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PATON-CHURDAN COMMUNITY SCHOOL DISTRICT
POLICY MANUAL

INTRODUCTION

This policy manual contains the policies of the board of directors of the Paton-Churdan Community School District. Policy development is a dynamic, ongoing process. New problems, issues, and needs give rise to the continuing need to develop new policies or to revise existing ones. The use of a loose-leaf manual is to make it easier to keep the policy manual up-to-date.

Each person holding a copy of this manual has a duty to keep the manual current as the central administration office distributes new and revised policies.

How To Use This Policy Manual

The Paton-Churdan Community School District operates according to policies established by its board of directors. The board develops policies after careful deliberation, and the school administration implements them through specific regulations and procedures. The board reviews and evaluates its policies and makes revisions as necessary.

The manual is organized according to a numeric codification system. There are nine major classifications bearing a numeric Series Code.

100 SCHOOL DISTRICT
200 BOARD OF DIRECTORS
300 ADMINISTRATION
400 EMPLOYEES
500 STUDENTS
600 EDUCATION PROGRAM
700 NONINSTRUCTIONAL OPERATIONS AND BUSINESS SERVICES
800 BUILDINGS AND SITES
900 SCHOOL DISTRICT-COMMUNITY RELATIONS

Sub classifications under each numeric Series are based on a logical sequence and coded by the sub classification numeric code.

The index pages that follow each tab present the policies included in that Series. These index pages serve as a table of contents for each Series.

PATON-CHURDAN COMMUNITY SCHOOL DISTRICT
POLICY MANUAL

INTRODUCTION

How To Find A Policy

There are two ways to find a policy. The first is to review the nine Series and determine which section the policy may be in. By turning to that Series, you can review the table of contents to determine whether the policy is included. If the policy is included, you can turn to the policy by finding the correct code number in the upper right hand corner of the policy.

The second way to find a policy is to look up the policy in the alphabetical index found under the tab entitled "Index" at the end of the manual. It will direct you to the Series and the policy code number. Again, you can turn to the policy by finding the correct code number in the upper right hand corner of the policy.

How To Read The Signs And Symbols

A variety of signs and symbols are used in concert with the numeric codification system. These are explained below:

-R	This symbol following a policy code number indicates the statement is an administrative regulation rather than a board policy.
-E	This symbol following a policy code number indicates the statement is an exhibit rather than a board policy.
Legal Reference	This sign indicates the legal references. They tell the user where the user may find the statutes, case law, attorney general opinions, administrative rules that give authority to a policy
Cross Reference	Many policies in the manual relate to other policies in the manual. Cross references are to assist the user in finding all of the related policies.

SCHOOL DISTRICT
Series 100

100 Legal Status of the School District

101 Educational Philosophy of the School District

102 Equal Educational Opportunity
- 102.E1 Section 504 Notice of Nondiscrimination
- 102.E2 Grievance Form for Complaints of Discrimination or Non-Compliance with Federal or State Regulations Requiring Non-Discrimination
- 102.E3 Grievance Documentation
- 102.E4 Section 504 Student and Parental Rights
- 102.R1 Grievance Procedure

103 Long-Range Needs Assessment
- 103.R1 Long-Range Needs Assessment

104 Anti-Bullying/Harassment
- 104.E1 Anti-Bullying/Harassment Complaint Form
- 104.E2 Witness Disclosure Form
- 104.E3 Anti-Bullying/Harassment Disposition Complaint Form
- 104.R1 Anti-Bullying/Harassment Investigation Procedures

LEGAL STATUS OF THE SCHOOL DISTRICT

Iowa law authorizes the creation of a Common Schools System. As part of this Common Schools System, this school district is a school corporation created and organized under Iowa law. This school district shall be known as the Paton-Churdan Community School District.

This school corporation is located in Greene County, and its affairs are conducted by elected school officials, the Paton-Churdan Community School District Board of Directors. This school corporation has exclusive jurisdiction over school matters in the territory of the school district.

Legal Reference: Iowa Code §§ 274.1, .2, .6, .7; 278.1(9); 279.8; 594A (2009).

Cross Reference: 200 Legal Status of the Board of Directors

EDUCATIONAL PHILOSOPHY OF THE SCHOOL DISTRICT

As a school corporation of Iowa, the Paton-Churdan Community School District, acting through its board of directors, is dedicated to promoting an equal opportunity for a quality public education to its students within the limitations of the school district's ability and willingness to furnish financial support to provide for students in cooperation with their parents and the school district community, the opportunity to develop a healthy social, intellectual, emotional, and physical self-concept in a learning environment that provides guidance to and encourages critical thinking in the students for a lifetime.

The board endeavors through the dedication of the school district's resources, to encourage students, who come to the school district from a variety of backgrounds, to look forward to the time when they will have jobs, homes, families, places in the school district community, and attain recognition as individuals. In order to achieve this goal, the board will seek qualified employees dedicated to development of their professional skills for the betterment of the education program and for the expertise for educational productivity.

Instruction and curriculum are the key elements of a public education. Critical thinking and problem solving skills that will assist the students' preparation for life shall be instructed as part of a sequentially coordinated curriculum. The school district strives to prepare students for employment, to discover and nurture creative talent and to prepare them to meet and cope with social change in an atmosphere conducive to learning.

The support and involvement of the home and the school district community are essential to achieve educational excellence in the school district. The school district strives to maintain an active relationship with the home and the school district community to create within the students an awareness of dignity and worth of the individual, civic responsibility and respect for authority.

EDUCATIONAL OBJECTIVE

I. OUR FRAME OF REFERENCE

We believe that the school as a public institution should provide in so far as possible:

- A well-qualified and efficient corps of teachers.
- A physical plant and equipment adequate to meet the most exacting need of every learner.
- A caring and effective learning atmosphere.
- An educational leadership which courageously and ably leads to continuous improvement of the school.

II. OBJECTIVES OF EDUCATION IN THE SCHOOL DISTRICT

The School District is looked upon as an ever-changing social community where young people live. Here they are provided opportunities to determine and work toward goals that are purposeful and significant to them. They are given experiences designed to develop their talents and characteristics, experiences essential to a well-rounded life. Subject matter is thought of in terms of units of living and learning.

We believe that in every experience the whole child must be considered: the complete mental, physical, emotional, and social being.

In teaching we must identify the child's abilities and provide challenges according to his/her abilities, needs, interests, and rate of growth.

A. Objectives for Intellectual Development

In order that each student may achieve the maximum benefit from his/her talents, it is essential:

- To provide him/her with experiences that will give them a desire to learn and a desire to search for truth.
- To provide him/her with the fundamental educational processes of reading, writing, spelling, speaking the English language proficiently and actively listening.
- To assist him/her in developing logical thinking ability order to solve mathematical problems.
- To develop the ability to use a variety of informational resources.
- To develop the ability to use critical and creative thinking skills.
- To help him/her cultivate their ability to observe, listen, and communicate.
- To assist him/her in acquiring skills in science so that he/she can both experience and analyze his/her environment.
- To provide an opportunity for learning a second language.

B. Objectives of Physical Development

In order to develop the students' physical well being, it is essential for the school:

- To provide for the students activities which will promote individual and team skills, grace and poise, a sense of rhythm, and body coordination.

To place students in situations which encourage individual self-confidence, sociability, initiative, self-direction and a feeling of belonging.

C. Objectives for the Development of Civic Responsibility

In order that our students may learn that the rights of citizenship carry an equal civic responsibility, it is essential:

- To give immediate and continuing attention to the promotion of individual, communal and global peace.
- To lead him/her in acquiring attitudes of tolerance and desire for understanding.
- To assist him/her in seeking opportunities to develop qualities of good leadership.
- To assist him/her in learning to operate cooperatively as a working democracy where he/she can be taught respect for law, for civic duties, and for honest differences of opinion.
- To expose him/her to the procedures of democratic government and U.S. history, offering them insight into the events that shaped our current policies.
- To help them understand the basic elements of various cultures and world governments.

D. Objectives for Developing Positive Social Relationships

In order that young people develop personal health practices, which help maintain the body and promote overall wellness, it is essential:

- To expose him/her to facts of health and disease, including practices, which prevent illness and maintain health.
- To foster in him/her a recognition of the relationship between humans and their environment.
- To assist him/her in developing a positive self-concept.
- To assist him/her in living in a manner which promotes personal well-being.
- To help him/her pursue leisure time activities which promote physical fitness and relieve mental and emotional tension.
- To educate him/her to the dangers of substance abuse.

E. Objectives for the Development of Life Skills

In order that young people may acquire a sense of economic accountability and productive efficiency, in our technological and ever-changing society, it is essential for the school:

- To provide training for him/her to become intelligent consumers as well as efficient producers.
- To help him/her understand the requirements and opportunities of various occupations through career education.
- To help him/her recognize the dignity of occupation in all fields.
- To help him/her become an efficient and creative worker and enjoy the satisfaction that comes from good workmanship.

- To provide him/her guidance in choosing an occupation best suited to their individual aptitudes and potential, and provide opportunities to develop skills with which they can achieve, maintain, and improve efficiency.

- To provide him/her the opportunity to receive training for college entrance and/or exploratory education in the various vocational areas.

- To help him/her gain an appreciation of the interdependence of workers.

- To assist him/her in developing individual fiscal responsibility.

F. Objectives for the Development of Appreciation for the Fine Arts in as much as the literary, dramatic, musical, and visual arts are the truest expression of the human spirit, it is essential for the school:

- To expose him/her to the appreciation of dramatic visual and musical arts.

- To expose him/her to the craft of artistic expression.

- To encourage and expect him/her to express him/herself creatively.

- To enlighten him/her to the importance of the preservation of the fine arts, ensuring future generations the opportunity to enjoy the same.

- To assist him/her in cultivating an appreciation of the artistic expressions of various cultures.

Legal Reference: Iowa Code §§ 256.11, .11A; 275.1 (2009).

Cross Reference: 102 Equal Educational Opportunity
103 Educational and Operational Planning
209 Board of Directors' Management Procedures
600 Goals and Objectives of the Education Program
602 Curriculum Development

EQUAL EDUCATIONAL OPPORTUNITY

The board will not discriminate in its educational activities on the basis of age, race, color, national origin, creed, socio-economic status, religion, sex, physical or mental ability/disability, ancestry, political party preference, political belief, familial status, sexual orientation, gender identity, physical attributes, or marital status.

The board requires all persons, agencies, vendors, contractors and other persons and organizations doing business with or performing services for the school district to subscribe to all applicable federal and state laws, executive orders, rules and regulations pertaining to contract compliance and equal opportunity.

The board is committed to the policy that no otherwise qualified person will be excluded from educational activities on the basis of age, race, color, national origin, creed, socio-economic status, religion, sex, physical or mental ability/disability, ancestry, political party preference, political belief, familial status, sexual orientation, gender identity, physical attributes, or marital status .

Further, the board affirms the right of all students and staff to be treated with respect and to be protected from intimidation, discrimination, physical harm and harassment.

Note: The grievance procedure is mandatory. The classes listed are all mandatory. For more detailed discussion of this issue, see IASB's Policy Primer, Vol. 19 #10 – June 8, 2007.

Legal Reference:
20 U.S.C. §§ 1221 *et seq.* (2006).
20 U.S.C. §§ 1681 *et seq.* (2006).
20 U.S.C. §§ 1701 *et seq.* (2006).
29 U.S.C. § 794 (2006).
42 U.S.C. §§ 12101 *et seq.* (2006).
34 C.F.R. Pt. 100 (2006).
34 C.F.R. Pt. 104 (2006).
Iowa Code §§ 216.9; 256.11, 280.3 (2009).
281 I.A.C. 12.

Cross Reference:
101 Educational Philosophy of the School District
401.1 Equal Employment Opportunity
500 Objectives for Equal Educational Opportunities for Students
506.1 Student Records

SECTION 504 NOTICE OF NONDISCRIMINATION

Students, parents, employees and others doing business with or performing services for the Paton-Churdan Community School District are hereby notified that this school district does not discriminate on the basis of race, color, creed, age, national origin, class of religion, sex, sexual orientation, gender identity, marital status or disability in admission or access to, or treatment in, its programs and activities. Any person having inquiries concerning the school district's compliance with the regulations implementing Title VI, Title VII, Title IX, the Americans with Disabilities Act (ADA), § 504 or Iowa Code § 280.3 is directed to contact:

(Title) Superintendent
(where located) 606 Adrian Street Churdan, IA 50050

(telephone number) 5153893111

who has been designated by the school district to coordinate the school district's efforts to comply with the regulations implementing Title VI, Title VII, Title IX, the ADA, § 504 and Iowa Code 280.3.

GRIEVANCE FORM FOR COMPLAINTS OF DISCRIMINATION OR NON-COMPLIANCE WITH FEDERAL OR STATE REGULATIONS REQUIRING NON-DISCRIMINATION

I,_____, am filing this grievance because

(Attach additional sheets if necessary)

Describe incident or occurrence as accurately as possible:

(Attach additional sheets if necessary)

Signature		
Address		
Phone Number		
If student, name		Grade Level
Attendance center		

PATON-CHURDAN POLICY REFERENCE MANUAL

GRIEVANCE DOCUMENTATION

Name of Individual Alleging Discrimination or Non-Compliance

Name	
Grievance Date	

State the nature of the complaint and the remedy requested.

Indicate Principal's or Supervisor's response or action to above complaint.

Signature of Principal or Supervisor

SECTION 504 STUDENT AND PARENTAL RIGHTS

The Paton-Churdan Community School District does not discriminate in its educational programs and activities on the basis of a student's disability. It has been determined that your child has a qualifying disability for which accommodations may need to be made to meet his or her individual needs as adequately as the needs of other students. As a parent, you have the right to the following:

- participation of your child in school district programs and activities, including extracurricular programs and activities, to the maximum extent appropriate, free of discrimination based upon the student's disability and at the same level as students without disabilities;

- receipt of free educational services to the extent they are provided students without disabilities:

- receipt of information about your child and your child's educational programs and activities in your native language;

- notice of identification of your child as having a qualifying disability for which accommodations may need to be made and notice prior to evaluation and placement of your child and right to periodically request a re-evaluation of your child;

- inspect and review your child's educational records including a right to copy those records for a reasonable fee; you also have a right to ask the school district to amend your child's educational records if you feel the information in the records is misleading or inaccurate; should the school district refuse to amend the records, you have a right to a hearing and to place an explanatory letter in your child's file explaining why you feel the records are misleading or inaccurate;

- hearing before an impartial hearing officer if you disagree with your child's evaluation or placement; you have a right to counsel at the hearing and have the decision of the impartial hearing officer reviewed.

Inquiries concerning the school district's compliance with the regulations implementing Title VI, Title IX, the Americans with Disabilities Act (ADA), § 504 or Iowa Code § 280.3 should be directed to:

(Title)	Superintendent
(Where located)	606 Adrian Street Churdan, IA 50050
(Telephone No.)	5153893111

who has been designated by the school district to coordinate the school district's efforts to comply with the regulations implementing Title VI, Title IX, the ADA, § 504 and Iowa Code 280.3.

GRIEVANCE PROCEDURE

Students, parents of students, employees, and applicants for employment in the school district shall have the right to file a formal complaint alleging discrimination under federal or state regulations requiring non-discrimination in programs and employment.

Level One - Principal or Immediate Supervisor

Employees with a complaint of discrimination based upon their gender, race, national origin, religion, age or disability are encouraged to first discuss it with their immediate supervisor, with the objective of resolving the matter informally. An applicant for employment with a complaint of discrimination based upon race, color, creed, age, national origin, class of religion, sex, sexual orientation, gender identity, marital status or disability with the personnel contact person.

A student, or a parent of a student, with a complaint of discrimination based upon their race, color, creed, age, national origin, class of religion, sex, sexual orientation, gender identity, marital status or disability are encouraged to discuss it with the instructor, counselor, supervisor, building administrator, program administrator or personnel contact person directly involved.

Level Two - Compliance Officer

If the grievance is not resolved at level one and the grievant wishes to pursue the grievance, the grievant may formalize it by filing a complaint in writing on a Grievance Filing Form, which may be obtained from the Compliance Officer. The complaint shall state the nature of the grievance and the remedy requested. The filing of the formal, written complaint at level two must be within 15 working days from the date of the event giving rise to the grievance, or from the date the grievant could reasonably become aware of such occurrence. The grievant may request that a meeting concerning the complaint be held with the Compliance Officer. A minor student may be accompanied at that meeting by a parent or guardian. The Compliance Officer shall investigate the complaint and attempt to resolve it. A written report from the Compliance Officer regarding action taken will be sent to the involved parties within a reasonable time after receipt of the complaint.

Level Three - Superintendent

If the complaint is not resolved at level two, the grievant may appeal it to level three by presenting a written appeal to the superintendent within five working days after the grievant receives the report from the Compliance Officer, the grievant may request a meeting with the superintendent. The superintendent may request a meeting with the grievant to discuss the appeal. A decision will be rendered by the superintendent within a reasonable time after the receipt of the written appeal. If, in cases of disability grievances at the elementary and secondary level, the issue is not resolved through the grievance process, rather, the parents have a right to an impartial hearing to resolve the issue.

This procedure in no way denies the right of the grievant to file formal complaints with the Iowa Civil Rights Commission, the U.S. Department of Education Office for Civil Rights, the Equal Employment Opportunity Commission, or the Iowa Department of Education for mediation or rectification of civil rights grievances, or to seek private counsel for complaints alleging discrimination.

Level Four - Appeal to Board

If the grievant is not satisfied with the superintendent's decision, the grievant can file an appeal with the board within five working days of the decision. It is within the discretion of the board to determine whether it will hear the appeal.

The Compliance Officer is:

Name;	Principal
Office Address:	606 Adrian Street Churdan, IA 50050
Phone Number:	515-389-3111
Office Hours:	8:00 AM – 4:00 PM during days when school is in session

Code No. 103

LONG-RANGE NEEDS ASSESSMENT

Long-range needs assessment enables the school district to analyze assessment data, get feedback from the community about its expectation of students and determine how well students are meeting student learning goals. The board will conduct ongoing and in-depth needs assessment, soliciting information from business, labor, industry, higher education and community members, regarding their expectations for adequate student preparation.

In conjunction with the in-depth needs assessment of the school district, the board will authorize the appointment of a committee, representing administrators, employees, parents, students and community members, to make recommendations and assist the board in determining the priorities of the school district in addition to the basic skills areas of the education program.

Opportunities for local feedback are provided through district surveys, community school improvement meetings, community-based curriculum study groups, advisory committees and parent teacher conferences.

It is the responsibility of the superintendent to ensure the school district community is informed of students' progress on state and locally determined indicators. The superintendent will report annually to the board about the means used to keep the community informed.

As a result of the board and committee's work, the board will determine major educational needs and rank them in priority order; develop long-range goals and plans to meet the educational needs; establish and implement short-range and intermediate-range plans to meet the goals and to attain the desired levels of student performance; evaluate progress toward meeting the goals and maintain a record of progress under the plan that includes reports of student performance and results of school improvement projects; and annually report the school district's progress made under the plan to the committee, community and Iowa Department of Education.

Legal Reference: Iowa Code §§ 21; 256.7; 280.12 (2009).
281 I.A.C. 12.8(1)(b).

Cross Reference:
101 Educational Philosophy of the School District
200 Legal Status of the Board of Directors
208 Committees of the Board of Directors
603.1 Basic Instruction Program
801.1 Buildings and Sites Long Range Planning
801.2 Buildings and Sites Surveys

LONG-RANGE NEEDS ASSESSMENT

The school district's long-range needs assessment process includes these items:

- *provisions for collecting, analyzing and reporting information derived from local, state and national sources;*
- *provisions for reviewing information acquired on the following:*
  - *state indicators and other locally determined indicators,*
  - *locally established student learning goals,*
  - *specific data collection required by state and federal programs;*
- *provisions for collecting and analyzing assessment data on the following:*
  - *state indicators,*
  - *locally determined indicators,*
  - *locally established student learning goals.*

ANTI-BULLYING/HARASSMENT POLICY

Harassment and bullying of students and employees are against federal, state and local policy, and are not tolerated by the board. The board is committed to providing all students with a safe and civil school environment in which all members of the school community are treated with dignity and respect. To that end, the board has in place policies, procedures, and practices that are designed to reduce and eliminate bullying and harassment as well as processes and procedures to deal with incidents of bullying and harassment. Bullying and harassment of students by other students, by school employees, and by volunteers who have direct contact with students will not be tolerated in the school or school district.

The board prohibits harassment, bullying, hazing, or any other victimization, of students, based on any of the following actual or perceived traits or characteristics, including but not limited to age, race, color, national origin, creed, socio-economic status, religion, sex, physical or mental ability/disability, ancestry, political party preference, political belief, familial status, sexual orientation, gender identity, physical attributes, or marital status.

Harassment against employees based upon the employee's age, race, color, national origin, creed, socio-economic status, religion, sex, physical or mental ability/disability, ancestry, political party preference, political belief, familial status, sexual orientation, gender identity, physical attributes, or marital status is also prohibited.

This policy is in effect while students or employees are on property within the jurisdiction of the board; while on school-owned or school-operated vehicles; while attending or engaged in school-sponsored activities; and while away from school grounds if the misconduct directly affects the good order, efficient management and welfare of the school or school district.

If, after an investigation, a student is found to be in violation of this policy, the student shall be disciplined by appropriate measures, which may include suspension or expulsion. If after an investigation a school employee is found to be in violation of this policy, the employee shall be disciplined by appropriate measures, which may include, termination. If after an investigation a school volunteer is found to be in violation of this policy, the volunteer shall be subject to appropriate measures which may include, exclusion from school grounds. "Volunteer" means an individual who has regular, significant contact with students.

When looking at the totality of the circumstances, harassment and bullying mean any electronic, written, verbal, or physical act or conduct toward a student which is based on any actual or perceived trait or characteristic of the student and which creates an objectively hostile school environment that meets one or more of the following conditions:

- Places the student in reasonable fear of harm to the student's person or property;
- Has a substantially detrimental effect on the student's physical or mental health;
- Has the effect of substantially interfering with the student's academic performance; or
- Has the effect of substantially interfering with the student's ability to participate in or benefit from the services, activities, or privileges provided by a school.

"Electronic" means any communication involving the transmission of information by wire, radio, optical cable, electromagnetic, or other similar means. "Electronic" includes but is not limited to communication via electronic mail, internet-based communications, pager service, cell phones, electronic text messaging or similar technologies.

ANTI-BULLYING/HARASSMENT POLICY

Harassment and bullying may include, but are not limited to, the following behaviors and circumstances:

- Repeated remarks of a demeaning nature
- Implied or explicit threats concerning one's grades, achievements, property, etc
- Demeaning jokes, stories, or activities directed at the student; and/or
- Unreasonable interference with a student's performance.

Sexual harassment of a student by an employee means unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature when:

- Submission to the conduct is made either implicitly or explicitly a term or condition of the student's education or benefits;
- Submission to or rejection of the conduct is used as the basis for academic decisions affecting that student; or
- The conduct has the purpose or effect of substantially interfering with the student's academic performance by creating an intimidating, hostile, or offensive education environment.

In situations between students and school officials, faculty, staff, or volunteers who have direct contact with students, bullying and harassment may also include the following behaviors:

- Requiring that a student submit to bullying or harassment by another student, either explicitly or implicitly, as a term or condition of the targeted student's education or participation in school programs or activities; and/or
- Requiring submission to or rejection of such conduct as a basis for decisions affecting the student.

Any person who promptly, reasonably, and in good faith reports an incident of bullying or harassment under this policy to a school official, shall be immune from civil or criminal liability relating to such report and to the person's participation in any administrative, judicial, or other proceeding relating to the report. Individuals who knowingly file a false complaint may be subject to appropriate disciplinary action.

Retaliation against any person, because the person has filed a bullying or harassment complaint or assisted or participated in a harassment investigation or proceeding, is also prohibited. Individuals who knowingly file false harassment complaints and any person who gives false statements in an investigation shall be subject to discipline by appropriate measures, as shall any person who is found to have retaliated against another in violation of this policy. Any student found to have retaliated in violation of this policy shall be subject to measures up to, and including, suspension and expulsion. Any school employee found to have retaliated in violation of this policy shall be subject to measures up to, and including, termination of employment. Any school volunteer found to have retaliated in violation of this policy shall be subject to measures up to, and including, exclusion from school grounds.

ANTI-BULLYING/HARASSMENT POLICY

The school or school district will promptly and reasonably investigate allegations of bullying or harassment. The building principal or guidance counselor or designee will be responsible for handling all complaints by students alleging bullying or harassment. The superintendent or guidance counselor or designee will be responsible for handling all complaints by employees alleging harassment.

It also is the responsibility of the superintendent, in conjunction with the investigator and principals, to develop procedures regarding this policy. The superintendent also is responsible for organizing training programs for students, school officials, faculty, staff, and volunteers who have direct contact with students. The training will include how to recognize harassment and what to do in case a student is harassed. It will also include proven effective harassment prevention strategies. The superintendent will also develop a process for evaluating the effectiveness of the policy in reducing bullying and harassment in the board.

The board will annually publish this policy. The policy may be publicized by the following means:

- Inclusion in the student handbook
- Inclusion in the employee handbook
- Inclusion in the registration materials
- Inclusion on the school or school district's web site

and a copy shall be made to any person at the central administrative office at 606 Adrian Street, Churdan, Iowa 50050.

Legal References:
20 U.S.C. §§ 1221-1234i (2006).
29 U.S.C. § 794 (2006).
42 U.S.C. §§ 2000d-2000d-7 (2006).
42 U.S.C. §§ 12001 *et. seq.* (2006).
Senate File 61, 1st Regular Session, 82nd General Assembly, (2007).
Iowa Code §§ 216.9; 280.3 (2009).
281 I.A.C. 12.3(6).
Morse v. Frederick, 127 S.Ct. 2618 (2007)

Cross References:
502 Student Rights and Responsibilities
503 Student Discipline
506 Student Records

Code No. 104.E1

ANTI-BULLYING/HARASSMENT COMPLAINT FORM

Name of complainant: _____

Position of complainant: _____

Name of student or employee target: _____

Date of complaint: _____

Name of alleged harasser or bully: _____

Date and place of incident or incidents: _____

_____

Nature of Discrimination or Harassment Alleged (Check all that apply)

	Age		Physical Attribute		Sex
	Disability		Political Belief		Sexual Orientation
	Familial Status		Race/Color		Socio-economic Background
	Marital Status		Religion/Creed		Other – Please Specify:
	National Origin/Ethnic Background/Ancestry				

Description of misconduct:

Name of witnesses (if any):

Evidence of harassment or bullying, i.e., letters, photos, etc. (attach evidence if possible):

Any other information:

I agree that all of the information on this form is accurate and true to the best of my knowledge.

Signature:

Date:

Code No. 104.E2

ANTI-BULLYING/HARASSMENT WITNESS DISCLOSURE FORM

Name of witness: _____

Position of witness: _____

Date of testimony, interview: _____

Description of incident witnessed: _____

_____

_____

_____

_____

Any other information: _____

_____

_____

_____

_____

I agree that all of the information on this form is accurate and true to the best of my knowledge.

Signature: _____

Date: ____/____/____

Code No. 104.E3

DISPOSITION OF ANTI-BULLYING/HARASSMENT COMPLAINT FORM

Name of complainant: _____

Name of student or employee target:: _____

Grade and building of student or employee: _____

Name and position or grade of alleged perpetrator /respondent: _____

_____

Date of initial complaint: _____

Nature of discrimination or harassment alleged (Check all that apply)

	Age		Physical Attribute		Sex
	Disability		Political Belief		Sexual Orientation
	Familial Status		Race/Color		Socio-economic Background
	Marital Status		Religion/Creed		Other – Please Specify:
	National Origin/Ethnic Background/Ancestry				

Summary of investigation: _____

_____

_____

I agree that all of the information on this form is accurate and true to the best of my knowledge.

Signature: _____

Date: / /

_____

PATON-CHURDAN POLICY REFERENCE MANUAL

_____

_____

ANTI-BULLYING/HARASSMENT INVESTIGATION PROCEDURES

Individuals who feel that they have been harassed should:

- Communicate to the harasser that the individual expects the behavior to stop, if the individual is comfortable doing so. If the individual wants assistance communicating with the harasser, the individual should ask a teacher, counselor or principal to help.
- If the harassment does not stop, or the individual does not feel comfortable confronting the harasser, the individual should:
  - -- tell a teacher, counselor or principal; and
  - -- write down exactly what happened, keep a copy and give another copy to the teacher, counselor or principal including;
    - o what, when and where it happened;
    - o who was involved;
    - o exactly what was said or what the harasser did;
    - o witnesses to the harassment;
    - o what the student said or did, either at the time or later;
    - o how the student felt; and
    - o how the harasser responded.

COMPLAINT PROCEDURE

An individual who believes that the individual has been harassed or bullied will notify the building principal, the designated investigator. The alternate investigator is the guidance counselor. The investigator may request that the individual complete the Harassment/Bullying Complaint form and turn over evidence of the harassment, including, but not limited to, letters, tapes, or pictures. The complainant shall be given a copy of the completed complaint form. Information received during the investigation is kept confidential to the extent possible.

The investigator, with the approval of the principal, or the principal has the authority to initiate an investigation in the absence of a written complaint.

INVESTIGATION PROCEDURE

The investigator will reasonably and promptly commence the investigation upon receipt of the complaint. The investigator will interview the complainant and the alleged harasser. The alleged harasser may file a written statement in response to the complaint. The investigator may also interview witnesses as deemed appropriate.

Upon completion of the investigation, the investigator will make written findings and conclusions as to each allegation of harassment and report the findings and conclusions to the principal. The investigator will provide a copy of the findings of the investigation to the principal.

ANTI-BULLYING/HARASSMENT INVESTIGATION PROCEDURES

RESOLUTION OF THE COMPLAINT

Following receipt of the investigator's report, the principal may investigate further, if deemed necessary, and make a determination of any appropriate additional steps which may include discipline.

Prior to the determination of the appropriate remedial action, the principal may, at the principal's discretion, interview the complainant and the alleged harasser. The principal will file a written report closing the case and documenting any disciplinary action taken or any other action taken in response to the complaint. The complainant, the alleged harasser and the investigator will receive notice as to the conclusion of the investigation. The principal will maintain a log of information necessary to comply with Iowa Department of Education reporting procedures.

POINTS TO REMEMBER IN THE INVESTIGATION

- Evidence uncovered in the investigation is confidential.
- Complaints must be taken seriously and investigated.
- No retaliation will be taken against individuals involved in the investigation process.
- Retaliators will be disciplined up to and including suspension and expulsion.

CONFLICTS

If the investigator is a witness to the incident, the alternate investigator shall investigate.

BOARD OF DIRECTORS

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Code No. 200.1

ORGANIZATION OF THE BOARD OF DIRECTORS

The Paton-Churdan Community School District board is authorized by and derives its organization from Iowa law. The board shall consist of 5 board members. Board members shall be elected at large.

The board is organized for the purpose of setting policy and providing general direction for the school district. The board shall hold its organizational meeting each year at the first regular meeting following the canvass of votes. The retiring board shall transfer materials, including the board policy manual, and responsibility to the new board.

The organizational meeting allows the outgoing board to approve minutes of its previous meetings, complete unfinished business and review the school election results. The retiring board shall adjourn and the new board shall then begin. The board secretary/treasurer will administer the oath of office to the newly-elected board members. The secretary/treasurer will preside while the new board elects the president of the new board.

Legal Reference: Iowa Code §§ 274.2; 275.23A; 277.23, .28, .31; 279.1, .5, .7, .8,. (2009).
281 I.A.C. 12.3(2).

Cross Reference: 202 Board of Directors Members
206.1 President
206.2 Vice President
210 Board of Directors' Meetings

Code No. 200.2

POWERS OF THE BOARD OF DIRECTORS

The board of the Paton-Churdan Community School District, acting on behalf of the school district, shall have jurisdiction over school matters within the territory of the school district.

The board is empowered to make policy for its own governance, for employees, for students and for school district facilities. The board is also empowered to enforce its policies. The board may, through its quasi-judicial power, conduct hearings and rule on issues and disputes confronting the school district.

The board has these powers and all other powers expressly granted to it in federal and state law as well as the powers that can be reasonably implied from the express powers.

Legal Reference: Board of Directors of Ind. School Dist. of Waterloo v. Green, 259 Iowa 1260, 147 N.W.2d 854 (1967).
Iowa Code §§ 28E; 274.1-.2; 279.8 (2009).
281 I.A.C. 12.1(2).
1990 Op. Att'y Gen. 66.

Cross Reference: 209 Board of Directors' Management Procedures

Code No. 200.3

RESPONSIBILITIES OF THE BOARD OF DIRECTORS

The board is authorized to govern the school district, which it oversees. As the governing board of the school district, the board has three duties to perform: legislative duty, executive duty and evaluative duty.

As a representative of the citizens of the school district community, the board is responsible for legislating policy for the school district. As a policy making body, the board has jurisdiction to enact policy with the force and effect of law for the management and operation of the school district.

It is the responsibility of the board, under the board's executive duty, to select its chief executive officer, the superintendent, to operate the school district on the board's behalf. The board delegates to the superintendent its authority to carry out board policy, to formulate and carry out rules and regulations and to handle the administrative details in a manner which supports and is consistent with board policy.

The board has a responsibility to review the education program's performance under its evaluative duty. The board regularly reviews the education program and ancillary services. The review includes a careful study and examination of the facts, conditions and circumstances surrounding the amount of funds received or expended and the education program's ability to achieve the board's educational philosophy for the school district.

Legal Reference: Iowa Code §§ 274.1; 279.1, .8, .20; 280.12 (2009).
281 I.A.C. 12.3(2).

Cross Reference: 101 Educational Philosophy of the School District
103 Educational and Operational Planning
209 Board of Directors' Management Procedures
600 Goals and Objectives of the Educational Program

Code No. 201

BOARD OF DIRECTORS' ELECTIONS

The annual school election takes place on the second Tuesday in September of odd numbered years. Each annual school election shall be used to elect at least one citizen to the board to maintain a 5-member board and to address other questions that must be submitted to the voters.

Citizens of the school district community seeking a seat on the board must file their nomination papers with the board secretary, or the board secretary's designee, between sixty-four and forty days before the school election unless otherwise directed.

If a vacancy occurs on the board it may be filled by appointment within thirty days of the vacancy. If the board does not fill the vacancy by appointment, the board secretary shall call a special election to fill the vacancy. Candidates for a seat created by a vacancy must file their nomination papers 25 days before the special election.

It shall be the responsibility of the county commissioner of elections to conduct school elections.

Legal Reference: Iowa Code §§ 39; 47; 63; 69; 274.7; 277; 278.1 279.7(2009).

Cross Reference: 202 Board of Directors Members
203 Board of Directors' Conflict of Interest

Code No. 202.1

QUALIFICATIONS

Serving on the board of directors is an honor and privilege. Its rewards are respect from the community, students, and employees and the satisfaction from knowing each board member contributed to the success of the children in the school district community. Only those who are willing to put forth the effort to care and to make a difference should consider running for a position on the board.

Individuals who are willing to serve on the board believe public education is important, support the democratic process, willingly devote time and energy to board work, respect educators and have the ability to examine the facts and make a decision. The board believes an individual considering a position on the school board should possess these characteristics.

Citizens wanting to run for a position on the board must be a citizen of the school district, an eligible elector of the district and free from a financial conflict of interest with the position.

Legal Reference: Iowa Code §§ 63; 68B; 277.4, .27; 279.7A (2009).

Cross Reference: 201 Board of Directors' Elections
202.4 Vacancies
203 Board of Directors' Conflict of Interest

Code No. 202.2

OATH OF OFFICE

Board members are officials of the state. As a public official, each board member must pledge to uphold the Iowa and the United States Constitution and carry out the responsibilities of the office to the best of the board member's ability.

Each newly-elected board member will take the oath of office prior to any action taken as a school official. The oath of office shall be taken by each new board member elected at the annual school election at or before the organizational meeting of the board. In the event of an appointment or special election to fill a vacancy, the new board member shall take the oath of office within ten days of the appointment or election.

Board members elected to offices of the board shall also take the same oath of office but replacing the office of board member with the title of the office to which they were elected.

The oath of office shall be administered by the board secretary/treasurer and does not need to be given at a board meeting. In the event the board secretary/treasurer is absent, the oath is administered by another board member or the superintendent.

> "Do you solemnly swear that you will support the Constitution of the United States and the Constitution of the state of Iowa, and that you will faithfully and impartially to the best of your ability discharge the duties of the office of _____(naming the office) in_____ (naming the district) as now and hereafter required by law?"

Legal Reference: Iowa Code §§ 277.28; 279.1, .6 (2009).

Cross Reference:

200.1	Organization of the Board of Directors
201	Board of Directors' Elections
202	Board of Directors Members
204	Code of Ethics
206	Board of Directors' Officers

_____ _____ _____

Code No. 202.3

TERM OF OFFICE

Board members elected for a full term at a regularly scheduled school election in September, of odd-numbered years, serve for four years. Board members appointed to fill a vacant position will serve until the next scheduled school election. A board member elected to fill a vacancy will serve out the unexpired term.

Being a board member is a unique opportunity for a citizen to participate on a governing board of the school district. Eligible board members are encouraged to consider running for more than one term.

Legal Reference: Iowa Code §§ 69.12; 274.7; 279.6-.7 (2009).

Cross Reference: 201 Board of Directors' Elections
202 Board of Directors Members

Code No. 202.4

VACANCIES

A vacancy occurs when a board member resigns, forfeits or otherwise leaves the office. A vacancy also includes, but is not limited to, the following: failure to be properly elected, failure to qualify within the time fixed by law, failure to reside in the school district or director district, a court order declaring the seat vacant, conviction of a felony, three violations of the open meetings law, or conviction of a public offense in violation of the oath of office.

If a vacancy occurs prior to the expiration of a term of office, the vacancy shall be filled by board appointment within thirty days of the vacancy. The newly appointed board member shall hold the position until the next scheduled school election. At that time the appointed board member may run for a three year term, if one is available, or run for the remainder of the unexpired term.

If the board is unable to fill a vacancy by appointment within 30 days after the vacancy occurs, the board secretary shall call a special election to be held no sooner than 60 days and not later than 70 days after the vacancy occurred. A board member elected at the special election shall serve the remaining portion of the unexpired term.

Legal Reference:
Good v. Crouch, 397 N.W.2d 757 (Iowa 1986).
Board of Directors of Grimes Independent School Dist. v. County Board of Public Instruction of Polk Co., 257 Iowa 106, 131 N.W.2d 802 (1965).
Board of Directors of Menlo Consol. School Dist. v. Blakesburg, 240 Iowa 910, 36 N.W.2d 751 (1949).
Iowa Code §§ 21.6(3)(d); 69; 277.29-.30; 279.6-.7 (2009).
1944 Op. Att'y Gen. 39.

Cross Reference:
201 Board of Directors' Elections
202 Board of Directors Members

BOARD OF DIRECTORS' CONFLICT OF INTEREST

Board members must be able to make decisions objectively. It is a conflict of interest for a board member to receive direct compensation from the school district, unless exempted in this policy, for anything other than reimbursement of actual and necessary expenses, including travel, incurred in the performance of official duties. A board member will not act as an agent for a school textbook or school supply company doing business with the school district during the board member's term of office. It will not be a conflict of interest for board members to receive compensation from the school district for contracts to purchase goods or services if the benefit to the board member does not exceed $2,500 in a fiscal year or if the contracts are made by the board, upon competitive bid in writing, publicly invited and opened.

The conflict of interest provisions do not apply to a contract that is a bond, note or other obligation of a school corporation if the contract is not acquired directly from the school corporation, but is acquired in a transaction with a third party, who may or may not be the original underwriter, purchaser, or obligee of the contract, or to a contract in which a director has an interest solely by reason of employment if the contract was made by competitive bid, in writing, publicly invited and opened, or if the remuneration for employment will not be directly affected as a result of the contract and duties of employment do not involve any of the preparation or procurement of any part of the contract. The competitive bid section of the conflict of interest provision does not apply to a contract for professional services not customarily competitively bid.

It will also be a conflict of interest for a board member to engage in any outside employment or activity which is in conflict with the board member's official duties and responsibilities. In determining whether outside employment or activity of a board member creates a conflict of interest, situations in which an unacceptable conflict of interest is deemed to exist includes, but are not limited to, any of the following:

(1) The outside employment or activity involves the use of the school district's time, facilities, equipment and supplies or the use of the school district badge, uniform, business card or other evidence of office to give the board member or member of the board member's immediate family an advantage or pecuniary benefit that is not available to other similarly situated members or classes of members of the general public. For purposes of this section, a person is not "similarly situated" merely by being related to a board member.
(2) The outside employment or activity involves the receipt of, promise of, or acceptance of more or other consideration by the board member or a member of the board member's immediate family from anyone other than the state or the school district for the performance of any act that the board member would be required or expected to perform as part of the board member's regular duties or during the hours in which the board member performs service or work for the school district.
(3) The outside employment or activity is subject to the official control, inspection, review, audit, or enforcement authority of the board member, during the performance of the board member's duties of office or employment.

If the outside employment or activity is employment or activity in (1) or (2) above, the board member must cease the employment of or activity. If the activity or employment falls under (3), then the board member must:

BOARD OF DIRECTORS' CONFLICT OF INTEREST

- Cease the outside employment or activity; or,
- Publicly disclose the existence of the conflict and refrain from taking any official action or performing any official duty that would detrimentally affect or create a benefit for the outside employment or activity. Official action or official duty includes, but is not limited to, participating in any vote, taking affirmative action to influence any vote, or providing any other official service or thing that is not available generally to members of the public in order to further the interests of the outside employment or activity.

It is the responsibility of each board member to be aware of an actual or potential conflict of interest. It is also the responsibility of each board member to take the action necessary to eliminate such a conflict of interest. Should a conflict of interest arise, a board member should not participate in any action relating to the issue from which the conflict arose.

Legal Reference: Iowa Code §§ 39.1, .2; 68B, 71.1; 277.27; 279.7A; 301.28 (2009).
1990 Op. Att'y Gen. 37.
1988 Op. Att'y Gen. 21.
1986 Op. Att'y Gen. 10.
1984 Op. Att'y Gen. 23.
1982 Op. Att'y Gen. 302.
1978 Op. Att'y Gen. 295.
1976 Op. Att'y Gen. 89.
1974 Op. Att'y Gen. 137.
1936 Op. Att'y Gen. 237.

Cross Reference: 201 Board of Directors' Elections
202.1 Qualifications
204 Code of Ethics
216.3 Board of Directors' Member Compensation and Expenses
217 Gifts to Board of Directors
401.3 Nepotism

Code No. 204

CODE OF ETHICS

Board members' actions, verbal and nonverbal, reflect the attitude and the beliefs of the school district. Therefore, board members must conduct themselves professionally and in a manner fitting to their position.

Each board member shall follow the code of ethics stated in this policy.

AS A SCHOOL BOARD MEMBER:

1. I will listen.
2. I will respect the opinion of others.
3. I will recognize the integrity of my predecessors and associates and the merit of their work.
4. I will be motivated only by an earnest desire to serve my school district and the children of my school district community in the best possible way.
5. I will not use the school district or any part of the school district program for my own personal advantage or for the advantage of my friends or supporters.
6. I will vote for a closed session of the board if the situation requires it, but I will consider "star chamber" or "secret" sessions of board members unethical.
7. I will recognize that to promise in advance of a meeting how I will vote on any proposition, which is to be considered is to close my mind and agree not to think through other facts and points of view, which may be presented in the meeting.
8. I will expect, in board meetings, to spend more time on education programs and procedures than on business details.
9. I will recognize that authority rests with the board in legal session and not with individual members of the board, except as authorized by law.
10. I will make no disparaging remarks, in or out of the board meeting, about other members of the board or their opinions.
11. I will express my honest and most thoughtful opinions frankly in board meetings in an effort to have decisions made for the best interests of the children and the education program.
12. I will insist that the members of the board participate fully in board action and recommend that when special committees are appointed, they serve only in an investigative and advisory capacity.

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CODE OF ETHICS

13. I will abide by majority decisions of the board.
14. I will carefully consider petitions, resolutions and complaints and will act in the best interests of the school district.
15. I will not discuss the confidential business of the board in my home, on the street or in my office; the place for such discussion is the board meeting.
16. I will endeavor to keep informed on local, state and national educational developments of significance so I may become a better board member.

