concerning activities involving the collection and disclosure of personal information from students for marketing purposes do not apply to the collection, disclosure, or use of personal information collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for or to students or educational institutions, such as the following:

1. College or other postsecondary education recruitment, or military recruitment;
2. Book clubs, magazines, and programs providing access to low-cost literary products;
3. Curriculum and instructional materials used by elementary schools and secondary schools;
4. Test and assessments used by elementary schools and secondary schools to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students;
5. The sale by students of products or services to raise funds for school-related or education-related activities;
6. Student recognition programs.

Release of Information—FERPA Rights

Unless the information collected from students is designated as directory information and is maintained outside of a statewide longitudinal student data system, no information gathered about students shall be released to third parties without the express written consent of the parent or eligible student.

POLICY B49
PILOT PROJECTS

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

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

Pilot Project Evaluation

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

Student Surveys

Except as provided in Board policy B48 with regard to surveys about a student's or the student's parents' or guardians' personal beliefs or practices on issues such as sex, family life, morality or religion, any instrument designed to survey students, either by district staff or by an outside agency or individual, shall be made available for inspection by parents or guardians before the survey is administered.

POLICY B-50
ACCOMMODATING STUDENTS WITH DIABETES

As used in this policy, diabetes management and treatment plan means a plan prepared and implemented for a student with diabetes which is prescribed by a physician licensed to practice medicine and/or surgery; a certified, advanced registered nurse practitioner who has authority to prescribe drugs; or a licensed physician assistant who has authority to prescribe drugs pursuant to a written protocol with a responsible physician.

Student Eligibility

Self-care of diabetes may be allowed for students in grades K – 12. To be eligible, a student shall meet all requirements of this policy.

Parents or guardians shall submit a written diabetes management and treatment plan from the student's health care provider.

The student shall provide written authorization from the student's health care provider and parent or guardian stating the student has been instructed on managing and caring for his/her diabetes, and is authorized to do so in school. An annual written renewal of parental authorization for the self-care of diabetes shall be required.

While at school, each student capable of managing and caring for the student's diabetes will be allowed to:

- Perform blood glucose level checks;
- Administer insulin through the delivery system the student uses;
- Treat hypoglycemia and hyperglycemia;
- Possess the supplies or equipment necessary to monitor and care for his/her diabetes; and
- Otherwise attend to the management and care of the student's diabetes in the classroom, in any area of the school, on school grounds, or at any school-related activity.

Notwithstanding the above, the district reserves the right to put reasonable place and manner of treatment procedural safeguards in place for the safe and non-disruptive exercise of such rights by a student with diabetes.

Employee Immunity

The board and its employees and agents, who authorize the self-administration of medication and treatment for diabetes in compliance with the provision of this policy, shall not be liable in any action for any injury resulting from the self-

administration of medication. The district shall provide written notification to the parent or guardian of a student for whom this policy is applicable that the board and its employees and agents are not liable for any injury resulting from the self-administration of medication. The parent or guardian shall sign such notice and acknowledge that the district incurs no liability for any injury resulting from the self-administration of medication and agrees to indemnify and hold the board and its employees and agents harmless against any claims relating to the self-administration of medication pursuant to this policy.

It is the practice of the school district to develop a Section 504-Health Care Plan for all students with diabetes. Any treatment of procedural needs of the student not covered in this policy will be individually addressed in the Plan and approved by the parent, student (if age appropriate) and school administration.