IN MEETING MY RESPONSIBILITY TO MY SCHOOL DISTRICT COMMUNITY

1. I will consider myself a trustee of public education and will do my best to protect it, conserve it, and advance it, giving to the children of my school district community the educational facilities that are as complete and adequate as it is possible to provide.
2. I will consider it an important responsibility of the board to interpret the aims, methods and attitudes of the school district to the community.
3. I will earnestly try to interpret the needs and attitudes of the school district community and do my best to translate them into the education program of the school district.
4. I will attempt to procure adequate financial support for the school district.
5. I will represent the entire school district rather than individual electors, patrons or groups.
6. I will not regard the school district facilities as my own private property but as the property of the people.

IN MY RELATIONSHIP WITH SUPERINTENDENT AND EMPLOYEES

1. I will function, in meeting the legal responsibility that is mine, as a part of a legislative, policy-forming body, not as an administrative officer.
2. I will recognize that it is my responsibility, together with that of my fellow board members, to see the school district is properly run and not to run them myself.
3. I will expect the school district to be administered by the best-trained technical and professional people it is possible to procure within the financial resources of the school district.
4. I will recognize the superintendent as executive officer of the board.
5. I will work through the administrative employees of the board, not over or around them.
6. I will expect the superintendent to keep the board adequately informed through oral and written reports.
7. I will vote to employ employees only after the recommendation of the superintendent has been received.

CODE OF ETHICS

8. I will insist that contracts be equally binding on teachers and the board.
9. I will give the superintendent power commensurate with the superintendent's responsibility and will not in any way interfere with, or seek to undermine, the superintendent's authority.
10. I will give the superintendent friendly counsel and advice.
11. I will present any personal criticism of employees to the superintendent.
12. I will refer complaints to the proper administrative officer.

TO COOPERATE WITH OTHER SCHOOL BOARDS

1. I will not employ a superintendent, principal or teacher who is already under contract with another school district without first securing assurance from the proper authority that the person can be released from contract.
2. I will consider it unethical to pursue any procedure calculated to embarrass a neighboring board or its representatives.
3. I will not recommend an employee for a position in another school district unless I would employ the employee under similar circumstances.
4. I will answer all inquiries about the standing and ability of an employee to the best of my knowledge and judgment, with complete frankness.
5. I will associate myself with board members of other school districts for the purpose of discussing school district issues and cooperating in the improvement of the education program.

Legal Reference: Iowa Code §§ 21.6(3)(d); 68B; 69; 277.28; 279.8 (2009).

Cross Reference: 202 Board of Directors Members
203 Board of Directors' Conflict of Interest

Code No. 205

BOARD MEMBER LIABILITY

Board members shall not be held personally liable for actions taken in the performance of their duties and responsibilities vested in them by the laws of Iowa and the members of the school district community. In carrying out the duties and responsibilities of their office, board members shall act in good faith.

The school district shall defend, save harmless and indemnify board members against tort claims or demands, whether groundless or otherwise, arising out of an alleged act or omission occurring within the scope of their official duties, unless it constitutes a willful or wanton act or omission. However, the school district shall not save harmless or indemnify board members for punitive damages.

Legal Reference: Wood v. Strickland, 420 U.S. 308 (1975).
42 U.S.C. §§ 1983, 1985 (2006).
Iowa Code ch. 670 (2009).

Cross Reference: 709 Insurance Program

Code No. 206.1

PRESIDENT

It is the responsibility of the board president to lead a well-organized board in an efficient and effective manner. The board president will set the tone of the board meetings and, as the representative of the consensus of the board, speak on behalf of the board to the public.

The president of the board is elected by a majority vote at the organizational meeting in odd numbered years, or at the annual meeting in even-numbered years to serve a one-year term of office.

The president, in addition to presiding at the board meetings, will take an active role in board decisions by discussing and voting on each motion before the board in the same manner as other board members. Before making or seconding a motion, the board president will turn over control of the meeting to either the vice-president or other board member.

The board president has the authority to call special meetings of the board. Prior to board meetings, the board president will consult with the superintendent on the development of the agenda for the meeting.

The board president, as the chief officer of the school district, will sign employment contracts and sign other contracts and school district warrants approved by the board and appear on behalf of the school corporation in causes of action involving the school district.

NOTE: By law, the board president can only be elected to serve a term of one year.

Legal Reference: Iowa Code §§ 279.1-.2; 291.1 (2009).

Cross Reference: 200.1 Organization of the Board of Directors
202.2 Oath of Office
206.2 Vice-President

Code No. 206.2

VICE-PRESIDENT

If the board president is unable or unwilling to carry out the duties required, it is the responsibility of the vice-president of the board to carry out the duties of the president. If the president is unable or unwilling to complete the term of office, the vice-president will serve as president for the balance of the president's term of office, and a new vice-president will be elected.

The vice-president of the board will be elected by a majority vote at the organizational meeting , in odd numbered years, or at the annual meeting, in even-numbered years to serve a one-year term of office.

The vice-president will accept control of the meeting from the president when the president wishes to make or second a motion. The vice-president will take an active role in board decisions by discussing and voting on matters before the board in the same manner as other board members.

Legal Reference: Iowa Code § 279.5 (2009).

Cross Reference: 200.1 Organization of the Board of Directors
202.2 Oath of Office
206.1 President

SECRETARY-TREASURER

It shall be the responsibility of the board to annually appoint a board secretary-treasurer.

A board secretary-treasurer may be appointed from employees, other than a position requiring a teaching certificate, or from the public at the board meeting held each year after July 1 and no later than August 15, to serve a one year term of office. To finalize the appointment, the board secretary-treasurer shall take the oath of office during the meeting at which the individual was appointed or no later than ten days thereafter.

It shall be the responsibility of the board secretary-treasurer, as custodian of school district records, to preserve and maintain the records and documents pertaining to the business of the board; to keep complete minutes of special and regular board meetings, including closed sessions; to keep a record of the results of regular and special elections; to keep an accurate account of school funds; to sign warrants drawn on the school funds after board approval; and collect data on truant students. The board secretary-treasurer shall also be responsible for filing the required reports with the Iowa Department of Education.

It shall be the responsibility of the board secretary-treasurer to oversee the investment portfolio, to receive funds of the school district, to pay out the funds for expenses approved by the board, to maintain accurate accounting records for each fund, to report monthly regarding the investment portfolio and the status of each fund and to file required reports with the appropriate state agencies and other entities. It shall also be the responsibility of the board secretary-treasurer to coordinate the financial records, the financial reports, the cash flow needs and the investment portfolio of the school district.

The board secretary-treasurer shall give bond in an amount set by the board. The cost of the bond will be paid by the school district.

Legal Reference: Iowa Code §§ 12B.10; 12C; 64; 277.27; 279.3, .5, .7, .31-.33, .35; 291.2-.4, .6-.15; 299.10, .16 (2009).
281 I.A.C. 12.3(1).
1978 Op. Att'y Gen. 328.

Cross Reference:

202.2	Oath of Office
210.1	Annual Meeting
215	Board of Directors' Records
501.10	Truancy - Unexcused Absences
704.3	Investments
707	Fiscal Reports
708	Care, Maintenance and Disposal of School District Records

Code No. 207

BOARD OF DIRECTORS' LEGAL COUNSEL

It shall be the responsibility of the board to employ legal counsel to assist the board and the administration in carrying out their duties with respect to the numerous legal issues confronting the school district. The board may appoint legal counsel at its annual meeting.

The superintendent shall have the authority to contact the board's legal counsel on behalf of the board when the superintendent believes it is necessary for the management of the school district. The board president may contact and seek advice from the school board's legal counsel. The board's legal counsel shall attend both regular and special school board meetings upon the request of the board or the superintendent. Board members may contact legal counsel upon approval of a majority of the board. It shall be the responsibility of each board member to pay the legal fees, if any, of an attorney the board member consulted regarding matters of the school district unless the board has authorized the board member to consult an attorney on the matter.

It shall be the responsibility of the superintendent to keep the board informed of matters for which legal counsel was consulted, particularly if the legal services will involve unusual expense for the school district.

Legal Reference: Bishop v. Iowa State Board of Public Instruction, 395 N.W.2d 888 (Iowa 1986).
Iowa Code § 279.37 (2009).

Cross Reference: 200 Legal Status of the Board of Directors

Code No. 208

AD HOC COMMITTEES

Whenever the board deems it necessary, the board may appoint a committee of composed of citizens, staff or students to assist the board. Committees formed by the board shall be ad hoc committees.

An ad hoc committee is formed by board resolution which shall outline the duties and purpose of the committee. The committee is advisory in nature and has no duty or responsibility other than that specifically stated in the board resolution. The committee shall automatically dissolve upon the delivery of its final recommendation to the board or upon completion of the duties outlined in the board resolution. The board will receive the report of the committee for consideration. The board retains the authority to make a final decision on the issue. The committee will be subject to the open meetings law if the committee is established by statute or if the committee makes policy recommendations and is established by or approved by the board.

The method for selection of committee members shall be stated in the board resolution. When possible, and when the necessary expertise required allows, the committee members will be representative of the school district community and shall consider the various viewpoints on the issue. The board may designate a board member and the superintendent to serve on an ad hoc committee. The committee will select its own chairperson, unless the board designates otherwise.

Legal Reference: Iowa Code §§ 21; 279.8; 280.12(2) (2009).
281 I.A.C. 12.3(3), .3(8); .5(8).

Cross Reference:
103 Educational and Operational Planning
211 Open Meetings
212 Closed Sessions
215 Board of Directors' Records
605.1 Instructional Materials Selection
900 Principles and Objectives for Community Relations

PATON-CHURDAN POLICY MANUAL

AD HOC COMMITTEES EXHIBIT

Ad Hoc Committee Purpose and Function

The specific purpose of each ad hoc committee varies. Generally, the primary function of an ad hoc committee is to give specific advice and suggestions. The advice and suggestions should focus on the purpose and duties stated in the board resolution establishing the committee. It is the board's role to take action based on information received from the ad hoc committee and other sources. Ad hoc committees may be subject to the open meetings law.

Role of an Ad Hoc Committee Member

The primary role of an ad hoc committee member is to be a productive, positive member of the committee. In doing so, it is important to listen to and respect the opinions of others. When the ad hoc committee makes a recommendation to the board, it is important for the ad hoc committee members to support the majority decision of the ad hoc committee. An ad hoc committee will function best when its members work within the committee framework and bring items of business to the ad hoc committee.

Ad Hoc Committee Membership

Ad hoc committee members may be appointed by the board. The board may request input from individuals or organizations, or it may seek volunteers to serve. Only the board or superintendent has the authority to appoint members to an ad hoc committee. Boards must follow the legal limitations or requirements regarding the membership of an ad hoc committee.

Code No. 209.1

DEVELOPMENT OF POLICY

The board has jurisdiction to legislate policy for the school district with the force and effect of law. Board policy provides the general direction as to what the board wishes to accomplish while allowing the superintendent to implement board policy.

The written policy statements contained in this manual provide guidelines and goals to the citizens, administration, employees and students in the school district community. The policy statements shall be the basis for the formulation of regulations by the administration. The board shall determine the effectiveness of the policy statements by evaluating periodic reports from the administration.

Policy statements may be proposed by a board member, administrator, employee, student or member of the school district community. Proposed policy statements or ideas shall be submitted to the superintendent's office for possible placement on the board agenda. It shall be the responsibility of the superintendent to bring these proposals to the attention of the board.

Legal Reference: Iowa Code §§ 274.1-.2; 279.8; 280.12 (2009).
281 I.A.C. 12.3(2).
1970 Op. Att'y Gen. 287.

Cross Reference: 101 Educational Philosophy of the School District
200.2 Powers of the Board of Directors
200.3 Responsibilities of the Board of Directors
209 Board of Directors' Management Procedures

Code No. 209.2

ADOPTION OF POLICY

The board shall give notice of proposed policy changes or adoption of new policies by placing the item on the agenda of two regular board meetings. The proposed policy changes shall be distributed and public comment will be allowed at both meetings prior to final board action. This notice procedure shall be required except for emergency situations. If the board adopts a policy in an emergency situation, a statement regarding the emergency and the need for immediate adoption of the policy shall be included in the minutes. The board shall have complete discretion to determine what constitutes an emergency situation.

The final action taken to adopt the proposed policy shall be approved by a simple majority vote of the board at the next regular meeting after the meeting allowing public discussion. The policy will be effective on the later of the date of passage or the date stated in the motion.

In the case of an emergency, a new or changed policy may be adopted by a majority vote of a quorum of the board. The emergency policy shall expire at the close of the third regular meeting following the emergency action, unless the policy adoption procedure stated above is followed and the policy is reaffirmed.

Legal Reference: Iowa Code § 279.8 (2009).
281 I.A.C. 12.3(2).
1970 Op. Att'y Gen. 287.

Cross Reference: 200.2 Powers of the Board of Directors
200.3 Responsibilities of the Board of Directors
209 Board of Directors' Management Procedure

Code No. 209.3

DISSEMINATION OF POLICY

A board policy manual shall be housed in each school attendance center and in the central administration office. Each board member shall have a personal copy of the board policy manual. Persons wishing to review the board policy manual shall contact the board secretary, who shall have a board policy manual available for public inspection.

It shall be the responsibility of the board secretary to ensure copies of new and revised policy statements are distributed to the custodians of board policy manuals no later than the first regular board meeting following the policy's adoption. Copies of changes in board policy shall also be included in or attached to the minutes of the meetings in which the final action was taken to adopt the new or changed policy.

It shall be the responsibility of each board member, during the board member's term of office, to keep the manual current and up-to-date and to surrender the manual to the board secretary at the conclusion of the board member's term of office.

Legal Reference: Iowa Code §§ 277.31; 279.8 (2009).
281 I.A.C. 12.3(2).

Cross Reference: 200.3 Responsibilities of the Board of Directors
209 Board of Directors' Management Procedure

PATON-CHURDAN POLICY MANUAL

Code No. 209.4

SUSPENSION OF POLICY

Generally, the board shall follow board policy and enforce it equitably. The board, and only the board, may, in extreme emergencies of a very unique nature, suspend policy. It shall be within the discretion of the board to determine when an extreme emergency of a very unique nature exists. Reasons for suspension of board policy shall be documented in board minutes.

Legal Reference: Iowa Code § 279.8 (2009).
281 I.A.C. 12.3(2).

Cross Reference: 200.3 Responsibilities of the Board of Directors
209 Board of Directors' Management Procedure

Code No. 209.5

ADMINISTRATION IN THE ABSENCE OF POLICY

When there is no board policy in existence to provide guidance on a matter, the superintendent is authorized to act appropriately under the circumstances surrounding the situation keeping in mind the educational philosophy and financial condition of the school district.

It shall be the responsibility of the superintendent to inform the board of the situation and the action taken and to document the action taken. If needed, the superintendent shall draft a proposed policy for the board to consider.

Legal Reference: Iowa Code § 279.8 (2009).
281 I.A.C. 12.3(2).

Cross Reference: 200.3 Responsibilities of the Board of Directors
209 Board of Directors' Management Procedure
302.4 Superintendent Duties
304 Policy Implementation

Code No. 209.6

REVIEW AND REVISION OF POLICY

The board shall, at least once every five years, review board policy. Once the policy has been reviewed, even if no changes were made, a notation of the date of review shall be made on the face of the policy statement.

The board will review one-fifth of the policy manual annually according to the following subject areas:

- Board of Directors (Series 200)
- Administration, Employees (Series 300 and 400)
- School District, Education Program (Series 100 and 600)
- Students (Series 500)
- Noninstructional Operations and Business Services, Buildings and Sites, School District Community Relations (Series 700, 800 and 900)

It shall be the responsibility of the superintendent to keep the board informed as to legal changes at both the federal and state levels. The superintendent shall also be responsible for bringing proposed policy statement revisions to the board's attention.

If a policy is revised because of a legal change over which the board has no control, the policy may be approved at one meeting at the discretion of the board.

Legal Reference: Iowa Code § 279.8 (2009).
281 I.A.C. 12.3(2).

Cross Reference: 200.3 Responsibilities of the Board of Directors
209 Board of Directors' Management Procedures

Code No. 209.7

REVIEW OF ADMINISTRATIVE REGULATIONS

Board policy sets the direction for the administration of the education program and school district operations. Some policies require administrative regulations for implementation.

It shall be the responsibility of the superintendent to develop administrative regulations to implement the board policies. The regulations, including handbooks, will be reviewed by the board prior to their use in the school district.

The administrative regulations will be available no later than the first regular board meeting after the adoption of the board policy unless the board directs otherwise.

Legal Reference: Iowa Code § 279.8, .20 (2009).

Cross Reference: 200.3 Responsibilities of the Board of Directors
209 Board of Directors' Management Procedures

Code No. 210.1

ANNUAL MEETING

Each year after August 31 and prior to the organizational meeting of the board in odd-numbered years, the board will hold its annual meeting.

At the annual meeting, the board shall examine the financial books and settle the secretary's and treasurer's statements for the fiscal year ending the preceding June 30. As part of the annual reports, the treasurer shall present affidavits from depository banks. Should the secretary or treasurer fail to provide this information, the board may take the action necessary to secure the information.

The board, at this meeting, shall also appoint a board secretary and a treasurer. In the board's discretion, one individual may serve as both the secretary and treasurer. The board may also appoint the board's legal counsel.

NOTE: The requirement that the treasurer present an affidavit for depository banks is a legal requirement. The range of dates for a board's annual meeting comply with Iowa law. It is also a legal requirement that the board secretary and board treasurer be appointed at the annual meeting.

Legal Reference: Iowa Code §§ 279.3, .33 (2009).

Cross Reference: 206.3 Secretary
206.4 Treasurer
701.1 Depository of Funds
707 Fiscal Reports

Code No. 210.2

REGULAR MEETING

The regular meeting time and date shall be set by the board at its annual or organizational meeting. The board shall adhere to this meeting date unless the board requires additional meetings or, due to circumstances beyond the board's control, the meeting cannot be held on the regular meeting date, and the meeting will be re-scheduled at the board's convenience. Public notice of the meetings shall be given.

Legal Reference: Iowa Code §§ 21.3, .4; 279.1 (2009).
1980 Op. Att'y Gen. 148.

Cross Reference: 200.1 Organization of the Board of Directors
210 Board of Directors' Meetings

Code No. 210.3

SPECIAL MEETING

It may be necessary for the board to conduct a special meeting in addition to the regularly scheduled board meeting. Special meetings may be called by the president of the board or by the board secretary at the request of a majority of the board. Should a special meeting be called, public notice shall be given.

If the special meeting called is an emergency meeting and the board cannot give public notice in its usual manner, the board shall give public notice of the meeting as soon as practical and possible in light of the situation. The reason for the emergency meeting and why notice in its usual manner could not be given shall be stated in the minutes.

Only the purpose or issue for which the special meeting was called may be discussed and decided in the special meeting. The board shall strictly adhere to the agenda for the special meeting and action on other issues shall be reserved for the next regular or special board meeting.

Legal Reference: Iowa Code §§ 21.3, .4; 279.2 (2009).
1980 Op. Att'y Gen. 148.

Cross Reference: 200.1 Organization of the Board of Directors
210 Board of Directors' Meetings

Code No. 210.4

WORK SESSIONS

The board, as a decision making body, is confronted with a continuing flow of problems, issues and needs which require action. While the board is determined to expedite its business, it is also mindful of the importance of planning, brainstorming and thoughtful discussion without action. Therefore, the board may schedule work sessions and retreats in order to provide its members and the administration with such opportunities. The board has the authority to hire an outside facilitator to assist them in work sessions.

Topics for discussion and study will be announced publicly, and work sessions and retreats will be conducted in open session. However, no board action will take place at the work session.

Legal Reference: Iowa Code §§ 21; 22.7; 279.8, .35 (2009).
1982 Op. Att'y Gen. 162.
1980 Op. Att'y Gen. 167.
1976 Op. Att'y Gen. 384, 514, 765.
1972 Op. Att'y Gen. 158.
1970 Op. Att'y Gen. 287.

Cross Reference: 210 Board of Directors' Meetings
211 Open Meetings

Code No. 210.5

MEETING NOTICE

Public notice shall be given for meetings and work sessions held by the board. Public notice shall indicate the time, place, date and tentative agenda of board meetings. The public notice shall be posted on the bulletin board in the central administration office at least 3 days before it is scheduled, but, at the minimum, twenty-four hours notice needs to be given.

A copy of the public notice will be provided to those who have filed a request for notice with the secretary. These requests for notice must be in writing. A copy of the public notice will also be accessible to employees and students.

In the case of special meetings, public notice shall be given in the same manner as for a regular meeting unless it is an emergency meeting. In that case, public notice of the meeting shall be given as soon as practical and possible in light of the situation. The media and others who have requested notice shall be notified of the emergency meeting. Attendance at a special meeting or emergency meeting by the media or board members shall constitute a waiver of notice.

It shall be the responsibility of the board secretary to give public notice of board meetings and work sessions.

Legal Reference: Dobrovolny v. Reinhardt, 173 N.W.2d 837 (Iowa 1970).
Iowa Code §§ 21.2-.4; 279.1, .2 (2009).
1952 Op. Att'y Gen. 133.

Cross Reference: 210 Board of Directors' Meetings
210.8 Board of Directors' Meeting Agenda

Code No. 210.6

QUORUM

Action by the board regarding the affairs of the school district may be taken only when a quorum, a majority of the board members, is in attendance at the board meeting.

While board members are encouraged to attend board meetings, 3 members shall constitute a quorum and are a sufficient number to transact business of the school corporation. The adjournment of a meeting may be executed without a quorum.

An affirmative vote of a majority of the votes cast shall be sufficient to pass a motion or take action unless law or board policy requires a vote of a greater number.

It is the responsibility of each board member to attend board meetings.

Legal Reference: Iowa Code §§ 21.5(1); 279.4 (2009).

Cross Reference: 210 Board of Directors' Meetings

Code No. 210.7

RULES OF ORDER

An orderly board meeting allows the board members to participate in the discussion and decision process on an issue confronting the school district. Rules of order for board meetings allow school district business and the relative information concerning the business to be brought to the attention of the board. They also allow the board to discuss, act upon and make a clear record of school district business in a regular, ordered, reasonable and consistent manner.

It shall be the responsibility of each board member to follow the rules of order stated in this policy at each meeting, and it shall be the responsibility of the presiding officer to conduct the board meeting within these rules.

The board shall follow Robert's Rule of Order, Revised, latest edition as modified by this policy and subsequent rule.

The purpose of modified rules adopted by the board are:

- To establish guidelines by which the business of the governing board can be conducted in a regular and internally consistent manner;
- To organize the meetings so all necessary matters can be brought to the board and decisions of the board can be made in an orderly and reasonable manner;
- To insure members of the board, concentrating on the substantive issues at hand, have the necessary information to make decisions, and to insure adequate discussion of decisions to be made; and,
- To insure meetings and actions of the board are conducted so as to be informative to the staff and the public, and to produce a clear record of actions taken and decisions made.

Legal Reference: Iowa Code §§ 21.2, .7; 279.8 (2009).

Cross Reference: 210 Board of Directors' Meetings
210.8 Board Meeting Agenda

PATON-CHURDAN POLICY MANUAL

Code No. 210.8

BOARD MEETING AGENDA

The tentative agenda for each board meeting shall state the topics for discussion and action at the board meeting. The agenda is part of the public notice of the board meeting and will be posted and distributed.

Persons requesting to place an item on the agenda must make a request to the superintendent prior to the drafting of the tentative agenda. The person making the request must state the person's name, address, purpose of the presentation, action desired and pertinent background information. Requests from the public may be added to the tentative agenda at the discretion of the superintendent after consultation with the board president. Requests received after the deadline may only be added to the agenda for good cause.

The tentative agenda and supporting documents shall be sent to the board members 3 days prior to the scheduled board meeting. These documents are the private property of the board member. Persons wishing to view the tentative agenda and supporting documents may do so at the central administration office.

The board shall take action only on the items listed on the tentative agenda posted with the public notice. Items added to the agenda may be discussed or taken under advisement by the board. If an added item is acted upon, the minutes of the board meeting shall state the reason justifying the immediate action.

It shall be the responsibility of the board president and superintendent to develop the agenda for each board meeting.

Legal Reference: Iowa Code §§ 21; 279.8 (2009).
1980 Op. Att'y Gen. 269.

Cross Reference:
210 Board of Directors' Meetings
211 Open Meetings
213 Public Participation in Board Meetings
215 Board of Directors' Records
402.5 Public Complaints About Employees
502.4 Student Complaints and Grievances

PATON-CHURDAN POLICY MANUAL

Code No. 210.9

CONSENT AGENDAS

Very often the board must consider agenda items, which are non-controversial or similar in content. Such agenda items might include ministerial tasks such as, but not limited to, the approval of the agenda, approval of previous minutes, approval of bills, approval of reports, etc. These items might also include similar groups of decisions such as, but not limited to, approval of staff contracts, approval of maintenance details for the school buildings and grounds, open enrollment requests or approval of various schedules.

In order for a more efficient administration of board meetings, the board may elect to use a consent agenda for the passage of non-controversial items or items of a similar nature.

The superintendent in consultation with the board president and board secretary shall place items on the consent agenda. By using a consent agenda, the board has consented to the consideration of certain items as a group under one resolution. Items may be removed from the consent agenda at the request of a board member.

Nothing in this policy is to be construed as an attempt to avoid full compliance with laws dealing with open meetings or public notice of the agenda and meeting.

Legal Reference: Iowa Code §§ 21; 279.8 (2009).

Cross Reference: 210 Board of Directors' Meetings

Code No. 211

OPEN MEETINGS

A gathering of a majority of board members in which deliberation of an issue within the jurisdiction of the board takes place is a board meeting. A gathering for the purpose of social or ministerial action shall not constitute a board meeting unless a discussion of policy takes place. Meetings of the board shall be conducted in an open meeting unless, a closed session is authorized by law or the meeting is exempt from the open meetings law.

Legal Reference: Iowa Code §§ 21, 279.1-.2 (2009).
1982 Op. Att'y Gen. 162.
1980 Op. Att'y Gen. 167.

Cross Reference: 208 Ad Hoc Committees
210 Board of Directors' Meetings
210.8 Board Meeting Agenda
212 Closed Sessions

Code No. 212

CLOSED SESSIONS

Generally, board meetings shall be open meetings, unless a closed session or exempt meeting is provided for by law. The board shall hold a closed session or exempt meeting in the situations stated below.

Exceptions to the Open Meetings Law

Closed sessions take place as part of an open meeting. The item for discussion in the closed session shall be listed as part of the tentative agenda on the public notice. The motion for a closed session, stating the purpose for the closed session, shall be made and seconded during the open meeting. A minimum of two-thirds of the board, or all of the board members present, must vote in favor of the motion on a roll call vote. Closed sessions shall be tape recorded and have detailed minutes kept by the board secretary. Final action on matters discussed in the closed session shall be taken in an open meeting.

The minutes and the tape recording will restate the motion made in the open meeting, the roll call vote, the members present, and the time the closed session began and ended. The tape recordings and the written minutes shall be kept for one year from the date of the meeting. Real estate related minutes and tapes will be made public after the real estate transaction is completed.

The detailed minutes and tape recording shall be sealed and shall not be public records open to public inspection. The minutes and tape recording shall only be opened upon court order in an action to enforce the requirements of the open meetings law. The board has complete discretion as to whom may be present at a closed session.

Reasons for the board entering into a closed session from an open meeting include, but are not limited to, the following:

1. To review or discuss records which are required or authorized by state or federal law to be kept confidential or to be kept confidential as a condition for the board's possession or receipt of federal funds.

2. To discuss strategy with legal counsel in matters presently in litigation, or where litigation is imminent, if disclosure would be likely to prejudice or disadvantage the board.

3. To discuss whether to conduct a hearing for suspension or expulsion of a student, unless an open meeting is requested by the student or the parent of the student.

4. To evaluate the professional competency of an individual whose appointment, hiring, performance, or discharge is being considered when a closed session is necessary to prevent needless and irreparable injury to that individual's reputation and that individual requests a closed session.

5. To discuss the purchase of particular real estate, but only when premature disclosure could be reasonably expected to increase the price the board would have to pay for the property.

Exemptions to the Open Meetings Law

Board meetings at which a quorum is not present, or gatherings of the board for purely ministerial or social purposes when there is no discussion of policy or no intent to avoid the purposes of the open meetings law, are exempt from the open meetings law requirements. Since gatherings of this type are exempt from the open meetings requirements, they can be held without public notice, be separate from an open meeting, be held without taping the gathering or taking minutes, and be held without a vote or motion. The board may also hold an exempt session for the following:

1. negotiating sessions, strategy meetings of public employers or employee organizations, mediation and the deliberative process of arbitration;

2. to discuss strategy in matters relating to employment conditions of employees not covered by the collective bargaining law;

3. to conduct a private hearing relating to the recommended termination of a teacher's contract. However, the private hearing in the teacher's contract termination shall be recorded verbatim by a court reporter; and

4. to conduct a private hearing relating to the termination of a probationary administrator's contract or to review the proposed decision of the administrative law judge regarding the termination of an administrator's contract.

Legal Reference: Iowa Code §§ 20.17; 21; 22.7; 279.15, .16, .24 (2009).
1982 Op. Att'y Gen. 162.
1980 Op. Att'y Gen. 167.
1976 Op. Att'y Gen. 384, 514, 765.
1972 Op. Att'y Gen. 158.
1970 Op. Att'y Gen. 287.

Cross Reference: 208 Ad Hoc Committees
211 Open Meetings

Code No. 213

PUBLIC PARTICIPATION IN BOARD MEETINGS

The board recognizes the importance of citizen participation in school district matters. In order to assure citizens are heard and board meetings are conducted efficiently and in an organized manner, the board shall set time aside for citizen participation, either at a specific time during the meeting or during the discussion of agenda items. Citizens wishing to address the board on a certain agenda item must notify the superintendent prior to the board meeting. Citizens wishing to present petitions to the board may do so at this time. However, the board will only receive the petitions and not act upon them or their contents. The board has the discretion to limit the amount of time set aside for public participation.

If the pressure of business or other circumstances dictate, the board president may decide to eliminate this practice. The board president will recognize these individuals to make their comments at the appropriate time. The orderly process of the board meeting shall not be interfered with or disrupted. Only those speakers recognized by the board president shall be allowed to speak. Comments by others are out of order. If disruptive, the individual making the comments or another individual causing disruption may be asked to leave the board meeting.

Individuals who have a complaint about employees may bring their complaint to the board only after they have followed board policy addressing citizens' complaints. Students who have a complaint may only bring their complaint to the board after they have followed board policy addressing students' complaints.

Legal Reference: Iowa Code §§ 21; 22; 279.8 (20009).

Cross Reference:
205 Board Member Liability
210.8 Board Meeting Agenda
214 Public Hearings
307 Communication Channels
401.4 Employee Complaints
402.5 Public Complaints About Employees
502.4 Student Complaints and Grievances

Code No. 213.1R1

GENERAL COMPLAINTS BY CITIZENS

The board recognizes that concerns regarding the operation of the school district will arise. The board further believes that constructive criticism can assist in improving the quality of the education program and in meeting individual student needs more effectively. The board also places trust in its employees and desires to support their actions in a manner which frees them from unnecessary or unwarranted criticism and complaints.

Procedures for dealing with complaints concerning programs or practices should be governed by the following principles:

- where action/investigation is desired by the complainant, or where it seems appropriate, the matter should be handled as near the source as possible;
- complaints should both be investigated and, if possible, resolved expeditiously;
- complaints should be dealt with courteously and in a constructive manner; and,
- individuals directly affected by the complaint should have an opportunity to respond.

Specific procedures for handling complaints may be established in policies. The board, consistent with its board policy-making role, will deal with complaints concerning specific schools, programs or procedures only after the usual channels have been exhausted. Complaints regarding employees or complaints by students will follow the more specific policies on those issues.

When a complaint requiring attention is received by the board or a board member it will be referred to the superintendent. After all of the channels have been exhausted, the complainant may appeal to the board by requesting a place on the board agenda or during the public audience portion of the board meeting. If the complainant appeals to the board, the appeal shall be in writing, signed and explain the process followed by the complainant prior to the appeal to the board.

Code No. 214

PUBLIC HEARINGS

Public hearings may be held on school district matters at the discretion of the board. Public notice of a public hearing shall be in the same manner as for a board meeting except that the notice shall be given at least ten days before the hearing is to be held unless it is impossible or impractical to do so.

At public hearings, citizens of the district who register at the door will be allowed to speak on the issue for which the public hearing is being held. Others may be allowed to speak at the board's discretion. Speakers are asked to keep their remarks as brief as possible. Prior to the beginning of the hearing, speakers and spectators will be apprised of the rules of order to be followed regarding time limitations, questions, remarks and rebuttals. In no event will a speaker be allowed to take the time of another speaker.

The board shall conduct public hearings in an orderly fashion. At the beginning of the hearing, statements, background materials and public hearing rules and procedures will be presented by the board president. The board president will recognize the speakers. A board member may ask questions of the speakers after receiving permission from the board president. Only those speakers recognized by the chair will be allowed to speak. Comments by others are out of order. Individuals who interfere with or interrupt speakers, the board or the proceedings shall be asked to leave.

Legal Reference: Iowa Code §§ 24.9; 279.8; 297.22 (2009).

Cross Reference: 210 Board of Directors' Meetings
213 Public Participation in Board Meetings
601.1 School Calendar
703.1 Budget Planning

Code No. 215

BOARD OF DIRECTORS' RECORDS

The board shall keep and maintain permanent records of the board including, but not limited to, records of the minutes of board meetings and other required records of the board.

It shall be the responsibility of the board secretary to keep the minutes of the board meetings. The minutes of each board meeting shall include as a minimum the following items: a record of the date, time, place, members present, action taken and the vote of each member, and the schedule of bills allowed shall be attached. This information shall be available within two weeks of the board meeting and forwarded to the newspaper designated as the official newspaper for publication. The information does not need to be published within two weeks. The schedule of bills allowed may be published on a once monthly basis in lieu of publication with the minutes. The permanent records of the board minutes may include more detail than is required for the publication of the minutes.

Minutes waiting approval at the next board meeting will be available for inspection at the central administration office after the board secretary transcribes the notes into typewritten material, which has been proofread for errors and retyped.

Legal Reference: Iowa Code §§ 21; 22; 279.8, .35, .36; 291.6, .7; 618.3 (2009).
281 I.A.C. 12.3(1).
1982 Op. Att'y Gen. 215.
1974 Op. Att'y Gen. 403.
1952 Op. Att'y Gen. 133.

Cross Reference: 206.3 Secretary
206.4 Treasurer
208 Ad Hoc Committees
210.8 Board Meeting Agenda
708 Care, Maintenance and Disposal of School District Records
901 Public Examination of School District Records

BOARD MEETING MINUTES

Since the official minutes of the board are the only legal record, it is important that they be recorded with extreme care and completeness. The board secretary will follow the following guidelines in writing board minutes:

With respect to content, the minutes should show the following:

1. The place, date, and time of each meeting.
2. The type of meeting--regular, special, emergency, work session.
3. Members present and members absent, by name.
4. The call to order and adjournment.
5. The departure of members by name before adjournment.
6. The late arrival of members, by name.
7. The time and place of the next meeting.
8. Approval, or amendment and approval, of the minutes of the preceding meeting.
9. Complete information as to each subject of the board's deliberation and the action taken.
10. The maker and seconder of the motion, what action was taken, and the vote on the motion detailed enough to attribute a vote to each member present.
11. Complete text of all board resolutions, numbered consecutively for each fiscal year.
12. A record of all contracts entered into, with the contract documents kept in a separate file.
13. A record of all change orders on construction contracts.
14. All employment changes, including resignations or terminations.
15. A record, by number, of the bills of account approved by the board for payment.
16. A record of all calls for bids, bids received, and action taken thereon.
17. Approval of all transfers of funds from one budgetary fund to another.
18. Important documents forming a part of a motion should be made a part of the minutes by exhibit and placed in the minute book along with the minutes.
19. Board policy and administrative guides should be made a part of the minutes by exhibit.
20. Adoption of textbooks and establishment of bus routes by the board for the school year as well as the school calendar should become a part of the minutes.

BOARD MEETING MINUTES

21. Approval or disapproval of open enrollment requests with justification for disapproval or approval after the deadline.
22. A record of all delegations appearing before the board and a record of all petitions.
23. At the annual meeting each year the record should indicate that the books of the treasurer and secretary and the Certified Annual Report have been examined and approved subject to audit.
24. The election or appointment of board officers.
25. The appointment of auditors to examine the books.

At the annual or organizational meeting, in odd numbered years the minutes should reflect the following:

26. Appointment of a temporary chairperson if not specified in policy.
27. Oath of office administered to newly elected board members.
28. Nominations taken for the office of president and vice-president.
29. Election of the president and vice-president, the votes and the oath of office administered to the president and vice-president.
30. The resolution to pay bills when the board is not in session.
31. A resolution to automatically disburse payroll along with a roster of all employees under contract.
32. A resolution naming depositories along with the maximum deposit for each depository.
33. Resolution authorizing the use of a check protector and signer and the proper control of the signer.
34. Motion designating a member or a committee to examine the bills of account for a designated period of time on a rotation basis if desired for the balance of the school year.

Code No. 216.1

ASSOCIATION MEMBERSHIP

Participation in board member associations are beneficial to the board. The board shall maintain an active membership in the Iowa Association of School Boards and in organizations the board determines will be of benefit to the board and the school district.

Legal Reference: Iowa Code § 279.38 (2009).

Cross Reference: 216.2 Board of Directors' Member Development and Training

Code No. 216.2

BOARD OF DIRECTORS' MEMBER DEVELOPMENT AND TRAINING

The board may participate in conferences sponsored by educational associations and agencies in addition to its own in-service programs and work sessions.

The board shall work closely with the Iowa Association of School Boards' Academy of Board Learning Experiences and encourage the board members to participate in conferences to achieve the Better Boardsmanship Award.

NOTE: In order for a board to be eligible for the IASB Award of Achievement, the board needs to have a policy on board development.

Legal Reference: Iowa Code §§ 279.8, .38 (2009).

Cross Reference: 216.1 Association Membership

Code No. 216.3

BOARD OF DIRECTORS' MEMBER COMPENSATION AND EXPENSES

As an elected public official, the board member is a public servant who serves without compensation. Board members shall be reimbursed for actual and necessary expenses incurred in the performance of their official duties.

Prior to reimbursement of actual and necessary expenses, the board member must submit a detailed receipt indicating the date, purpose and nature of the expense for each claim item. It shall be the responsibility of the board secretary to compile the expenses of board members and bring them to the board for audit and approval in the same manner as other claims of the school district. It shall be the responsibility of the board to determine through the audit and approval process of the board whether the expenses incurred by a board member are actual and necessary expenses incurred in the performance of their official duties.

Legal Reference: Iowa Code §§ 68B; 277.27; 279.7A, .8, .32 (2009).

Cross Reference: 203 Board of Directors' Conflict of Interest
401.7 Employee Travel Compensation

Code No. 217

GIFTS TO BOARD OF DIRECTORS

Board members may receive a gift on behalf of the school district. Board members shall not, either directly or indirectly, solicit, accept or receive a gift, series of gifts or an honorarium unless the donor does not meet the definition of "restricted donor" stated below or the gift or honorarium does not meet the definition of gift or honorarium stated below.

A "restricted donor" is defined as a person or other entity which:

- Is seeking to be or is a party to any one or any combination of sales, purchases, leases or contracts to, from or with the school district;
- Will be directly and substantially affected financially by the performance or nonperformance of the board member's official duty in a way that is greater than the effect on the public generally or on a substantial class of persons to which the person belongs as a member of a profession, occupation, industry or region; or
- Is a lobbyist or a client of a lobbyist with respect to matters within the school district's jurisdiction.

A "gift" is the giving of anything of value in return for which something of equal or greater value is not given or received. However, "gift" does not include any of the following:

- Contributions to a candidate or a candidate's committee;
- Information material relevant to a board member's official function, such as books, pamphlets, reports, documents, periodicals or other information that is recorded in a written, audio or visual format;
- Anything received from a person related within the fourth degree by kinship or marriage, unless the donor is acting as an agent or intermediary for another person not so related;
- An inheritance;
- Anything available or distributed to the general public free of charge without regard to the official status of the board recipient;
- Items received from a charitable, professional, educational or business organization to which the board member belongs as a dues paying member if the items are given to all members of the organization without regard to an individual member's status or positions held outside of the organization and if the dues paid are not inconsequential when compared to the items received;

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GIFTS TO BOARD OF DIRECTORS

- Actual expenses of a board member for food, beverages, travel and lodging for a meeting, which is given in return for participation in a panel or speaking engagement at the meeting when the expenses relate directly to the day or days on which the board member has participation or presentation responsibilities;
- Plaques or items of negligible resale value given as recognition for public service;
- Nonmonetary items with a value of less than three dollars that are received from any one donor during one calendar day;
- Items or services solicited or given to a state, national or regional organization in which the state of Iowa or a school district is a member for purposes of a business or educational conference, seminar or other meeting or solicited by or given to state, national or regional government organizations whose memberships and officers are primarily composed of state or local government officials or employees for purposes of a business or educational conference, seminar or other meeting;
- Items or services received by members or representatives of members as part of a regularly scheduled event that is part of a business or educational conference, seminar or other meeting that is sponsored and directed by any state, national or regional government organization in which the state of Iowa or a political subdivision of the state of Iowa is a member or received at such an event by members or representatives of members of state, national or regional government organizations whose memberships and officers are primarily composed of state or local government officials or employees;
- Funeral flowers or memorials to a church or nonprofit organization;
- Gifts which are given to a public official for the public official's wedding or twenty-fifth or fiftieth wedding anniversary;
- Payment of salary or expenses by a board member's employer or the firm in which the board member is a member for the cost of attending a meeting of a subunit of an agency when the board member whose expenses are being paid serves on a board, commission, committee, council or other subunit of the agency and the board member is not entitled to receive compensation or reimbursement of expenses from the school district;
- Gifts other than food, beverages, travel and lodging received by a board member which are received from a person who is a citizen of a country other than the United States and is given during a ceremonial presentation or as a result of a custom of the other country and is of personal value only to the board member; or

GIFTS TO BOARD OF DIRECTORS

- Actual registration costs for informational meetings or sessions which assist a public official or public employee in the performance of the person's official functions. The costs of food, drink, lodging and travel are not "registration costs" under this paragraph. Meetings or sessions which a public official or public employee attends for personal or professional licensing purposes are not "informational meetings or sessions which assist a public official or public employee in the performance of the person's official functions" under this paragraph.

An "honorarium" is anything of value that is accepted by, or on behalf of, a board member as consideration for an appearance, speech or article. An honorarium does not include any of the following:

- Actual expenses of a board member for registration, food, beverages, travel or lodging for a meeting, which is given in return for participation in a panel or speaking engagement at a meeting when the expenses relate directly to the day or days on which the board member has participation or presentation responsibilities;
- A non-monetary gift or series of non-monetary gifts donated within thirty days to a public body, an educational or charitable organization or the department of general services; or
- A payment made to a board member for services rendered as part of a private business, trade or profession in which the board member is engaged if the payment is commensurate with the actual services rendered and is not being made because of the person's status as a board member but, rather, because of some special expertise or other qualification.

It shall be the responsibility of each board member to know when it is appropriate to accept or reject gifts or honorariums.

Legal Reference: Iowa Code ch. 68B (2009).
1972 Op. Att'y Gen. 276.
1970 Op. Att'y Gen. 319.

Cross Reference: 203 Board of Directors' Conflict of Interest
402.4 Gifts to Employees
704.4 Gifts - Grants - Bequests

EMPLOYEES

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Code No. 400

ROLE OF AND GUIDING PRINCIPLES FOR EMPLOYEES

This series of the board policy manual is devoted to the board's goals and objectives for employees in the performance of their jobs. Employees provide a variety of important services for the children of the school district community. They may be teaching or assisting in the classroom, working in the office, maintaining the facilities, driving or repairing the school buses, or cooking lunches. Each employee plays a vital role in providing an equal opportunity for a quality education for students commensurate with the students' individual needs. While the teachers have the most direct impact on the formal instruction of students, all employees have an impact on the school environment by their dedication to their work and their actions. As role models for the students, employees shall promote a cooperative, enthusiastic, and supportive learning environment for the students.

In striving to achieve a quality education program, the board's goal is to obtain and retain qualified and effective employees. The board shall have complete discretion to determine the number, the qualifications, and the duties of the positions and the school district's standards of acceptable performance. It shall be the responsibility of the superintendent to make recommendations to the board in these areas prior to board action. The board recognizes its duty to bargain collectively with duly certified collective bargaining units.

Board policies in this series relating to general employees shall apply to employees regardless of their position as a licensed employee, classified employee, substitute or administrator. Board policies relating to licensed employees shall apply to positions that require a teaching license or administrator's certificate or other professional license, certificate or endorsement, unless administrative positions are specifically excluded from the policy. Classified employees' policies included in this series shall apply to positions that do not fall within the definition of licensed employee.

Approved June 2008 Reviewed November 2013 Revised _____

EQUAL EMPLOYMENT OPPORTUNITY

The Paton-Churdan Community School District will provide equal opportunity to employees and applicants for employment in accordance with applicable equal employment opportunity and affirmative action laws, directives and regulations of federal, state and local governing bodies. Opportunity to all employees and applicants for employment includes hiring, placement, promotion, transfer or demotion, recruitment, advertising or solicitation for employment, treatment during employment, rates of pay or other forms of compensation, and layoff or termination. The school district will take affirmative action in major job categories where women, men, minorities and persons with disabilities are underrepresented. Employees will support and comply with the district's established equal employment opportunity and affirmative action policies. Employees will be given notice of this policy annually.

The board will appoint an affirmative action coordinator. The affirmative action coordinator will have the responsibility for drafting the affirmative action plan. The affirmative action plan will be reviewed by the board at least every two years.

Individuals who file an application with the school district will be given consideration for employment if they meet or exceed the qualifications set by the board, administration, and Iowa Department of Education for the position for which they apply. In employing individuals, the board will consider the qualifications, credentials, and records of the applicants without regard to race, color, creed, sex, national origin, religion, age, sexual orientation, gender identity or disability. In keeping with the law, the board will consider the veteran status of applicants.

Prior to a final offer of employment for any teaching position the school district will perform the background checks required by law. The district may determine on a case-by-case basis that, based on the duties, other positions within the district will also require background checks. Based upon the results of the background checks, the school district will determine whether an offer will be extended. If the candidate is a teacher who has an initial license from the BOEE, then the requirement for a background check is waived.

Advertisements and notices for vacancies within the district will contain the following statement: "The Paton-Churdan Community School District is an EEO/AA employer." The statement will also appear on application forms.

Inquiries by employees or applicants for employment regarding compliance with equal employment opportunity and affirmative action laws and policies, including but not limited to complaints of discrimination, will be directed to the Affirmative Action Coordinator by writing to Annie Smith, Compliance Officer, Paton-Churdan Community School District, Box 157 , Churdan , Iowa 50050; or by telephoning 515-389-3111.

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EQUAL EMPLOYMENT OPPORTUNITY

Inquiries by employees or applicants for employment regarding compliance with equal employment opportunity and affirmative action laws and policies, including but not limited to complaints of discrimination, may also be directed in writing to the Director of the Region VII office of Civil Rights, U.S. Department of Education, 310 W. Wisconsin Ave., Ste. 800, Milwaukee, Wisconsin, 53203-2292, (414) 291-1111 or the Iowa Civil Rights Commission, 400 E. 14th Street, Des Moines, Iowa, 50319-1004, (515) 281-4121 or 1-800-457-4416, http://www.state.ia.us/government/crc/index.html . This inquiry or complaint to the federal office may be done instead of, or in addition to, an inquiry or complaint at the local level.

Further information and copies of the procedures for filing a complaint are available in the school district's central administrative office and the administrative office in each attendance center.

Legal Reference:
29 U.S.C. §§ 621-634 (2006).
42 U.S.C. §§ 2000e et seq. (2006).
42 U.S.C. §§ 12101 et seq. (2006).
Iowa Code §§ 19B; 20; 35C; 73; 216; 279.8 (2009).
281 I.A.C. 12.4; 14.1; 95.

Cross Reference:
102 Equal Educational Opportunity
104 Bullying/Harassment
405.2 Licensed Employee Qualifications, Recruitment, Selection
411.2 Classified Employee Qualifications, Recruitment, Selection

EMPLOYEE CONFLICT OF INTEREST

Employees' use of their position with the school district for financial gain is considered a conflict of interest with their position as employees and may subject employees to disciplinary action.

Employees have access to information and a captive audience that could award the employee personal or financial gain. No employee may solicit other employees or students for personal or financial gain to the employee without the approval of the superintendent. If the approval of the superintendent is given, the employee must conduct the solicitations within the conditions set by the superintendent. Further, the superintendent may, upon five days notice, require the employee to cease such solicitations as a condition of continued employment.

Employees will not act as an agent or dealer for the sale of textbooks or other school supply companies doing business with the school district. Employees will not participate for personal financial remuneration in outside activities wherein their position on the staff is used to sell goods or services to students or to parents. Employees will not engage in outside work or activities where the source of information concerning the customer, client or employer originates from information obtained because of the employee's position in the school district.

It will also be a conflict of interest for an employee to engage in any outside employment or activity which is in conflict with the employee's official duties and responsibilities. In determining whether outside employment or activity of an employee creates a conflict of interest, situations in which an unacceptable conflict of interest is deemed to exist will include, but not be limited to, any of the following:

(1) The outside employment or activity involves the use of the school district's time, facilities, equipment and supplies or the use of the school district's badge, uniform, business card or other evidences of office to give the employee or the employee's immediate family an advantage or pecuniary benefit that is not available to other similarly situated members or classes of members of the general public. For purposes of this section, a person is not "similarly situated" merely by being related to an employee who is employed by the school district.

(2) The outside employment or activity involves the receipt of, promise of, or acceptance of more or other consideration by the employee or a member of the employee's immediate family from anyone other than the school district for the performance of any act that the employee would be required or expected to perform as part of the employee's regular duties or during the hours during which the employee performs service or work for the school district.

(3) The outside employment or activity is subject to the official control, inspection, review, audit or enforcement authority of the employee during the performance of the employee's duties.

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EMPLOYEE CONFLICT OF INTEREST

If the outside employment or activity is employment or activity in (1) or (2) above, the employee must cease the employment of or activity. If the activity or employment falls under (3), then the employee must:

Cease the outside employment or activity; or,

Publicly disclose the existence of the conflict and refrain from taking any official action or performing any official duty that would detrimentally affect or create a benefit for the outside employment or activity. Official action or official duty includes, but is not limited to, participating in any vote, taking affirmative action to influence any vote, or providing any other official service or thing that is not available generally to members of the public in order to further the interests of the outside employment or activity.

It is the responsibility of each employee to be aware of and take the necessary action to eliminate a potential conflict of interest should it arise.

Legal Reference: Iowa Code §§ 20.7; 68B; 279.8; 301.28 (2009).

Cross Reference: 203 Board of Directors' Conflict of Interest
402.4 Gifts to Employees
402.7 Employee Outside Employment
404 Employee Conduct and Appearance

Code No. 401.3

NEPOTISM

More than one family member may be an employee of the school district. It shall be within the discretion of the superintendent to allow one family member employed by the school district to supervise another family member employed by the school district.

The employment by the board of more than one individual in a family shall be on the basis of their qualifications, credentials and records.

Legal Reference: Iowa Code §§ 20; 71; 277.27; 279.8 (1995).

Cross Reference: 405.2 Licensed Employee Qualifications, Recruitment Selection
411.2 Classified Employee Qualifications, Recruitment Selection

Approved June 2008 Reviewed November 2013 Revised

Code No. 401.4

EMPLOYEE COMPLAINTS

Complaints of employees against fellow employees should be discussed directly between employees. If necessary, complaints shall be brought directly to the immediate supervisor, principal or superintendent and shall be made in a constructive and professional manner. Complaints shall never be made in the presence of other employees, students or outside persons.

A formal grievance procedure is contained in the master contract between the employee's licensed bargaining unit and the board. This policy shall not apply to a complaint that has been or could be filed at the employee's discretion under that formal grievance procedure.

Legal Reference: Iowa Code §§ 20.7, .9; 279.8 (1995).

Cross Reference: 307 Communication Channels

Approved June 2008 Reviewed November 2013 Revised

Code No. 401.5

EMPLOYEE RECORDS

The school district shall maintain personnel records on employees. The records are important for the daily administration of the educational program, for implementing board policy, for budget and financial planning, and for meeting state and federal requirements.

The records shall include, but not be limited to, records necessary for the daily administration of the school district, salary records, evaluations, application for employment, references, and other items needed to carry out board policy. Employee personnel files are school district records and are considered confidential records and therefore are not generally open to public inspection or accessibility. Only in certain limited instances, when the employee has given a signed consent, will employee personnel records be accessible to individuals other than the employee or authorized school officials.

Employees may have access to their personnel files, with the exception of letters of reference, and copy items from their personnel files at a time mutually agreed upon between the superintendent and the employee. The school district may charge a reasonable fee for each copy made. However, employees will not be allowed access to the employment references written on behalf of the employee. Board members will generally only have access to an employee's file when it is necessary because of an employee related matter before the board.

It shall be the responsibility of the superintendent to keep employees' personnel files current. The board secretary shall be the custodian of employee records.

It shall be the responsibility of the superintendent to develop administrative regulations for the implementation of this policy.

Approved June 2008 Reviewed November 2013 Revised

EMPLOYEE RECORDS

Legal Reference: Iowa Code chs. 20; 21; 22; 91B (2009).

Cross Reference:
402.1 Release of Credit Information
403 Employees' Health and Well-Being
708 Care, Maintenance and Disposal of School District Records

Code No. 401.5R1

EMPLOYEE RECORDS REGULATION

Employee Personnel Records Content

1. Employee personnel records may contain the following information:

   - Personal information including, but not limited to, name, address, telephone number, emergency numbers, birth date and spouse.
   - Individual employment contract.
   - Evaluations.
   - Application, resume and references.
   - Salary information.
   - Copy of the employee's license or certificate, if needed for the position.
   - Educational transcripts.
   - Assignment.
   - Records of disciplinary matters.

2. Employee health and medical records shall be kept in a file separate from the employee's personnel records. Health and medical records may contain, but are not limited to:

   - Medical professional signed physical form.
   - Sick or long-term disability leave days.
   - Worker's compensation claims.
   - Reasonable accommodation made by the school district to accommodate the employee's disability.
   - Employee's medical history.
   - Employee emergency names and numbers.
   - Family and medical leave request forms.

Applicant File Records Content

Records on applicants for positions with the school district shall be maintained in the central administration office. The records shall include, but not be limited to:

- Application for employment.
- Resume.
- References.
- Evidence of appropriate license or certificate, if necessary for the position for which the individual applied.
- Affirmative action form, if submitted.

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EMPLOYEE RECORDS REGULATION

Record Access

Only authorized school officials shall have access to an employee's records without the written consent of the employee. Authorized school officials may include, but not be limited to, the superintendent, building principal, or board secretary. In the case of a medical emergency, the school nurse or other first aid or safety personnel may have access to the employee's health or medical file without the consent of the employee. Board members will generally only have access to an employee's personnel file without the consent of the employee when necessary for the conducting of board business.

Employee Record Retention

All employee records, except payroll and salary records, shall be maintained for a minimum of seven years after termination of employment with the district. Applicant records shall be maintained for minimum of seven years after the position was filled. Payroll and salary records shall be maintained for a minimum of three years after payment.

Code No. 401.6

TRANSPORTING OF STUDENTS BY EMPLOYEES

Generally, transportation of students shall be in a motor vehicle owned by the school district and driven by an employee. In some cases, it may be more economical or efficient for the school district to allow an employee of the school district to transport the students in the employee's motor vehicle.

Employees who transport students for school purposes must have the permission of the superintendent.

This policy statement applies to transportation of students for school purposes in addition to the regular bus route transporting students to and from school.

Legal Reference: Iowa Code chs. 285; 321 (2009).

Cross Reference: 401.7 Employee Travel Compensation
711 Transportation
904.1 Transporting of Students in Private Vehicles

Approved June 2008 Reviewed November 2013 Revised

Code No. 401.7

EMPLOYEE TRAVEL COMPENSATION

Employees traveling on behalf of the school district and performing approved school district business will be reimbursed for their actual and necessary expenses. Actual and necessary travel expenses shall include, but not be limited to, transportation and/or mileage costs, lodging expenses, meal expenses and registration costs.

Travel Outside the School District

Travel outside of the school district must be pre-approved. Pre-approval shall include an evaluation of the necessity of the travel, the reason for the travel and an estimate of the cost of the travel to qualify as approved school district business. Travel outside the school district by employees, other than the superintendent, shall be approved by the superintendent.

Reimbursement for actual and necessary expenses will be allowed for travel outside the school district if the employee received pre-approval for the travel. Prior to reimbursement of actual and necessary expenses, the employee must provide the school district with a detailed receipt, other than a credit card receipt, indicating the date, purpose and nature of the expense for each claim item. In exceptional circumstances, the superintendent may allow a claim without proper receipt. Written documentation explaining the exceptional circumstances shall be maintained as part of the school district's record of the claim.

Failure to have a detailed receipt shall make the expense a personal expense. Personal expenses, including mileage, in excess of that required for the trip shall be reimbursed by the employee to the school district no later than 10 working days following the date of the expense.

Reimbursement for actual and necessary expenses for travel outside the school district will be limited to the pre-approved expenses. Pre-approved expenses for registration shall be limited to the actual cost of the registration.

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EMPLOYEE TRAVEL COMPENSATION

The superintendent shall be responsible for developing administrative regulations regarding actual and necessary expenses, in-school district travel allowances and assignment of school district vehicles. The administrative regulations shall include the appropriate forms to be filed for reimbursement to the employee from the school district and the procedures for obtaining approval for travel outside of and within the school district.

Legal Reference:
Iowa Constitution, Art. III, § 31.
Iowa Code §§ 70A.9-.11 (2009).
1980 Op. Att'y Gen. 512.

Cross Reference:
216.3 Board of Directors' Member Compensation and Expenses
401.6 Transporting of Students by Employees
401.10 Credit Cards
904.1 Transporting Students in Private Vehicles

Code No. 401.8

RECOGNITION FOR SERVICE OF EMPLOYEES

The board recognizes and appreciates the service of its employees. Employees who retire or resign may be honored by the board, administration and staff in an appropriate manner.

If the form of honor thought appropriate by the administration and employees involves unusual expense to the school district, the superintendent shall seek prior approval from the board.

Legal Reference: Iowa Const. Art. III, § 31.
Iowa Code § 279.8 (2009).
1980 Op. Att'y Gen. 102.

Cross Reference: 407 Licensed Employee Termination of Employment
413 Classified Employee Termination of Employment

Approved June 2008 Reviewed November 2013 Revised

Code No. 401.9

EMPLOYEE POLITICAL ACTIVITY

Employees shall not engage in political activity upon property under the jurisdiction of the board. Activities including, but not limited to, posting of political circulars or petitions, the distribution of political circulars or petitions, the collection of or solicitation for campaign funds, solicitation for campaign workers, and the use of students for writing or addressing political materials, or the distribution of such materials to or by students are specifically prohibited.

Violation of this policy may be grounds for disciplinary action.

Legal Reference: Iowa Code §§ 55; 279.8 (2009).

Cross Reference: 409.5 Licensed Employee Political Leave
414.5 Classified Employee Political Leave

Approved June 2008 Reviewed November 2013 Revised

CREDIT CARDS

Employees may use school district credit cards for the actual and necessary expenses incurred in the performance of work-related duties. Actual and necessary expenses incurred in the performance of work-related duties include, but are not limited to, fuel for school district transportation vehicles used for transporting students to and from school and for school-sponsored events, payment of claims related to professional development of the board and employees, and other expenses required by employees and the board in the performance of their duties.

Employees and officers using a school district credit card must submit a detailed receipt in addition to a credit card receipt indicating the date, purpose and nature of the expense for each claim item. Failure to provide a proper receipt will make the employee responsible for expenses incurred. Those expenses are reimbursed to the school district no later than ten working days following use of the school district's credit card. In exceptional circumstances, the superintendent or board may allow a claim without proper receipt. Written documentation explaining the exceptional circumstances is maintained as part of the school district's record of the claim.

The school district may maintain a school district credit card for actual and necessary expenses incurred by employees and officers in the performance of their duties. The superintendent may maintain a school district credit card for actual and necessary expenses incurred in the performance of the superintendent's duties. The transportation director may maintain a school district credit card for fueling school district transportation vehicles in accordance with board policy.

It is the responsibility of the superintendent to determine whether the school district credit card use is for appropriate school business. It is the responsibility of the board to determine through the audit and approval process of the board whether the school district credit card used by the superintendent and the board is for appropriate school business.

The superintendent is responsible for developing administrative regulations regarding actual and necessary expenses and use of a school district credit card. The administrative regulations will include the appropriate forms to be filed for obtaining a credit card.

Legal Reference: Iowa Constitution, Art. III, § 31.
Iowa Code §§ 279.8, .29, .30 (2009).
281 I.A.C. 12.3(1).

Cross Reference: 216.3 Board of Directors' Member Compensation and Expenses
401.7 Employee Travel Compensation

Approved June 2008 Reviewed November 2013 Revised _____

EMPLOYEE ORIENTATION

Employees must know their role and duties. New employees may be required to participate in an orientation program for new employees. The employee's immediate supervisor should provide the new employee with a review of the employee's responsibilities and duties. Payroll procedures and employee benefit programs and accompanying forms will be explained to the employee by the business manager.

Legal Reference: Iowa Code §§ 20; 279.8 (2009).
191 I.A.C. 74.

Cross Reference:
404 Employee Conduct and Appearance
406 Licensed Employee Compensation and Benefits
412 Classified Employee Compensation and Benefits

Approved November 2013 Reviewed November 2013 Revised_____

Code No. 402.1

RELEASE OF CREDIT INFORMATION

The following information will be released to an entity with whom an employee has applied for credit or has obtained credit: title of position, income, and number of years employed. This information will be released without prior written notice to the employee. Confidential information about the employee will be released to an inquiring creditor with a written authorization from the employee.

It shall be the responsibility of the board secretary or superintendent to respond to inquiries from creditors.

NOTE: This policy lists the information the school district will release to a credit agency without prior notice to the employee. The items listed are all public records and can be disclosed without prior notice. Prior to releasing other information, a school district must get consent from the employee. It is recommended that this consent be written.

Legal Reference: Iowa Code §§ 22.7; 279.8 (2009).

Cross Reference: 401.5 Employee Records

Approved June 2008 Reviewed November 2013 Revised

Code No. 402.2

CHILD ABUSE REPORTING

In compliance with state law and to provide protection to victims of child abuse, the board believes incidents of alleged child abuse should be reported to the proper authorities. Employees are encouraged, and licensed employees are required as mandatory reporters, to report alleged incidents of child abuse they become aware of within the scope of their professional duties. The definition of child abuse is in the accompanying regulation.

When a mandatory reporter suspects a student is the victim of child abuse, the mandatory reporter shall orally or in writing notify the Iowa Department of Human Services. If the mandatory reporter believes the child is in immediate danger, the local law enforcement agency shall also be notified. Within forty-eight hours of the oral report, the mandatory reporter shall file a written report with the Iowa Department of Human Services.

Within two months of their initial employment, mandatory reporters shall take a two-hour training course involving the identification and reporting of child abuse. The course shall be re-taken at least every five years.

NOTE: This policy reflects the current status of Iowa law regarding child abuse reporting.

For more information please go to the Iowa Department of Human Services Web site at: http://www.dhs.state.ia.us/Consumers/Safety_and_Protection/Abuse_Reporting/ChildAbuse.html

Legal Reference: Iowa Code §§ 232.67-.77; 232A; 235A; 280.17 (2009).
441 I.A.C. 9.2; 155; 175.
1982 Op. Att'y Gen. 390, 417.
1980 Op. Att'y Gen. 275.

Cross Reference: 402.3 Abuse of Students by School District Employees
502.9 Interviews of Students by Outside Agencies
507 Student Health and Well-Being

Approved June 2008 Reviewed November 2013 Revised

Code No. 402.2R1

CHILD ABUSE REPORTING REGULATION

Iowa law requires licensed employees to report to the Iowa Department of Human Services (DHS) instances of suspected child abuse which they become aware of within the scope of their professional practice.

The law further specifies that a licensed employee who knowingly or willfully fails to report a suspected case of child abuse is guilty of a simple misdemeanor and that the licensed employee may be subject to civil liability for damages caused by the failure to report.

Employees participating in good faith in the making of a report or in a judicial proceeding that may result from the report, are immune from liability.

Child Abuse Defined

"Child abuse" is defined as:

- Any nonaccidental physical injury, or injury which is at variance with the history given of it, suffered by a child as the result of the acts or omissions of a person responsible for the care of the child.

- The commission of a sexual offense with or to a child . . . as a result of the acts or omissions of the person responsible for the child. . . . Sexual offense includes sexual abuse, incest, and sexual exploitation of a minor.

- The failure on the part of a person responsible for the care of a child to provide for the adequate food, shelter, clothing or other care necessary for the child's welfare when financially able to do so. A parent or guardian legitimately practicing religious beliefs who does not provide specified medical treatment for a child for that reason alone shall not be considered abusing the child . . . .

- The acts or omissions of a person responsible for the care of a child which allow, permit or encourage the child to engage in acts prohibited pursuant to Iowa Code, section 725.1 which deals with prostitution.

Teachers in public schools are not "persons responsible for the care of the child" under this definition. However, a teacher who abuses a child is subject to civil, criminal, and professional sanctions.

Approved June 2008 Reviewed November 2013 Revised _____

CHILD ABUSE REPORTING REGULATION

Reporting Procedures

Licensed employees, including teachers and school nurses, are required to report, either orally or in writing, within twenty-four hours to the Iowa Department of Human Services (DHS) when the employee reasonably believes a child has suffered from abuse within the scope of employment. Within forty-eight hours of an oral report, a written report must be filed with DHS.

Each report should contain as much of the following information as can be obtained within the time limit. However, the law specifies a report will be considered valid even if it does not contain all of the following information:

- name, age, and home address of the child;
- name and home address of the parents, guardians or other persons believed to be responsible for the care of the child;
- the child's present whereabouts if not the same as the parent's or other person's home address;
- description of injuries, including evidence of previous injuries;
- name, age, and condition of other children in the same home;
- any other information considered helpful; and,
- name and address of the person making the report.

Board policy states it is not the responsibility of employees to prove that a child has been abused or neglected. Employees should not take it upon themselves to investigate the case or contact the family of the child. The DHS is responsible for investigating the incident of alleged abuse.

Code No. 402.3

ABUSE OF STUDENTS BY SCHOOL DISTRICT EMPLOYEES

Physical or sexual abuse of students, including inappropriate and intentional sexual behavior, by employees will not be tolerated. The definition of employees for the purpose of this policy includes not only those who work for pay but also those who are volunteers of the school district under the direction and control of the school district. Employees found in violation of this policy will be subject to disciplinary action up to and including discharge.

The school district will respond promptly to allegations of abuse of students by school district employees by investigating or arranging for the investigation of an allegation. The processing of a complaint or allegation will be handled confidentially to the maximum extent possible. Employees are required to assist in the investigation when requested to provide information and to maintain the confidentiality of the reporting and investigation process.

The school district has appointed a Level I investigator and alternate Level I investigator. The school district has also arranged for a trained, experienced professional to serve as the Level II investigator. The Level I investigator and alternate will be provided training in the conducting of an investigation at the expense of the school district. The names of the investigators shall be listed in the student handbook, published annually in the local newspaper and posted in all school facilities.

The superintendent is responsible for drafting administrative regulations to implement this policy.

Legal Reference: Iowa Code §§ 232.67, .70, .73, .75; 235A; 272A; 280.17; 709; 728.12(1) (2009).
281 I.A.C. 102; 103.
441 I.A.C. 155; 175.
1980 Op. Att'y Gen. 275.

Cross Reference: 106 Bullying/Harrassment
402.2 Child Abuse Reporting
503.5 Corporal Punishment

Approved June 2008 Reviewed November 2013 Revised

Code No. 402.3E1

ABUSE OF STUDENTS BY SCHOOL DISTRICT EMPLOYEES REPORT FORM

Complaint of Injury to or Abuse of a Student by a School District Employee

Please complete the following as fully as possible. If you need assistance, contact the Level I investigator in your school.

Student's name and address: _____

_____

Student's telephone no.:_____

Student's school:_____

Name and place of employment of employee accused of abusing student:

_____

_____

Allegation is of_____ physical_____ sexual abuse*

Please describe what happened. Include the date, time and where the incident took place, if known. If physical abuse is alleged, also state the nature of the student's injury:_____

_____

_____

Were there any witnesses to the incident or are there students or persons who may have information about this incident? __yes __no

If yes, please list by name, if known, or classification (for example: "third grade class," "fourth period geometry class"): _____

_____

*Parents of children who are in pre-kindergarten through sixth grade and whose children are the alleged victims of or witnesses to sexual abuse have the right to see and hear any interviews of their children in this investigation. Please indicate "yes" if the parent/guardian wishes to exercise this right:

__ Yes __ No Telephone Number_____

ABUSE OF STUDENTS BY SCHOOL DISTRICT EMPLOYEES REPORT FORM

Complaint of Injury to or Abuse of a Student by a School District Employee

Has any professional person examined or treated the student as a result of the incident? _ yes __ no __ unknown

If yes, please provide the name and address of the professional(s) and the date(s) of examination or treatment, if known:_____

_____

Has anyone contacted law enforcement about this incident? __ yes __ no

Please provide any additional information you have which would be helpful to the investigator. Attach additional pages if needed.

_____

_____

Your name, address and telephone number:

_____

_____

Relationship to student:_____

_____ _____

Complainant Signature Witness Signature

_____ _____

Date Witness Name (please print)

_____

Witness Address

Be advised that you have the right to contact the police or sheriff's office, the county attorney, a private attorney, or the State Board of Educational Examiners (if the accused is a licensed employee) for investigation of this incident. The filing of this report does not deny you that opportunity.

You will receive a copy of this report (if you are the named student's parent or guardian) and a copy of the Investigator's Report within fifteen calendar days of filing this report unless the investigation is turned over to law enforcement.

ABUSE OF STUDENTS BY SCHOOL DISTRICT EMPLOYEES
Report of Level I Investigation

Student's name:_____

Student's age: __ Student's grade:_____

Student's address: _____

Student's school:_____

Name of accused school employee_____ Building_____

Name and address of person filing report:_____

_____

Name and address of student's parent or guardian, if different from person filing report

_____

_____

Date report of abuse was filed:_____ __ physical __sexual*

Describe the nature, extent and cause of the student's injury, if any and if known: (Attach additional pages if needed).

_____
_____
_____
_____

Describe your investigation: Attach additional pages if needed. (Please do not use student witnesses' full names.)

_____
_____
_____
_____

*Were parent(s) or guardian(s) advised of their right to see and hear any interview of their pre-kindergarten through sixth grade children who are alleged victims of or a witness in a sexual abuse investigation?

__ Yes __ No Was the right exercised? __ Yes __ No

ABUSE OF STUDENTS BY SCHOOL DISTRICT EMPLOYEES
Report of Level I Investigation

Were audio tapes made of any interviews? __ yes __ no

Were video tapes made of any interviews? __ yes __ no

Was any action taken to protect the student during or as a result of the investigation? __ yes __ no

If yes, describe:

__student excused from school __school employee placed on administrative or other leave
__student assigned to different class __other (please specify)

Level I investigator's conclusions:

__ **The complaint is being dismissed for lack of jurisdiction.**

__ Physical abuse was alleged, but no allegation of injury was made.

__ Physical abuse was alleged, but no evidence of physical injury exists and the nature of the alleged incident makes it unlikely an injury, as defined in the rules, occurred.

__ Sexual abuse was alleged, but the alleged actions of the school employee, even if true, would not meet the definition of sexual abuse in the rules.

__ Alleged victim was not a student at the time of the incident.

__ Alleged school employee is not currently employed by this school district.

__ Alleged incident did not occur on school grounds, on school time, at a school-sponsored activity, nor in a school-related context.

__ **The complaint has been investigated and concluded at Level I as unfounded.**

__ Complaint was withdrawn.

__ Insufficient evidence exists that an incident of abuse, as defined in the rules, took place.

ABUSE OF STUDENTS BY SCHOOL DISTRICT EMPLOYEES
Report of Level I Investigation

__ **The complaint has been investigated at Level I and is founded.**

__ The investigation is founded at Level I and is being turned over to Level II for further investigation.

__ Investigation of the complaint was deferred at Level I and referred to law enforcement at this time.

__ The investigation is concluded at Level I because the accused school employee has admitted the violation, has resigned, or has agreed to relinquish any teaching license held.

Current status of investigation:

__ Closed. No further investigation is warranted.

__ Closed and referred to school officials for further investigation as a personnel matter.

__ Deferred to law enforcement officials.

__ Turned over to Level II investigator.

Other comments: _____

_____

I have given a copy of the report of abuse and of this investigative report to the employee named in the report, the employee's supervisor, and the student's parent or guardian and informed the person filing the report of the options of contacting law enforcement, private counsel, or the State Board of Educational Examiners, if the accused school employee holds an Iowa teacher's certificate or license.

_____ _____
Name of investigator (please print) Investigator's place of employment

_____ _____
Signature of investigator Date

ABUSE OF STUDENTS BY SCHOOL DISTRICT EMPLOYEES REGULATION

An individual who has knowledge an employee has physically or sexually abused a student may immediately report it to the Guidance Counselor who is the school district's Level I investigator. "Employee" means one who works for pay or as a volunteer under the direction and control of the school district. The report shall be written, signed and witnessed by a person of majority age. The witness may be the Level I investigator. The reporter is the individual filing the report. The report shall contain the following:

- The full name, address, and telephone number of the person filing.
- The full name, age, address, and telephone number, and attendance center of the student.
- The name and place of employment of the employee who allegedly committed the abuse.
- A concise statement of the facts surrounding the incident, including date, time, and place of occurrence, if known.
- A list of possible witnesses by name, if known.
- Names and locations of persons who examined, counseled or treated the student for the alleged abuse, including the dates on which those services were provided, if known.

Upon request, the Level I investigator may assist the reporter in completing the report. An incomplete report shall not be rejected unless the missing information would render the investigation futile or impossible. An employee receiving a report of alleged abuse of a student by an employee shall pass the report to the investigator and shall keep the report confidential to the maximum extent possible. In performing the investigation, the investigator shall have access to the educational records of the alleged student victim as well as access to the student for interviewing purposes.

In order for the school district to have jurisdiction over the acts and to constitute a violation of the law, acts of the employee must be alleged to have occurred on school grounds, on school time, at a school-sponsored activity, or in a school-related context. However, the student need not be a student in the school district. The student can be from another school district. To be investigable, the written report must include basic information showing that the victim of the alleged abuse is or was a student at the time of the incident, that the alleged act of the employee resulted in injury or otherwise meets the definition of abuse in these rules, and that the person responsible for the act is currently an employee. If the report is not investigable due to lack of jurisdiction, the investigator shall dismiss the complaint and inform the reporter of other options available. Other options available to the reporter include contacting law enforcement authorities, private counsel, or the Board of Educational Examiners in the case of a licensed employee.

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ABUSE OF STUDENTS BY SCHOOL DISTRICT EMPLOYEES REGULATION

If the Level I investigator believes the student is in imminent danger if continued contact is permitted between the employee and the student, the Level I investigator may:

- temporarily remove the student from contact with the employee;
- temporarily remove the employee from service; or,
- take other appropriate action to ensure the student's safety.

The Level I investigator shall have access to the educational records of the student and access to the student for purposes of interviewing the student about the report.

Physical Abuse Allegations

When physical abuse is reported, the Level I investigator shall make copies of the report and give a copy to the person filing the report, the students' parents and the immediate supervisor of the employee named in the report. The employee named in the report shall not receive a copy of the report until the employee is initially interviewed.

The Level I investigator shall use discretion in handling the information received regarding an investigation of abuse by an employee, and those persons involved in the investigation shall not discuss information regarding the complaint outside the investigation. The entire investigative procedure will be thoroughly explained, including the confidential nature of the proceedings, to the student and other persons involved in the investigation.

Within five days of receipt of an investigable report, the Level I investigator shall complete an informal investigation. The informal investigation shall consist of interviews with the student, the employee and others who may have knowledge of the alleged incident. If the Level I investigator determines that the allegations in the report are founded and that immediate and professional investigation is necessary, the Level I investigator may defer further investigation and contact appropriate law enforcement officials, the student's parents and the person filing the report. Within fifteen days of receipt of the report, the Level I investigator shall complete a written investigative report, unless the investigation was temporarily deferred.

The written investigative report shall include:

1. The name, age, address and attendance center of the student named in the report.

ABUSE OF STUDENTS BY SCHOOL DISTRICT EMPLOYEES REGULATION

2. The name and address of the student's parent or guardian and the name and address of the person filing the report, if different from the student's parent or guardian.
3. The name and work address of the employee named in the report as allegedly responsible for the abuse of the student.
4. An identification of the nature, extent and cause, if known, of any injuries or abuse to the student named in the report.
5. A general review of the investigation.
6. Any actions taken for the protection and safety of the student.
7. A statement that, in the investigator's opinion, the allegations in the report are either:
   • Unfounded. (It is not likely that an incident, as defined in these rules, took place), or
   • Founded. (It is likely that an incident took place.)
8. The disposition or current status of the investigation.
9. A listing of the options available to the parents or guardian of the student to pursue the allegations. These options include, but are not limited to:
   • Contacting law enforcement officials.
   • Contacting private counsel for the purpose of filing a civil suit or complaint.
   • Filing a complaint with the board of educational examiners if the employee is a licensed employee.

The investigator shall retain the original and provide a copy of the written investigative report to the school employee named in the report, the employee's supervisor and the student's parent or guardian. The person filing the report, if not the student's parent or guardian, shall be notified only that the Level I investigation has been concluded and of the disposition or anticipated disposition of the case.

It is the responsibility of the Level I investigator to determine whether it is more likely than not that an incident of abuse as defined in the rules took place between the student and employee. The Level I investigator does not make the determination of whether the use of physical contact was appropriate or whether any of the exceptions apply. That is the responsibility of the Level II investigator. Upon completion of the report, if the Level I investigator determines the allegations of physical abuse are founded and serious, the Level I investigator shall notify law enforcement authorities. If the allegations are founded but the physical abuse is not of a serious nature, the Level I investigator shall refer the case on to _____, the Level II investigator.

ABUSE OF STUDENTS BY SCHOOL DISTRICT EMPLOYEES REGULATION

The Level II investigator shall review the Level I investigator's final investigative report and conduct further investigation. The Level II investigative report shall state the conclusion as to the occurrence of the alleged incident, the applicability of exceptions, the reason for the contact or force used, and recommendations regarding the need for further investigation. In determining the applicability of the exceptions or the reasonableness of the contact or force used, the Level II investigator will use the following definitions:

Physical abuse is non-accidental physical injury to the student as a result of the action of an employee. Injury occurs when evidence of it is still apparent at least twenty-four hours after its occurrence. The following do not constitute physical abuse, and no employee is prohibited from:

a. Using reasonable and necessary force, not designed or intended to cause pain:

(1) To quell a disturbance or prevent an act that threatens physical harm to any person.
(2) To obtain possession of a weapon or other dangerous object within a pupil's control.
(3) For the purposes of self-defense of defense of others as provided for in Iowa Code § 704.3.
(4) For the protection of property as provided for in Iowa Code §§ 704.4, .5.
(5) To remove a disruptive pupil from class, or any area of school premises or from school-sponsored activities off school premises.
(6) To prevent a student from the self-infliction of harm.
(7) To protect the safety of others.

b. Using incidental, minor, or reasonable physical contact to maintain order and control.

In determining the reasonableness of the contact or force used, the following factors shall be considered:

a. The nature of the misconduct of the student, if any, precipitating the physical contact by the school employee.
b. The size and physical condition of the student.
c. The instrumentality used in making the physical contact.
d. The motivation of the school employee in initiating the physical contact.
e. The extent of injury to the student resulting from the physical contact.

ABUSE OF STUDENTS BY SCHOOL DISTRICT EMPLOYEES REGULATION

"Reasonable force" is that force and no more which a reasonable person, in like circumstances, would judge to be necessary to prevent an injury or loss and can include deadly force if it is reasonable to believe that such force is necessary to avoid injury or risk to one's life or safety or the life or safety of another, or it is reasonable to believe that such force is necessary to resist a like force or threat.

Upon completion of the Level II investigation, the Level I investigator shall forward copies of the Level II investigative report to the employee, the employee's immediate supervisor and the student's parent. The Level I investigator shall notify the person filing the report of the current status of the case.

If the Level II investigator's report or law enforcement officials conclude abuse occurred, or the employee admits the violation, or the employee has surrendered the employee's certificate or license, the Level I investigator shall file a complaint with the State Board of Educational Examiners. The Level I investigator shall also arrange for counseling services for the student if the student or student's parents request counseling services.

Sexual Abuse

Sexual abuse is defined as including sexual acts involving a student, acts that encourage the student to engage in prostitution, as well as inappropriate, intentional sexual behavior or sexual harassment by the employee toward a student. "Sexual harassment" is defined as unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature when:

1. Submission to the conduct is made either implicitly or explicitly a term or condition of the student's education or benefits;
2. Submission to or rejection of the conduct is used as the basis for academic decisions affecting that student; or
3. The conduct has the purpose or effect of substantially interfering with a student's academic performance by creating an intimidating, hostile or offensive education environment.

When sexual abuse is reported, the Level I investigator shall make copies of the report and give a copy to the person filing the report, the students' parents and the immediate supervisor of the employee named in the report. The employee named in the report shall not receive a copy of the report until the employee is initially interviewed. The designated investigator shall not interview the school employee named in a report of sexual abuse until after a determination is made that jurisdiction exists, the alleged victim has been interviewed and a determination made that the investigation will not be deferred.

ABUSE OF STUDENTS BY SCHOOL DISTRICT EMPLOYEES REGULATION

The investigator shall notify the parent, guardian or legal custodian of a student in prekindergarten through grade six, of the date and time of the interview and of the right to be present or to see and hear the interview or send a representative in the parent's place. The Level I investigator shall interview the student as soon as possible, but in no case later than five days from the receipt of a report or notice of the allegation of sexual abuse. The Level I investigator may record the interview electronically.

The Level I investigator shall exercise discretion in the investigative process to preserve the privacy interests of the individuals involved. To the maximum extent possible, the investigator shall maintain the confidentiality of the report.

It is the responsibility of the Level I investigator to determine whether it is more likely than not that an incident took place between the employee and the student. If the Level I investigator believes the employee committed a sex act with a student or sexually exploited a student, the Level I investigator shall defer the Level I investigation and immediately notify law enforcement officials, the student's parents and the person filing the report.

If the Level I investigator determines an incident occurred, while not an illegal sex act with a student or sexual exploitation of a student, but where the employee engaged in inappropriate, intentional sexual behavior, further investigation is warranted. If further investigation is warranted, the Level I investigator may proceed to interview the employee and other individuals who may have knowledge of the circumstances contained in the report. Prior to interviewing other individuals who may have knowledge of the circumstance contained in the report, the Level I investigator shall provide notice of the impending interview of student witnesses or the student who is in prekindergarten through grade six, to their parent, guardian, or legal custodian, and may provide notice to the parent or guardian of older students, prior to interviewing those students. The Level I investigator shall, if founded, arrange for the Level II investigator to further investigate the allegations.

Within fifteen days of receipt of the report or notice of alleged sexual abuse, the Level I investigator shall complete a written investigative report unless the investigation was temporarily deferred. The written investigative report shall include:

1. The name, age, address and attendance center of the student named in the report.
2. The name and address of the student's parent or guardian and the name and address of the person filing the report, if different from the student's parent or guardian.

ABUSE OF STUDENTS BY SCHOOL DISTRICT EMPLOYEES REGULATION

3. The name and work address of the school employee named in the report as allegedly responsible for the abuse of the student.
4. An identification of the nature, extent and cause, if known, of any injuries or abuse to the student named in the report.
5. A general review of the investigation.
6. Any actions taken for the protection and safety of the student.
7. A statement that, in the investigator's opinion, the allegations in the report are either:
   - Unfounded. (It is not likely that an incident, as defined in these rules, took place), or
   - Founded. (It is likely that an incident took place.)
8. The disposition or current status of the investigation.
9. A listing of the options available to the parents or guardian of the student to pursue the allegations. These options include, but are not limited to:
   - Contacting law enforcement officials.
   - Contacting private counsel for the purpose of filing a civil suit or complaint.
   - Filing a complaint with the board of educational examiners if the school employee is certificated.

The investigator shall retain the original and provide a copy of the investigative report to the school employee named in the report, the school employee's supervisor and the named student's parent or guardian. The person filing the report, if not the student's parent or guardian, shall be notified only that the Level I investigation has been concluded and of the disposition or anticipated disposition of the case.

If the allegations are founded, the Level I investigation shall refer the case to the Level II investigator. The Level II investigator shall review the Level I investigator's final investigative report and conduct further investigation if necessary. The Level II investigative report shall state conclusively as to the occurrence of the alleged incident, conclusively as to the nature of the sexual abuse and recommendations regarding the need for further investigation. Upon completion of the Level II investigation, the Level I investigator shall forward copies of the Level II investigative report to the employee, the employee's immediate supervisor and the student's parent. The Level I investigator shall notify the person filing the report of the current status of the case.

ABUSE OF STUDENTS BY SCHOOL DISTRICT EMPLOYEES REGULATION

If the Level II investigator's report or law enforcement officials conclude sexual abuse occurred, or the employee admits the violation, or the employee has surrendered the employee's certificate or license, the Level I investigator shall file a complaint on behalf of the district after obtaining the superintendent's signature with the State Board of Educational Examiners. The Level I investigator shall also arrange for counseling services for the student if the student or student's parents request counseling services.

In cases involving founded physical or sexual abuse by a licensed employee, the board shall notify the Board of Educational Examiners. Information of unfounded abuse at Level I or Level II shall not be kept in the employee's personnel file. If the Level I investigative report is founded but Level II is unfounded, then the Level I report shall be removed from the employee's permanent file.

It shall be the responsibility of the board to annually identify a Level I and Level II investigator. The board shall also designate annually an alternate Level I investigator, preferably of the opposite sex of the designated Level I investigator, to whom reports may also be made. The names and telephone numbers of the Level I investigator and the alternate Level I investigator shall be included in employee handbooks, student handbooks, annually published in the local newspaper, and prominently displayed in all school buildings.

Code No. 402.4

GIFTS TO EMPLOYEES

Employees may receive a gift on behalf of the school district. Employees shall not, either directly or indirectly, solicit, accept or receive any gift, series of gifts or an honorarium unless the donor does not meet the definition of "restricted donor" stated below or the gift or honorarium does not meet the definition of gift or honorarium stated below.

A "restricted donor" is defined as a person or other entity which:

- Is seeking to be, or is a party to, any one or any combination of sales, purchases, leases or contracts to, from or with the school district;
- Will be directly and substantially affected financially by the performance or nonperformance of the employee's official duty in a way that is greater than the effect on the public generally or on a substantial class of persons to which the person belongs as a member of a profession, occupation, industry or region; or
- Is a lobbyist or a client of a lobbyist with respect to matters within the school district's jurisdiction.

A "gift" is the giving of anything of value in return for which something of equal or greater value is not given or received. However, "gift" does not include any of the following:

- Contributions to a candidate or a candidate's committee;
- Information material relevant to an employee's official function, such as books, pamphlets, reports, documents, periodicals or other information that is recorded in a written, audio or visual format;
- Anything received from a person related within the fourth degree by kinship or marriage, unless the donor is acting as an agent or intermediary for another person not so related;
- An inheritance;
- Anything available or distributed to the general public free of charge without regard to the official status of the employee;
- Items received from a charitable, professional, educational or business organization to which the employee belongs as a dues paying member if the items are given to all members of the organization without regard to an individual member's status or positions held outside of the organization and if the dues paid are not inconsequential when compared to the items received;

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GIFTS TO EMPLOYEES

- Actual expenses of an employee for food, beverages, travel and lodging for a meeting, which is given in return for participation in a panel or speaking engagement at the meeting when the expenses relate directly to the day or days on which the employee has participation or presentation responsibilities;
- Plaques or items of negligible resale value given as recognition for public service;
- Nonmonetary items with a value of less than three dollars that are received from any one donor during one calendar day;
- Items or services solicited or given to a state, national or regional organization in which the state of Iowa or a school district is a member for purposes of a business or educational conference, seminar or other meeting or solicited by or given for the same purposes to state, national or regional government organizations whose memberships and officers are primarily composed of state or local government officials or employees for purposes of a business or educational conference, seminar or other meeting;
- Items or services received by members or representatives of members as part of a regularly scheduled event that is part of a business or educational conference, seminar or other meeting that is sponsored and directed by any state, national or regional government organization in which the state of Iowa or a political subdivision of the state of Iowa is a member or received at such an event by members or representatives of members of state, national or regional government organizations whose memberships and officers are primarily composed of state or local government officials or employees;
- Funeral flowers or memorials to a church or nonprofit organization;
- Gifts which are given to an employee for the employee's wedding or twenty-fifth or fiftieth wedding anniversary;
- Payment of salary or expenses by the school district for the cost of attending a meeting of a subunit of an agency when the employee whose expenses are being paid serves on a board, commission, committee, council or other subunit of the agency and the employee is not entitled to receive compensation or reimbursement of expenses from the school district for attending the meeting; or
- Gifts other than food, beverages, travel and lodging received by an employee which are received from a person who is a citizen of a country other than the United States and is given during a ceremonial presentation or as a result of a custom of the other country and is of personal value only to the employee.

GIFTS TO EMPLOYEES

- Actual registration costs for informational meetings or sessions which assist a public official or public employee in the performance of the person's official functions. The costs of food, drink, lodging and travel are not "registration costs" under this paragraph. Meetings or sessions which a public official or public employee attends for personal or professional licensing purposes are not "informational meetings or sessions which assist a public official or public employee in the performance of the person's official functions" under this paragraph.

An "honorarium" is anything of value that is accepted by, or on behalf of, an employee as consideration for an appearance, speech or article. An honorarium does not include any of the following:

- Actual expenses of an employee for registration, food, beverages, travel or lodging for a meeting, which is given in return for participation in a panel or speaking engagement at a meeting when the expenses relate directly to the day or days on which the employee has participation or presentation responsibilities;
- A nonmonetary gift or series of nonmonetary gifts donated within thirty days to a public body, an educational or charitable organization or the Iowa department of general services; or
- A payment made to an employee for services rendered as part of a private business, trade or profession in which the employee is engaged if the payment is commensurate with the actual services rendered and is not being made because of the person's status as an employee of the district, but, rather, because of some special expertise or other qualification.

It shall be the responsibility of each employee to know when it is appropriate to accept or reject gifts or an honorarium.

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Legal Reference: Iowa Code ch. 68B (2009).
1972 Op. Att'y Gen. 276.
1970 Op. Att'y Gen. 319.

Cross Reference: 217 Gifts to Board of Directors
401.2 Employee Conflict of Interest
704.4 Gifts-Grants-Bequests

Code No. 402.5

PUBLIC COMPLAINTS ABOUT EMPLOYEES

The board recognizes situations may arise in the operation of the school district which are of concern to parents and other members of the school district community. While constructive criticism is welcomed, the board desires to support its employees and their actions to free them from unnecessary, spiteful, or negative criticism and complaints that do not offer advice for improvement or change.

The board firmly believes concerns should be resolved at the lowest organizational level by those individuals closest to the concern. Whenever a complaint or concern is brought to the attention of the board it will be referred to the administration to be resolved. Prior to board action however, the following should be completed:

(a) Matters concerning an individual student, teacher, or other employee should first be addressed to the teacher or employee.

(b) Unsettled matters from (a) above or problems and questions about individual attendance centers should be addressed to the employee's building principal or immediate supervisor for licensed employees and the superintendent for classified employees.

(c) Unsettled matters regarding licensed employees from (b) above or problems and questions concerning the school district should be directed to the superintendent.

(d) If a matter cannot be settled satisfactorily by the superintendent, it may then be brought to the board. To bring a concern regarding an employee, the individual may notify the board president in writing through the superintendent of schools, who may bring it to the attention of the entire board, or the item may be placed on the board agenda of a regularly scheduled board meeting in accordance with board policy 210.8.

It is within the discretion of the board to address complaints from the members of the school district community, and the board will only do so if they are in writing, signed, and the complainant has complied with this policy.

Legal Reference: Iowa Code § 279.8 (2009).

Cross Reference: 210.8 Board Meeting Agenda
213 Public Participation in Board Meetings
307 Communication Channels

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Code No. 402.6

EMPLOYEE OUTSIDE EMPLOYMENT

The board believes the primary responsibility of employees is to the duties of their position within the school district as outlined in their job description. The board considers an employee's duties as part of a regular, full-time position as full-time employment. The board expects such employees to give the responsibilities of their positions in the school district precedence over any other employment.

It shall be the responsibility of the superintendent to counsel employees, whether full-time or part-time, if, in the judgment of the superintendent and the employee's immediate supervisor, the employee's outside employment interferes with the performance of the employee's duties required in the employee's position within the school district.

The board may request the employee to cease the outside employment as a condition of continued employment with the school district.

Legal Reference: Iowa Code §§ 20.7; 279.8 (2009).

Cross Reference: 401.2 Employee Conflict of Interest
408.3 Licensed Employee Tutoring

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EMPLOYEE PHYSICAL EXAMINATIONS

Good health is important to job performance. Employees will present evidence of good health, in the form of a physical examination report, prior to their employment with the school district.

School bus drivers will present evidence of good health every other year in the form of a physical examination report unless otherwise required by law or medical opinion. Employees whose physical or mental health, in the judgment of the administration, may be in doubt will submit to additional examinations, when requested to do so, at the expense of the school district.

The cost of the initial examination will be paid by the district, up to a maximum of $75.00. The form indicating the employee is able to perform the duties for which the employee was hired must be returned prior to payment of salary. The cost of bus driver renewal physicals will be paid by the school district up to a maximum of $75.00. The school district will provide the standard examination form to be completed by the personal physician of the employee. Employees identified as having reasonably anticipated contact with blood or infectious materials will receive the Hepatitis B vaccine or sign a written waiver stating that they will not take the vaccine.

It is the responsibility of the superintendent to write an exposure control plan to eliminate or minimize district occupational exposure to bloodborne pathogens. The plan for designated employees will include, but not be limited to, scope and application, definitions, exposure control, methods of compliance, Hepatitis B vaccination and postexposure evaluation and follow-up, communication of hazards to employees, and record keeping.

The requirements stated in the master contract between employees in that certified collective bargaining unit and the board regarding physical examinations of such employees are followed.

NOTE: All school district employees, on initial hire, must present a form which states that employees are physically able to perform the employee's duties. Bus drivers must present the form at initial employment and every other year thereafter, unless required by law or medical opinion

Legal Reference: 29 C.F.R. Pt. 1910.1030 (2006).
Iowa Code §§ 20.9; 279.8, 321.376 (2009).
281 I.A.C. 12.4(14); 43.15 -.20.

Cross Reference: 403 Employees' Health and Well-Being

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Code No. 403.2

EMPLOYEE INJURY ON THE JOB

When an employee becomes seriously injured on the job, the building principal shall notify a member of the family, or an individual of close relationship, as soon as the building principal becomes aware of the injury.

If possible, an employee may administer emergency or minor first aid. An injured employee shall be turned over to the care of the employee's family or qualified medical employees as quickly as possible. The school district is not responsible for medical treatment of an injured employee.

It shall be the responsibility of the employee injured on the job to inform the superintendent within twenty-four hours of the occurrence. It shall be the responsibility of the employee's immediate supervisor to file an accident report within twenty-four hours after the employee reported the injury.

It shall be the responsibility of the employee to file claims, such as workers' compensation, through the board secretary.

Legal Reference: Iowa Code §§ 85; 613.17 (2009).
1972 Op. Att'y Gen. 177.

Cross Reference: 403 Employees' Health and Well-Being
409.2 Licensed Employee Personal Illness Leave
414.2 Classified Employee Personal Illness Leave

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COMMUNICABLE DISEASES - EMPLOYEES

Employees with a communicable disease will be allowed to perform their customary employment duties provided they are able to perform the essential functions of their position and their presence does not create a substantial risk of illness or transmission to students or other employees. The term "communicable disease" shall mean an infectious or contagious disease spread from person to person, or animal to person, or as defined by law.

Prevention and control of communicable diseases shall be included in the school district's bloodborne pathogens exposure control plan. The procedures shall include scope and application, definitions, exposure control, methods of compliance, universal precautions, vaccination, post-exposure evaluation, follow-up, communication of hazards to employees and record keeping. This plan shall be reviewed annually by the superintendent and school nurse.

The health risk to immunodepressed employees shall be determined by their personal physician. The health risk to others in the school district environment from the presence of an employee with a communicable disease shall be determined on a case-by-case basis by the employee's personal physician, a physician chosen by the school district or public health officials.

An employee shall notify the superintendent or the school nurse when the employee learns a communicable disease exists. It shall be the responsibility of the superintendent, when the superintendent or school nurse, upon investigation, has knowledge that a reportable communicable disease is present, to notify the Iowa Department of Public Health.

Health data of an employee is confidential and it shall not be disclosed to third parties. Employee medical records shall be kept in a file separate from their personal file.

It shall be the responsibility of the superintendent, in conjunction with the school nurse, to develop administrative regulations stating the procedures for dealing with employees with a communicable disease.

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COMMUNICABLE DISEASES - EMPLOYEES

Legal Reference: School Board of Nassau County v. Arline, 480 U.S. 273 (1987).
29 U.S.C. § 794, 1910 (1988).
42 U.S.C. §§ 12101 et seq. (Supp. 1990).
45 C.F.R. Pt. 84.3 (1993).
Iowa Code § 139; 141 (2009).
641 I.A.C. 1.2-.7.

Cross Reference: 401.5 Employee Records
403.1 Employee Physical Examinations
507.3 Communicable Diseases - Students

Code No. 403.3R1

UNIVERSAL PRECAUTIONS REGULATION

Universal precautions (UP) are intended to prevent transmission of infection, as well as decrease the risk of exposure for employees and students. It is not currently possible to identify all infected individuals, thus precautions must be used with every individual. UP pertain to blood and other potentially infectious materials (OPIM) containing blood. These precautions do not apply to other body fluids and wastes (OBFW) such as saliva, sputum, feces, tears, nasal secretions, vomitus and urine unless blood is visible in the material. However, these OBFW can be sources of other infections and should be handled as if they are infectious. The single most important step in preventing exposure to and transmission of any infection is anticipating potential contact with infectious materials in routine as well as emergency situations. Based on the type of possible contact, employees and students should be prepared to use the appropriate precautions prior to the contact. Diligent and proper hand washing, the use of barriers, appropriate disposal of waste products and needles, and proper decontamination of spills are essential techniques of infection control. All individuals should respond to situations practicing UP followed by the activation of the school response team plan. Using common sense in the application of these measures will enhance protection of employees and students.

Hand Washing

Proper hand washing is crucial to preventing the spread of infection. Textured jewelry on the hands or wrists should be removed prior to washing and kept off until completion of the procedure and the hands are rewashed. Use of running water, lathering with soap and using friction to clean all hand surfaces is key. Rinse well with running water and dry hands with paper towels.

- Hands should be washed before physical contact with individuals and after contact is completed.
- Hands should be washed after contact with any used equipment.
- If hands (or other skin) come into contact with blood or body fluids, hands should be washed immediately before touching anything else.
- Hands should be washed whether gloves are worn or not and, if gloves are worn, after the gloves are removed.

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UNIVERSAL PRECAUTIONS REGULATION

Barriers

Barriers anticipated to be used at school include disposable gloves, absorbent materials and resuscitation devices. Their use is intended to reduce the risk of contact with blood and body fluids as well as to control the spread of infectious agents from individual to individual. Gloves should be worn when in contact with blood, OPIM or OBFW. Gloves should be removed without touching the outside and disposed of after each use.

Disposal of Waste

Blood, OPIM, OBFW, used gloves, barriers and absorbent materials should be placed in a plastic bag and disposed of in the usual procedure. When the blood or OPIM is liquid, semi-liquid or caked with dried blood, it is not absorbed in materials, and is capable of releasing the substance if compressed, special disposal as regulated waste is required. A band-aid, towel, sanitary napkin or other absorbed waste that does not have the potential of releasing the waste if compressed would not be considered regulated waste. It is anticipated schools would only have regulated waste in the case of a severe incident. Needles, syringes and other sharp disposable objects should be placed in special puncture-proof containers and disposed of as regulated waste. Bodily wastes such as urine, vomitus or feces should be disposed of in the sanitary sewer system.

Clean up

Spills of blood and OPIM should be cleaned up immediately. The employee should:

- Wear gloves.
- Clean up the spill with paper towels or other absorbent material.
- Use a solution of one part household bleach to one hundred parts of water (1:100) or other EPA-approved disinfectant and use it to wash the area well.
- Dispose of gloves, soiled towels and other waste in a plastic bag.
- Clean and disinfect reusable supplies and equipment.

Laundry

Laundry with blood or OPIM should be handled as little as possible with a minimum of agitation. It should be bagged at the location. If it has the potential of releasing the substance when compacted, regulated waste guidelines should be followed. Employees who have contact with this laundry should wear protective barriers.

UNIVERSAL PRECAUTIONS REGULATION

Exposure

An exposure to blood or OPIM through contact with broken skin, mucous membrane or by needle or sharp stick requires immediate washing, reporting and follow-up.

- Always wash the exposed area immediately with soap and water.
- If a mucous membrane splash (eye or mouth) or exposure of broken skin occurs, irrigate or wash the area thoroughly.
- If a cut or needle stick injury occurs, wash the area thoroughly with soap and water.

The exposure should be reported immediately, the parent or guardian is notified, and the person exposed contacts a physician for further health care.

Code No. 403.4

HAZARDOUS CHEMICAL DISCLOSURE

The board authorizes the development of a comprehensive hazardous chemical communication program for the school district to disseminate information about hazardous chemicals in the workplace.

Each employee shall annually review information about hazardous substances in the workplace. When a new employee is hired or transferred to a new position or work site, the information and training, if necessary, shall be included in the employee's orientation. When an additional hazardous substance enters the workplace, information about it shall be distributed to all employees, and training shall be conducted for the appropriate employees. The superintendent shall maintain a file indicating when which hazardous substances are present in the workplace and training and information sessions take place.

Employees who will be instructing or otherwise working with students shall disseminate information about the hazardous chemicals with which they will be working as part of the instructional program.

It shall be the responsibility of the superintendent to develop administrative regulations regarding this program.

Legal Reference: 29 C.F.R. Pt. 1910; 1200 et seq. (2006).
Iowa Code chs. 88; 89B (2009).
347 I.A.C. 120.

Cross Reference: 403 Employees' Health and Well-Being
804 Safety Program

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Code No. 403.5

SUBSTANCE-FREE WORKPLACE

The board expects the school district and its employees to remain substance free. No employee shall unlawfully manufacture, distribute, dispense, possess, use, or be under the influence of in the workplace any narcotic drug, hallucinogenic drug, amphetamine, barbituate, marijuana or any other controlled substance or alcoholic beverage as defined by federal or state law. "Workplace" includes school district facilities, school district premises or school district vehicles. "Workplace" also includes non-school property if the employee is at any school-sponsored, school-approved or school-related activity, event or function, such as field trips or athletic events where students are under the control of the school district or where the employee is engaged in school business.

If an employee is convicted of a violation of any criminal drug offense committed in the workplace, the employee shall notify the employee's supervisor of the conviction within five days of the conviction.

The superintendent will make the determination whether to require the employee to undergo substance abuse treatment or to discipline the employee. An employee who violates the terms of this policy may be subject to discipline up to and including termination. If the employee fails to successfully participate in a program, the employee may be subject to discipline up to and including termination.

The superintendent shall be responsible for publication and dissemination of this policy to each employee. In addition, the superintendent shall oversee the establishment of a substance-free awareness program to educate employees about the dangers of substance abuse and notify them of available substance abuse treatment programs.

It is the responsibility of the superintendent to develop administrative regulations to implement this policy.

Legal Reference: 41 U.S.C. §§ 701-707 (2006).
42 U.S.C. §§ 12101 et seq. (2006).
34 C.F.R. Pt. 85 (2004).
Iowa Code §§ 124; 279.8 (2009).

Cross Reference: 404 Employee Conduct and Appearance

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Code No. 403.6R1

SUBSTANCE-FREE WORKPLACE REGULATION

A superintendent who suspects an employee has a substance abuse problem shall follow these procedures:

1. **Identification** - the superintendent shall document the evidence the superintendent has which leads the superintendent to conclude the employee has violated the Substance-Free Workplace policy. After the superintendent has determined there has been a violation of the Substance-Free Workplace policy, the superintendent shall discuss the problem with the employee.

2. **Discipline** - if, after the discussion with the employee, the superintendent determines there has been a violation of the Substance-Free Workplace policy, the superintendent may recommend discipline up to and including termination. Participation in a substance abuse treatment program is voluntary.

3. **Failure to participate in referral** - if the employee refuses to participate in a substance abuse treatment program or if the employee does not successfully complete a substance abuse treatment program, the employee may be subject to discipline up to and including termination.

4. **Conviction** - if an employee is convicted of a criminal drug offense committed in the workplace, the employee must notify the employer of the conviction within five days of the conviction.

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DRUG AND ALCOHOL TESTING PROGRAM

Employees who operate school vehicles are subject to drug and alcohol testing if a commercial driver's license is required to operate the school vehicle and the school vehicle transports sixteen or more persons including the driver or the school vehicle weighs twenty-six thousand one pounds or more. For purposes of the drug and alcohol testing program, the term "employees" includes applicants who have been offered a position to operate a school vehicle.

The employees operating a school vehicle as described above are subject to pre-employment drug testing and random, reasonable suspicion, post-accident, return-to-duty and follow-up drug and alcohol testing. Employees operating school vehicles shall not perform a safety-sensitive function within four hours of using alcohol. Employees governed by this policy shall be subject to the drug and alcohol testing program beginning the first day they operate or are offered a position to operate school vehicles and continue to be subject to the drug and alcohol testing program as long as they may be required to perform a safety-sensitive function as it is defined in the administrative regulations. Employees with questions about the drug and alcohol testing program may contact either the superintendent or the school nurse.

Employees who violate the terms of this policy may be subject to discipline up to and including termination. Employees who violate this policy may be required to successfully participate in a substance abuse evaluation and, if recommended, a substance abuse treatment program. Employees required to participate in and who fail to or refuse to successfully participate in a substance abuse evaluation or recommended substance abuse treatment program may be subject to discipline up to and including termination.

It is the responsibility of the superintendent to develop administrative regulations to implement this policy. The superintendent shall also inform applicants of the requirement for drug and alcohol testing in notices or advertisements for employment, in the application form and personally at the first interview with the applicant.

The superintendent shall also be responsible for publication and dissemination of this policy and its supporting administrative regulations to employees operating school vehicles. The superintendent shall also oversee a substance-free awareness program to educate employees about the dangers of substance abuse and notify them of available substance abuse treatment resources and programs.

Iowa law does not allow a school district to discipline and/or terminate a driver for their first positive test result on a drug or alcohol test if the driver undergoes a substance abuse evaluation and if the driver successfully completes the treatment, if any, recommended by the substance abuse professional. Drivers who fail to undergo the evaluation or fail to successfully complete the treatment, if any, recommended by the substance abuse professional may be disciplined up to and including termination.

Iowa law also requires the school district to provide substance abuse evaluation and treatment if recommended by the substance abuse professional. The school district must pay the costs of the evaluation and treatment, if any.

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DRUG AND ALCOHOL TESTING PROGRAM

Under Iowa law, the school district must inform applicants/drivers of the requirement for drug and alcohol testing in any notice or advertisement soliciting applicants/drivers for employment, in the application form and personally at the first interview with the applicant/driver.

Legal Reference:
Omnibus Transportation Employee Testing Act of 1991.
42 U.S.C. §§ 12101 et seq. (Supp. 1990).
41 U.S.C. §§ 701-707 (1988).
49 C.F.R. Pt. 40; 382; 391.81-123 (1994).
34 C.F.R. Pt. 85 (1993).
Local 301, Internat'l Assoc. of Fire Fighters, AFL-CIO, and City of Burlington, PERB No. 3876 (3-26-91).
Iowa Code §§ 124; 279.8; 730.5 (1993).

Cross Reference:
403.6 Substance-Free Workplace
409.2 Licensed Employee Personal Illness Leave
414.2 Classified Employee Personal Illness Leave

DRUG AND ALCOHOL TESTING PROGRAM REGULATION

A. Questions regarding the drug and alcohol testing program policy, its supporting administrative regulations or the drug and alcohol testing program may be directed to either the superintendent or school nurse.

NOTE: The school district is required to designate a school district contact person for the drug and alcohol testing program. This person will answer questions from employees and others about the program, receive the test results, receive the identification numbers of the drivers and notify those drivers selected for random testing. If different persons will be doing these jobs, the drug and alcohol testing program policy and its supporting regulations must clearly explain which person handles which part of the drug and alcohol testing program.

B. Covered Drivers.

1. The following requirements apply for a driver to be covered by the drug and alcohol testing program:
   a. Drive a vehicle transporting sixteen or more persons, including the driver, OR drive a vehicle weighing over twenty-six thousand one pounds; and
   b. Require a commercial driver's license to hold the driver position.

2. Covered drivers include:
   a. Applicants seeking a position as a driver.
   b. Full time, regularly employed drivers;
   c. Casual, intermittent, occasional or substitute drivers;
   d. Leased drivers and independent, owner-operator contractors who are either directly employed by or under lease to a school district or who operate a school vehicle at the direction of or with the consent of a school district.

3. Drivers are subject to the drug and alcohol testing program and its requirements throughout the year, including the times when school is not in session or when the driver is on leave.

C. Prohibited Driver Conduct.

1. Drivers shall not report to duty or remain on duty with a 0.04 breath alcohol concentration or greater.

2. Drivers shall not report for duty or remain on duty when using any drug except when a physician has advised the driver that the drug does not adversely affect the driver's ability to safely operate a school vehicle and the school district is informed in writing of the medication and doctor's opinion.

3. Drivers shall not use alcohol at least four hours prior to, or during the performance of a safety-sensitive function.

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4. Drivers shall not possess alcohol while on duty. This includes possessing prescriptions and over-the-counter medicines containing alcohol unless the packaging seal is unbroken.

5. Drivers required to take a post-accident alcohol test shall not use alcohol within eight hours following the accident or prior to undergoing a post-accident alcohol test, whichever comes first.

6. Drivers shall not refuse to submit to a drug or alcohol test. A refusal to test is considered a positive test result requiring the driver to undergo a substance abuse evaluation and subjecting the driver to discipline up to and including termination.

7. Drivers shall not report for duty or remain on duty performing a safety-sensitive function if the driver has a positive drug test result.

D. Alcohol Breath Testing Procedures.

1. Driver's breath is tested for alcohol.

2. Evidentiary breath testing devices are used to conduct the screening test and, if necessary, the confirmation alcohol test.
   a. The screening alcohol breath test determines whether the driver's breath alcohol concentration is less than 0.02.
      (1) A screening alcohol test result of less than 0.02 breath alcohol concentration allows the driver to continue to perform a safety-sensitive function.
      (2) An initial alcohol test result of 0.02 breath alcohol concentration or greater requires a confirmation test.
   b. The confirmation alcohol breath test determines whether the driver can continue to perform a safety-sensitive function.
      (1) A confirmation alcohol test result of less than 0.02 breath alcohol concentration allows the driver to continue to perform a safety-sensitive function.
      (2) A confirmation alcohol test result of 0.02 breath alcohol concentration but less than 0.04 breath alcohol concentration requires the driver to cease performing a safety-sensitive function for 24 hours.
      (3) A confirmation alcohol test result of 0.04 breath alcohol concentration or greater requires the driver to cease performing a safety-sensitive function and undergo a substance abuse evaluation.

3. Alcohol testing is conducted at collection sites which provide privacy to the driver and contain the necessary equipment, personnel and materials.
   a. Alcohol testing is conducted at a designated nonschool district facility unless the situation requires another location.
   b. In the event privacy cannot be assured, privacy will be provided to the extent practical.

4. Screening alcohol testing steps.
   a. Once the driver is notified to submit to an alcohol test, the driver must complete the Alcohol/Drug Test Notification Form and proceed immediately to the collection site. Collection site personnel contact the school nurse immediately when a driver does not arrive at the specified time. Failure to arrive at the collection site in a timely manner is considered a refusal to test.
   b. Upon arrival, the driver must provide a photo identification. Repeated failure of the driver to product a photo identification is considered insubordination as well as a refusal to test.
   c. The testing procedure is explained to the driver by the collection site person.
   d. The collection site person, the breath alcohol technician (BAT) and the driver complete and sign the appropriate sections of the alcohol testing form.
      (1) Refusal of the driver to sign the form prior to the screening alcohol test is considered a refusal to test.
      (2) The school district is notified immediately of the driver's refusal to sign.
   e. The driver forcefully blows into the evidentiary breath testing device mouthpiece for at least six seconds or until an adequate amount of breath has been obtained.
   f. The initial test results are shared with the driver.
   g. The driver and breath alcohol technician must sign the alcohol testing form following completion of the alcohol test. Failure to sign the form after the alcohol test is not considered a refusal to test. However, in the remarks section of the form, the breath alcohol technician notes the driver's refusal to sign.
   h. Screening alcohol test results.
      (1) An alcohol test result of less than 0.02 breath alcohol concentration is reported to the school district in a confidential manner and the driver may continue to perform a safety-sensitive function.
      (2) An alcohol test result of 0.02 breath alcohol concentration or more requires a confirmation alcohol test between 15 and 20 minutes of the screening test.
      (3) The breath alcohol technician provides the (school district contact person) with a copy of the breath alcohol testing form if written communication was not used to report the test results.

NOTE: A variety of methods are available for confidentially communicating alcohol test results. The breath alcohol technician may communicate the results in person to the school district contact person. The BAT may inform the school district contact person by telephone, but the school district contact person should verify that the BAT is the person on the telephone through a password identification system. The BAT may inform the school district contact person by fax. The fax must be a secure fax to which only the school district contact person has access or the BAT must telephone the school district contact person prior to the results being faxed so only the school district contact person receives the fax. The BAT may inform the school district contact person by electronic mail. A personal identification number or other security method should be used by the school district contact person to retrieve the results. No matter which method is used, it is important the results remain confidential as required by the federal regulations.

   i. Potentially incomplete or invalid breath alcohol tests are repeated with corrected procedures.

j. The breath alcohol test is stopped when the driver fails twice to provide an adequate amount of breath. In that case:
   (1) A physician analyzes the driver's inability to provide adequate breath.
   (2) Failure to provide adequate breath is considered a refusal to test unless the physician determines a medical condition caused the failure to provide adequate breath.
   (3) A refusal of the driver to try a second time to provide adequate breath is considered a refusal to test.

5. Confirmation alcohol testing steps.
   a. The confirmation alcohol test is done between fifteen and twenty minutes of the screening alcohol test whether or not the driver followed the requirements to not eat, drink, put any object or substance in his or her mouth, and, to the extent possible, not belch during the fifteen-minute waiting period to avoid accumulation of mouth alcohol leading to an artificially high reading.
   b. If a different collection site is used, the driver must be under the observation of the collection site person or school district person while in transit to the confirmation alcohol testing site or while waiting for the confirmation alcohol test.
   c. If a different collection site person is used for the confirmation alcohol test, the driver must again provide photo identification.
   d. The testing procedure is explained to the driver by the collection site person.
   e. The collection site person, a breath alcohol technician and the driver complete and sign the appropriate sections of the alcohol testing form.
      (1) Refusal of the driver to sign the form prior to the confirmation alcohol test is considered a refusal to test.
      (2) The school district is notified immediately of the refusal to sign.
   f. The driver forcefully blows into the evidentiary breath testing device mouthpiece for at least six seconds or until an adequate amount of breath has been obtained.
   g. The confirmation alcohol test results, which are the final and official test results, are shared with the driver.
   h. The driver and breath alcohol technician must sign the alcohol testing form following completion of the alcohol test. Failure to sign the form after the alcohol test is not considered a refusal to test. However, in the remarks section of the form, the breath alcohol technician notes the driver's refusal to sign.
   i. The breath alcohol technician informs the school nurse of the results of the test in a confidential manner.
      (1) An alcohol test result of less than 0.02 breath alcohol concentration is reported to the school district in a confidential manner and the driver may continue to perform a safety-sensitive function.
      (2) The breath alcohol technician notifies the school nurse immediately of confirmation alcohol test results of 0.02 breath alcohol concentration or more.
      (3) The collection site person provides the school nurse with a copy of the breath alcohol testing form if written communication was not used to report the test results.
   j. Potentially incomplete or invalid breath alcohol tests are repeated with corrected procedures.

k. The breath alcohol test is stopped when the driver fails twice to provide an adequate amount of breath. In that case:
(1) A physician analyzes the driver's inability to provide adequate breath.
(2) Failure to provide adequate breath is considered a refusal to test unless the physician determines a medical condition caused the failure to provide adequate breath.
(3) A refusal of the driver to try a second time to provide adequate breath is considered a refusal to test.

E. Drug Testing Procedures.

1. Driver's urine is tested for marijuana, cocaine, opiates, amphetamines and phencyclidine.

2. A split specimen urine drug test, often called "split sample test," is used to conduct the drug test.
a. A negative drug test result allows the driver to continue to perform a safety-sensitive function.
b. A positive drug test result on the primary sample requires the driver to be removed from performing a safety-sensitive function.
c. A positive drug test result on the primary sample allows the driver an opportunity to request the split sample be tested by another certified laboratory for the specific drug found in the primary sample. A negative drug test result on the split sample results in a negative drug test result.

e. A positive drug test result requires the driver to undergo a substance abuse evaluation.

3. Drivers taking medication at a doctor's direction may perform a safety-sensitive function if the doctor determines there is not an adverse affect on performing a safety-sensitive function and the school district is informed in writing of the medication and doctor's opinion.

4. Drug testing is conducted at collection sites which provide privacy to the driver and where the necessary equipment, personnel and materials are located.
a. Drug testing is conducted at a designated nonschool district facility unless the situation requires another location. Public restrooms can be used as collection sites in exceptional circumstances.
b. In the event privacy cannot be assured, privacy is provided to the extent practical. However, direct observation is allowed if:
(1) Reasons exist to believe the driver may alter or substitute the specimen.
(2) The driver presents a specimen with a temperature outside the allowed range and does not provide an oral body temperature or the oral body temperature varies from the specimen provided.
(3) The last specimen provided by the driver was determined by the laboratory to not meet specific gravity and urine creatinine concentration criteria.
(4) The collection site person observes conduct of the driver to substitute or adulterate the specimen.

(5) The driver has previously been determined to have used a drug without medical authorization and the particular test is for follow-up testing upon or after return to duty.

c. Direct observation is approved by the supervisor of the collection site person or the designated school district representative. Non-medical personnel performing direct observation must be of the same gender as the driver.

5. Drug testing steps.

a. Once the driver is notified to submit to a drug test, the driver must complete the Alcohol/Drug Test notification Form and proceed immediately to the collection site. The collection site person contacts the school nurse immediately when a driver does not arrive at the specified time. Failure to arrive at the collection site in a timely manner is considered a refusal to test.

b. Upon arrival, the driver must provide a photo identification. Repeated failure of the driver to produce a photo identification is considered insubordination as well as a refusal to test. The driver may require the collection site person to provide proof of identification.

c. The driver may keep his or her wallet but must remove any unnecessary outer garments, purses, briefcases and similar items at the request of the collection site person.

d. Immediately prior to providing a urine sample, the driver must wash his or her hands.

e. The driver must then provide forty-five milliliters of urine and deliver it immediately to the collection site person.

(1) Drivers who cannot provide an adequate amount of urine receive instructions for drinking water and trying again.

(2) The drug test is stopped when the driver fails twice to provide an adequate amount of urine.

(3) Failure to provide adequate urine is considered a refusal to test unless the physician determines a medical condition caused the failure to provide adequate urine.

f. The specimen is kept in view of the driver and the collection site person.

g. Upon receipt of the specimen, the collection site person immediately, and in no event later than four minutes from the time of urination, measures the temperature of the specimen.

h. The driver may volunteer to have his or her oral temperature taken to provide evidence against alteration or substitution if there is some question about the temperature of the specimen.

i. The collection site person inspects the specimen for color and other signs of contaminants and notes any unusual findings.

j. Another specimen is required as soon as possible under direct observation if adulteration or substitution is suspected by the collection site person.

k. The specimen is divided into the primary and the split specimen, sealed and labeled. The label is initialed by the driver.

l. The driver is required to read and sign the statement on the chain of custody form certifying the specimens are the driver's.

m. The collection site person is required to note on the chain of custody form any unusual behavior or appearance of the driver and any failure to cooperate.

n. The collection site person completes the chain of custody form and the driver signs the form indicating the collection is complete.
o. The specimens are packaged for shipping to the laboratory and are shipped immediately or placed in secure storage until they can be shipped.

6. Laboratory.
   a. The laboratory used by the school district's drug and alcohol testing program is certified by the U.S. Department of Health and Human Services (DHHS). Certified laboratories meet the testing procedures, personnel and record keeping requirements of the law.
   b. Upon arrival of the specimen at the laboratory, the split specimen is stored and the primary specimen is tested.
      (1) A positive drug test result on the initial test of the primary specimen requires a confirmation drug test of the primary specimen.
      (2) The split specimen is discarded if the primary specimen has a negative drug test result.

7. Medical Review Officer (MRO) reviews drug test results.
   a. The MRO may release drug testing records of a driver to unauthorized individuals only with the written consent of the driver.
   b. The MRO keeps a record of negative drug test results and reports negative drug test results to the school district, usually within two working days.
   c. The primary role of the MRO is to review and interpret positive drug test results to determine whether a legitimate explanation exists for the positive drug test result.
      (1) After reviewing the chain of custody form and the laboratory drug test results, the MRO contacts the driver to discuss the positive drug test result prior to notifying the school district and to ask whether the driver requests a drug test of the split sample. The driver's request for a drug test of the split sample must be made within seventy-two hours of talking with the MRO.
      (2) Upon request of the driver, the split specimen is sent to a second certified laboratory for drug testing.
      (3) The MRO contacts the school nurse for assistance if the driver cannot be reached.
      (4) The school nurse must confidentially inform the driver to contact the MRO.
      (5) Upon contacting the driver, the school nurse must inform the MRO that the driver was contacted.
      (6) Drivers who cannot be contacted are placed on temporary medically unqualified status or sick leave.
   d. The MRO may verify a positive drug test without talking to the driver if:
      (1) The driver declines the opportunity to discuss the positive drug test.
      (2) The driver fails to contact the MRO within five days after the school nurse has contacted the driver.
      (3) MRO verification of positive drug test results under these circumstances can be challenged by the driver if the driver presents the MRO with information documenting a serious illness, injury or other circumstances unavoidably preventing the driver from timely contacting the MRO. The MRO, based on this additional information, may find a legitimate explanation for the positive drug test result and declare the drug test negative.

e. The driver is notified of the drugs found in a positive drug test result by the MRO, the school nurse or by certified mail to the driver's last known address.
f. The school district receives a written report of the negative and positive drug test results from the MRO.

F. Substance Abuse Professional.

1. A substance abuse evaluation by a substance abuse professional is required when a driver has:
(1) A positive drug test;
(2) A positive alcohol test of 0.04 breath alcohol concentration or greater; or
(3) Otherwise violated the drug and alcohol testing program policy, its supporting regulations or the law.

2. The substance abuse evaluation determines what assistance, if any, the driver needs in resolving problems with alcohol misuse and/or drug use.

3. A list of available substance abuse professionals to provide assistance to bus drivers is available through the school nurse.

G. Pre-employment Testing.

1. Drivers shall submit to a drug test if a job offer is made. The job offer is contingent upon:
a. A negative drug test result; and
b. A signed written statement authorizing former employers to release all information on the driver related to drugs and alcohol.

2. Prior to allowing a driver to perform a safety-sensitive function, and no later than 14 days after performing a safety-sensitive function, the following information must be obtained about the driver during the preceding two years from the date of the application:
a. An alcohol test results of 0.04 breath alcohol concentration or greater;
b. Positive drug test results; and
c. Refusals to be tested.

H. Random Testing.

1. Annually, twenty-five percent of the average number of drivers for random alcohol tests and fifty percent of the average number of drivers for random drug tests are selected.

2. The drivers' identification numbers are selected by a scientific method giving each driver an equal chance to be selected.

3. Random tests are unannounced and spread throughout the year.

4. Drivers selected for random alcohol testing are notified just before, during or just after performing a safety-sensitive function. The school district documents why some, if any, drivers were selected but not notified.

5. Drivers selected for random drug testing are notified at any time. The school district must document why some, if any, drivers were selected but not notified.

6. Once the driver is notified of being selected for a random test, the driver must proceed immediately to the collection site. However, drivers performing a safety-sensitive function must safely stop and proceed to the collection site as soon as possible.

I. Reasonable Suspicion Testing.

1. A driver may be required to submit to a reasonable suspicion drug test at any time.

2. A driver may be required to submit to a reasonable suspicion alcohol test just before, during or just after the driver performs a safety-sensitive function or just before, during or just after the time the driver is required to be in compliance with the drug and alcohol testing program policy, its supporting administrative regulations or the law.
   a. A reasonable suspicion alcohol test is performed within two hours and no later than eight hours of determining reasonable suspicion.
   b. If the alcohol test is not given within two hours, the reasons for the delay must be documented.
   c. If the alcohol test is not given within eight hours, attempts to test are stopped and the reason for not testing must be documented.

3. A reasonable suspicion test request is made by an employee who received training to determine reasonable suspicion. The reasons for the reasonable suspicion must be documented within twenty-four hours or prior to the release of the test results. If more than one employee trained to determine reasonable suspicion observes the driver, that employee must also document their reasons.

J. Post-accident Testing.

1. Drivers are subject to both post-accident drug and alcohol testing as soon as possible after an accident in which:
   a. The driver received a citation and;
      (1) Bodily injury occurred to a person who, as a result of the injury, required immediate medical treatment away from the scene of the accident; or
      (2) One or more motor vehicles incurred disabling damage as a result of the accident, requiring the vehicle to be transported away from the scene by a tow truck or other vehicle; or
   b. A fatality occurred.

2. Drivers must remain readily available for post-accident testing.
   a. Drivers who leave the scene or who do not remain readily available are deemed to have refused to test.
   b. Necessary medical treatment cannot and should not be denied to a driver waiting to complete post-accident drug and alcohol tests.

3. Alcohol testing requirements.
   a. The alcohol test is administered within two hours and no later than eight hours of the accident.
   b. The reasons for administering the test later than two hours after the accident must be documented.
   c. The reasons for not administering the test within eight hours of the accident must be documented.
   d. Drivers are prohibited from consuming alcohol for eight hours after the accident or until the alcohol test is completed.

4. Drug testing requirements.
   a. The drug test is administered as soon as possible and no later than 32 hours after the accident.
   b. The reasons for not administering the test must be documented.

5. Results of drug or alcohol testing conducted by law enforcement officers or other officials on the scene with independent authority to conduct such tests are presumed valid if the testing conforms with the law. The school district must receive a copy of the results to use them.

K. Return-to-duty/Follow-up Testing.

1. Prior to returning to duty after a positive drug test, a positive alcohol test of 0.04 breath alcohol concentration or greater, or otherwise violating the drug and alcohol testing program policy, its supporting regulations or the law:
   a. The driver must be re-evaluated by a substance abuse professional to determine that the driver has properly followed any treatment program prescribed.
   b. The driver must submit to the tests required by the substance abuse professional. The substance abuse professional may require a return-to-duty test for drugs, alcohol or both.
   c. The return-to-duty test must have a negative drug test result and/or an alcohol test result of less than 0.02 breath alcohol concentration before the driver can return to duty and perform a safety-sensitive function.

2. After returning to duty, the driver is subject to a minimum of six unannounced follow-up tests within 12 months for alcohol, drugs or both, as determined by the substance abuse professional.
   a. The substance abuse professional can terminate the follow-up testing requirement after the first six tests have been completed or continue the follow-up testing for up to 60 months from the date of the driver's return to duty.
   b. Alcohol follow-up testing is done just before, during or just after performing a safety-sensitive function.

DRUG AND ALCOHOL TESTING PROGRAM REGULATION

L. School district responsibilities.

1. Provide drivers with information on the drug and alcohol testing requirements of the drug and alcohol testing program policy, its supporting administrative regulations and the law, including the driver's obligations.

2. Supervisors of drivers or employees designated to determine reasonable suspicion must receive sixty minutes of training on alcohol misuse and sixty minutes of training on drug use. The training must address the physical, behavioral, speech and performance indicators of probable alcohol misuse and drug use.

3. Provide drivers with instructions prior to the driver operating a school vehicle to enable the driver to comply with the drug and alcohol testing requirements.

4. Disallow drivers to report to work or perform a safety-sensitive function when the school district has actual knowledge of a driver's drug use whether or not a drug test was conducted.

5. Disallow drivers to report to work or perform a safety-sensitive function when the school district has actual knowledge of a driver with 0.02 breath alcohol concentration or greater whether or not an alcohol test was conducted.

6. Ensure, through the school district's drug and alcohol testing program service provider, that the quality assurance plan, developed by the manufacturer and approved by the National Highway Traffic Safety Administration (NHTSA) for the evidentiary breath testing device used for alcohol testing of its drivers, describes the inspection, maintenance and calibration requirements and intervals for the device.

7. Ensure, through the school district's drug and alcohol testing program service provider, that the collection site person using an evidentiary breath testing device is a certified breath alcohol technician.

M. Consequences of violating the drug and alcohol testing program policy, its supporting administrative regulations or the law.

1. Each violation is dealt with based on the circumstances surrounding the violation. The following consequences may result from a violation.
   a. Drivers may be disciplined up to and including termination.
   b. Drivers may not be permitted to perform safety-sensitive functions.
   c. Drivers may be advised of the resources available to them in evaluating and resolving problems associated with the misuse of alcohol or use of drugs.
   d. Drivers may be required to undergo a substance abuse evaluation to determine what assistance, if any, the driver needs in resolving problems associated with the misuse of alcohol or use of drugs and be required to follow any recommended substance abuse treatment program.
   e. Prior to returning to duty, the driver is required to have a negative drug and/or alcohol test result and be subject to the follow-up drug and/or alcohol testing determined necessary based on the circumstances surrounding the incident.

f. Drivers refusing to submit to drug and/or alcohol testing are considered insubordinate and are subject to discipline up to and including termination.

g. Drivers/applicants who refuse to submit to or cooperate with the drug and/or alcohol testing process and requirements shall be disqualified from further consideration.

2. Nothing in the drug and alcohol testing program policy, its supporting administrative regulations or the law relating to drug and alcohol testing limits or restricts the right of the board or superintendent to discipline, up to and including termination, a driver for conduct which violates the school district's policies, supporting administrative regulations and procedures.

N. Drug and alcohol testing records.

1. Drug and alcohol testing records are stored in locked files at limited access locations separate and apart from the driver's general personnel records.

2. The records are released only with the written consent of the driver. Only those records specifically authorized for release may be released. However:

a. Records may be released to appropriate government agencies without a written consent.

b. Records may be released to appropriate school district employees without written consent.

c. School districts may, without written consent, make a driver's drug and alcohol test records available to a decisionmaker in a lawsuit, grievance or other proceeding initiated by or on behalf of the driver and arising from the result of an alcohol or drug test under the drug and alcohol testing program policy, its supporting regulations or the law or from the school district's determination that the driver violated the drug and alcohol testing program, its supporting regulations, or the law.

3. With a written request, drivers may access and copy their drug and alcohol test records in accordance with the board policy related to employee records. A driver is not denied access to these records for failure to pay fees associated with other records.

4. The following records of the school district's drug and alcohol testing programs are maintained for the time period indicated.

a. One year:

(1) Records of negative and canceled drug test results and alcohol test results of less than 0.02 breath alcohol concentration.

(2) Records related to the drug and alcohol testing process.

(3) Records related to a driver's test results.

(4) Records related to other violations of the law.

(5) Records related to substance abuse evaluations.

(6) Records related to education and training.

b. Two years:
Records related to the alcohol and drug collection process, except calibration of evidentiary breath testing devices, and training.

c. Five years:
(1) Alcohol test results of 0.02 breath alcohol concentration and greater;
(2) Verified positive drug test results;
(3) Documentation of refusals to take required alcohol and/or drug tests;
(4) Evidentiary breath testing device calibration documentation;
(5) Driver substance abuse evaluations and referrals; and
(6) Annual calendar year summary.

DRUG AND ALCOHOL TESTING PROGRAM DEFINITIONS

- Air blank - a reading by an evidentiary breath testing device (EBT) of ambient air containing non alcohol.
- Alcohol - the intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohols including methyl and isopropyl alcohol.
- Alcohol concentration (or content) - the alcohol in a volume of breath expressed in terms of grams of alcohol per two hundred ten liters of breath as indicated by an evidentiary breath test under the law.
- Alcohol use - the consumption of any beverage, mixture or preparation, including any medication, containing alcohol.
- BAC - breath alcohol concentration.
- Breath Alcohol Technician (BAT) - an individual who instructs and assists drivers in the alcohol testing process and operates an evidentiary breath testing device.
- Canceled or invalid test - in drug testing, it is a drug test that has been declared invalid by a Medical Review Officer or a specimen that has been rejected for testing by a laboratory. In alcohol testing it is a test that is deemed to be invalid under the law. A canceled drug test or alcohol test is neither a positive nor a negative test.
- Chain of Custody - procedures to account for the integrity of each urine or blood specimen by tracking its handling and storage from point of specimen collection to final disposition of the specimen. With respect to drug testing, these procedures require that an appropriate drug testing custody form be used from time of collection to receipt by the laboratory and that upon receipt by the laboratory an appropriate laboratory chain of custody form(s) account(s) for the sample or sample aliquots within the laboratory.
- Collection site - a place where drivers present themselves for the purpose of providing body fluid or a tissue sample to be analyzed for specific drugs or breath alcohol concentration.
- Confirmation test - for alcohol testing, it is a second test following a screening test with a result of 0.02 breath alcohol concentration or greater that provides quantitative data of alcohol concentration. For drug testing, it is a second analytical procedure (GC/MS) to identify the presence of a specific drug or metabolite which is independent of the initial test and which uses a different technique and chemical principle from that of the initial test in order to ensure reliability and accuracy.
- Controlled substances/Drugs - marijuana, cocaine, opiates, amphetamines and phencyclidine.

Approved June 2008 Reviewed November 2013 Revised

DRUG AND ALCOHOL TESTING PROGRAM DEFINITIONS

- Driver - any person who operates a school vehicle. This includes, but is not limited to: full time, regularly employed drivers; casual, intermittent or occasional drivers; leased drivers and independent, owner-operator contractors who are either directly employed by or under lease to the school district or who operate a school vehicle at the direction of or with the consent of the school district. For the purposes of pre-employment/pre-duty testing only, the term "driver" includes applicants for drivers of school vehicles positions.

- Initial test (or screening test) - in drug testing it is an immunoassay screen to eliminate "negative" urine specimens from further consideration. In alcohol testing it is an analytic procedure to determine whether a driver may have a prohibited concentration of alcohol in a breath specimen.

- Medical review officer (MRO) - a licensed physician (medical doctor or doctor of osteopathy) responsible for receiving laboratory results generated by an employer's drug testing program who has knowledge of substance abuse disorders and has appropriate medical training to interpret and evaluate a driver's confirmed positive test result together with the driver's medical history and any other relevant bio-medical information.

- Non-suspicion-based post-accident testing - testing of a driver after an accident without regard to whether there is any reasonable suspicion of drug usage, reasonable cause to believe the driver has been operating the school vehicle while under the influence of drugs, or reasonable cause to believe the driver was at fault in the accident and drug usage may have been a factor.

- Performing a safety-sensitive function - a driver is considered to be performing a safety-sensitive function during any period in which the driver is actually performing, ready to perform, or immediately available to perform any safety-sensitive function.

- Random Selection Process - when drug tests are unannounced and every driver has an equal chance of being selected for testing.

- Reasonable suspicion - when the school district believes the appearance, behavior, speech or body odors of the driver are indicative of the use of drugs or alcohol.

- Refusal to test - when a driver (1) fails to provide adequate breath for alcohol testing without a valid medical explanation after he or she has received notice of the requirement for breath testing in accordance with the provisions of the law, (2) fails to provide adequate urine for drug testing without a valid medical explanation after he or she has received notice of the requirement for urine testing in accordance with the provisions of the law, or (3) engages in conduct that clearly obstructs the testing process. A refusal to test is treated as a positive drug test result or an alcohol test result of 0.04 breath alcohol concentration or greater.

- Safety-sensitive function - all time from the time when a driver begins to work or is required to be in readiness to work until the time the driver is relieved from work and all responsibility for performing work.

DRUG AND ALCOHOL TESTING PROGRAM DEFINITIONS

- School vehicle - a vehicle owned, leased, and/or operated at the direction or with the consent of the school district which transports sixteen or more persons, including the driver, or weighs over twenty-six thousand one pounds and requires the driver to have/possess a commercial driver's license in order to operate the vehicle.

- Split specimen/split sample - the division of the urine specimen into thirty milliliters in a specimen bottle (the primary sample) and into at least fifteen milliliters in second specimen bottle (the split sample).

- Substance abuse professional (SAP) - a licensed physician (medical doctor or doctor of osteopathy) or a licensed or certified psychologist, social worker, employee assistance professional, or addiction counselor (certified by the National Association of Alcoholism and Drug Abuse Counselors Certification Commission) with knowledge of, and clinical experience in, the diagnosis and treatment of alcohol and controlled substances-related disorders.

Code No. 403.6-E1

DRUG AND ALCOHOL TESTING PROGRAM NOTICE TO EMPLOYEES

EMPLOYEES GOVERNED BY THE DRUG AND ALCOHOL TESTING POLICY ARE HEREBY NOTIFIED they are subject to the school district's drug and alcohol testing program for pre-employment drug testing and random, reasonable suspicion, post-accident, return-to-duty and follow-up drug and alcohol testing as outlined in the Drug and Alcohol Testing Program policy, its supporting administrative regulations and the law.

Employees who operate school vehicles are subject to drug and alcohol testing if a commercial driver's license is required to operate the school vehicle and the school vehicle transports sixteen or more persons including the driver or the school vehicle weighs twenty-six thousand, one pounds or more. For purposes of the drug and alcohol testing program, "employees" include applicants who have been offered a position to operate a school vehicle. The employees operating a school vehicle shall be subject to the drug and alcohol testing program beginning the first day they operate or are offered a position to operate a school vehicle and continue to be subject to the drug and alcohol testing program.

It is the responsibility of the superintendent to inform employees of the drug and alcohol testing program requirements. Employees with questions regarding the drug and alcohol testing requirements shall contact the superintendent or school nurse.

EMPLOYEES GOVERNED BY THE DRUG AND ALCOHOL TESTING POLICY ARE FURTHER NOTIFIED that employees violating this policy, its supporting administrative regulations or the law may be subject to discipline up to and including termination. Employees violating this policy, its supporting administrative regulations or the law may be required to successfully participate in a substance abuse evaluation and, if recommended, a substance abuse treatment program. Employees required to participate in and who fail to or refuse to successfully participate in a substance abuse evaluation or recommended substance abuse treatment program may be subject to discipline up to and including termination.

EMPLOYEES GOVERNED BY THE DRUG AND ALCOHOL TESTING POLICY ARE FURTHER NOTIFIED it is a condition of their continued employment to comply with the Drug and Alcohol Testing Program policy, its supporting administrative regulations and the law. It is a condition of continued employment for employees operating a school vehicle to notify their supervisor of any prescription medication they are using. Drug and alcohol testing records about a driver are confidential and are released in accordance with this policy, its supporting administrative regulations or the law.

EMPLOYEES GOVERNED BY THE DRUG AND ALCOHOL TESTING POLICY ARE FURTHER NOTIFIED that employees violating this policy, its supporting administrative regulations or the law may be subject to discipline up to and including termination. Employees violating this policy, its supporting administrative regulations or the law may be required to successfully participate in a substance abuse evaluation and, if recommended, a substance abuse treatment program. Employees required to participate in and who fail to or refuse to successfully participate in a substance evaluation or recommended substance abuse treatment program may be subject to discipline up to and including termination. A second violation of this policy will result in termination.

Approved June 2008 Reviewed November 2013 Revised

Code No. 403.6-E4

DRUG/ALCOHOL TEST NOTIFICATION FORM

Date _____

Name _____ Social Security Number _____

The above named employee is to have the following test done:

Drug Alcohol Both Drug and Alcohol

Type of Test: _____

Time Sent by School District Contact Person _____ (Phone) 515-389-3111

Time Arrived at Collection Site _____ Collection Site Person _____

Time Test Was Completed _____ Collection Site Person _____

I understand I am to go directly to the collection site located at:

_____

_____ _____

Employee's Signature Date

Approved June 2008 Reviewed November 2013 Revised _____

DRUG AND ALCOHOL REASONABLE SUSPICION OBSERVATION

Employee's Name _____ Date of Observation _____

Time of Observation: From _____ a.m./p.m. to _____ a.m./p.m.

Location: _____

Observed personal behavior: (circle all appropriate items)

Speech: Normal Incoherent Confused
Slurred Whispering Silent

Balance: Normal Swaying Staggering Falling

Walking and Turning: Normal Stumbling Swaying Falling
Arms raised for balance Reaching for support

Awareness: Normal Confused Paranoid
Sleepy or Stupor Lack of coordination

Odor: Normal Alcohol Burned rope

Other observed behavior/odor:

Reasonable suspicion of current use or impaired by: (circle) alcohol drugs

Above behavior witnessed by: _____

_____ _____
Signed Date

This form must be completed by each trained employee observing the driver suspected of drug use and/or alcohol misuse by behavior, speech and/or odor while on duty, the earlier of within 24 hours or the determination of reasonable suspicion or prior to receiving the test results. The observations must be specific, contemporaneous and articulable concerning the appearance, behavior, speech and body odor of the driver.

Approved June 2008 Reviewed November 2013 Revised _____

Code No. 404

EMPLOYEE CONDUCT AND APPEARANCE

Employees are role models for the students who come in contact with them during and after school hours. The board recognizes the positive effect employees can have on students in this capacity. To this end, the board strongly suggests and encourages employees to dress themselves, groom themselves and conduct themselves in a manner appropriate to the educational environment.

Employees shall conduct themselves in a professional manner. Employees shall dress in attire appropriate for their position. Clothing should be neat, clean, and in good taste. Discretion and common sense call for an avoidance of extremes which would interfere with or have an effect on the educational process.

Licensed employees of the school district shall follow the code of ethics for their profession as established by the Iowa Board of Educational Examiners.

Legal Reference: Iowa Code § 279.8 (2009).
282 I.A.C. 25; 26

Cross Reference:

104	Anti-bullying/Harassment
306	Administrator Code of Ethics
401.11	Employee Orientation
403.6	Substance-Free Workplace
407	Licensed Employee Termination of Employment
413	Classified Employee Termination of Employment

Approved June 2008 Reviewed November 2013 Revised

CODE OF PROFESSIONAL CONDUCT AND ETHICS REGULATION

Chapter 25

282—25.1(272) Scope of standards.
This code of professional conduct and ethics constitutes mandatory minimum standards of practice for all licensed practitioners as defined in Iowa Code chapter 272. The adherence to certain professional and ethical standards is essential to maintaining the integrity of the education profession.

282—25.2 (272) Definitions. Except where otherwise specifically defined by law:
"Administrative and supervisory personnel" means any licensed employee such as superintendent, associate superintendent, assistant superintendent, principal, associate principal, assistant principal, or other person who does not have as a primary duty the instruction of pupils in the schools.
"Board" means the Iowa board of educational examiners.
"Discipline" means the process of sanctioning a license, certificate or authorization issued by the board.
"Ethics" means a set of principles governing the conduct of all persons governed by these rules.
"Fraud" means knowingly providing false information or representations on an application for licensure or employment, or knowingly providing false information or representations made in connection with the discharge of duties.
"License" means any license, certificate, or authorization granted by the board.
"Licensee" means any person holding a license, certificate, or authorization granted by the board.
"Practitioner" means an administrator, teacher, or other school personnel, who provides educational assistance to students and who holds a license, certificate, or other authorization issued by the board.
"Responsibility" means a duty for which a person is accountable by virtue of licensure.
"Right" means a power, privilege, or immunity secured to a person by law.
"Student" means a person, regardless of age, enrolled in a prekindergarten through grade 12 school, who is receiving direct or indirect assistance from a person licensed by the board.
"Teacher" means any person engaged in the instructional program for prekindergarten through grade 12 children, including a person engaged in teaching, administration, and supervision, and who is required by law to be licensed for the position held.

282—25.3 (272) Standards of professional conduct and ethics.
Licensees are required to abide by all federal, state, and local laws applicable to the fulfillment of professional obligations. Violation of federal, state, or local laws in the fulfillment of professional obligations constitutes unprofessional and unethical conduct which can result in disciplinary action by the board. In addition, it is hereby deemed unprofessional and unethical for any licensee to violate any of the following standards of professional conduct and ethics:

25.3(1) ***Standard I—conviction of crimes, sexual or other immoral conduct with or toward a student, and child and dependent adult abuse***. Violation of this standard includes:

a. *Fraud*. Fraud in the procurement or renewal of a practitioner's license.

b. *Criminal convictions*. The commission of or conviction for a criminal offense as defined by Iowa law or the laws of any other state or of the United States, provided that the offense is relevant to or affects teaching or administrative performance.

(1) Disqualifying criminal convictions. The board shall deny an application for licensure and shall revoke a previously issued license if the applicant or licensee has, on or after July 1, 2002, been convicted of, has pled guilty to, or has been found guilty of the following criminal offenses, regardless of whether the judgment of conviction or sentence was deferred:

1. Any of the following forcible felonies included in Iowa Code section 702.11: child endangerment, assault, murder, sexual abuse, or kidnapping;
2. Any of the following criminal sexual offenses, as provided in Iowa Code chapter 709, involving a child:
   - First- , second- or third-degree sexual abuse committed on or with a person who is under the age of 18;
   - Lascivious acts with a child;
   - Detention in a brothel;
   - Assault with intent to commit sexual abuse;
   - Indecent contact with a child;
   - Sexual exploitation by a counselor;
   - Lascivious conduct with a minor; or,
   - Sexual exploitation by a school employee;
3. Incest involving a child as prohibited by Iowa Code section 726.2;
4. Dissemination and exhibition of obscene material to minors as prohibited by Iowa Code section 728.2; or,
5. Telephone dissemination of obscene material to minors as prohibited by Iowa Code section 728.15.

(2) Other criminal convictions and founded child abuse. In determining whether a person should be denied a license or whether a licensee should be disciplined based upon any other criminal conviction, including a conviction for an offense listed in 25.3(1)*"b"*(1) which occurred before July 1, 2002, or a founded report of abuse of a child, the board shall consider:

1. The nature and seriousness of the crime or founded abuse in relation to the position sought;
2. The time elapsed since the crime or founded abuse was committed;
3. The degree of rehabilitation which has taken place since the crime or founded abuse was committed;
4. The likelihood that the person will commit the same crime or abuse again;
5. The number of criminal convictions or founded abuses committed; and,
6. Such additional factors as may in a particular case demonstrate mitigating circumstances or heightened risk to public safety.

c. *Sexual involvement or indecent contact with a student*. Sexual involvement includes, but is not limited to, the following acts, whether consensual or nonconsensual: fondling or touching the inner thigh, groin, buttocks, anus or breasts of a student; permitting or causing to fondle or touch the practitioner's inner thigh, groin, buttocks, anus, or breasts; or the commission of any sex act as defined in Iowa Code section 702.17.

d. *Sexual exploitation of a minor.* The commission of or any conviction for an offense prohibited by Iowa Code section 728.12, Iowa Code chapter 709 or 18 U.S.C. Section 2252A(a)(5)(B).

e. *Student abuse*. Licensees shall maintain professional relationships with all students, both inside and outside the classroom. The following acts or behavior constitutes unethical conduct without regard to the existence of a criminal charge or conviction:

(1) Committing any act of physical abuse of a student;
(2) Committing any act of dependent adult abuse on a dependent adult student;
(3) Committing or soliciting any sexual or otherwise indecent act with a student or any minor;
(4) Soliciting, encouraging, or consummating a romantic or otherwise inappropriate relationship with a student;
(5) Furnishing alcohol or illegal or unauthorized drugs or drug paraphernalia to any student or knowingly allowing a student to consume alcohol or illegal or unauthorized drugs in the presence of the licensee; or
(6) Failing to report any suspected act of child or dependent adult abuse as required by state law.

25.3(2) ***Standard II—alcohol or drug abuse***. Violation of this standard includes:

a. Being on school premises or at a school-sponsored activity involving students while under the influence of, possessing, using, or consuming illegal or unauthorized drugs or abusing legal drugs.
b. Being on school premises or at a school-sponsored activity involving students while under the influence of, possessing, using, or consuming alcohol.

25.3(3) ***Standard III—misrepresentation, falsification of information***. Violation of this standard includes:

a. Falsifying or deliberately misrepresenting or omitting material information regarding professional qualifications, criminal history, college credit, staff development credit, degrees, academic award, or employment history when applying for employment or licensure.
b. Falsifying or deliberately misrepresenting or omitting material information regarding compliance reports submitted to federal, state, and other governmental agencies.
c. Falsifying or deliberately misrepresenting or omitting material information submitted in the course of an official inquiry or investigation.
d. Falsifying any records or information submitted to the board in compliance with the license renewal requirements imposed under 282—Chapter 17.
e. Falsifying or deliberately misrepresenting or omitting material information regarding the evaluation of students or personnel, including improper administration of any standardized tests, including, but not limited to, changing test answers, providing test answers, copying or teaching identified test items, or using inappropriate accommodations or modifications for such tests.

25.3(4) ***Standard IV—misuse of public funds and property.*** Violation of this standard includes:

a. Failing to account properly for funds collected that were entrusted to the practitioner in an educational context.
b. Converting public property or funds to the personal use of the practitioner.
c. Submitting fraudulent requests for reimbursement of expenses or for pay.
d. Combining public or school-related funds with personal funds.
e. Failing to use time or funds granted for the purpose for which they were intended.

25.3(5) ***Standard V—violations of contractual obligations.***

a. Violation of this standard includes

(1) Signing a written professional employment contract while under contract with another school, school district, or area education agency.
(2) Asking a practitioner to sign a written professional employment contract before the practitioner has been unconditionally released from a current contract. An administrator shall make a good faith effort to determine whether the practitioner has been released from the current contract.
(3) Abandoning a written professional employment contract without prior unconditional release by the employer.
(4) As an employer, executing a written professional employment contract with a practitioner, which requires the performance of duties that the practitioner is not legally qualified to perform.
(5) As a practitioner, executing a written professional employment contract, which requires the performance of duties that the practitioner is not legally qualified to perform.

b. In addressing complaints based upon contractual obligations, the board shall consider factors beyond the practitioner's control. For purposes of enforcement of this standard, a practitioner will not be found to have abandoned an existing contract if:
(1) The practitioner obtained a release from the employing board before discontinuing services under the contract; or,
(2) The practitioner provided notice to the employing board no later than the latest of the following dates:
1. The practitioner's last work day of the school year;
2. The date set for return of the contract as specified in statute; or,
3. June 30.

25.3(6) ***Standard VI—unethical practice toward other members of the profession, parents, students, and the community***. Violation of this standard includes:

a. Denying the student, without just cause, access to varying points of view.
b. Deliberately suppressing or distorting subject matter for which the educator bears responsibility.
c. Failing to make reasonable effort to protect the health and safety of the student or creating conditions harmful to student learning.
d. Conducting professional business in such a way that the practitioner repeatedly exposes students or other practitioners to unnecessary embarrassment or disparagement.
e. Engaging in any act of illegal discrimination, or otherwise denying a student or practitioner participation in the benefits of any program on the grounds of race, color, religion, age, sex, sexual orientation, gender identity, disability, marital status, or national origin.
f. Soliciting students or parents of students to purchase equipment, supplies, or services from the practitioner for the practitioner's personal advantage.
g. Accepting gifts from vendors or potential vendors where there may be the appearance of or an actual conflict of interest.
h. Intentionally disclosing confidential information including, but not limited to, unauthorized sharing of information concerning student academic or disciplinary records, health and medical information, assessment or testing results, or family income. Licensees shall comply with state and federal laws and local school board policies relating to the confidentiality of student records, unless disclosure is required or permitted by law.
i. Refusing to participate in a professional inquiry when requested by the board.
j. Aiding, assisting, or abetting an unlicensed person in the completion of acts for which licensure is required.

k. Failing to self-report to the board within 60 days any founded child abuse report, or any conviction for a criminal offense listed in 25.3(1)*"b"*(1) which requires revocation of the practitioner's license.
l. Delegating tasks to unqualified personnel.
m. Failing to comply with federal, state, and local laws applicable to the fulfillment of professional obligations.
n. Allowing another person to use one's practitioner license for any purpose.
o. Performing services beyond the authorized scope of practice for which the individual is licensed or prepared or performing services without holding a valid license.
p. Falsifying, forging, or altering a license issued by the board.
q. Failure of the practitioner holding a contract under Iowa Code section 279.13 to disclose to the school official responsible for determining assignments a teaching assignment for which the practitioner is not properly licensed.
r. Failure of a school official responsible for assigning licensed practitioners holding contracts under Iowa Code section 279.13 to adjust an assignment if the practitioner discloses to the official that the practitioner is not properly licensed for an assignment.

25.3(7) ***Standard VII—compliance with state law governing student loan obligations and child support obligations***. Violation of this standard includes:

a. Failing to comply with 282—Chapter 9 concerning repayment of student loans.
b. Failing to comply with 282—Chapter 10 concerning child support obligations.

25.3(8) ***Standard VIII—incompetence***. Violation of this standard includes, but is not limited to:

a. Willfully or repeatedly departing from or failing to conform to the minimum standards of acceptable and prevailing educational practice in the state of Iowa.
b. Willfully or repeatedly failing to practice with reasonable skill and safety.

CODE OF RIGHTS AND RESPONSIBILITY REGULATION

Chapter 26

282—26.1 (272) Purpose. The code of professional conduct and ethics in 282—Chapter 25 defines unprofessional and unethical conduct justifying disciplinary sanction. The board acknowledges that the discharge of professional obligations should occur in recognition of certain fundamental rights and responsibilities. Accordingly, the board recognizes the following rights and responsibilities of all educators licensed under Iowa Code chapter 272 and agrees that the exercise of these rights and responsibilities may present mitigating facts and circumstances in the board's evaluation of allegations of unprofessional or unethical conduct.

282—26.2 (272) Rights. Educators licensed under Iowa Code chapter 272 have the following rights:

1. The educator has a right to be licensed and endorsed under professional standards established and enforced by the board.
2. The educator has a right to refuse assignments for which the educator is not legally authorized, in terms of holding a valid Iowa license with the appropriate endorsement(s) or approval(s).
3. The educator has a right, subject to board and administrator authority, to exercise professional judgment in the evaluation, selection, and use of teaching methods and instructional materials appropriate to the needs, abilities, and background of each student.

282—26.3 (272) Responsibilities. Educators licensed under Iowa Code chapter 272 have the following responsibilities:

1. The educator has a responsibility to maintain and improve the educator's professional competence.
2. The educator has a responsibility to accept only those assignments for which the educator is legally authorized.
3. The educator has a responsibility to provide conditions that are conducive to teaching and student learning.
4. The educator shall protect students from conditions harmful to learning or to health or safety.
5. The educator shall not, without just cause, restrain a student from independent action in the pursuit of learning and shall not, without just cause, deny a student access to varying points of view.
6. The educator shall not use professional relationships with students for personal advantage.
7. The educator shall not discriminate against any student on the grounds of race, color, religion, age, sex, sexual orientation, gender identity, disability, marital status, or national origin.
8. The educator shall accord just and equitable treatment to all members of the profession.
9. The educator shall keep in confidence personally identifiable information regarding a student or the student's family members that has been obtained in the course of professional service, unless disclosure is required by law or is necessary for the personal safety of the student or others.
10. The educator who has reasonable basis to believe that a student has been abused, as defined by law, shall make all reports required by law and the Iowa Administrative Code and which are necessary to ensure the safety and well-being of the student.
11. In the administration of discipline, the educator shall treat all students with respect and in compliance with all policies of the school district served by the educator.
12. The educator shall provide accurate, truthful, and complete information to the board and to the local education system concerning all licensure transactions.
13. The educator shall not refuse to participate in a professional inquiry, when requested by the board.
14. The educator shall not require or direct another educator to violate any provisions of the code of professional conduct and ethics or any rights of a student, parent, educator or citizen.
15. The educator shall not delegate assigned tasks to unqualified personnel.

Code No. 405.1

LICENSED EMPLOYEE DEFINED

Licensed employees, including administrators, are those employees required to hold an appropriate license from the Iowa Department of Education for their position as required by the Board of Educational Examiners or others with professional licenses. Licenses required for a position will be considered met if the employee meets the requirements established by the Iowa Department of Education.

It shall be the responsibility of the superintendent to establish job specifications and job descriptions for licensed employees' positions, other than the position of the superintendent. Job descriptions may be approved by the board.

Licensed employees must present evidence of current license to the board secretary prior to payment of salary each year.

Legal Reference: Clay v. Independent School District of Cedar Falls, 187 Iowa 89, 174 N.W. 47 (1919).
Iowa Code §§ 256.7(3); 272.6; 272A; 279.8; 294.1 (2009).
282 I.A.C. 14.
281 I.A.C. 12.4; 41.25.
1940 Op. Att'y Gen. 375.

Cross Reference: 405.2 Licensed Employee Qualifications, Recruitment Selection
410.1 Substitute Teachers
411.1 Classified Employee Defined

Approved June 2008 Reviewed November 2013 Revised

Code No. 405.2

LICENSED EMPLOYEE QUALIFICATIONS, RECRUITMENT, SELECTION

Persons interested in a licensed position, other than administrative positions which will be employed in accordance with board policies in Series 300, "Administration," will have an opportunity to apply and qualify for licensed positions in the school district without regard to age, race, creed, color, sex, national origin, religion, sexual orientation, gender identity or disability. Job applicants for licensed positions will be considered on the basis of the following:

Training, experience, and skill;
Nature of the occupation;
Demonstrated competence; and
Possession of, or ability to obtain, state license if required for the position.

Announcement of the position is in a manner which the superintendent believes will inform potential applicants about the position. Applications for employment may be obtained from and completed applications are returned to the school district administrative office. Whenever possible, the preliminary screening of applicants will be conducted by the administrator who will be directly supervising and overseeing the person being hired.

The board will employ licensed employees after receiving a recommendation from the superintendent The superintendent, however, will have the authority to employ a licensed employee on a temporary basis until a recommendation can be made and action can be taken by the board on the position.

The requirements stated in the Master Contract between employees in the certified collective bargaining unit and the board regarding qualifications, recruitment and selections of such employees will be followed.

Legal Reference:
29 U.S.C. §§ 621-634 (2006).
42 U.S.C. §§ 2000e, 12101 *et seq*. (2006).
Iowa Code §§ 20; 35C; 216; 279.13 (2009).
281 I.A.C. 12.
282 I.A.C. 14.
1980 Op. Att'y Gen. 367.

Cross Reference:
401.1 Equal Employment Opportunity
405 Licensed Employees - General
410.1 Substitute Teachers

Approved April, 1998 Reviewed July, 2010 Revised August, 2007

LICENSED EMPLOYEE INDIVIDUAL CONTRACTS

The board will enter into a written contract with licensed employees, other than administrators, employed on a regular basis.

Each contract will be for a period of one year, beginning on July 1 and ending on June 30.

It shall be the responsibility of the superintendent to complete the contracts for licensed employees and present them to the board for approval. The contracts, after being signed by the board president, shall be returned to the superintendent. The superintendent shall obtain the employee's signature. After being signed, the contract shall be filed with the board secretary.

Legal Reference:
Harris v. Manning Independent School District of Manning, 245 Iowa 1295, 66 N.W.2d 438 (1954).
Shackelford v. District Township of Beaver, Polk County, 203 Iowa 243, 212 N.W. 467 (1927).
Burkhead v. Independent School District of Independence, 107 Iowa 29, 77 N.W. 491 (1898).
Iowa Code chs. 20; 279 (2009).

Cross Reference:
405.2 Licensed Employee Qualifications, Recruitment Selection
405.4 Licensed Employee Continuing Contracts
407 Licensed Employee Termination of Employment

Approved June 2008 Reviewed November 2013 Revised

Code No. 405.4

LICENSED EMPLOYEE CONTINUING CONTRACTS

Contracts entered into with licensed employees, other than an administrator, will continue from year to year unless the contract states otherwise, is modified by mutual agreement between the board and the employee, or the contract is terminated by the board.

The first three years of a new licensed employee's contract is a probationary period unless the employee has already successfully completed the three-year probationary period in an Iowa school district. New employees who have successfully completed a probationary period in a previous Iowa school district will serve a two-year probationary period. In the event of termination of the employee's contract during this period, the board will afford the licensed employee appropriate due process. The action of the board will be final.

Licensed employees whose contracts will be recommended for termination by the board will receive notice prior to April 30. The superintendent will make a recommendation to the board for the termination of the licensed employee's contract.

Licensed employees who wish to resign, to be released from a contract, or to retire must comply with board policies in those areas.

Legal Reference:
Ar-We-Va Community School District v. Long and Henkenius, 292 N.W.2d 402 (Iowa 1980).
Bruton v. Ames Community School District, 291 N.W.2d 351 (Iowa 1980).
Hartman v. Merged Area VI Community College, 270 N.W.2d 822 (Iowa 1978).
Keith v. Community School District of Wilton in the Counties of Cedar and Muscatine, 262 N.W.2d 249 (Iowa 1978).
Iowa Code §§ 20; 272; 279.12-.19B, .27; 294.1 (2009).

Cross Reference:
405.3 Licensed Employee Individual Contracts
405.9 Licensed Employee Probationary Status
407 Licensed Employee Termination of Employment

Approved June 2008 Reviewed November 2013 Revised

Code No. 405.5

LICENSED EMPLOYEE WORK DAY

The requirements stated in the Master Contract between employees in that certified collective bargaining unit and the board regarding work day of such employees shall be followed.

Legal Reference: Iowa Code §§ 20; 279.8 (2009).

Cross Reference: 200.2 Powers of the Board of Directors

Approved June 2008 Reviewed November 2013 Revised

Code No. 405.6

LICENSED EMPLOYEE ASSIGNMENT

Determining the assignment of each licensed employee is the responsibility of and within the sole discretion of the board. In making such assignments the board shall consider the qualifications of each licensed employee and the needs of the school district.

It shall be the responsibility of the superintendent to make recommendations to the board regarding the assignment of licensed employees.

The requirements stated in the Master Contract between employees in that certified collective bargaining unit and the board regarding assignment of such employees shall be followed.

Legal Reference: Iowa Code §§ 20.9; 279.8 (2009).

Cross Reference: 200.2 Powers of the Board of Directors

Approved June 2008 Reviewed November 2013 Revised

LICENSED EMPLOYEE TRANSFERS

Determining the location where an employee's assignment will be carried out is the responsibility and within the sole discretion of the board. In making such assignments the board shall consider the qualifications of each licensed employee and the needs of the school district.

A transfer may be initiated by the employee, the principal, or the superintendent.

It shall be the responsibility of the superintendent to make recommendations to the board regarding the transfer of licensed employees.

Legal Reference: Iowa Code §§ 20.9; 216.14; 279.8 (2009).

Cross Reference: 405.2 Licensed Employee Qualifications, Recruitment, Selection
405.6 Licensed Employee Assignment

Approved June 2008 Reviewed November 2013 Revised

Code No. 405.8

LICENSED EMPLOYEE EVALUATION

Evaluation of licensed employees on their skills, abilities, and competence is an ongoing process supervised by the building principals and conducted by approved evaluators. The goal of the formal evaluation of licensed employees, other than administrators, but including extracurricular employees, is to improve the education program, to maintain licensed employees who meet or exceed the board's standards of performance, to clarify the licensed employee's role, to ascertain the areas in need of improvement, to clarify the immediate priorities of the board, and to develop a working relationship between the administrators and other employees.

The formal evaluation criteria is in writing and approved by the board. The formal evaluation will provide an opportunity for the evaluator and the licensed employee to discuss performance and the future areas of growth. The formal evaluation is completed by the evaluator, signed by the licensed employee and filed in the licensed employee's personnel file. This policy supports, and does not preclude, the ongoing informal evaluation of the licensed employee's skills, abilities and competence.

Licensed employees will be required to:

1. Demonstrate the ability to enhance academic performance and support for and implementation of the school district's student achievement goals.
2. Demonstrate competency in content knowledge appropriate to the teaching position.
3. Demonstrate competency in planning and preparation for instruction.
4. Use strategies to deliver instruction that meets the multiple learning needs of students.
5. Use a variety of methods to monitor student learning.
6. Demonstrate competence in classroom management.
7. Engage in professional growth.
8. Fulfill professional responsibilities established by the school district.

It is the responsibility of the superintendent to ensure licensed employees are evaluated. New and probationary licensed employees are evaluated at least twice each year.

The requirements stated in the Master Contract between employees in the certified collective bargaining unit and the board regarding evaluation of such employees will be followed.

Legal Reference: Aplington Community School District v. PERB, 392 N.W.2d 495 (Iowa 1986).
Saydel Education Association v. PERB, 333 N.W.2d 486 (Iowa 1983).
Iowa Code §§ 20.9; 279.14, .19, .27; ch.294 (2009).
281 I.A.C. Ch 83; 12.3(4)

Cross Reference: 405.2 Licensed Employee Qualifications, Recruitment, Selection
405.9 Licensed Employee Probationary Status

Approved September, 2008 Reviewed November 2013 Revised _____

Code No. 405.9

LICENSED EMPLOYEE PROBATIONARY STATUS

The first three years of a new licensed employee's contract is a probationary period unless the employee has already successfully completed the probationary period in an Iowa school district. New employees who have successfully completed a probationary period in a previous Iowa school district will serve a one year probationary period. For purposes of this policy, an employee will have met the requirements for successfully completing a probationary period in another Iowa school district if, at the teacher's most recent performance evaluation, the teacher received at least a satisfactory or better evaluation and the individual has not engaged in conduct which would disqualify the teacher for a continuing contract.

New employees, regardless of experience, shall be subject to a two-year probationary periods. "New" employees include individuals who are being hired for the first time by the school district.

Only the board, in its discretion, may waive the probationary period. The board may extend the probationary period for one additional year with the consent of the licensed employee. The board will make the decision to extend or waive a licensed employee's probationary status based upon the superintendent's recommendation. During this probationary period the board may terminate the licensed employee's contract at year-end or discharge the employee in concert with corresponding board policies.

Licensed employees may also serve a probationary period based upon their performance. Such probationary period is determined on a case-by-case basis in light of the circumstances surrounding the employee's performance as documented in the employee's evaluations and personnel file.

Legal Reference: Iowa Code §§ 279.12-.19B (2009).

Cross Reference: 405.4 Licensed Employee Continuing Contracts
405.8 Licensed Employee Evaluation

Approved December, 1995 Reviewed November 2013 Revised January, 2010

Code No. 406.1

LICENSED EMPLOYEE SALARY SCHEDULE

The board will establish salary schedules for licensed employees' positions keeping in mind the financial condition of the school district, the education and experience of the licensed employee, the educational philosophy of the school district, and other factors deemed relevant by the board.

It is the responsibility of the superintendent to make a recommendation to the board annually regarding the salary schedule. The salary schedule is subject to review and modification through the collective bargaining process.

The requirements stated in the Master Contract between employees in that certified collective bargaining unit and the board regarding wages and salaries of such employees shall be followed.

Legal Reference: Iowa Code §§ 20.1, .4, .7, .9; 279.8 (1995).

Cross Reference: 405 Licensed Employees - General
406.2 Licensed Employee Salary Schedule Advancement

Approved June 2008 Reviewed November 2013 Revised May 2009

Code No. 406.2

LICENSED EMPLOYEE SALARY SCHEDULE ADVANCEMENT

The board will determine which licensed employees will advance on the salary schedule for the licensed employees' positions, keeping in mind the financial condition of the school district, the education and experience of the licensed employee, the educational philosophy of the school district, and other considerations as determined by the board.

It is the responsibility of the superintendent to make a recommendation to the board for the advancement of licensed employees on the salary schedule.

The requirements stated in the Master Contract between employees in that certified collective bargaining unit and the board regarding salary schedule advancement of such employees shall be followed.

Legal Reference: Iowa Code §§ 20.1, .4, .7, .9; 279.8 (2009).

Cross Reference: 405 Licensed Employees - General
406 Licensed Employee Compensation and Benefits

Approved June 2008 Reviewed November 2013 Revised

Code No. 406.3

LICENSED EMPLOYEE CONTINUED EDUCATION CREDIT

Continued education on the part of licensed employees may entitle them to advancement on the salary schedule. Licensed employees who have completed additional hours will be considered for advancement on the salary schedule. The board shall determine which licensed employees will advance on the salary schedule for continued education keeping in mind the financial condition of the school district, the education and experience of the licensed employee, the educational philosophy of the school district, and any other items deemed relevant by the board.

Licensed employees who wish to obtain additional education for advancement on the salary schedule must notify their supervisor by February 1 of the school year preceding the actual year when advancement occurs. This additional education must be in the same area as the education that was required of the employee to hold the employee's current position with the school district. For purposes of illustration only, a math teacher would advance on the salary schedule only if the additional education was in math courses. The superintendent has the discretion to approve credit outside the employee's area of endorsement or responsibility.

It shall be the responsibility of the superintendent to make a recommendation to the board for the advancement of a licensed employee on the salary schedule.

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Legal Reference: Iowa Code §§ 20.1, .4, .7, .9; 279.8 (2009).

Cross Reference: 405 Licensed Employees - General
406 Licensed Employee Compensation and Benefits

Approved June 2008 Reviewed November 2013 Revised

Code No. 406.4

LICENSED EMPLOYEE COMPENSATION FOR EXTRA DUTY

A licensed employee may volunteer or be required to take on extra duty, with the extra duty being secondary to the major responsibility of the licensed employee.

Vacant extra duty positions, for which extra compensation will be earned, will be posted to allow qualified licensed employees to volunteer for the extra duty. If no licensed employee volunteers for extra duty, the superintendent shall assign the extra duty positions to qualified licensed employees. The licensed employee shall receive compensation for the extra duty required to be performed.

It shall be the responsibility of the superintendent to make a recommendation to the board annually as to which licensed employees shall have the extra duty, and the salary schedule for extra duty, for the board's review.

The requirements stated in the Master Contract between employees in that certified collective bargaining unit and the board regarding the compensation for extra duties of such employees shall be followed.

Legal Reference: Iowa Code §§ 20.1, .4, .7, .9; 279.8, .13-.15, .19A-B (2009).

Cross Reference: 405 Licensed Employees - General
406 Licensed Employee Compensation and Benefits

Approved June 2008 Reviewed November 2013 Revised

Code No. 406.5

LICENSED EMPLOYEE GROUP INSURANCE BENEFITS

The requirements stated in the Master Contract between employees in that certified collective bargaining unit and the board regarding the group insurance benefits of such employees shall be followed.

Legal Reference: Iowa Code §§ 20.9; 85; 85B; 279.12, .27; 509; 509A; 509B (2009).

Cross Reference: 405.1 Licensed Employee Defined

Approved June 2008 Reviewed November 2013 Revised

Code No. 406.6

LICENSED EMPLOYEE TAX SHELTER PROGRAMS

The board authorizes the administration to make a payroll deduction for licensed employees' tax sheltered annuity premiums purchased from a company or program chosen by the board and collective bargaining units.

Licensed employees wishing to have payroll deductions for tax sheltered annuities will make a written request to the superintendent.

The requirements stated in the Master Contract between employees in the certified collective bargaining unit and the board regarding the tax sheltered annuities of such employees will be followed.

Legal Reference: Small Business Job Protection Act of 1996, Section 1450(a), repealing portions of IRS REG § 1.403(b)-1(b)(3).
Iowa Code §§ 20.9; 260C; 273; 294.16 (2009).
1988 Op. Att'y Gen. 38.
1976 Op. Att'y Gen. 462, 602.
1966 Op. Att'y Gen. 211, 220.

Cross Reference: 706 Payroll Procedures

Approved December, 2008 Reviewed November 2013 Revised _____

Code No. 407.1

LICENSED EMPLOYEE RESIGNATION

A licensed employee who wishes to resign must notify the superintendent in writing within the time period set by the board for return of the contract. This applies to regular contracts for the licensed employee's regular duties and for an extracurricular contract for extra duty. Resignations of this nature will be accepted by the board.

The board may require an individual who has resigned from an extracurricular contract to accept the resigned position for only the subsequent school year when the board has made a good faith effort to find a replacement and the licensed employee is continuing to be employed by the school district.

Legal Reference: Iowa Code §§ 91A.2, .3, .5; 279.13, .19A (2009).

Cross Reference: 405.3 Licensed Employee Individual Contracts
405.4 Licensed Employee Continuing Contracts
407 Licensed Employee Termination of Employment

Approved June 2008 Reviewed November 2013 Revised

Code No. 407.2

LICENSED EMPLOYEE CONTRACT RELEASE

Licensed employees who wish to be released from an executed contract must give at least twenty-one days notice to the superintendent. Licensed employees may be released at the discretion of the board. Only in unusual and extreme circumstances will the board release a licensed employee from a contract. The board shall have sole discretion to determine what constitutes unusual and extreme circumstances.

A teacher must give thirty days notice prior to the effective date of the requested release. Requests for release will be considered until July 1st. Search for replacement will terminate 30 days after the written request. After July 1st, the school board will not consider request for release except for medical disability or action of the board. The teacher shall also be required to reimburse the school district for expenses incurred by the district, as a result of the school board seeking a replacement for any reason other than medical disability or action of the board releasing the teacher from the contract. Upon written mutual agreement between the employee and the superintendent, the costs may be deducted from the employee's salary. Payment of these costs shall be a condition for release from the contract at the discretion of the board. Failure of the licensed employee to pay these expenses may result in a cause of action being filed in small claims court.

The superintendent is authorized to file a complaint with the Board of Educational Examiners against a licensed employee who leaves without proper release from the board.

Legal Reference: Iowa Code §§ 216; 272; 279.13, .19A, .46 (2009).
1978 Op. Att'y Gen. 247.
1974 Op. Att'y Gen. 11, 322.

Cross Reference: 405.3 Licensed Employee Individual Contracts
405.4 Licensed Employee Continuing Contracts
407.3 Licensed Employee Retirement

Approved June 2008 Reviewed November 2013 Revised

Code No. 407.3

LICENSED EMPLOYEE RETIREMENT

Licensed employees who will complete their current contract with the board may apply for retirement. No licensed employee will be required to retire at a specific age.

Application for retirement will be considered made when the licensed employee states in writing to the superindentdent, no later thatn the date set by the board to for return of the employee's contract to the board, the intent of the employee to retire. The letter must state the employee's desire to retire and be witnessed by another party other than the principal or superintendent. Applications made after the date set by the board for the return of the employee's contract to the board may be considered by the board if special circumstances exist.

Board action to approve a licensed employee's application for retirement is final and such action constitutes nonrenewal of the employee's contract for the next school year.

Code No. 407.4

LICENSED EMPLOYEE SUSPENSION

Licensed employees shall perform their assigned job, respect and follow board policy and obey the law. The superintendent is authorized to suspend a licensed employee pending board action on a discharge, for investigation of charges against the employee, and for disciplinary purposes. It shall be within the discretion of the superintendent to suspend a licensed employee with or without pay.

In the event of a suspension, appropriate due process shall be followed.

Legal Reference: Northeast Community Education Association v. Northeast Community School District, 402 N.W.2d 765 (Iowa 1987).
McFarland v. Board of Education of Norwalk Community School District, 277 N.W.2d 901 (Iowa 1979).
Iowa Code §§ 20.7, .24; 279.13, .15-.19, .27 (2009).

Cross Reference: 404 Employee Conduct and Appearance
407 Licensed Employee Termination of Employment

Approved June 2008 Reviewed November 2013 Revised

Code No. 407.5

LICENSED EMPLOYEE REDUCTION IN FORCE

The requirements stated in the Master Contract between employees in that certified collective bargaining unit and the board regarding the reduction in force of such employees shall be followed.

Legal Reference: Iowa Code §§ 20.7, .24; 279.13, .15-.19, .27 (2009).

Cross Reference: 407.4 Licensed Employee Suspension
413.5 Classified Employee Reduction in Force
703 Budget

Approved June 2008 Reviewed November 2013 Revised

Code No. 408.1

LICENSED EMPLOYEE PROFESSIONAL DEVELOPMENT

The board encourages licensed employees to attend and participate in professional development activities to maintain, develop, and extend their skills. The board shall maintain and support an in-service program for licensed employees.

Requests for attendance or participation in a development program, other than those development programs sponsored by the school district, shall be made to the superintendent. Approval of the superintendent must be obtained prior to attendance by a licensed employee in a professional development program when the attendance would result in the licensed employee being excused from their duties or when the school district pays the expenses for the program.

The superintendent shall have sole discretion to allow or disallow licensed employees to attend or participate in the requested event. When making this determination, the superintendent will consider the value of the program for the licensed employee and the school district, the effect of the licensed employee's absence on the education program and school district operations and the school district's financial situation as well as other factors deemed relevant in the judgment of the superintendent.

Legal Reference: Iowa Code § 279.8 (2009).
281 I.A.C. 12.7.

Cross Reference: 414.9 Classified Employee Professional Purposes Leave

Approved June 2008 Reviewed November 2013 Revised _____

Code No. 408.2

LICENSED EMPLOYEE PUBLICATION OR CREATION OF MATERIALS

Materials created by licensed employees and the financial gain therefrom shall be the property of the school district if school materials and time were used in their creation and/or such materials were created in the scope of the licensed employees's employment. The licensed employee must seek prior written approval of the superintendent concerning such activities.

Legal Reference: Iowa Code § 279.8 (2009).

Cross Reference: 401.2 Employee Conflict of Interest
606.4 Student Production of Materials and Services

Approved June 2008 Reviewed November 2013 Revised

LICENSED EMPLOYEE TUTORING

Every effort will be made by the licensed employees to help students with learning problems before recommending that the parents engage a tutor. Since there are exceptional cases when tutoring will help students overcome learning deficiencies, tutoring by licensed employees may be approved by the superintendent.

Licensed employees may only tutor students other than those for whom the teacher is currently exercising teaching, administrative or supervisory responsibility unless approved by the superintendent.

Tutoring for a fee may not take place within school facilities or during regular school hours unless approved by the superintendent.

Legal Reference: Iowa Code §§ 20.7; 279.8 (2009).

Cross Reference: 401.3 Employee Conflict of Interest
402.6 Employee Outside Employment

Approved June 2008 Reviewed November 2013 Revised _____

Code No. 409.1

LICENSED EMPLOYEE VACATION - HOLIDAYS

The board shall determine the amount of vacation and holidays that will be allowed on an annual basis for licensed employees.

It shall be the responsibility of the superintendent to make a recommendation to the board annually on vacations, holidays, and personal leave for licensed employees.

The requirements stated in the Master Contract between employees in that certified collective bargaining unit and the board regarding vacation, holidays, and personal leave of such employees will be followed.

Legal Reference: Iowa Code §§ 1C.1-.2; 4.1(34); 20.9 (2009).

Cross Reference: 414.1 Classified Employee Vacations - Holidays -Personal Leave
601.1 School Calendar

Approved June 2008 Reviewed November 2013 Revised

LICENSED EMPLOYEE PERSONAL ILLNESS LEAVE

Licensed employees shall be granted ten days of sick leave in their first year of employment. Each year thereafter, one additional day of sick leave will be granted to the licensed employees up to a maximum of fifteen days. "Day" is defined as one work day regardless of full-time or part-time status of the employee. A new employee shall report for work at least one full work day prior to receiving sick leave benefits. A returning employee will be granted the appropriate number of days at the beginning of each fiscal year.

Sick leave may be accumulated up to a maximum of 90 days for licensed employees.

Should the personal illness occur after or extend beyond the sick leave accumulated allowance, the employee may apply for disability benefits under the group insurance plan. If the employee does not qualify for disability benefits, the employee may request a leave of absence without pay.

Evidence may be required regarding the mental or physical health of the employee when the administration has a concern about the employee's health. Evidence may also be required to confirm the employee's illness, the need for the illness leave, the employee's ability to return to work, and the employee's capability to perform the duties of the employee's position. It shall be within the discretion of the board or the superintendent to determine the type and amount of evidence necessary. When an illness leave will be greater than three consecutive days, the employee shall comply with the board policy regarding family and medical leave.

The requirements stated in the Master Contract between employees in that certified collective bargaining unit and the board regarding the personal illness leave of such employees shall be followed.

Legal Reference:
Whitney v. Rural Ind. School District, 232 Iowa 61, 4 N.W.2d 394 (1942).
26 U.S.C. § 2601 et seq. (2006)
29 C.F.R. Pt. 825 (2006).
Iowa Code §§ 20; 85.33, .34, .38(3); 216; 279.40 (2009).
1980 Op. Att'y Gen. 605.
1972 Op. Att'y Gen. 177, 353.
1952 Op. Att'y Gen. 91.

Cross Reference:
403.2 Employee Injury on the Job
409.3 Licensed Employee Family and Medical Leave
409.8 Licensed Employee Unpaid Leave

Approved June 2008 Reviewed November 2013 Revised

Code No. 409.3

LICENSED EMPLOYEE FAMILY AND MEDICAL LEAVE

Unpaid family and medical leave will be granted up to 12 weeks per year to assist employees in balancing family and work life. For purposes of this policy, year is defined as January 1 to December 31. Requests for family and medical leave will be made to the superintendent.

Employees may be allowed to substitute paid leave for unpaid family and medical leave by meeting the requirements set out in the family and medical leave administrative rules. Employees eligible for family and medical leave must comply with the family and medical leave administrative rules prior to starting family and medical leave. It is the responsibility of the superintendent to develop administrative rules to implement this policy.

The requirements stated in the Master Contract between employees in the certified collective bargaining unit and the board regarding family and medical leave of such employees will be followed.

NOTE: This policy is consistent with federal law regarding family and medical leave. The links below are to applicable forms on the U.S. Department of Labor Web site.

Links: WH-380-E Certification of Health Care Provider for Employee's Serious Health Condition (PDF)
WH-380-F Certification of Health Care Provider for Family Member's Serious Health Condition (PDF)
WH-381 Notice of Eligibility and Rights & Responsibilities (PDF)
WH-382 Designation Notice (PDF)
WH-384 Certification of Qualifying Exigency For Military Family Leave (PDF)
WH-385 Certification for Serious Injury or Illness of Covered Servicemember -- for Military Family Leave (PDF)

Legal Reference: Whitney v. Rural Ind. School. District, 232 Iowa 61, 4 N.W.2d 394 (1942).
26 U.S.C. §§ 2601 *et seq*. (2006)
29 C.F.R. Pt. 825 (2006).
Iowa Code §§ 20; 85.33, .34, .38(3); 216; 279.40 (2009).
1980 Op. Att'y Gen. 605.
1972 Op. Att'y Gen. 177, 353.
1952 Op. Att'y Gen. 91.

Cross Reference: 409.2 Licensed Employee Personal Illness Leave
409.8 Licensed Employee Unpaid Leave
414.3 Classified Employee Family and Medical Leave

Approved June 2008 Reviewed November 2013 Revised August, 2009

LICENSED EMPLOYEE FAMILY AND MEDICAL LEAVE NOTICE TO EMPLOYEES

FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:

- For incapacity due to pregnancy, prenatal medical care or child birth;
- To care for the employee's child after birth, or placement for adoption or foster care;
- To care for the employee's spouse, son or daughter, or parent, who has a serious health condition; or
- For a serious health condition that makes the employee unable to perform the employee's job.

Eligible employees with a spouse, son, daughter, or parent on active duty or call to active duty status in the National Guard or Reserves in support of a contingency operation may use their 12-week leave entitlement to address certain qualifying exigencies.

Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered service member during a single 12-month period. A covered service member is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the service member medically unfit to perform his or her duties for which the service member is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list.

During FMLA leave, the employer must maintain the employee's health coverage under any "group health plan" on the same terms as if the employee had continued to work. Upon return from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.

Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

Employees are eligible if they have worked for a covered employer for at least one year, for 1,250 hours over the previous 12 months, and if at least 50 employees are employed by the employer within 75 miles.

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule

when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the employer's operations. Leave due to qualifying exigencies may also be taken.

Employees may choose or employers may require use of accrued paid leave while taking FMLA leave. In order to use paid leave for FMLA leave, employees must comply with the employer's normal paid leave policies.

Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days notice is not possible, the employee must provide notice as soon as practicable and generally must comply with an employer's normal call-in procedures.

Employees must provide sufficient information for the employer to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the employer if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees also may be required to provide a certification and periodic recertification supporting the need for leave.

Covered employers must inform employees requesting leave whether they are eligible under FMLA. If they are, the notice must specify any additional information required as well as the employees' rights and responsibilities. If they are not eligible, the employer must provide a reason for the ineligibility.
Covered employers must inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If the employer determines that the leave is not FMLA-protected, the employer must notify the employee.

FMLA makes it unlawful for any employer to:
- Interfere with, restrain, or deny the exercise of any right provided under FMLA;
- Discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer.

FMLA does not affect any Federal or State law prohibiting discrimination, or supersede any State or local law or collective bargaining agreement which provides greater family or medical leave rights.

***NOTE*: FMLA section 109 (29 U.S.C. § 2619) requires FMLA covered employers to post the text of this notice. Regulations 29 C.F.R. § 825.300(a) may require additional disclosures.**

If you have access to the Internet visit FLMA's website: http://www.dol.gov/esa/whd/fmla .

To locate your nearest Wage-Hour Office, phone our toll-free information at 1-866-487-9243 or to the Web site at: http://www.wagehour.dol.gov.

For a listing of records that must be kept by employers to comply with FMLA visit the U.S. Dept. of Labor's website: http://www.dol.gov/dol/allcfr/ESA/Title_29/Part_825/29CFR825.500.htm

US Dept. of Labor – Revised July, 2009

LICENSED EMPLOYEE FAMILY AND MEDICAL LEAVE REQUEST FORM

Date: _____

I, _____, request family and medical leave for the following reason:

(check all that apply)

- ____ for the birth of my child;
- ____ for the placement of a child for adoption or foster care;
- ____ to care for my child who has a serious health condition;
- ____ to care for my parent who has a serious health condition;
- ____ to care for my spouse who has a serious health condition; or
- ____ because I am seriously ill and unable to perform the essential functions of my position.
- ___ because of a qualifying exigency arising out of the fact that my ___spouse; ___ son or daughter; ___parent is on active duty or call to active duty status in support of a contingency operation as a member of the National Guard or Reserves.
- ___ because I am the ___ spouse; ___ son or daughter; ___ parent; ___next of kin of a covered service member with a serious injury or illness.

I acknowledge my obligation to provide medical certification of my serious health condition or that of a family member in order to be eligible for family and medical leave within 15 days of the request for certification.

I acknowledge receipt of information regarding my obligations under the family and medical leave policy of the school district.

I request that my family and medical leave begin on _____ and I request leave as follows: (check one)

- ____ continuous

  I anticipate that I will be able to return to work on_____.

- ____ intermittent leave for the:

- ____ birth of my child or adoption or foster care placement subject to agreement by the district;
- ____ serious health condition of myself, parent, or child when medically necessary;
- ____ because of a qualifying exigency arising out of the fact that my ___ spouse; ___ son or daughter; ___parent is on active duty or call to active duty status in support of a contingency operation as a member of the National Guard or Reserves.
- ___ because I am the ___ spouse; ___ son or daughter; ___ parent; ___next of kin of a covered service member with a serious injury or illness.

Details of the needed intermittent leave:

I anticipate returning to work at my regular schedule on _____.

LICENSED EMPLOYEE FAMILY AND MEDICAL LEAVE REQUEST FORM

____ reduced work schedule for the:

____ birth of my child or adoption or foster care placement subject to agreement by the district;
____ serious health condition of myself, parent, or child when medically necessary;
____ because of a qualifying exigency arising out of the fact that my ___spouse; ___ son or daughter; ___parent is on active duty or call to active duty status in support of a contingency operation as a member of the National Guard or Reserves.
____ because I am the ___ spouse; ___ son or daughter; ___ parent; ___next of kin of a covered service member with a serious injury or illness.

Details of needed reduction in work schedule as follows:

I anticipate returning to work at my regular schedule on _____.

I realize I may be moved to an alternative position during the period of the family and medical intermittent or reduced work schedule leave. I also realize that with foreseeable intermittent or reduced work schedule leave, subject to the requirements of my health care provider, I may be required to schedule the leave to minimize interruptions to school district operations.

While on family and medical leave, I agree to pay my regular contributions to employer sponsored benefit plans. My contributions will be deducted from moneys owed me during the leave period. If no monies are owed me, I will reimburse the school district by personal check or cash for my contributions. I understand that I may be dropped from the employer-sponsored benefit plans for failure to pay my contribution.

I agree to reimburse the school district for any payment of my contributions with deductions from future monies owed to me or the school district may seek reimbursement of payments of my contributions in court.

I acknowledge that the above information is true to the best of my knowledge.

Signed	
Date	

If the employee requesting leave is unable to meet the above criteria, the employee is not eligible for family and medical leave.

LICENSED EMPLOYEE FAMILY AND MEDICAL LEAVE REGULATION

A. School district notice.

1. The school district will post the notice in Exhibit 409.3E1 regarding family and medical leave.

2. Information on the Family and Medical Leave Act and the board policy on family and medical leave, including leave provisions and employee obligations will be provided annually. The information will be in the [*employee handbook]*.

3. When an employee requests family and medical leave, the school district will provide the employee with information listing the employee's obligations and requirements. Such information will include:

   a. a statement clarifying whether the leave qualifies as family and medical leave and will, therefore, be credited to the employee's annual 12-week entitlement or 26 week entitlement depending on the purpose of the leave;
   b. a reminder that employees requesting family and medical leave for their serious health condition or for that of an immediate family member must furnish medical certification of the serious health condition and the consequences for failing to do so or proof of call to active duty in the case of military family and medical leave;
   c. an explanation of the employee's right to substitute paid leave for family and medical leave including a description of when the school district requires substitution of paid leave and the conditions related to the substitution; and
   d. a statement notifying employees that they must pay and must make arrangements for paying any premium or other payments to maintain health or other benefits.

B. Eligible employees. *(choose one)*

1. The school district has more than 50 employees on the payroll at the time leave is requested;

2. The employee has worked for the school district for at least twelve months or 52 weeks (the months and weeks need not be consecutive); and,

3. The employee has worked at least 1,250 hours within the previous year. Full-time professional employees who are exempt from the wage and hour law may be presumed to have worked the minimum hour requirement.

If the employee requesting leave is unable to meet the above criteria, the employee is not eligible for family and medical leave.

LICENSED EMPLOYEE FAMILY AND MEDICAL LEAVE REGULATION

C. Employee requesting leave -- two types of leave.

1. Foreseeable family and medical leave.

a. Definition - leave is foreseeable for the birth or placement of an adopted or foster child with the employee or for planned medical treatment.
b. Employee must give at least thirty days notice for foreseeable leave. Failure to give the notice may result in the leave beginning thirty days after notice was received. For those taking leave due to military family and medical leave, notice should be given as soon as possible.
c. Employees must consult with the school district prior to scheduling planned medical treatment leave to minimize disruption to the school district. The scheduling is subject to the approval of the health care provider.

2. Unforeseeable family and medical leave.

a. Definition - leave is unforeseeable in such situations as emergency medical treatment premature birth.
b. Employee must give notice as soon as possible but no later than one to two work days after learning that leave will be necessary.
c. A spouse or family member may give the notice if the employee is unable to personally give notice.

D. Eligible family and medical leave determination. The school district may require the employee giving notice of the need for leave to provide reasonable documentation or a statement of family relationship.

1. Six purposes.

a. The birth of a son or daughter of the employee and in order to care for that son or daughter prior to the first anniversary of the child's birth;
b. The placement of a son or daughter with the employee for adoption or foster care and in order to care for that son or daughter prior to the first anniversary of the child's placement;
c. To care for the spouse, son, daughter or parent of the employee if the spouse, son, daughter or parent has a serious health condition; or
d. Employee's serious health condition that makes the employee unable to perform the essential functions of the employee's position.
e. because of a qualifying exigency arising out of the fact that an employee's ___ spouse; ___ son or daughter; ___ parent is on active duty or call to active duty status in support of a contingency operation as a member of the National Guard or Reserves.
f. because the employee is the spouse; ___ son or daughter; ___ parent; ___ next of kin of a covered service member with a serious injury or illness.

LICENSED EMPLOYEE FAMILY AND MEDICAL LEAVE REGULATION

2. Medical certification.

a. When required:
(1)Employees shall be required to present medical certification of the employee's serious health condition and inability to perform the essential functions of the job.
(2)Employees shall be required to present medical certification of the family member's serious health condition and that it is medically necessary for the employee to take leave to care for the family member.
(3)Employees shall be required to present certification of the call to active duty when taking military family and medical leave.

b. Employee's medical certification responsibilities:
(1) The employee must obtain the certification from the health care provider who is treating the individual with the serious health condition.
(2) The school district may require the employee to obtain a second certification by a health care provider chosen by and paid for by the school district if the school district has reason to doubt the validity of the certification an employee submits. The second health care provider cannot, however, be employed by the school district on a regular basis.
(3) If the second health care provider disagrees with the first health care provider, then the school district may require a third health care provider to certify the serious health condition. This health care provider must be mutually agreed upon by the employee and the school district and paid for by the school district. This certification or lack of certification is binding upon both the employee and the school district.

c. Medical certification will be required fifteen days after family and medical leave begins unless it is impracticable to do so. The school district may request recertification every thirty days. Recertification must be submitted within fifteen days of the school district's request.

d. Employees taking military caregiver family and medical leave to care for a family service member cannot be required to obtain a second opinion or to provide recertification.

Family and medical leave requested for the serious health condition of the employee or to care for a family member with a serious health condition which is not supported by medical certification will be denied until such certification is provided.

E. Entitlement.

1. Employees are entitled to twelve weeks unpaid family and medical leave per year. Employees taking military caregiver family and medical leave to care for a family service member are entitled to 26 weeks of unpaid family and medical leave but only in a single 12 month period.

2. Year is defined as: Calendar year

LICENSED EMPLOYEE FAMILY AND MEDICAL LEAVE REGULATION

3. If insufficient leave is available, the school district may:
   a. Deny the leave if entitlement is exhausted
   b. Award leave available

F. Type of Leave Requested.

1. Continuous - employee will not report to work for set number of days or weeks.

2. Intermittent - employee requests family and medical leave for separate periods of time.
   a. Intermittent leave is available for:
   ____birth of my child or adoption or foster care placement subject to agreement by the district;
   ____serious health condition of myself, parent, or child when medically necessary;
   ____because of a qualifying exigency arising out of the fact that my ___ spouse; ___ son or daughter; ___ parent is on active duty or call to active duty status in support of a contingency operation as a member of the National Guard or Reserves;
   ____because I am the ___ spouse; ___ son or daughter; ___ parent; ___ next of kin of a covered service member with a serious injury or illness.
   b. In the case of foreseeable intermittent leave, the employee must schedule the leave to minimize disruption to the school district operation.
   c. During the period of foreseeable intermittent leave, the school district may move the employee to an alternative position with equivalent pay and benefits. *(For instructional employees, see G below.)*

3. Reduced work schedule - employee requests a reduction in the employee's regular work schedule.

   a. Reduced work schedule family and medical leave is available for:
   ____birth of my child or adoption or foster care placement subject to agreement by the district;
   ____serious health condition of myself, parent, or child when medically necessary;
   ____because of a qualifying exigency arising out of the fact that my ___ spouse; ___ son or daughter; ___ parent is on active duty or call to active duty status in support of a contingency operation as a member of the National Guard or Reserves;
   ____because I am the ___ spouse; ___ son or daughter; ___ parent; ___ next of kin of a covered service member with a serious injury or illness.
   b. In the case of foreseeable reduced work schedule leave, the employee must schedule the leave to minimize disruption to the school district operation.
   c. During the period of foreseeable reduced work schedule leave, the school district may move the employee to an alternative position with equivalent pay and benefits. *(For instructional employees, see G below.)*

G. Special Rules for Instructional Employees.

1. Definition - an instructional employee is one whose principal function is to teach and instruct students in a class, a small group or an individual setting. This includes, but is not limited to, teachers, coaches, driver's education instructors and special education assistants.

LICENSED EMPLOYEE FAMILY AND MEDICAL LEAVE REGULATION

2. Instructional employees who request foreseeable medically necessary intermittent or reduced work schedule family and medical leave greater than twenty percent of the work days in the leave period may be required to:

   a. Take leave for the entire period or periods of the planned medical treatment; or,
   b. Move to an available alternative position, with equivalent pay and benefits, but not necessarily equivalent duties, for which the employee is qualified.

3. Instructional employees who request continuous family and medical leave near the end of a semester may be required to extend the family and medical leave through the end of the semester. The number of weeks remaining before the end of a semester does not include scheduled school breaks, such as summer, winter or spring break.

   a. If an instructional employee begins family and medical leave for any purpose more than five weeks before the end of a semester, the school district may require that the leave be continued until the end of the semester if the leave will last at least three weeks and the employee would return to work during the last three weeks of the semester if the leave was not continued.
   b. If the employee begins family and medical leave for a purpose other than the employee's own serious health condition during the last five weeks of a semester, the school district may require that the leave be continued until the end of the semester if the leave will last more than two weeks and the employee would return to work during the last two weeks of the semester.
   c. If the employee begins family and medical leave for a purpose other than the employee's own serious health condition during the last three weeks of the semester and the leave will last more than five working days, the school district may require the employee to continue taking leave until the end of the semester.

4. The entire period of leave taken under the special rules is credited as family and medical leave. The school district will continue to fulfill the school district's family and medical leave responsibilities and obligations, including the obligation to continue the employee's health insurance and other benefits, if an instructional employee's family and medical leave entitlement ends before the involuntary leave period expires.

H. Employee responsibilities while on family and medical leave.

   1. Employee must continue to pay health care benefit contributions or other benefit contributions regularly paid by the employee unless employee elects not to continue the benefits.

   2. The employee contribution payments will be deducted from any money owed to the employee or the employee will reimburse the school district at a time set by the superintendent.

   3. An employee who fails to make the health care contribution payments within thirty days after they are due will be notified that their coverage may be canceled if payment is not received within an additional 15 days.

   4. An employee may be asked to re-certify the medical necessity of family and medical leave for the serious medical condition of an employee or family member once every thirty days and return the certification within fifteen days of the request.

LICENSED EMPLOYEE FAMILY AND MEDICAL LEAVE REGULATION

5. The employee must notify the school district of the employee's intent to return to work at least once each month during their leave and at least two weeks prior to the conclusion of the family and medical leave.

6. If an employee intends not to return to work, the employee must immediately notify the school district, in writing, of the employee's intent not to return. The school district will cease benefits upon receipt of this notification.

I. Use of paid leave for family and medical leave.

Option I:
An employee may substitute unpaid family and medical leave with appropriate paid leave available to the employee under board policy, individual contracts or the collective bargaining agreement. Paid leave includes, but is not limited to, sick leave, family illness leave, vacation, personal leave, bereavement leave and professional leave. When the school district determines that paid leave is being taken for an FMLA reason, the school district will notify the employee within two business days that the paid leave will be counted as FMLA leave.

Option II:

1. An employee may substitute unpaid family and medical leave for the serious health condition of the employee with paid sick, vacation and personal leave. Upon the expiration of paid leave, the family and medical leave for the serious health condition of the employee is unpaid.

2. An employee may substitute unpaid family and medical leave for the serious health condition of an employee's family member or to care for a family service member with paid sick, vacation and personal leave. Upon the expiration of paid leave, the family and medical leave for the serious health condition of an employee's family member is unpaid.

3. An employee may substitute unpaid family and medical leave for the birth of a child of the employee and in order to care for that child prior to the first anniversary of the child's birth with sick, vacation and personal leave. Upon the expiration of paid leave, the family and medical leave for the birth of a child of the employee and in order to care for that child prior to the first anniversary of the child's birth is unpaid.

4. An employee may substitute unpaid family and medical leave for the placement of a child with the employee for adoption or foster care and in order to care for that child prior to the first anniversary of the child's placement or adoption with sick, vacation and personal leave. Upon the expiration of paid leave, the family and medical leave for the placement of a child with the employee for adoption or foster care and in order to care for the child prior to the first anniversary of the child's placement or adoption is unpaid.

5. An employee may substitute unpaid family and medical leave when a family service member is called to active duty or on call to active duty with sick, vacation and personal leave. Upon expiration of the paid leave, the leave is unpaid.

6. When the school district determines that paid leave is being taken for an FMLA reason, the school district will notify the employee within two business days that the paid leave will be counted as FMLA leave.

LICENSED EMPLOYEE FAMILY AND MEDICAL LEAVE REGULATION

Option III:

1. An employee may substitute unpaid family and medical leave for the serious health condition of the employee with paid sick leave. Upon the expiration of paid leave, the family and medical leave for the serious health condition of the employee is unpaid.

2. An employee may substitute unpaid family and medical leave for the serious health condition of an employee's family member with paid sick leave or to care for a family service member. Upon the expiration of paid leave, the family and medical leave for the serious health condition of an employee's family member is unpaid.

3. An employee may substitute unpaid family and medical leave for the birth of a child of the employee and in order to care for that child prior to the first anniversary of the child's birth with sick and vacation leave. Upon the expiration of paid leave, the family and medical leave for the birth of a child of the employee and in order to care for that child prior to the first anniversary of the child's birth is unpaid.

4. An employee may substitute unpaid family and medical leave for the placement of a child with the employee for adoption or foster care and in order to care for that child prior to the first anniversary of the child's placement or adoption with sick and vacation leave. Upon the expiration of paid leave, the family and medical leave for prior to the first anniversary of the placement of a child with the employee for adoption or foster care is unpaid.

5. An employee may substitute unpaid family and medical leave when a family service member is called to active duty or on call to active duty with sick and vacation leave. Upon expiration of the paid leave, the leave is unpaid.

6. When the school district determines that paid leave is being taken for an FMLA reason, the school district will notify the employee within two business days that the paid leave will be counted as FMLA leave.

Option IV:

1. Family and medical leave is unpaid.

LICENSED EMPLOYEE FAMILY AND MEDICAL LEAVE DEFINITIONS

Active Duty - duty under a call or order to active duty under a provision of law referring to in section 101(a)(13) of title 10, U.S. Code.

Common Law Marriage - according to Iowa law, common law marriages exist when there is a present intent by the two parties to be married, continuous cohabitation, and a public declaration that the parties are husband and wife. There is no time factor that needs to be met in order for there to be a common law marriage.

Contingency Operation - has the same meaning given such term in section 101(a)(13) of title 10, U.S. Code.

Continuing Treatment - a serious health condition involving continuing treatment by a health care provider includes any one or more of the following:

A period of incapacity (i.e., inability to work, attend school or perform other regular daily activities due to the serious health condition, treatment for or recovery from) of more than three consecutive calendar days and any subsequent treatment or period of incapacity relating to the same condition that also involves:

-- treatment two or more times by a health care provider, by a nurse or physician's assistant under direct supervision of a health care provider, or by a provider of health care services (e.g., physical therapist) under orders of, or in referral by, a health care provider; or

-- treatment by a health care provider on at least one occasion which results in a regimen of continuing treatment under the supervision of a the health care provider.

Any period of incapacity due to pregnancy or for prenatal care.

Any period of incapacity or treatment for such incapacity due to a chronic serious health condition. A chronic serious health condition is one which:

-- requires periodic visits for treatment by a health care provider or by a nurse or physician's assistant under direct supervision of a health care provider;

-- Continues over an extended period of time (including recurring episodes of a single underlying condition); and

-- May cause episodic rather than a continuing period of incapacity (e.g., asthma, diabetes, epilepsy, etc.).

Any period of incapacity which is permanent or long-term due to a condition for which treatment may not be effective. The employee or family member must be under the continuing supervision of, but need not be receiving active treatment by, a health care provider. Examples include Alzheimer's, a severe stroke or the terminal stages of a disease.

Any period of absence to receive multiple treatments (including any period of recovery from) by a health care provider or by a provider of health care services under orders of, or on referral by, a health care provider, either for restorative surgery after an accident or other injury, or for a condition that would likely result in a period of incapacity of more than three consecutive calendar days in the absence of medical intervention or treatment, such as cancer (chemotherapy, radiation, etc.), severe arthritis (physical therapy), kidney disease (dialysis).

Covered Servicemember - a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness.

Eligible Employee - the district has more than 50 employees on the payroll at the time leave is requested. The employee has worked for the district for at least twelve months and has worked at least 1250 hours within the previous year.

Essential Functions of the Job - those functions which are fundamental to the performance of the job. It does not include marginal functions.

LICENSED EMPLOYEE FAMILY AND MEDICAL LEAVE DEFINITIONS

Employment Benefits - all benefits provided or made available to employees by an employer, including group life insurance, health insurance, disability insurance, sick leave, annual leave, educational benefits, and pensions, regardless of whether such benefits are provided by a practice or written policy of an employer or through an "employee benefit plan."

Family Member - individuals who meet the definition of son, daughter, spouse or parent.

Group Health Plan - any plan of, or contributed to by, an employer (including a self-insured plan) to provide health care (directly or otherwise) to the employer's employees, former employees, or the families of such employees or former employees.

Health Care Provider-

- A doctor of medicine or osteopathy who is authorized to practice medicine or surgery by the state in which the doctor practices; or
- Podiatrists, dentists, clinical psychologists, optometrists, and chiropractors (limited to treatment consisting of manual manipulation of the spine to correct a subluxation as demonstrated by X ray to exist) authorized to practice in the state and performing within the scope of their practice as defined under state law; and
- Nurse practitioners and nurse-midwives, and clinical social workers who are authorized to practice under state law and who are performing within the scope of their practice as defined under state law; and
- Christian Science practitioners listed with the First Church of Christ Scientist in Boston, Massachusetts;
- Any health care provider from whom an employer or a group health plan's benefits manager will accept certification of the existence of a serious health condition to substantiate a claim for benefits;
- A health care provider as defined above who practices in a country other than the United States who is licensed to practice in accordance with the laws and regulations of that country.

In Loco Parentis - individuals who had or have day-to-day responsibilities for the care and financial support of a child not their biological child or who had the responsibility for an employee when the employee was a child.

Incapable of Self-Care - that the individual requires active assistance or supervision to provide daily self-care in several of the "activities of daily living" or "ADLs." Activities of daily living include adaptive activities such as caring appropriately for one's grooming and hygiene, bathing, dressing, eating, cooking, cleaning, shopping, taking public transportation, paying bills, maintaining a residence, using telephones and directories, using a post office, etc.

Instructional Employee - an employee employed principally in an instructional capacity by an educational agency or school whose principal function is to teach and instruct students in a class, a small group, or an individual setting, and includes athletic coaches, driving instructors, and special education assistants such as signers for the hearing impaired. The term does not include teacher assistants or aides who do not have as their principal function actual teaching or instructing, nor auxiliary personnel such as counselors, psychologists, curriculum specialists, cafeteria workers, maintenance workers, bus drivers, or other primarily noninstructional employees.

Intermittent Leave - leave taken in separate periods of time due to a single illness or injury, rather than for one continuous period of time, and may include leave or periods from an hour or more to several weeks.

Medically Necessary - certification for medical necessity is the same as certification for serious health condition.

LICENSED EMPLOYEE FAMILY AND MEDICAL LEAVE DEFINITIONS

"Needed to Care For" - the medical certification that an employee is "needed to care for" a family member encompasses both physical and psychological care. For example, where, because of a serious health condition, the family member is unable to care for his or her own basic medical, hygienic or nutritional needs or safety or is unable to transport himself or herself to medical treatment. It also includes situations where the employee may be needed to fill in for others who are caring for the family member or to make arrangements for changes in care.

Next of Kin - an individual's nearest blood relative

Outpatient Status - the status of a member of the Armed Forces assigned to –

- either a military medical treatment facility as an outpatient; or,
- a unit established for the purpose of providing command and control of members of the Armed Forces receiving medical care as outpatients.

Parent - a biological parent or an individual who stands in loco parentis to a child or stood in loco parentis to an employee when the employee was a child. Parent does not include parent-in-law.

Physical or Mental Disability - a physical or mental impairment that substantially limits one or more of the major life activities of an individual.

Reduced Leave Schedule - a leave schedule that reduces the usual number of hours per workweek, or hours per workday, of an employee.

Serious Health Condition -

An illness, injury, impairment, or physical or mental condition that involves:

- Inpatient care (i.e. an overnight stay) in a hospital, hospice or residential medical care facility including any period of incapacity (for purposes of this section, defined to mean inability to work, attend school or perform other regular daily activities due to the serious health condition, treatment for or recovery from), or any subsequent treatment in connection with such inpatient care; or
- Continuing treatment by a health care provider. A serious health condition involving continuing treatment by a health care provider includes:
    - A period of incapacity (i.e., inability to work, attend school or perform other regular daily activities due to the serious health condition, treatment for or recovery from) of more than three consecutive calendar days, including any subsequent treatment or period of incapacity relating to the same condition, that also involves:
    - Treatment two or more times by a health care provider, by a nurse or physician's assistant under direct supervision of a health care provider, or by a provider of health care services (e.g., physical therapist) under orders or, or on referral by, a health care provider; or
    - Treatment by a health care provider on at least one occasion which results in a regimen of continuing treatment under the supervision of the health care provider.
    - Any period of incapacity due to pregnancy or for prenatal care.
    - Any period of incapacity or treatment for such incapacity due to a chronic serious health condition. A chronic serious health condition is one which:
    - Requires periodic visits for treatment by a health care provider or by a nurse or physician's assistant under direct supervision of a health care provider;
    - Continues over an extended period of time (including recurring episodes of s single underlying condition); and,
    - May cause episodic rather than a continuing period of incapacity (e.g., asthma, diabetes, epilepsy, etc.).

- A period of incapacity, which is permanent or long-term due to a condition for which treatment may not be effective. The employee or family member must be under the continuing supervision of, but need not be receiving active treatment by, a health care provider. Examples include Alzheimer's a severe stroke or the terminal stages of a disease.
- Any period of absence to receive multiple treatments (including any period of recovery from) by a health care provider or by a provider of health care services under orders of, or on referral by, a health care provider, either for restorative surgery after an accident or other injury, or for a condition that would likely result in a period of incapacity of more than three consecutive calendar days in the absence of medical intervention or treatment, such as cancer (chemotherapy, radiation, etc.), severe arthritis (physical therapy), kidney disease (dialysis).

Treatment for purposes of this definition includes, but is not limited to, examinations to determine if a serious health condition exists and evaluation of the condition. Treatment does not include routine physical examinations, eye examinations or dental examinations. Under this definition, a regimen of continuing treatment includes, for example, a course of prescription medication (e.g., an antibiotic) or therapy requiring special equipment to resolve or alleviate the health condition (e.g., oxygen). A regimen of continuing treatment that includes the taking of over-the-counter medications such as aspirin, antihistamines, or salves; or bed rest, drinking fluids, exercise and other similar activities that can be initiated without a visit to a health care provider, is not, by itself, sufficient to constitute a regimen of continuing treatment for purposes of FMLA leave.

Conditions for which cosmetic treatments are administered (such as most treatments for acne or plastic surgery) are not "serious health conditions" unless inpatient hospital care is required or unless complications develop. Ordinarily, unless complications arise, the common cold, the flu, ear aches, upset stomach, ulcers, headaches other than migraine, routine dental or orthodontia problems, periodontal disease, etc., are examples of conditions that do not meet the definition of a serious health condition and do not qualify for FMLA leave. Restorative dental or plastic surgery after an injury or removal of cancerous growths are serious health conditions provided all the other conditions of this regulation are met. Mental illness resulting from stress or allergies may be serious health conditions, but only if all the conditions of this section are met.

Substance abuse may be a serious health condition if the conditions of this section are met. However, FMLA leave may only be taken for treatment for substance abuse by a health care provider or by a provider of health care on referral by a health care provider. On the other hand, absence because of the employee's use of the substance, rather than for treatment, does not qualify for FMLA leave.

Absence attributable to incapacity under this definition qualify for FMLA leave even though the employee or the immediate family member does not receive treatment from a health care provider during the absence, and even if the absence does not last more than three days. For example, an employee with asthma may be unable to report for work due to the onset of an asthma attack or because the employee's health care provider has advised the employee to stay home when the pollen count exceeds a certain level. An employee who is pregnant may be unable to report to work because of severe morning sickness.

Serious Injury or Illness - an injury or illness incurred by a member of the Armed forces, including the National Guard or Reserves in the line of duty on active duty in the Armed Forces that may render the member medically unfit to perform the duties of the member's office, grade, rank, or rating.

Son or daughter - a biological child, adopted child, foster child, stepchild, legal ward, or a child of a person standing in loco parentis. The child must be under age 18 or, if over 18, incapable of self-care because of a mental or physical disability.

Spouse - a husband or wife recognized by Iowa law including common law marriages.

Code No. 409.4

LICENSED EMPLOYEE BEREAVEMENT LEAVE

The requirements stated in the Master Contract between employees in that certified collective bargaining unit and the board regarding the bereavement leave of such employees shall be followed.

Legal Reference: Iowa Code §§ 20.9; 279.8 (2009).

Cross Reference: 409 Licensed Employee Vacations and Leaves of Absence

Approved June 2008 Reviewed November 2013 Revised

LICENSED EMPLOYEE POLITICAL LEAVE

The board will provide a leave of absence to licensed employees to run for elective public office. The superintendent shall grant a licensed employee a leave of absence to campaign as a candidate for an elective public office as unpaid leave.

The licensed employee will be entitled to one period of leave to run for the elective public office, and the leave may commence within thirty days of a contested primary, special, or general election and continue until the day following the election.

The request for leave must be in writing to the superintendent of schools at least thirty days prior to the starting date of the requested leave.

Legal Reference: Iowa Code ch. 55 (2009).

Cross Reference:
401.9 Employee Political Activity
409 Licensed Employee Vacations and Leaves of Absence

Approved June 2008 Reviewed November 2013 Revised _____

Code No. 409.6

LICENSED EMPLOYEE JURY DUTY LEAVE

The requirements stated in the Master Contract between employees in that certified collective bargaining unit and the board regarding the bereavement leave of such employees shall be followed.

Legal Reference: Iowa Code §§ 20.9; 607A (2009).

Cross Reference: 409 Licensed Employee Vacations and Leaves of Absence

Approved June 2008 Reviewed November 2013 Revised _____

LICENSED EMPLOYEE MILITARY SERVICE LEAVE

The board recognizes licensed employees may be called to participate in the armed forces, including the national guard. If a licensed employee is called to serve in the armed forces, the employee shall have a leave of absence for military service until the military service is completed.

The leave shall be without loss of status or efficiency rating, and without loss of pay during the first thirty calendar days of the leave.

Legal Reference: Bewley v. Villisca Community School District, 299 N.W. 2d 904 (Iowa 1980).
Iowa Code §§ 20; 29A.28 (2009).

Cross Reference: 409 Licensed Employee Vacations and Leaves of Absence

Approved June 2008 Reviewed November 2013 Revised _____

Code No. 409.8

LICENSED EMPLOYEE UNPAID LEAVE

The requirements stated in the Master Contract between employees in that certified collective bargaining unit and the board regarding the unpaid leave of such employees shall be followed.

Legal Reference: Iowa Code §§ 20; 85; 85A; 85B; 279.12; 509; 509A; 509B (2009).

Cross Reference: 409 Licensed Employee Vacations and Leaves of Absence

Approved June 2008 Reviewed November 2013 Revised

Code No. 410.1

SUBSTITUTE TEACHERS

The board recognizes the need for substitute teachers. Substitute teachers shall be licensed to teach in Iowa.

It shall be the responsibility of the building principal to maintain a list of substitute teachers who may be called upon to replace regular contract licensed employees. Individuals whose names do not appear on this list will not be employed as a substitute without specific approval of the superintendent. It shall be the responsibility of the building principal to fill absences with substitute teachers immediately.

Substitute teachers will be paid a per diem rate. Substitutes employed for 10 or more consecutive days in the same position, will placed on the first step of the BA schedule and will be retroactive to the first day of the substitute period. Substitute licensed employees are expected to perform the same duties as the licensed employees.

Legal Reference: Iowa Association of School Boards v. PERB, 400 N.W.2d 571 (Iowa 1987).
Iowa Code §§ 20.1, .4(5), .9 (2009).
281 I.A.C. 12.4.

Cross Reference: 405.1 Licensed Employee Defined
405.2 Licensed Employee Qualifications, Recruitment Selection

Approved June 2008 Reviewed November 2013 Revised

Code No. 410.2

SUMMER SCHOOL LICENSED EMPLOYEES

It shall be within the discretion of the board to offer an education program during the summer recess. Licensed employees who volunteer or who are appointed to deliver the summer education program shall be compensated in addition to their regular duties during the school academic year, unless such arrangements are made prior to determining the employee's compensation for the year.

Should the board determine a summer education program is necessary, licensed employees shall be given the opportunity to volunteer for the positions available. If the board determines a course must be offered and no licensed employee volunteers for the position, the board will make the necessary arrangements to fill the position. The board will consider applications from volunteers of current licensed employees in conjunction with other applications.

It shall be the responsibility of the superintendent to make a recommendation to the board regarding the need for and the delivery of the summer education program.

Legal Reference: Iowa Code §§ 279.8; 280.14 (2009).

Cross Reference: 603.2 Summer School Instruction

Approved June 2008 Reviewed November 2013 Revised

Code No. 410.3

TRUANCY OFFICER

The superintendent shall annually appoint the district's truancy officer.

The principal shall notify the truancy officer when a student is truant. The truancy officer shall investigate the cause of a student's truancy and attempt to ensure the student's attendance. The truancy officer may take the student into custody. A student taken into custody shall be placed in the custody of the principal. The truancy officer shall attempt to contact the student's parents when the student is taken into custody.

Legal Reference: Iowa Code §§ 299.10-.11, .15 (1995).

Cross Reference: 501.10 Truancy - Unexcused Absences

Approved June 2008 Reviewed November 2013 Revised

Code No. 410.4

EDUCATION AIDE

The board may employ education aides or other instructional support personnel to assist licensed personnel in nonteaching duties, including, but not limited to:

- managing and maintaining records, materials and equipment;
- attending to the physical needs of children; and
- performing other limited services to support teaching duties when such duties are determined and directed by the teacher.

Education aides who hold a teaching certificate shall be compensated at the rate of pay established for their position as an education aide. It shall be the responsibility of the principal to supervise education aides.

Legal Reference: Iowa Code §§ 279.8; 280.3, .14 (2009).
281 I.A.C. 12.4(9); .5(9).

Cross Reference: 411.2 Classified Employee Qualifications, Recruitment, Selection

Approved June 2008 Reviewed November 2013 Revised

Code No. 411.1

CLASSIFIED EMPLOYEE DEFINED

Classified employees are employees who are not administrators or employees in positions which require an Iowa Department of Education teaching license and who are employed to fulfill the duties listed on their job description on a monthly or hourly basis. Classified employees shall include, but not be limited to, teacher and classroom aides, custodial and maintenance employees, clerical employees, food service employees, bus drivers, and temporary help for summer or other maintenance. The position may be full-time or part-time.

It shall be the responsibility of the superintendent to establish job specifications and job descriptions for classified employee positions. Job descriptions may be approved by the board.

Classified employees required to hold a license for their position must present evidence of their current license to the board secretary prior to payment of wages each year.

Legal Reference: Iowa Code §§ 20; 279.8 (2009).

Cross Reference: 405.1 Licensed Employee Defined
411.2 Classified Employee Qualifications, Recruitment, Selection
412.3 Classified Employee Group Insurance Benefits

Approved June 2008 Reviewed November 2013 Revised _____

Code No. 411.2

CLASSIFIED EMPLOYEE - QUALIFICATIONS, RECRUITMENT, SELECTION

Persons interested in a classified employee position shall have an opportunity to apply and qualify for classified employee positions in the school district without regard to age, race, creed, color, sex, national origin, religion, sexual orientation, gender identity or disability. Job applicants for classified employee positions shall be considered on the basis of the following:

- Training, experience, and skill;
- Nature of the occupation;
- Demonstrated competence; and
- Possession of, or ability to obtain, state or other license or certificate if required for the position.

Announcement of the position shall be through means the superintendent believes will inform potential applicants about the position. Applications for employment may be obtained from and completed applications shall be returned to the central administration office. Whenever possible, the preliminary screening of applicants shall be conducted by the administrator who directly supervises and oversees the position.

The superintendent shall recommend employment of classified employees to the board for approval.

Legal Reference: 29 U.S.C. §§ 621-634 (2006).
42 U.S.C. §§ 2000e et seq. (2006)
42 U.S.C. §§ 12101 et seq. (2006).
Iowa Code §§ 35C; 216; 279.8; 294.1 (2009).

Cross Reference: 401.1 Equal Employment Opportunity
411 Classified Employees - General

Approved June 2008 Reviewed November 2013 Revised

Code No. 411.3

CLASSIFIED EMPLOYEE CONTRACTS

The board may enter into written contracts with classified employees employed on a regular basis. The contract will state the terms of employment.

Each contract shall include a thirty-day cancellation clause. Either the employee or the board must give notice of the intent to cancel the contract at the end of thirty days. This notice will not be required when the employee is terminated during a probationary period or for cause.

It shall be the responsibility of the superintendent to draw up and process the classified employee contracts and present them to the board for approval. The contracts, after being signed by the board president, shall be filed with the board secretary.

Legal Reference: Iowa Code §§ 20; 279.7A; 285.5(9) (2009).

Cross Reference:

411	Classified Employees - General
412.1	Classified Employee Compensation
412.2	Classified Employee Wage and Overtime Compensation
413	Classified Employee Termination of Employment

Approved June 2008 Reviewed November 2013 Revised

Code No. 411.4

CLASSIFIED EMPLOYEE LICENSING/CERTIFICATION

Classified employees who require a special license or other certification shall keep them current at their own expense. Licensing requirements needed for a position will be considered met if the employee meets the requirements established by law and by the Iowa Department of Education for the position.

Legal Reference: Iowa Code §§ 272.6; 285.5(9) (2009).
281 I.A.C. 12.4(10); 36; 43.12-.24.

Cross Reference: 411.2 Classified Employee Qualifications, Recruitment, Selection

Approved June 2008 Reviewed November 2013 Revised

Code No. 411.5

CLASSIFIED EMPLOYEE ASSIGNMENT

Determining the assignment of each classified employee is the responsibility of the superintendent and within the sole discretion of the board. In making such assignments each year the superintendent shall consider the qualifications of each classified employee and the needs of the school district.

It shall be the responsibility of the superintendent to assign classified employees and report such assignments to the board.

Legal Reference: Iowa Code §§ 20; 279.8 (2009).

Cross Reference: 200.2 Powers of the Board of Directors
411.6 Classified Employee Transfers

Approved June 2008 Reviewed November 2013 Revised

Code No. 411.7

CLASSIFIED EMPLOYEE EVALUATION

Evaluation of classified employees on their skills, abilities, and competence shall be an ongoing process supervised by the superintendent. The goal of the formal evaluation of classified employees shall be to maintain classified employees who meet or exceed the board's standards of performance, to clarify each classified employee's role, to ascertain the areas in need of improvement, to clarify the immediate priorities of the board, and to develop a working relationship between the administrators and other employees.

It shall be the responsibility of the superintendent to ensure classified employees are formally evaluated annually. New and probationary classified employees may be formally evaluated at least twice a year.

Legal Reference: Aplington Community School District v. PERB, 392 N.W.2d 495 (Iowa 1986).
Saydel Education Association v. PERB, 333 N.W.2d 486 (Iowa 1983).
Iowa Code §§ 20.9; 279.14 (2009).
281 I.A.C. 12.3(4).

Cross Reference: 411.2 Classified Employee Qualifications, Recruitment, Selection
411.8 Classified Employee Probationary Status

Approved June 2008 Reviewed November 2013 Revised

Code No. 411.8

CLASSIFIED EMPLOYEE PROBATIONARY STATUS

The first year of a newly employed classified employee's contract shall be a probationary period. "Day" shall be defined as one work day regardless of full-time or part-time status of the employee. New employees, regardless of experience, shall be subject to this probationary period.

"New" employees includes individuals who are being hired for the first time by the school district and those who may have been employed by the school district in the past, but have not been employed by the board during the school year prior to the one for which contracts are being issued.

Only the board, in its discretion, may waive the probationary period.

Legal Reference: Iowa Code §§ 20; 279.8 (2009).

Cross Reference: 411.3 Classified Employee Contracts
411.7 Classified Employee Evaluation

Approved June 2008 Reviewed November 2013 Revised

Code No. 412.1

CLASSIFIED EMPLOYEE COMPENSATION

The board shall determine the compensation to be paid for the classified employees' positions, keeping in mind the education and experience of the classified employee, the educational philosophy of the school district, the financial condition of the school district and any other considerations as deemed relevant by the board.

It shall be the responsibility of the superintendent to make a recommendation to the board annually regarding the compensation of classified employees.

Legal Reference: Iowa Code §§ 20.1, .4, .7, .9; 279.8 (2009).

Cross Reference: 411.3 Classified Employee Contracts
412.2 Classified Employee Wage and Overtime Compensation

Approved June 2008 Reviewed November 2013 Revised

Code No. 412.2

CLASSIFIED EMPLOYEE WAGE AND OVERTIME COMPENSATION

Each non-exempt employee compensated on an hour-by-hour basis, whether full-or part-time, permanent or temporary, will be paid no less than the prevailing minimum wage. Whenever a non-exempt employee must work more than forty hours in a given work week, the employee shall be compensated at one and one-half times their regular hourly wage rate. This compensation shall be in the form of overtime pay or compensatory time. Overtime will not be permitted without prior authorization of the superintendent.

Each non-exempt employee paid on an hour-by-hour basis must complete, sign, and turn in a daily time record showing the actual number of hours worked. Failure of the employee to maintain, or falsification of, a daily time record will be grounds for disciplinary action.

It is the responsibility of the board secretary to maintain wage records.

Legal Reference: Garcia v. San Antonio Metropolitan Transit Authority, 469 U.S. 528 (1985).
29 U.S.C. §§ 206 et seq. (2006).
29 C.F.R. Pt. 511-800 (2006).

Cross Reference: 411.3 Classified Employee Contracts
412.1 Classified Employee Compensation

Approved June 2008 Reviewed November 2013 Revised

CLASSIFIED EMPLOYEE GROUP INSURANCE BENEFITS

Classified employees may be eligible for group insurance benefits as determined by the board and required by law. The board shall select the group insurance program and the insurance company which will provide the program.

Classified employees who work 30 hours per week shall be eligible to participate in the health group insurance plan. Regular classified employees who wish to purchase insurance coverage for their spouse or dependents may do so by meeting the requirements of the insurer.

This policy statement does not guarantee a certain level of benefits. The board shall have the authority and right to change or eliminate group insurance programs for its classified employees.

Legal Reference: Iowa Code §§ 20.9; 85; 85B; 279.12; 509; 509A; 509B (2009).

Cross Reference: 411.1 Classified Employee Defined

Approved June 2008 Reviewed November 2013 Revised

Code No. 412.4

CLASSIFIED EMPLOYEE TAX SHELTER PROGRAMS

The board authorizes the administration to make a payroll deduction for classified employees' tax sheltered annuity premiums purchased from a company or program chosen by the board and collective bargaining units.

Classified employees wishing to have payroll deductions for tax sheltered annuities will make a written request to the superintendent.

Legal Reference: Small Business Job Protection Act of 1996, Section 1450(a), repealing portions of IRS REG § 1.403(b)-1(b)(3).
Iowa Code §§ 20.9; 260C; 273; 294.16 (2009).
1988 Op. Att'y Gen. 38.
1976 Op. Att'y Gen. 462, 602.
1966 Op. Att'y Gen. 211, 220.

Cross Reference: 706 Payroll Procedures

Approved June 2008 Reviewed November 2013 Revised

Code No. 413.1

CLASSIFIED EMPLOYEE RESIGNATION

Classified employees who wish to resign during the school year shall give the board notice of their intent to resign and final date of employment and cancel their contract thirty (30) days prior to their last working day.

Notice of the intent to resign shall be in writing to the superintendent.

Legal Reference: Iowa Code §§ 91A.2, .3, .5; 279.19A; 285.5(9) (2009).

Cross Reference: 411.3 Classified Employee Contracts
413 Classified Employee Termination of Employment

Approved June 2008 Reviewed November 2013 Revised

CLASSIFIED EMPLOYEE RETIREMENT

Classified employees who will complete their current contract with the board may apply for retirement. No classified employee will be required to retire at any specific age.

Application for retirement will be considered made when the classified employee states in writing to the superintendent, no later than the date set by the board for the return of the employee's contract to the board if applicable, the employee's intent to retire. The letter must state the employee's desire to retire and be witnessed by another party other than the principal or the superintendent.

Board action to approve a classified employee's application for retirement is final, and such action constitutes termination of the employee's contract effective the day of the employee's retirement.

Classified employees and their spouse and dependents who have group insurance coverage through the school district may be allowed to continue coverage of the school district's group health insurance program, at their own expense, by meeting the requirements of the insurer.

Legal Reference:
29 U.S.C. §§ 621 et seq. (2006).
Iowa Code §§ 91A.2, .3, .5; 97B; 216; 279.19A, .46 (2009).
581 I.A.C. 21.
1978 Op. Att'y Gen. 247.
1974 Op. Att'y Gen. 11, 322.

Cross Reference:
401.8 Recognition for Service of Employees
412 Classified Employee Compensation and Benefits
413 Classified Employee Termination of Employment

Approved June 2008 Reviewed November 2013 Revised

Code No. 413.3

CLASSIFIED EMPLOYEE SUSPENSION

Classified employees shall perform their assigned job, respect and follow board policy and obey the law. The superintendent is authorized to suspend a classified employee with or without pay pending board action on a discharge or during investigation of charges against the employee or for disciplinary purposes. It shall be within the discretion of the superintendent to suspend a classified employee with or without pay.

In the event of a suspension, due process will be followed.

Legal Reference: Northeast Community Education Association v. Northeast Community School District, 402 N.W.2d 765 (Iowa 1987).
McFarland v. Board of Education, of Norwalk Community School District, 277 N.W.2d 901 (Iowa 1979).
Iowa Code §§ 20.7, .24 (2009).

Cross Reference: 404 Employee Conduct and Appearance
413 Classified Employee Termination of Employment

Approved April 1995 Reviewed November 2013 Revised

Code No. 413.4

CLASSIFIED EMPLOYEE DISMISSAL

The board believes classified employees should perform their jobs, respect board policy and obey the law. A classified employee may be dismissed upon thirty days notice or immediately for cause. Due process procedures shall be followed.

It shall be the responsibility of the superintendent to make a recommendation for dismissal to the board. A classified employee may be dismissed for any reason, including, but not limited to, incompetence, willful neglect of duty, reduction in force, willful violation of board policy or administrative regulations, or a violation of the law.

Legal Reference: Iowa Code §§ 20.7, .24 (2009).

Cross Reference:
- 404 Employee Conduct and Appearance
- 413.3 Classified Employee Suspension
- 413.5 Classified Employee Reduction in Force

Approved June 2008 Reviewed November 2013 Revised

Code No. 413.5

CLASSIFIED EMPLOYEE REDUCTION IN FORCE

It is the exclusive power of the board to determine when a reduction in classified employees is necessary. Employees who are terminated due to a reduction in force shall be given thirty days notice. Due process will be followed for terminations due to a reduction in force.

It shall be the responsibility of the superintendent to make a recommendation for termination to the board. The superintendent will consider the relative qualifications, skills, ability and demonstrated performance through evaluation procedures in making the recommendations.

Legal Reference: Iowa Code §§ 20.7, .24 (2009).

Cross Reference:
- 407.5 Licensed Employee Reduction in Force
- 413.3 Classified Employee Suspension
- 413.4 Classified Employee Dismissal
- 703 Budget

Approved June 2008 Reviewed November 2013 Revised

Code No. 414.1

CLASSIFIED EMPLOYEE VACATIONS - HOLIDAYS - PERSONAL LEAVE

The board shall determine the amount of vacation, holidays and personal leave that will be allowed on an annual basis for classified employees.

Classified employees who work twelve months a year will be allowed six paid holidays. The six holidays shall be New Year's Day, Memorial Day, July 4, Labor Day, Thanksgiving Day and Christmas Day. Classified employees, whether full-time or part-time, shall have time off in concert with the school calendar.

Classified employees will be paid only for the hours they would have been scheduled for the day. Vacation shall not be accrued from year to year without a prior arrangement with the superintendent.

It shall be the responsibility of the superintendent to make a recommendation to the board annually on vacation and personal leave for classified employees.

Legal Reference: Iowa Code §§ 1C.1-.2; 4.1(34); 20.9 (2009).

Cross Reference: 409.1 Licensed Employee Vacations - Holidays - Personal Leave
601.1 School Calendar

Approved June 2008 Reviewed November 2013 Revised _____

CLASSIFIED EMPLOYEE PERSONAL ILLNESS LEAVE

Classified employees shall be granted ten days of sick leave in their first year of employment. Each year thereafter, one additional day of sick leave will be granted to the employees up to a maximum of fifteen days. "Day" is defined as one work day regardless of full-time or part-time status of the employee. A new employee shall report for work at least one full work day prior to receiving sick leave benefits. A returning employee will be granted the appropriate number of days at the beginning of each fiscal year. Sick leave will not be accumulated for classified employees.

Should the personal illness occur after or extend beyond the accumulated sick leave, the employee may apply for disability benefits under the group insurance plan. If the employee does not qualify for disability benefits, the employee may request a leave of absence without pay.

Evidence may be required regarding the mental or physical health of the employee including, but not limited to, confirmation of the following: the employee's illness, the need for the illness leave, the employee's ability to return to work, and the employee's capability to perform the duties of the employee's position. It shall be within the discretion of the superintendent to determine the type and amount of evidence necessary. When an illness leave will be greater than three consecutive days, the employee shall comply with board policy regarding family and medical leave.

If an employee is eligible to receive workers' compensation benefits, the employee shall contact the board secretary to implement these benefits.

Legal Reference:
Whitney v. Rural Ind. School District, 232 Iowa 61, 4 N.W.2d 394 (1942).
26 U.S.C. § 2601 et seq. (2006)
29 C.F.R. Pt. 825 (2006).
Iowa Code §§ 20; 85.33, .34, .38(3); 279.40 (2009).
1980 Op. Att'y Gen. 605.
1972 Op. Att'y Gen. 177, 353.
1952 Op. Att'y Gen. 91.

Cross Reference:
403.2 Employee Injury on the Job
414.3 Classified Employee Family and Medical Leave
414.8 Classified Employee Unpaid Leave

Approved June 2008 Reviewed November 2013 Revised

Code No. 414.3

CLASSIFIED EMPLOYEE FAMILY AND MEDICAL LEAVE

Unpaid family and medical leave will be granted up to 12 weeks per year to assist employees in balancing family and work life. For purposes of this policy, year is defined as January 1 to December 31. Requests for family and medical leave will be made to the superintendent.

Employees may be allowed to substitute paid leave for unpaid family and medical leave by meeting the requirements set out in the family and medical leave administrative rules. Employees eligible for family and medical leave must comply with the family and medical leave administrative rules prior to starting family and medical leave. It is the responsibility of the superintendent to develop administrative rules to implement this policy.

The requirements stated in the Master Contract between employees in the certified collective bargaining unit and the board regarding family and medical leave of such employees will be followed.

NOTE: This policy is consistent with federal law regarding family and medical leave. The links below are to applicable forms on the U.S. Department of Labor Web site.

Links: WH-380-E Certification of Health Care Provider for Employee's Serious Health Condition (PDF)
WH-380-F Certification of Health Care Provider for Family Member's Serious Health Condition (PDF)
WH-381 Notice of Eligibility and Rights & Responsibilities (PDF)
WH-382 Designation Notice (PDF)
WH-384 Certification of Qualifying Exigency For Military Family Leave (PDF)
WH-385 Certification for Serious Injury or Illness of Covered Servicemember -- for Military Family Leave (PDF)

Legal Reference: Whitney v. Rural Ind. School. District, 232 Iowa 61, 4 N.W.2d 394 (1942).
26 U.S.C. §§ 2601 *et seq*. (2006)
29 C.F.R. Pt. 825 (2006).
Iowa Code §§ 20; 85.33, .34, .38(3); 216; 279.40 (2009).
1980 Op. Att'y Gen. 605.
1972 Op. Att'y Gen. 177, 353.
1952 Op. Att'y Gen. 91.

Cross Reference: 409.2 Licensed Employee Personal Illness Leave
409.8 Licensed Employee Unpaid Leave
414.3 Classified Employee Family and Medical Leave

Approved June 2008 Reviewed November 2013 Revised August, 2009

CLASSIFIED EMPLOYEE FAMILY AND MEDICAL LEAVE NOTICE TO EMPLOYEES

FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:

- For incapacity due to pregnancy, prenatal medical care or child birth;
- To care for the employee's child after birth, or placement for adoption or foster care;
- To care for the employee's spouse, son or daughter, or parent, who has a serious health condition; or
- For a serious health condition that makes the employee unable to perform the employee's job.

Eligible employees with a spouse, son, daughter, or parent on active duty or call to active duty status in the National Guard or Reserves in support of a contingency operation may use their 12-week leave entitlement to address certain qualifying exigencies.

Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered service member during a single 12-month period. A covered service member is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the service member medically unfit to perform his or her duties for which the service member is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list.

During FMLA leave, the employer must maintain the employee's health coverage under any "group health plan" on the same terms as if the employee had continued to work. Upon return from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.

Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

Employees are eligible if they have worked for a covered employer for at least one year, for 1,250 hours over the previous 12 months, and if at least 50 employees are employed by the employer within 75 miles.

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule

when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the employer's operations. Leave due to qualifying exigencies may also be taken.

Employees may choose or employers may require use of accrued paid leave while taking FMLA leave. In order to use paid leave for FMLA leave, employees must comply with the employer's normal paid leave policies.

Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days notice is not possible, the employee must provide notice as soon as practicable and generally must comply with an employer's normal call-in procedures.

Employees must provide sufficient information for the employer to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the employer if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees also may be required to provide a certification and periodic recertification supporting the need for leave.

Covered employers must inform employees requesting leave whether they are eligible under FMLA. If they are, the notice must specify any additional information required as well as the employees' rights and responsibilities. If they are not eligible, the employer must provide a reason for the ineligibility.
Covered employers must inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If the employer determines that the leave is not FMLA-protected, the employer must notify the employee.

FMLA makes it unlawful for any employer to:
- Interfere with, restrain, or deny the exercise of any right provided under FMLA;
- Discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer.

FMLA does not affect any Federal or State law prohibiting discrimination, or supersede any State or local law or collective bargaining agreement which provides greater family or medical leave rights.

***NOTE*: FMLA section 109 (29 U.S.C. § 2619) requires FMLA covered employers to post the text of this notice. Regulations 29 C.F.R. § 825.300(a) may require additional disclosures.**

If you have access to the Internet visit FLMA's website: http://www.dol.gov/esa/whd/fmla .

To locate your nearest Wage-Hour Office, phone our toll-free information at 1-866-487-9243 or to the Web site at: http://www.wagehour.dol.gov.

For a listing of records that must be kept by employers to comply with FMLA visit the U.S. Dept. of Labor's website: http://www.dol.gov/dol/allcfr/ESA/Title_29/Part_825/29CFR825.500.htm

US Dept. of Labor – Revised July, 2009

CLASSIFIED EMPLOYEE FAMILY AND MEDICAL LEAVE REQUEST FORM

Date: _____

I, _____, request family and medical leave for the following reason:

(check all that apply)

- ____ for the birth of my child;
- ____ for the placement of a child for adoption or foster care;
- ____ to care for my child who has a serious health condition;
- ____ to care for my parent who has a serious health condition;
- ____ to care for my spouse who has a serious health condition; or
- ____ because I am seriously ill and unable to perform the essential functions of my position.
- ___ because of a qualifying exigency arising out of the fact that my ___spouse; ___ son or daughter; ___parent is on active duty or call to active duty status in support of a contingency operation as a member of the National Guard or Reserves.
- ___ because I am the ___ spouse; ___ son or daughter; ___ parent; ___next of kin of a covered service member with a serious injury or illness.

I acknowledge my obligation to provide medical certification of my serious health condition or that of a family member in order to be eligible for family and medical leave within 15 days of the request for certification.

I acknowledge receipt of information regarding my obligations under the family and medical leave policy of the school district.

I request that my family and medical leave begin on _____ and I request leave as follows: (check one)

- ____ continuous

  I anticipate that I will be able to return to work on_____.

- ____ intermittent leave for the:

  - ____ birth of my child or adoption or foster care placement subject to agreement by the district;
  - ____ serious health condition of myself, parent, or child when medically necessary;
  - ____ because of a qualifying exigency arising out of the fact that my ___ spouse; ___ son or daughter; ___parent is on active duty or call to active duty status in support of a contingency operation as a member of the National Guard or Reserves.
  - ___ because I am the ___ spouse; ___ son or daughter; ___ parent; ___next of kin of a covered service member with a serious injury or illness.

Details of the needed intermittent leave:

I anticipate returning to work at my regular schedule on _____.

CLASSIFIED EMPLOYEE FAMILY AND MEDICAL LEAVE REQUEST FORM

____ reduced work schedule for the:

____ birth of my child or adoption or foster care placement subject to agreement by the district;
____ serious health condition of myself, parent, or child when medically necessary;
____ because of a qualifying exigency arising out of the fact that my ___spouse; ___ son or daughter; ___parent is on active duty or call to active duty status in support of a contingency operation as a member of the National Guard or Reserves.
____ because I am the ___ spouse; ___ son or daughter; ___ parent; ___next of kin of a covered service member with a serious injury or illness.

Details of needed reduction in work schedule as follows:

I anticipate returning to work at my regular schedule on _____.

I realize I may be moved to an alternative position during the period of the family and medical intermittent or reduced work schedule leave. I also realize that with foreseeable intermittent or reduced work schedule leave, subject to the requirements of my health care provider, I may be required to schedule the leave to minimize interruptions to school district operations.

While on family and medical leave, I agree to pay my regular contributions to employer sponsored benefit plans. My contributions will be deducted from moneys owed me during the leave period. If no monies are owed me, I will reimburse the school district by personal check or cash for my contributions. I understand that I may be dropped from the employer-sponsored benefit plans for failure to pay my contribution.

I agree to reimburse the school district for any payment of my contributions with deductions from future monies owed to me or the school district may seek reimbursement of payments of my contributions in court.

I acknowledge that the above information is true to the best of my knowledge.

Signed	
Date	

If the employee requesting leave is unable to meet the above criteria, the employee is not eligible for family and medical leave.

CLASSIFIED EMPLOYEE FAMILY AND MEDICAL LEAVE REGULATION

A. School district notice.

1. The school district will post the notice in Exhibit 409.3E1 regarding family and medical leave.

2. Information on the Family and Medical Leave Act and the board policy on family and medical leave, including leave provisions and employee obligations will be provided annually. The information will be in the [*employee handbook]*.

3. When an employee requests family and medical leave, the school district will provide the employee with information listing the employee's obligations and requirements. Such information will include:

e. a statement clarifying whether the leave qualifies as family and medical leave and will, therefore, be credited to the employee's annual 12-week entitlement or 26 week entitlement depending on the purpose of the leave;
f. a reminder that employees requesting family and medical leave for their serious health condition or for that of an immediate family member must furnish medical certification of the serious health condition and the consequences for failing to do so or proof of call to active duty in the case of military family and medical leave;
g. an explanation of the employee's right to substitute paid leave for family and medical leave including a description of when the school district requires substitution of paid leave and the conditions related to the substitution; and
h. a statement notifying employees that they must pay and must make arrangements for paying any premium or other payments to maintain health or other benefits.

B. Eligible employees. *(choose one)*

1. The school district has more than 50 employees on the payroll at the time leave is requested;

2. The employee has worked for the school district for at least twelve months or 52 weeks (the months and weeks need not be consecutive); and,

3. The employee has worked at least 1,250 hours within the previous year. Full-time professional employees who are exempt from the wage and hour law may be presumed to have worked the minimum hour requirement.

If the employee requesting leave is unable to meet the above criteria, the employee is not eligible for family and medical leave.

CLASSIFIED EMPLOYEE FAMILY AND MEDICAL LEAVE REGULATION

C. Employee requesting leave -- two types of leave.

1. Foreseeable family and medical leave.

d. Definition - leave is foreseeable for the birth or placement of an adopted or foster child with the employee or for planned medical treatment.
e. Employee must give at least thirty days notice for foreseeable leave. Failure to give the notice may result in the leave beginning thirty days after notice was received. For those taking leave due to military family and medical leave, notice should be given as soon as possible.
f. Employees must consult with the school district prior to scheduling planned medical treatment leave to minimize disruption to the school district. The scheduling is subject to the approval of the health care provider.

2. Unforeseeable family and medical leave.

d. Definition - leave is unforeseeable in such situations as emergency medical treatment premature birth.
e. Employee must give notice as soon as possible but no later than one to two work days after learning that leave will be necessary.
f. A spouse or family member may give the notice if the employee is unable to personally give notice.

D. Eligible family and medical leave determination. The school district may require the employee giving notice of the need for leave to provide reasonable documentation or a statement of family relationship.

1. Six purposes.

g. The birth of a son or daughter of the employee and in order to care for that son or daughter prior to the first anniversary of the child's birth;
h. The placement of a son or daughter with the employee for adoption or foster care and in order to care for that son or daughter prior to the first anniversary of the child's placement;
i. To care for the spouse, son, daughter or parent of the employee if the spouse, son, daughter or parent has a serious health condition; or
j. Employee's serious health condition that makes the employee unable to perform the essential functions of the employee's position.
k. because of a qualifying exigency arising out of the fact that an employee's ___ spouse; ___ son or daughter; ___ parent is on active duty or call to active duty status in support of a contingency operation as a member of the National Guard or Reserves.
l. because the employee is the spouse; ___ son or daughter; ___ parent; ___ next of kin of a covered service member with a serious injury or illness.

CLASSIFIED EMPLOYEE FAMILY AND MEDICAL LEAVE REGULATION

2. Medical certification.

a. When required:
(1)Employees shall be required to present medical certification of the employee's serious health condition and inability to perform the essential functions of the job.
(2)Employees shall be required to present medical certification of the family member's serious health condition and that it is medically necessary for the employee to take leave to care for the family member.
(3)Employees shall be required to present certification of the call to active duty when taking military family and medical leave.

b. Employee's medical certification responsibilities:
(1) The employee must obtain the certification from the health care provider who is treating the individual with the serious health condition.
(2) The school district may require the employee to obtain a second certification by a health care provider chosen by and paid for by the school district if the school district has reason to doubt the validity of the certification an employee submits. The second health care provider cannot, however, be employed by the school district on a regular basis.
(3) If the second health care provider disagrees with the first health care provider, then the school district may require a third health care provider to certify the serious health condition. This health care provider must be mutually agreed upon by the employee and the school district and paid for by the school district. This certification or lack of certification is binding upon both the employee and the school district.

c. Medical certification will be required fifteen days after family and medical leave begins unless it is impracticable to do so. The school district may request recertification every thirty days. Recertification must be submitted within fifteen days of the school district's request.

d. Employees taking military caregiver family and medical leave to care for a family service member cannot be required to obtain a second opinion or to provide recertification.

Family and medical leave requested for the serious health condition of the employee or to care for a family member with a serious health condition which is not supported by medical certification will be denied until such certification is provided.

E. Entitlement.

1. Employees are entitled to twelve weeks unpaid family and medical leave per year. Employees taking military caregiver family and medical leave to care for a family service member are entitled to 26 weeks of unpaid family and medical leave but only in a single 12 month period.

2. Year is defined as: Calendar year

CLASSIFIED EMPLOYEE FAMILY AND MEDICAL LEAVE REGULATION

3. If insufficient leave is available, the school district may:
   a. Deny the leave if entitlement is exhausted
   b. Award leave available

F. Type of Leave Requested.

1. Continuous - employee will not report to work for set number of days or weeks.

2. Intermittent - employee requests family and medical leave for separate periods of time.
   a. Intermittent leave is available for:
   ____birth of my child or adoption or foster care placement subject to agreement by the district;
   ____serious health condition of myself, parent, or child when medically necessary;
   ____because of a qualifying exigency arising out of the fact that my ___ spouse; ___ son or daughter; ___ parent is on active duty or call to active duty status in support of a contingency operation as a member of the National Guard or Reserves;
   ____because I am the ___ spouse; ___ son or daughter; ___ parent; ___ next of kin of a covered service member with a serious injury or illness.
   b. In the case of foreseeable intermittent leave, the employee must schedule the leave to minimize disruption to the school district operation.
   c. During the period of foreseeable intermittent leave, the school district may move the employee to an alternative position with equivalent pay and benefits. *(For instructional employees, see G below.)*

3. Reduced work schedule - employee requests a reduction in the employee's regular work schedule.

   a. Reduced work schedule family and medical leave is available for:
   ____birth of my child or adoption or foster care placement subject to agreement by the district;
   ____serious health condition of myself, parent, or child when medically necessary;
   ____because of a qualifying exigency arising out of the fact that my ___ spouse; ___ son or daughter; ___ parent is on active duty or call to active duty status in support of a contingency operation as a member of the National Guard or Reserves;
   ____because I am the ___ spouse; ___ son or daughter; ___ parent; ___ next of kin of a covered service member with a serious injury or illness.
   b. In the case of foreseeable reduced work schedule leave, the employee must schedule the leave to minimize disruption to the school district operation.
   c. During the period of foreseeable reduced work schedule leave, the school district may move the employee to an alternative position with equivalent pay and benefits. *(For instructional employees, see G below.)*

G. Special Rules for Instructional Employees.

1. Definition - an instructional employee is one whose principal function is to teach and instruct students in a class, a small group or an individual setting. This includes, but is not limited to, teachers, coaches, driver's education instructors and special education assistants.

CLASSIFIED EMPLOYEE FAMILY AND MEDICAL LEAVE REGULATION

2. Instructional employees who request foreseeable medically necessary intermittent or reduced work schedule family and medical leave greater than twenty percent of the work days in the leave period may be required to:

   a. Take leave for the entire period or periods of the planned medical treatment; or,
   b. Move to an available alternative position, with equivalent pay and benefits, but not necessarily equivalent duties, for which the employee is qualified.

3. Instructional employees who request continuous family and medical leave near the end of a semester may be required to extend the family and medical leave through the end of the semester. The number of weeks remaining before the end of a semester does not include scheduled school breaks, such as summer, winter or spring break.

   a. If an instructional employee begins family and medical leave for any purpose more than five weeks before the end of a semester, the school district may require that the leave be continued until the end of the semester if the leave will last at least three weeks and the employee would return to work during the last three weeks of the semester if the leave was not continued.
   b. If the employee begins family and medical leave for a purpose other than the employee's own serious health condition during the last five weeks of a semester, the school district may require that the leave be continued until the end of the semester if the leave will last more than two weeks and the employee would return to work during the last two weeks of the semester.
   c. If the employee begins family and medical leave for a purpose other than the employee's own serious health condition during the last three weeks of the semester and the leave will last more than five working days, the school district may require the employee to continue taking leave until the end of the semester.

4. The entire period of leave taken under the special rules is credited as family and medical leave. The school district will continue to fulfill the school district's family and medical leave responsibilities and obligations, including the obligation to continue the employee's health insurance and other benefits, if an instructional employee's family and medical leave entitlement ends before the involuntary leave period expires.

H. Employee responsibilities while on family and medical leave.

   1. Employee must continue to pay health care benefit contributions or other benefit contributions regularly paid by the employee unless employee elects not to continue the benefits.

   2. The employee contribution payments will be deducted from any money owed to the employee or the employee will reimburse the school district at a time set by the superintendent.

   3. An employee who fails to make the health care contribution payments within thirty days after they are due will be notified that their coverage may be canceled if payment is not received within an additional 15 days.

   4. An employee may be asked to re-certify the medical necessity of family and medical leave for the serious medical condition of an employee or family member once every thirty days and return the certification within fifteen days of the request.

CLASSIFIED EMPLOYEE FAMILY AND MEDICAL LEAVE REGULATION

5. The employee must notify the school district of the employee's intent to return to work at least once each month during their leave and at least two weeks prior to the conclusion of the family and medical leave.

6. If an employee intends not to return to work, the employee must immediately notify the school district, in writing, of the employee's intent not to return. The school district will cease benefits upon receipt of this notification.

I. Use of paid leave for family and medical leave.

Option I:
An employee may substitute unpaid family and medical leave with appropriate paid leave available to the employee under board policy, individual contracts or the collective bargaining agreement. Paid leave includes, but is not limited to, sick leave, family illness leave, vacation, personal leave, bereavement leave and professional leave. When the school district determines that paid leave is being taken for an FMLA reason, the school district will notify the employee within two business days that the paid leave will be counted as FMLA leave.

Option II:

1. An employee may substitute unpaid family and medical leave for the serious health condition of the employee with paid sick, vacation and personal leave. Upon the expiration of paid leave, the family and medical leave for the serious health condition of the employee is unpaid.

2. An employee may substitute unpaid family and medical leave for the serious health condition of an employee's family member or to care for a family service member with paid sick, vacation and personal leave. Upon the expiration of paid leave, the family and medical leave for the serious health condition of an employee's family member is unpaid.

3. An employee may substitute unpaid family and medical leave for the birth of a child of the employee and in order to care for that child prior to the first anniversary of the child's birth with sick, vacation and personal leave. Upon the expiration of paid leave, the family and medical leave for the birth of a child of the employee and in order to care for that child prior to the first anniversary of the child's birth is unpaid.

4. An employee may substitute unpaid family and medical leave for the placement of a child with the employee for adoption or foster care and in order to care for that child prior to the first anniversary of the child's placement or adoption with sick, vacation and personal leave. Upon the expiration of paid leave, the family and medical leave for the placement of a child with the employee for adoption or foster care and in order to care for the child prior to the first anniversary of the child's placement or adoption is unpaid.

5. An employee may substitute unpaid family and medical leave when a family service member is called to active duty or on call to active duty with sick, vacation and personal leave. Upon expiration of the paid leave, the leave is unpaid.

6. When the school district determines that paid leave is being taken for an FMLA reason, the school district will notify the employee within two business days that the paid leave will be counted as FMLA leave.

CLASSIFIED EMPLOYEE FAMILY AND MEDICAL LEAVE REGULATION

Option III:

1. An employee may substitute unpaid family and medical leave for the serious health condition of the employee with paid sick leave. Upon the expiration of paid leave, the family and medical leave for the serious health condition of the employee is unpaid.

2. An employee may substitute unpaid family and medical leave for the serious health condition of an employee's family member with paid sick leave or to care for a family service member. Upon the expiration of paid leave, the family and medical leave for the serious health condition of an employee's family member is unpaid.

3. An employee may substitute unpaid family and medical leave for the birth of a child of the employee and in order to care for that child prior to the first anniversary of the child's birth with sick and vacation leave. Upon the expiration of paid leave, the family and medical leave for the birth of a child of the employee and in order to care for that child prior to the first anniversary of the child's birth is unpaid.

4. An employee may substitute unpaid family and medical leave for the placement of a child with the employee for adoption or foster care and in order to care for that child prior to the first anniversary of the child's placement or adoption with sick and vacation leave. Upon the expiration of paid leave, the family and medical leave for prior to the first anniversary of the placement of a child with the employee for adoption or foster care is unpaid.

5. An employee may substitute unpaid family and medical leave when a family service member is called to active duty or on call to active duty with sick and vacation leave. Upon expiration of the paid leave, the leave is unpaid.

6. When the school district determines that paid leave is being taken for an FMLA reason, the school district will notify the employee within two business days that the paid leave will be counted as FMLA leave.

Option IV:

1. Family and medical leave is unpaid.

CLASSIFIED EMPLOYEE FAMILY AND MEDICAL LEAVE DEFINITIONS

Active Duty - duty under a call or order to active duty under a provision of law referring to in section 101(a)(13) of title 10, U.S. Code.

Common Law Marriage - according to Iowa law, common law marriages exist when there is a present intent by the two parties to be married, continuous cohabitation, and a public declaration that the parties are husband and wife. There is no time factor that needs to be met in order for there to be a common law marriage.

Contingency Operation - has the same meaning given such term in section 101(a)(13) of title 10, U.S. Code.

Continuing Treatment - a serious health condition involving continuing treatment by a health care provider includes any one or more of the following:

A period of incapacity (i.e., inability to work, attend school or perform other regular daily activities due to the serious health condition, treatment for or recovery from) of more than three consecutive calendar days and any subsequent treatment or period of incapacity relating to the same condition that also involves:

-- treatment two or more times by a health care provider, by a nurse or physician's assistant under direct supervision of a health care provider, or by a provider of health care services (e.g., physical therapist) under orders of, or in referral by, a health care provider; or

-- treatment by a health care provider on at least one occasion which results in a regimen of continuing treatment under the supervision of a the health care provider.

Any period of incapacity due to pregnancy or for prenatal care.

Any period of incapacity or treatment for such incapacity due to a chronic serious health condition. A chronic serious health condition is one which:

-- requires periodic visits for treatment by a health care provider or by a nurse or physician's assistant under direct supervision of a health care provider;

-- Continues over an extended period of time (including recurring episodes of a single underlying condition); and

-- May cause episodic rather than a continuing period of incapacity (e.g., asthma, diabetes, epilepsy, etc.).

Any period of incapacity which is permanent or long-term due to a condition for which treatment may not be effective. The employee or family member must be under the continuing supervision of, but need not be receiving active treatment by, a health care provider. Examples include Alzheimer's, a severe stroke or the terminal stages of a disease.

Any period of absence to receive multiple treatments (including any period of recovery from) by a health care provider or by a provider of health care services under orders of, or on referral by, a health care provider, either for restorative surgery after an accident or other injury, or for a condition that would likely result in a period of incapacity of more than three consecutive calendar days in the absence of medical intervention or treatment, such as cancer (chemotherapy, radiation, etc.), severe arthritis (physical therapy), kidney disease (dialysis).

Covered Servicemember - a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness.

Eligible Employee - the district has more than 50 employees on the payroll at the time leave is requested. The employee has worked for the district for at least twelve months and has worked at least 1250 hours within the previous year.

Essential Functions of the Job - those functions which are fundamental to the performance of the job. It does not include marginal functions.

CLASSIFIED EMPLOYEE FAMILY AND MEDICAL LEAVE DEFINITIONS

Employment Benefits - all benefits provided or made available to employees by an employer, including group life insurance, health insurance, disability insurance, sick leave, annual leave, educational benefits, and pensions, regardless of whether such benefits are provided by a practice or written policy of an employer or through an "employee benefit plan."

Family Member - individuals who meet the definition of son, daughter, spouse or parent.

Group Health Plan - any plan of, or contributed to by, an employer (including a self-insured plan) to provide health care (directly or otherwise) to the employer's employees, former employees, or the families of such employees or former employees.

Health Care Provider-

- A doctor of medicine or osteopathy who is authorized to practice medicine or surgery by the state in which the doctor practices; or
- Podiatrists, dentists, clinical psychologists, optometrists, and chiropractors (limited to treatment consisting of manual manipulation of the spine to correct a subluxation as demonstrated by X ray to exist) authorized to practice in the state and performing within the scope of their practice as defined under state law; and
- Nurse practitioners and nurse-midwives, and clinical social workers who are authorized to practice under state law and who are performing within the scope of their practice as defined under state law; and
- Christian Science practitioners listed with the First Church of Christ Scientist in Boston, Massachusetts;
- Any health care provider from whom an employer or a group health plan's benefits manager will accept certification of the existence of a serious health condition to substantiate a claim for benefits;
- A health care provider as defined above who practices in a country other than the United States who is licensed to practice in accordance with the laws and regulations of that country.

In Loco Parentis - individuals who had or have day-to-day responsibilities for the care and financial support of a child not their biological child or who had the responsibility for an employee when the employee was a child.

Incapable of Self-Care - that the individual requires active assistance or supervision to provide daily self-care in several of the "activities of daily living" or "ADLs." Activities of daily living include adaptive activities such as caring appropriately for one's grooming and hygiene, bathing, dressing, eating, cooking, cleaning, shopping, taking public transportation, paying bills, maintaining a residence, using telephones and directories, using a post office, etc.

Instructional Employee - an employee employed principally in an instructional capacity by an educational agency or school whose principal function is to teach and instruct students in a class, a small group, or an individual setting, and includes athletic coaches, driving instructors, and special education assistants such as signers for the hearing impaired. The term does not include teacher assistants or aides who do not have as their principal function actual teaching or instructing, nor auxiliary personnel such as counselors, psychologists, curriculum specialists, cafeteria workers, maintenance workers, bus drivers, or other primarily noninstructional employees.

Intermittent Leave - leave taken in separate periods of time due to a single illness or injury, rather than for one continuous period of time, and may include leave or periods from an hour or more to several weeks.

Medically Necessary - certification for medical necessity is the same as certification for serious health condition.

CLASSIFIED EMPLOYEE FAMILY AND MEDICAL LEAVE DEFINITIONS

"Needed to Care For" - the medical certification that an employee is "needed to care for" a family member encompasses both physical and psychological care. For example, where, because of a serious health condition, the family member is unable to care for his or her own basic medical, hygienic or nutritional needs or safety or is unable to transport himself or herself to medical treatment. It also includes situations where the employee may be needed to fill in for others who are caring for the family member or to make arrangements for changes in care.

Next of Kin - an individual's nearest blood relative

Outpatient Status - the status of a member of the Armed Forces assigned to –

- either a military medical treatment facility as an outpatient; or,
- a unit established for the purpose of providing command and control of members of the Armed Forces receiving medical care as outpatients.

Parent - a biological parent or an individual who stands in loco parentis to a child or stood in loco parentis to an employee when the employee was a child. Parent does not include parent-in-law.

Physical or Mental Disability - a physical or mental impairment that substantially limits one or more of the major life activities of an individual.

Reduced Leave Schedule - a leave schedule that reduces the usual number of hours per workweek, or hours per workday, of an employee.

Serious Health Condition -

An illness, injury, impairment, or physical or mental condition that involves:

- Inpatient care (i.e. an overnight stay) in a hospital, hospice or residential medical care facility including any period of incapacity (for purposes of this section, defined to mean inability to work, attend school or perform other regular daily activities due to the serious health condition, treatment for or recovery from), or any subsequent treatment in connection with such inpatient care; or
- Continuing treatment by a health care provider. A serious health condition involving continuing treatment by a health care provider includes:
    - A period of incapacity (i.e., inability to work, attend school or perform other regular daily activities due to the serious health condition, treatment for or recovery from) of more than three consecutive calendar days, including any subsequent treatment or period of incapacity relating to the same condition, that also involves:
    - Treatment two or more times by a health care provider, by a nurse or physician's assistant under direct supervision of a health care provider, or by a provider of health care services (e.g., physical therapist) under orders or, or on referral by, a health care provider; or
    - Treatment by a health care provider on at least one occasion which results in a regimen of continuing treatment under the supervision of the health care provider.
    - Any period of incapacity due to pregnancy or for prenatal care.
    - Any period of incapacity or treatment for such incapacity due to a chronic serious health condition. A chronic serious health condition is one which:
    - Requires periodic visits for treatment by a health care provider or by a nurse or physician's assistant under direct supervision of a health care provider;
    - Continues over an extended period of time (including recurring episodes of s single underlying condition); and,
    - May cause episodic rather than a continuing period of incapacity (e.g., asthma, diabetes, epilepsy, etc.).

- A period of incapacity, which is permanent or long-term due to a condition for which treatment may not be effective. The employee or family member must be under the continuing supervision of, but need not be receiving active treatment by, a health care provider. Examples include Alzheimer's a severe stroke or the terminal stages of a disease.
- Any period of absence to receive multiple treatments (including any period of recovery from) by a health care provider or by a provider of health care services under orders of, or on referral by, a health care provider, either for restorative surgery after an accident or other injury, or for a condition that would likely result in a period of incapacity of more than three consecutive calendar days in the absence of medical intervention or treatment, such as cancer (chemotherapy, radiation, etc.), severe arthritis (physical therapy), kidney disease (dialysis).

Treatment for purposes of this definition includes, but is not limited to, examinations to determine if a serious health condition exists and evaluation of the condition. Treatment does not include routine physical examinations, eye examinations or dental examinations. Under this definition, a regimen of continuing treatment includes, for example, a course of prescription medication (e.g., an antibiotic) or therapy requiring special equipment to resolve or alleviate the health condition (e.g., oxygen). A regimen of continuing treatment that includes the taking of over-the-counter medications such as aspirin, antihistamines, or salves; or bed rest, drinking fluids, exercise and other similar activities that can be initiated without a visit to a health care provider, is not, by itself, sufficient to constitute a regimen of continuing treatment for purposes of FMLA leave.

Conditions for which cosmetic treatments are administered (such as most treatments for acne or plastic surgery) are not "serious health conditions" unless inpatient hospital care is required or unless complications develop. Ordinarily, unless complications arise, the common cold, the flu, ear aches, upset stomach, ulcers, headaches other than migraine, routine dental or orthodontia problems, periodontal disease, etc., are examples of conditions that do not meet the definition of a serious health condition and do not qualify for FMLA leave. Restorative dental or plastic surgery after an injury or removal of cancerous growths are serious health conditions provided all the other conditions of this regulation are met. Mental illness resulting from stress or allergies may be serious health conditions, but only if all the conditions of this section are met.

Substance abuse may be a serious health condition if the conditions of this section are met. However, FMLA leave may only be taken for treatment for substance abuse by a health care provider or by a provider of health care on referral by a health care provider. On the other hand, absence because of the employee's use of the substance, rather than for treatment, does not qualify for FMLA leave.

Absence attributable to incapacity under this definition qualify for FMLA leave even though the employee or the immediate family member does not receive treatment from a health care provider during the absence, and even if the absence does not last more than three days. For example, an employee with asthma may be unable to report for work due to the onset of an asthma attack or because the employee's health care provider has advised the employee to stay home when the pollen count exceeds a certain level. An employee who is pregnant may be unable to report to work because of severe morning sickness.

Serious Injury or Illness - an injury or illness incurred by a member of the Armed forces, including the National Guard or Reserves in the line of duty on active duty in the Armed Forces that may render the member medically unfit to perform the duties of the member's office, grade, rank, or rating.

Son or daughter - a biological child, adopted child, foster child, stepchild, legal ward, or a child of a person standing in loco parentis. The child must be under age 18 or, if over 18, incapable of self-care because of a mental or physical disability.

Spouse - a husband or wife recognized by Iowa law including common law marriages.

Code No. 414.4

CLASSIFIED EMPLOYEE BEREAVEMENT LEAVE

In the event of a death of a member of a classified employee's immediate family, bereavement leave may be granted. Bereavement leave granted may be for a maximum of 5 days, with "day" being defined as one work day regardless of full-time or part-time status of the employee, per occurrence, for the death of a member of the immediate family. The immediate family includes child, spouse, parent, brother, sister, mother-in-law, father-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, grandparent or grandchild of the employee.

It shall be within the discretion of the superintendent to determine the number of bereavement leave days to be granted.

Legal Reference: Iowa Code §§ 20.9; 279.8 (2009).

Cross Reference: 414 Classified Employee Vacations and Leaves of Absence

Approved June 2008 Reviewed November 2013 Revised

Code No. 414.5

CLASSIFIED EMPLOYEE POLITICAL LEAVE

The board will provide a leave of absence to classified employees to run for elective public office. The superintendent shall grant a classified employee a leave of absence to campaign as a candidate for an elective public office as unpaid leave.

The classified employee will be entitled to one period of leave to run for the elective public office, and the leave may commence any time within thirty days of a contested primary, special, or general election and continue until the day following the election.

The request for leave must be in writing to the superintendent at least thirty days prior to the starting date of the requested leave.

Legal Reference: Iowa Code ch. 55 (2009).

Cross Reference:
401.9 Employee Political Activity
414 Classified Employee Vacations and Leaves of Absence

Approved June 2008 Reviewed November 2013 Revised

Code No. 414.6

CLASSIFIED EMPLOYEE JURY DUTY LEAVE

The board will allow classified employees to be excused for jury duty unless extraordinary circumstances exist. The superintendent has the discretion to determine when extraordinary circumstances exist.

Employees who are called for jury service shall notify the direct supervisor within twenty-four hours after notice of call to jury duty and suitable proof of jury service pay must be presented to the school district. The employee will report to work within one hour on any day when the employee is excused from jury duty during regular working hours.

Classified employees will receive their regular salary. Any payment for jury duty shall be turned over to the school district.

Legal Reference: Iowa Code §§ 20.9; 607A (2009).

Cross Reference: 414 Classified Employee Vacations and Leaves of Absence

Approved June 2008 Reviewed November 2013 Revised

Code No. 414.7

CLASSIFIED EMPLOYEE MILITARY SERVICE LEAVE

The board recognizes classified employees may be called to participate in the armed forces, including the national guard. If a classified employee is called to serve in the armed forces, the employee shall have a leave of absence for military service until the military service is completed.

The leave shall be without loss of status or efficiency rating, and without loss of pay during the first thirty calendar days of the leave.

Legal Reference: Bewley v. Villisca Community School District, 299 N.W. 2d 904 (Iowa 1980).
Iowa Code §§ 20; 29A.28 (2009).

Cross Reference: 414 Classified Employee Vacations and Leaves of Absence

Approved June 2008 Reviewed November 2013 Revised

Code No. 414.8

CLASSIFIED EMPLOYEE UNPAID LEAVE

Unpaid leave may be used to excuse an involuntary absence not provided for in other leave policies. Unpaid leave for classified employees must be authorized by the superintendent. Whenever possible, classified employees shall make a written request for unpaid leave ten days prior to the beginning date of the requested leave. If the leave is granted, the deductions in salary shall be made unless they are waived specifically by the superintendent.

The superintendent shall have complete discretion to grant or deny the requested unpaid leave. In making this determination, the superintendent shall consider the effect of the employee's absence on the education program and school district operations, the financial condition of the school district, length of service, previous record of absence, the reason for the requested absence and other factors the superintendent believes are relevant in making this determination.

If unpaid leave is granted, the duration of the leave period shall be coordinated with the scheduling of the education program whenever possible, to minimize the disruption of the education program and school district operations.

Legal Reference: Iowa Code §§ 20.9; 279.8 (2009).

Cross Reference: 414 Classified Employee Vacations and Leaves of Absence

Approved June 2008 Reviewed November 2013 Revised

Code No. 414.9

CLASSIFIED EMPLOYEE PROFESSIONAL PURPOSES LEAVE

Professional purposes leave may be granted to classified employees for the purpose of attending meetings and conferences directly related to their assignments. Application for the leave must be presented to the superintendent 5 days prior to the meeting or conference.

It shall be within the discretion of the superintendent to grant professional purposes leave. The leave may be denied on the day before or after a vacation or holiday, on special days when services are needed, when it would cause undue interruption of the education program and school district operations, or for other reasons deemed relevant by the superintendent.

Legal Reference: Iowa Code § 279.8 (2009).

Cross Reference: 408.1 Licensed Employee Professional Development
411 Classified Employees - General

Approved June 2008 Reviewed November 2013 Revised

ADMINISTRATION

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Code No. 300

ROLE OF SCHOOL DISTRICT ADMINISTRATION

In this series of the board policy manual, the board defines the role and the employment of school district administrators. Policies in the 400 Series, "Employees," also apply to administrators unless a more specific policy exists in the 300 Series, "Administration."

School district administrators have been given a great opportunity and responsibility to manage the school district, to provide educational leadership, and to implement the educational philosophy of the school district. They are responsible for the day-to-day operations of the school district. In carrying out these operations, the administrators are guided by board policies, the law, the needs of the students, and the wishes of the citizens in the school district community.

It shall be the responsibility of the administrators to implement and enforce the policies of the board, to oversee employees, to monitor educational issues confronting the school district, and to inform the board about school district operations.

While the board holds the superintendent ultimately responsible for these duties, the principals are more directly responsible for educational results, for the administration of the school facilities and for the employees.

The board and the administration shall work together to share information and decisions under the management team concept.

Code No. 301.1

MANAGEMENT

The board and the administrators will work together in making decisions and setting goals for the school district. This effort is designed to obtain, share, and use information to solve problems, make decisions, and formulate school district policies and regulations.

It is the responsibility of each administrator to fully participate in the management of the school district by investigating, analyzing, and expressing their views on issues. Those board members or administrators with special expertise or knowledge of an issue may be called upon to provide information. Each board member and administrator will support the decisions reached on the issues confronting the school district.

The board is responsible for making the final decision in matters pertaining to the school district.

It is the responsibility of the superintendent to develop guidelines for cooperative decision-making.

Legal Reference: Iowa Code § 279.8 (2009).

Cross Reference: 301 Administrative Structure

SUPERINTENDENT QUALIFICATIONS, RECRUITMENT, APPOINTMENT

The board will employ a superintendent to serve as the chief executive officer of the board, to conduct the daily operations of the school district, and to implement board policy with the power and duties prescribed by the board and the law.

The board will consider applicants that meet or exceed the standards set by the Iowa Department of Education and the qualifications established in the job description for the superintendent position. In employing a superintendent, the board will consider the qualifications, credentials and records of the applicants without regard to race, color, creed, religion, sex, national origin, age, sexual orientation, gender identity or disability. In keeping with the law, however, the board will consider the veteran status of the applicants. The board will look closely at the training, experience, skill and demonstrated competence of qualified applicants in making its final decision.

In choosing a superintendent, the board will also consider the school district's educational philosophy, financial situation, organizational structure, education programs, and other factors deemed relevant by the board.

The board may contract for assistance in the search for a superintendent.

Legal Reference:
29 U.S.C. §§ 621-634 (2006).
42 U.S.C. §§ 2000e *et seq*. (2006).
Iowa Code §§ 21.5(1)(i); 35C; 216; 279.8, .20 (2009).
281 I.A.C. 12.4(4).
1980 Op. Att'y Gen. 367.

Cross Reference:
200.2 Powers of the Board of Directors
200.3 Responsibilities of the Board of Directors
301 Administrative Structure
302 Superintendent

Code No. 302.2

SUPERINTENDENT CONTRACT AND CONTRACT NONRENEWAL

The length of the contract for employment between the superintendent and the board is determined by the board. The contract will begin on July 1 and end on June 30. The contract will state the terms of employment.

The first two years of a contract issued to a newly employed superintendent is considered a probationary period. The board may waive this period or the probationary period may be extended for an additional year upon the consent of the superintendent. In the event of termination of a probationary or nonprobationary contract, the board will afford the superintendent appropriate due process, including notice by May 15. The superintendent and board may mutually agree to terminate the superintendent's contract at any time.

If a superintendent's contract is not being renewed by the board, the contract will be extended automatically for additional one-year periods beyond the end of its term until it is modified or terminated as mutually agreed to by the parties or until the superintendent's contract is terminated consistent with statutory termination procedures.

It is the responsibility of the board to provide the contract for the superintendent.

If the superintendent wishes to resign, to be released from a contract, or to retire, the superintendent must comply with board policies dealing with retirement, release or resignation.

NOTE: May 15 is the date established by law. The board may select an earlier date but not a later date.

Legal Reference:
Martin v. Waterloo Community School District, 518 N.W. 2d 381 (Iowa 1994).
Cook v Plainfield Community School District, 301 N.W.2d 771 (Iowa App. 1980).
Board of Education of Fort Madison Community School District v. Youel, 282 N.W.2d 677 (Iowa 1979).
Briggs v Board of Directors of Hinton Community School District, 282 N.W.2d 740 (Iowa 1979).
Luse v. Waco Community School District of Henry Co., 258 Iowa 1087, 141 N.W.2d 607 (1966).
Iowa Code §§ 21.5(1)(i); 279.20, .22-.25 (2009).
281 I.A.C. 12.4(4).

Cross Reference: 302 Superintendent

PATON-CHURDAN POLICY REFERENCE MANUAL

Code No. 302.3

SUPERINTENDENT SALARY AND OTHER COMPENSATION

The board has complete discretion to set the salary of the superintendent. It is the responsibility of the board to set the salary and benefits of the superintendent at a level that will include consideration of, but not be limited to, the economic condition of the school district and the training, experience, skill, and demonstrated competence of the superintendent. The salary is set at the beginning of each contract term.

In addition to the salary and benefits, the superintendent's actual and necessary expenses are paid by the school district when the superintendent is performing work-related duties. It is within the discretion of the board to pay dues to professional organizations for the superintendent.

The board may approve the payment of dues and other benefits or compensation over and above the superintendent's contract. Approval of dues and other benefits or compensation will be included in the records of the board in accordance with board policy.

Legal Reference: Iowa Code §§ 279.8, .20 (2009).
1984 Op. Att'y Gen. 47.

Cross Reference: 302 Superintendent

PATON-CHURDAN POLICY REFERENCE MANUAL

SUPERINTENDENT DUTIES

The board employs a superintendent of schools to serve as the chief executive officer of the board. The board delegates to the superintendent the authority to implement board policy and to execute decisions made by the board concerning the internal operations of the school district, unless specifically stated otherwise.

The superintendent is responsible for the implementation and execution of board policy and the observance of board policy by employees and students. The superintendent is responsible for overall supervision and discipline of employees and the education program.

In executing the above-stated duties, the superintendent will consider the financial situation of the school district as well as the needs of the students. Specifically, the superintendent:

- Interprets and implements all board policies and all state and federal laws relevant to education;
- Supervises, either directly or through delegation, all activities of the school system according to, and consistent with, the policies of the board;
- Represents the board as a liaison between the school district and the community;
- Establishes and maintains a program of public relations to keep the public well-informed of the activities and needs of the school district, effecting a wholesome and cooperative working relationship between the school district and the community;
- Attends and participates in all meetings of the board, except when the superintendent has been excused, and makes recommendations affecting the school district;
- Reports to the board on such matters as deemed material to the understanding and proper management of the school district or as the board may request;
- Assumes responsibility for the overall financial planning of the district and for the preparation of the annual budget, and submits it to the board for review and approval;
- Establishes and maintains efficient procedures and effective controls for all expenditures of school district funds in accordance with the adopted budget, subject to the direction and approval of the board;
- Files, or causes to be filed, all reports required by law;
- Makes recommendations to the board for the selection of employees for the school district;
- Makes and records assignments and transfers of all employees pursuant to their qualifications;
- Employs such employees as may be necessary, within the limits of budgetary provisions and subject to the board's approval;
- Recommends to the board, for final action, the promotion, salary change, demotion, or dismissal of any employee;
- Prescribes rules for the classification and advancement of students, and for the transfer of students from one building to another in accordance with board policies;
- Summons employees of the school district to attend such regular and occasional meetings as are necessary to carry out the education program of the school district;

SUPERINTENDENT DUTIES

- Supervises methods of teaching, supervision, and administration in effect in the schools;
- Attends such conventions and conferences as are necessary to keep informed of the latest educational trends;
- Accepts responsibility for the general efficiency of the school system, for the development of the employees, and for the educational growth and welfare of the students;
- Defines educational needs and formulates policies and plans for recommendation to the board;
- Makes administrative decisions necessary for the proper functioning of the school district;
- Responsible for scheduling the use of buildings and grounds by all groups and/or organizations;
- Acts as the purchasing agent for the board, and establishes procedures for the purchase of books, materials and supplies;
- Approves vacation schedules for employees;
- Conducts periodic district administration meetings;
- Performs other duties as may be assigned by the board.
- Supervises the establishment or modification of the boundaries of school attendance and transportation areas subject to approval of the board; and
- Directs studies of buildings and sites, taking into consideration population trends and the educational and cultural needs of the district in order to ensure timely decisions by the board and the electorate regarding construction and renovation projects.

This list of duties will not act to limit the board's authority and responsibility over the superintendent. In executing these duties and others the board may delegate, the superintendent will consider the school district's financial condition as well as the needs of the students in the school district.

Legal Reference: Iowa Code §§ 279.8, .20, 23A (2009).
281 I.A.C. 12.4(4).

Cross Reference: 209 Board of Directors' Management Procedures
301 Administrative Structure
302 Superintendent

Code No. 302.5

SUPERINTENDENT EVALUATION

The board will conduct an ongoing evaluation of the superintendent's skills, abilities, and competence. At a minimum, the board will formally evaluate the superintendent on an annual basis. The goal of the superintendent's formal evaluation is to ensure the education program for the students is carried out, promote growth in effective administrative leadership, clarify the superintendent's role, clarify the immediate priorities of the board, and develop a working relationship between the board and the superintendent.

The superintendent will be an educational leader who promotes the success of all students by:

- Facilitating the development, articulation, implementation, and stewardship of a vision of learning that is shared and supported by the school community.
- Advocating, nurturing and sustaining a school culture and instructional program conducive to student learning and staff professional development.
- Ensuring management of the organization, operations and resources for a safe, efficient and effective learning environment.
- Collaborating with families and community members, responding to diverse community interests and needs and mobilizing community resources.
- Acting with integrity, fairness and in an ethical manner.
- Understanding the profile of the community, and responding to and influencing the larger political, social, economic, legal and cultural context.

The formal evaluation will be based upon the following principles:

- The evaluation criteria will be in writing, clearly stated and mutually agreed upon by the board and the superintendent. The criteria will be related to the job description and the school district's goals;
- At a minimum, the evaluation process will be conducted annually at a time agreed upon;
- Each board member will have an opportunity to individually evaluate the superintendent, and these individual evaluations will be compiled into an overall evaluation by the entire board;
- The superintendent will conduct a self-evaluation prior to discussing the board's evaluation, and the board as a whole will discuss its evaluation with the superintendent;
- The board may discuss its evaluation of the superintendent in closed session upon a request from the superintendent and if the board determines its discussion in open session will needlessly and irreparably injure the superintendent's reputation; and,
- The individual evaluation by each board member, if individual board members so desire, will not be reviewed by the superintendent. Board members are encouraged to communicate their criticisms and concerns to the superintendent in the closed session. The board president will develop a written summary of the individual evaluations, including both the strengths and the weaknesses of the superintendent, and place it in the superintendent's personnel file to be incorporated into the next cycle of evaluations.

This policy supports and does not preclude the ongoing, informal evaluation of the superintendent's skills, abilities and competence.

Legal Reference: Wedergren v. Board of Directors, 307 N.W.2d 12 (Iowa 1981).
Iowa Code §§ 279.8, .20, .23, .23A (2009).
281 I.A.C. Ch. 83; 12.3(4).

Cross Reference: 212 Closed Sessions
302 Superintendent

PATON-CHURDAN POLICY REFERENCE MANUAL

Code No. 302.6

SUPERINTENDENT PROFESSIONAL DEVELOPMENT

The board encourages the superintendent to continue professional growth by being involved in professional organizations, attending conferences, continuing education, and participating in other professional activities.

It shall be the responsibility of the superintendent to arrange the superintendent's schedule in order to enable attendance at various conferences and events. If a conference or event requires the superintendent to be absent from the office for more than three days, or involves unusual expense, the superintendent shall bring it to the attention of the board president prior to attending the event.

The superintendent shall report to the board after an event.

Legal Reference: Iowa Code § 279.8 (2009).
281 I.A.C. 12.7.

Cross Reference: 303.7 Administrator Professional Development
401.7 Employee Travel Compensation

Code No. 302.7

SUPERINTENDENT CIVIC ACTIVITIES

The board encourages the superintendent to be involved in the school district community by belonging to school district community organizations and attending and participating in school district community activities.

It shall be the responsibility of the superintendent to become involved in school district community activities and events. The board may include a lump sum amount as part of the superintendent's compensation to be used specifically for paying the annual fees of the superintendent for school district community activities and events if, in the board's judgment, the superintendent's participation will further the public purpose of promoting and deriving support for the school district and public education in general. It shall be within the discretion of the board to pay annual fees for professional organizations and activities.

Legal Reference: Iowa Code § 279.8 (2009).
1990 Op. Att'y Gen. 79.

Cross Reference: 302.3 Superintendent Salary and Other Compensation
303.8 Administrator Civic Activities

Code No. 302.8

SUPERINTENDENT CONSULTING/OUTSIDE EMPLOYMENT

The superintendent's position is considered full-time employment. The board expects the superintendent to give the responsibilities of the position precedence over other employment. The superintendent may accept consulting or outside employment for pay as long as, in the judgment of the board, the work is conducted on the superintendent's personal time and it does not interfere with the performance of the superintendent's duties contracted by the board.

The board reserves the right, however, to request that the superintendent cease the outside employment as a condition of continued employment. The board shall give the superintendent thirty days notice to cease outside employment.

Legal Reference: Iowa Code §§ 279.8, .20 (2009).

Cross Reference: 302.2 Superintendent Contract and Contract Nonrenewal
302.4 Superintendent Duties

Code No. 303.1

ADMINISTRATIVE POSITIONS

The school district shall have, in addition to the superintendent, other administrative positions. These administrators shall work closely with the superintendent in the day-to-day operations of the school district.

It shall be the responsibility of these administrators to uphold board policy, to instill a positive, cooperative environment with employees, and to share their expertise with each other and the board under the management team concept.

Legal Reference: Iowa Code §§ 279.8, .20, .21, .23-.24 (2009).
281 I.A.C. 12.4.

Cross Reference: 301 Administrative Structure
303 Administrative Employees

PATON-CHURDAN POLICY REFERENCE MANUAL

Code No. 303.2

ADMINISTRATOR QUALIFICATIONS, RECRUITMENT, APPOINTMENT

The board will employ building principals and other administrators, in addition to the superintendent, to assist in the daily operations of the school district.

The board will consider applicants who meet or exceed the standards set by the Iowa Department of Education and the qualifications established in the job description for the position. In employing an administrator, the board will consider the qualifications, credentials and records of the applicants without regard to race, color, creed, religion, sex, national origin, age, sexual orientation, gender identity or disability. In keeping with the law, however, the board will consider the veteran status of the applicants. The board will look closely at the training, experience, skill and demonstrated competence of qualified applicants in making its final decision.

In choosing an administrator, the board will also consider the school district's educational philosophy, financial condition, organizational structure, education programs, and other factors deemed relevant by the board.

It is the responsibility of the superintendent to make a recommendation to the board for filling an administrative position, based on the requirements stated in this policy. The board will act only on the superintendent's recommendation.

The board may contract for assistance in the search for administrators.

Legal Reference: Iowa Code §§ 279.8, .21 (2009).
281 I.A.C. 12.4.
1980 Op. Att'y Gen. 367.

Cross Reference: 303 Administrative Employees

Code No. 303.3

ADMINISTRATOR CONTRACT AND CONTRACT NONRENEWAL

The length of the contract for employment between an administrator and the board shall be determined by the board and stated in the contract. The contract shall also state the terms of the employment.

The first two years of a contract issued to a newly employed administrator shall be considered a probationary period. The board may waive this period. The probationary period may be extended for an additional year upon the consent of the administrator. In the event of termination of a probationary or nonprobationary contract, the board shall afford the administrator appropriate due process, including notice by May 15. The administrator and board may mutually agree to terminate the administrator's contract.

If an administrator's contract is not being renewed by the board, the contract will be extended automatically for additional one-year periods beyond the end of its term until it is modified or terminated as mutually agreed to by the parties or until the administrator's contract is terminated consistent with statutory termination procedures.

It shall be the responsibility of the superintendent to create a contract for each administrative position.

Administrators who wish to resign, to be released from a contract, or to retire, must comply with board policies regarding the areas of resignation, release or retirement.

Legal Reference:
Martin v. Waterloo Community School District, 518 N.W. 2d381 (Iowa 1994)
Cook v Plainfield Community School District, 301 N.W.2d 771 (Iowa App. 1980).
Board of Education of Fort Madison Community School District v Youel, 282 N.W.2d 677 (Iowa 1979).
Briggs v Board of Education of Hinton Community School District, 282 N.W.2d 740 (Iowa 1979).
Iowa Code §§ 279.20, .22-.25 (2009).
281 I.A.C. 12.4(4), .4(7).

Cross Reference: 303 Administrative Employees

Code No. 303.4

ADMINISTRATOR SALARY AND OTHER COMPENSATION

The board has complete discretion to set the salary of the administrators. It shall be the responsibility of the board to set the salary and benefits of the administrators at a level that will include consideration of, but not be limited to, the economic condition of the school district and the training, experience, skill, and demonstrated competence of the administrators. The salary shall be set at the beginning of each contract period.

In addition to the salary and benefits agreed upon, the administrator's actual and necessary expenses shall be paid by the school district when the administrator is performing work-related duties. The board shall approve the payment of other benefits or compensation over and above the administrator's contract. Approval of other benefits or items of an administrator's compensation shall be included in the records of the board in accordance with board policy.

Legal Reference: Iowa Code § 279.21 (2009).
1984 Op. Att'y Gen. 47.

Cross Reference: 303 Administrative Employees

Code No. 303.5

PRINCIPALS JOB DESCRIPTION

POSITION TITLE: Principal

QUALIFICATIONS:

1. Administrative Endorsement.
2. MA plus 15 in Education
3. Five years successful teaching experience
4. Such alternatives to the above qualifications as the Board may find appropriate and acceptable.

REPORTS TO: Superintendent

SUPERVISES AND EVALUATES: Staff members designated by the Board or the superintendent.

JOB GOAL: To use leadership, supervisory, and administrative skills so as to promote the educational development of each student.

RESPONSIBILITIES: Subject to the policies of the Board of Directors and to the directives issue by the Superintendent, the principal shall have full control of his/her building and grounds, all pupils, teachers, operating personnel and activities carried on therein or thereon.

PERFORMANCE RESPONSIBILITIES:

1. Demonstrates a student-centered philosophy of education and considers the welfare of students as a paramount responsibility.
2. Assumes the leadership role in developing philosophy, teaching strategies, and techniques.
3. Recognizes and supports the educational value of team management.
4. Assists in creating a favorable working atmosphere within the building that is conducive to optimum growth and learning.
5. Works with the staff in designing and providing effective in service programs.
6. Studies and evaluates current programs in education and works with the instructional staff to implement those programs consistent with the goals and objectives of the school district.
7. Conducts a continuous evaluation procedure for all building personnel and recommends to the superintendent their assignments, promotion, transfer or dismissal.

8. Evaluates curriculum programs through testing, observations, and analysis.

9. Develops programs for evaluating student progress towards stated instructional objectives.

10. Establishes and maintains an effective learning climate in the school.

11. Initiates, designs, and implements programs to meet specific needs of the school.

12. Plans, organizes, and directs implementation of all school activities.

13. Keeps the superintendent informed of the school's activities and problems.

14. Makes recommendations concerning the school's administration and instruction.

15. Administers the schools instructional budget.

16. Supervises the maintenance of all required building records and reports.

17. Prepares or supervises the preparation of reports, records, lists, and all paperwork required or appropriate to the school's administration.

18. Works with the superintendent on school problems of more than in school importance, such as transportation, special services, and the life.

19. Keeps the superintendent informed of events and activities of an unusual nature as well as routine matters related to the supervisor's accountability.

20. Assumes responsibility for the implementation and observance of all Board policies and regulations by the school's staff and students.

21. Maintains active relationships with students and parents.

22. Budgets school time to provide for the efficient conduct of school instruction and business.

23. Leads in the development, determination of appropriateness, and monitoring of the K-12 instructional program.

24. Schedules classes within established guidelines to meet K-12 student needs.

25. Assists in the development, revision, and evaluation of the K-12 curriculum.

26. Supervises the K-12 guidance program to enhance individual student education and development.

27. Maintains high standards of student conduct and enforces discipline as necessary, according due process to the rights of students.

28. Establishes guides for proper student conduct and for maintaining student discipline.

29. Supervises the maintenance of accurate records on the progress and attendance of K-12 students.

30. Assumes responsibility for his own professional growth and development through membership and participation in the affairs of professional organizations, through attendance at regional, state, and national meetings, through enrollment in advanced courses, and the like.

31. Keeps abreast of changes and developments in the profession by attending professional meetings, reading professional journals and other publications, and discussing problems of mutual interest with holders in the field.

32. Assists in recruiting, screening, hiring, training, assigning, and evaluating of the school's professional staff.

33. Develops the master teaching schedule and any special assignments.

34. Evaluates and counsels all staff members regarding their individual and group performance.

35. Conducts meetings of the staff as necessary for the proper functioning of the school.

36. Assists in the in service orientation and training of teachers, with special responsibility for staff administrative procedures and instructions.

37. Recommends, according to established procedures, the removal of a teacher whose work is unsatisfactory.

38. Supervises the daily use of the school facilities for both academic and nonacademic purposes.

39. Assists in planning and supervising fire drills and an emergency preparedness program.

40. Provides for adequate inventories of property under his jurisdiction and for the security and accountability for that property.

41. Supervises all activities and programs that are outgrowths of the school's curriculum.

42. Assists in supervising and evaluating the school's extracurricular program.

43. Establishes and maintains relationships with local community groups and individuals to foster understanding and solicit support for overall school objectives and programs; to interpret Board policies and administrative directives; and to discuss and resolve individual student problems.

44. Serves as a member of such committees and attends such meetings as directed to by the superintendent.

45. Delegates authority to responsible personnel to assume responsibility for the school in the absence of the principal.

46. Works with all staff and serves students and parents equitably regardless of their race, religion, creed, national origin, gender, disability, age, marital status, or socio-economic status.

47. Performs such other tasks as may occasionally be assigned by the superintendent.

EVALUATION: Performance of this job will be evaluated by the superintendent.

Legal Reference: Iowa Code §§ 279.8, .21 (2009).
281 I.A.C. 12.4(5), .4(6), .4(7).

Cross Reference: 301 Administrative Structure
303 Administrative Employees

Code No. 303.6

ADMINISTRATOR EVALUATION

The superintendent will conduct an ongoing process of evaluating the administrators on their skills, abilities, and competence. At a minimum, the superintendent will formally evaluate the administrators annually. The goal of the formal evaluation process is to ensure that the educational program for the students is carried out, ensure student learning goals of the school district are met, promote growth in effective administrative leadership for the school district, clarify the administrator's role as defined by the board and the superintendent, ascertain areas in need of improvement, clarify the immediate priorities of the responsibilities listed in the job description, and develop a working relationship between the superintendent and the administrator.

The superintendent is responsible for designing an administrator evaluation instrument. The formal evaluation will include written criteria related to the job description. The superintendent, after receiving input from the administrators, will present the formal evaluation instrument to the board for approval.

The formal evaluation will also include an opportunity for the administrator and the superintendent to discuss the written criteria, the past year's performance and the future areas of growth. The evaluation is completed by the superintendent, signed by the administrator and filed in the administrator's personnel file.

The principal will be an educational leader who promotes the success of all students by:

- Facilitating the development, articulation, implementation, and stewardship of a vision of learning that is shared and supported by the school community.
- Advocating, nurturing and sustaining a school culture and instructional program conducive to student learning and staff professional development.
- Ensuring management of the organization, operations and resources for a safe, efficient and effective learning environment.
- Collaborating with families and community members, responding to diverse community interests and needs and mobilizing community resources.
- Acting with integrity, fairness and in an ethical manner.
- Understanding the profile of the community, and responding to and influencing the larger political, social, economic, legal and cultural context.

It is the responsibility of the superintendent to conduct a formal evaluation of the probationary administrators and nonprobationary administrators prior to May 15.

This policy supports and does not preclude the ongoing informal evaluation of the administrator's skills, abilities and competence.

Legal Reference: Iowa Code §§ 279.8, .21-.23A (2009).
281 I.A.C. 12.3(4); ch 83.

Cross Reference: 303 Administrative Employees

PATON-CHURDAN POLICY REFERENCE MANUAL

Code No. 303.9

ADMINISTRATOR PROFESSIONAL DEVELOPMENT

The board encourages the administrators to continue their professional growth by becoming involved in professional organizations, attending conferences, continuing their education, and participating in other professional activities.

It shall be the responsibility of the administrators to arrange their schedules in order to attend various conferences and events in which they are involved. Prior to attendance at an event, the administrator must receive approval from the superintendent.

The administrator shall report to the superintendent after an event.

Legal Reference: Iowa Code § 279.8 (2009).
281 I.A.C. 12.7.

Cross Reference: 302.6 Superintendent Professional Development
401.7 Employee Travel Compensation

PATON-CHURDAN POLICY REFERENCE MANUAL

Code No. 303.10

ADMINISTRATOR CIVIC ACTIVITIES

The board encourages the administrators to be involved in the school district community by belonging to community organizations, and by attending and participating in school district community activities.

It shall be the responsibility of the administrators to become involved in school district community activities and events. The board may include a lump sum amount as part of the administrator's compensation to be used specifically for paying the annual fees of the administrator for school district community activities and events if, in the board's judgment, the administrator's participation will further the public purpose of promoting and deriving support for the school district and public education in general. It shall be within the discretion of the board to pay annual fees for professional organizations and activities.

Legal Reference: Iowa Code § 279.8 (2009).
1990 Op. Att'y Gen. 79.

Cross Reference: 302.7 Superintendent Civic Activities

PATON-CHURDAN POLICY REFERENCE MANUAL

Code No. 303.11

ADMINISTRATOR CONSULTING/OUTSIDE EMPLOYMENT

An administrative position is considered full-time employment. The board expects administrators to give the responsibilities of their positions in the school district precedence over other employment. An administrator may accept consulting or outside employment for pay as long as, in the judgment of the board and the superintendent, the work is conducted on the administrator's personal time and it does not interfere with the performance of the administrative duties contracted by the board.

The board reserves the right, however, to request the administrator cease the outside employment as a condition of continued employment. The board shall give the administrator thirty days notice to cease outside employment.

Legal Reference: Iowa Code §§ 279.8, .21 (2009).

Cross Reference: 303.3 Administrator Contract and Contract Nonrenewal
303.5 Administrator Duties

PATON-C~~HURDAN POLICY REF~~ERENCE ~~MANUAL~~

Approved April 2008 Reviewed October 2013 Revised

Code No. 304.1

DEVELOPMENT AND ENFORCEMENT OF ADMINISTRATIVE REGULATIONS

Administrative regulations may be necessary to implement board policy. It shall be the responsibility of the superintendent to develop administrative regulations.

In developing the administrative regulations, the superintendent may consult with administrators or others likely to be affected by the regulations. Once the regulations are developed, employees, students and other members of the school district community shall be informed in a manner determined by the superintendent.

The board shall be kept informed of the administrative regulations utilized and their revisions. The board may review and recommend change of administrative regulations prior to their use in the school district if they are contrary to the intent of board policy.

It shall be the responsibility of the superintendent to enforce administrative regulations.

Legal Reference: Iowa Code § 279.8 (2009).

Cross Reference: 209 Board of Directors' Management Procedures
304.2 Monitoring of Administrative Regulations

Code No. 304.2

MONITORING OF ADMINISTRATIVE REGULATIONS

The administrative regulations shall be monitored and revised when necessary. It shall be the responsibility of the superintendent to monitor and revise the administrative regulations.

The superintendent may rely on the board, administrators, employees, students, and other members of the school district community to inform the superintendent about the effect of and possible changes in the administrative regulations.

Legal Reference: Iowa Code §§ 279.8, .20 (2009).

Cross Reference: 209 Board of Directors' Management Procedures
304.1 Development and Enforcement of Administrative Regulations

Code No. 305

ADMINISTRATOR CODE OF ETHICS

Administrators, as part of the educational leadership in the school district community, represent the views of the school district. Their actions, verbal and nonverbal, reflect the attitude and the beliefs of the school district. Therefore, administrators will conduct themselves professionally and in a manner fitting to their position.

Each administrator will follow the code of ethics stated in this policy. Failure to act in accordance with this code of ethics or in a professional manner, in the judgment of the board, will be grounds for discipline up to, and including, discharge.

The professional school administrator:

- Makes the education and well-being of students the fundamental value of all decision making.
- Fulfills all professional duties with honesty and integrity and always acts in a trustworthy and responsible manner.
- Supports the principle of due process and protects the civil and human rights of all individuals.
- Implements local, state and national laws.
- Advises the school board and implements the board's policies and administrative rules and regulations.
- Pursues appropriate measures to correct those laws, policies, and regulations that are not consistent with sound educational goals or that are not in the best interest of children.
- Avoids using his/her position for personal gain through political, social, religious, economic or other influences.
- Accepts academic degrees or professional certification only from accredited institutions.
- Maintains the standards and seeks to improve the effectiveness of the profession through research and continuing professional development.
- Honors all contracts until fulfillment, release or dissolution mutually agreed upon by all parties.
- Accepts responsibility and accountability for one's own actions and behaviors.
- Commits to serving others above self.

Legal Reference: Iowa Code § 279.8 (2009).
282 I.A.C. 13.

Cross Reference: 404 Employee Conduct and Appearance

PATON-CHURDAN POLICY REFERENCE MANUAL

Code No. 306

SUCCESSION OF AUTHORITY TO THE SUPERINTENDENT

In the absence of the superintendent, it shall be the responsibility of the other administrators to assume the superintendent's duties. If the absence of the superintendent is temporary, the successor shall assume only those duties and responsibilities of the superintendent that require immediate action. If the board determines the absence of the superintendent will be a lengthy one, the board shall appoint an acting superintendent to assume the responsibilities of the superintendent. The successor shall assume the duties when the successor learns of the superintendent's absence or when assigned by the superintendent or the board.

References to "superintendent" in this policy manual shall mean the "superintendent or the superintendent's designee" unless otherwise stated in the board policy.

Legal Reference: Iowa Code § 279.8 (2009).
281 I.A.C. 12.4(4).

Cross Reference: 302 Superintendent

Code No. 307

COMMUNICATION CHANNELS

Questions and problems shall be resolved at the lowest organizational level nearest to the complaint. School employees shall be responsible for conferring with their immediate supervisor on questions and concerns. Students and other members of the school district community shall confer with a licensed employee and then with the principal on questions and concerns.

If resolution is not possible by any of the above, individuals may bring it to the attention of the superintendent within 5 school days of their discussion with the principal. If there is no resolution or plan for resolution by the superintendent within 5 school days of the individual's discussion with the superintendent, the individual may ask to have the question or problem placed on the board agenda. The action of the board will be final.

It shall first be the responsibility of the administrators to resolve questions and problems raised by the employees and the students they supervise and by other members of the school district community.

Legal Reference: Iowa Code § 279.8 (2009).

Cross Reference:
213 Public Participation in Board Meetings
213.1R1 General Complaints by Citizens
401.4 Employee Complaints
502.4 Student Complaints and Grievances
504.3 Student Publications

STUDENT RECORDS ACCESS

The board recognizes the importance of maintaining student records and preserving their confidentiality. Student records containing personally identifiable information are kept confidential at collection, storage, disclosure and destruction stages. The board secretary is the custodian of student records. Student records may be maintained in the central administration office or administrative office of the student's attendance center.

Parents and eligible students will have access to the student's records during the regular business hours of the school district. An eligible student is a student who has reached eighteen years of age or is attending an institution of postsecondary education at the post high school level. Parents of an eligible student are provided access to the student records only with the written permission of the eligible student unless the eligible student is defined as a dependent by the Internal Revenue Code. In that case, the parents may be provided access without the written permission of the student. A representative of the parents or eligible student, who has received written permission from the parents or eligible student, may inspect and review a special education student's records. Parents, other than parents of an eligible student, may be denied access to a student's records if the school district has a court order stating such or when the district has been advised under the appropriate laws that the parents may not access the student records. Parents may inspect an instrument used for the purpose of collection of student personal information prior to the instrument’s use.

A student record may contain information on more than one student. Parents will have the right to access the information relating to their student or to be informed of the information. Eligible students will also have the right to access the information relating to them selves, or be informed of the information.

Parents and eligible students will have a right to access the student's records upon request without unnecessary delay and in no instance more than forty-five calendar days after the request is made. Parents, an eligible student or an authorized representative of the parents will have the right to access the student's records prior to an Individualized Education Program (IEP) meeting or hearing.

Copies of student records will be provided if failure to do so would effectively prevent the parents or student from exercising the right to access the student records. Fees for copies of the records are waived if it would prevent the parents or student from accessing the records. A fee may not be charged to search or retrieve information from student records.

Upon the request of parents or an eligible student, the school district will provide an explanation and interpretation of the student records and a list of the types and locations of education records collected, maintained or used by the school district.

If the parents or an eligible student believes the information in the student records is inaccurate, misleading or violates the privacy or other rights of the student, the parents or an eligible student may request that the school district amend the student records. The school district will decide whether to amend the student records within a reasonable time after receipt of the request. If the school district determines an amendment is made to the student record, the school district will make the amendment and inform the parents or the eligible student of the decision in writing.

Approved December, 2008	Reviewed December 2013	Revised

STUDENT RECORDS ACCESS

If the school district determines that amendment of the student's record is not appropriate, it will inform the parents or the eligible student of their right to a hearing before the hearing officer provided by the school district.

If the parents' and the eligible student's request to amend the student record is further denied following the hearing, the parents or the eligible student are informed that they have a right to place an explanatory letter in the student record commenting on the school district's decision or setting forth the reasoning for disagreeing with the school district. Additions to the student's records will become a part of the student record and be maintained like other student records. If the school district discloses the student records, the explanation by the parents will also be disclosed.

Student records may be disclosed in limited circumstances without parental or eligible student's written permission. This disclosure is made on the condition that the student record will not be disclosed to a third party without the written permission of the parents or the eligible student. This disclosure may be made to the following individuals or under the following circumstances:

- to school officials within the school district and AEA personnel whom the superintendent has determined to have a legitimate educational interest, including, but not limited to, board members, employees, school attorney, auditor, health professionals, and individuals serving on official school committees;
- to officials of another school district in which the student wishes to enroll, provided the other school district notifies the parents the student records are being sent and the parents have an opportunity to receive a copy of the records and challenge the contents of the records unless the annual notification includes a provision that records will automatically be transferred to new school districts;
- to the U.S. Comptroller General, the U.S. Attorney General, the U.S. Secretary of Education or state and local educational authorities;
- in connection with financial aid for which the student has applied or which the student has received if the information is necessary to receive the financial aid;
- to organizations conducting educational studies and the study does not release personally identifiable information;
- to accrediting organizations;
- to parents of a dependent student as defined in the Internal Revenue Code;
- to comply with a court order or judicially issued subpoena;
- *[consistent with an interagency agreement between the school district and juvenile justice agencies]*
- in connection with a health or safety emergency; or,
- as directory information.

The superintendent will keep a list of the individuals and their positions who are authorized to view a special education student's records without the permission of the parents or the eligible student. Individuals not listed are not allowed access without parental or an eligible student's written permission. This list must be current and available for public inspection and updated as changes occur.

STUDENT RECORDS ACCESS

The superintendent will also keep a list of individuals, agencies and organizations which have requested or obtained access to a student's records, the date access was given and their legitimate educational interest or purpose for which they were authorized to view the records. The superintendent, however, does not need to keep a list of the parents, authorized educational employees, officers and agencies of the school district who have accessed the student's records. This list for a student record may be accessed by the parents, the eligible student and the custodian of student records.

Permanent student records, including a student's name, address, phone number, grades, attendance record, classes attended, grade level completed and year completed may be maintained without time limitation. Permanent student records will be kept in a fire-safe vault.

When personally identifiable information, other than permanent student records, no longer needs to be maintained by the school district to provide educational services to a special education student, the parents or eligible student are notified. This notice is normally given after a student graduates or otherwise leaves the school district. If the parents or eligible student request that the personally identifiable information be destroyed, the school district will destroy the records. Prior to the destruction of the records, the school district must inform the parents or eligible student the records may be needed by the parents or eligible student for social security benefits or other purposes.

[The school district will cooperate with the juvenile justice system in sharing information contained in permanent student records regarding students who have become involved with the juvenile justice system. The school district will enter into an interagency agreement with the juvenile justice agencies (agencies) involved.

The purpose of the agreement is to allow for the sharing of information prior to a student's adjudication in order to promote and collaborate between the school district and the agencies to improve school safety, reduce alcohol and illegal drug use, reduce truancy, reduce in-school and out-of-school suspensions, and to support alternatives to in-school and out-of-school suspensions and expulsions which provide structured and well supervised educational programs supplemented by coordinated and appropriate services designed to correct behaviors that lead to truancy, suspension, and expulsions and to support students in successfully completing their education.

The school district may share any information with the agencies contained in a student's permanent record, which is directly related to the juvenile justice system's ability to effectively serve the student. Prior to adjudication information contained in the permanent record may be disclosed by the school district to the parties without parental consent or court order. Information contained in a student's permanent record may be disclosed by the school district to the agencies after adjudication only with parental consent or a court order. Information shared pursuant to the agreement is used solely for determining the programs and services appropriate to the needs of the student or student's family or coordinating the delivery of programs and services to the student or student's family.

Information shared under the agreement is not admissible in any court proceedings, which take place prior to a disposition hearing, unless written consent is obtained from a student's parent, guardian, or legal or actual custodian.

Confidential information shared between the school district and the agencies will remain confidential and will not be shared with any other person, unless otherwise provided by law.

STUDENT RECORDS ACCESS

Information shared under the agreement is not admissible in any court proceedings, which take place prior to a disposition hearing, unless written consent is obtained from a student's parent, guardian, or legal or actual custodian. The school district may discontinue information sharing with an agency if the school district determines that the agency has violated the intent or letter of the agreement.

Agencies will contact the principal of the attendance center where the student is currently or was enrolled. The principal will then forward copies of the records within 10 business days of the request.]

The school district will provide training or instruction to employees about parents' and eligible students' rights under this policy. Employees will also be informed about the procedures for carrying out this policy.

It is the responsibility of the superintendent to annually notify parents and eligible students of their right to inspect and review the student's records. The notice is given in a parents' or eligible student's native language. Should the school district collect personal information from students for the purposes of marketing or selling that information, the school district will annually notify parents of such activity.

The notice will include a statement that the parents have a right to file a complaint alleging the school district failed to comply with this policy. Complaints are forwarded to Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, Washington, DC. 20202-4605.

NOTE: This is a mandatory policy and includes the information required by state and federal law.

Legal Reference: No Child Left Behind, Title IX, Sec. 9528, P.L.107-110 (2002).
USA Patriot Act, Sec. 507, P.L. 107-56. (2001).
20 U.S.C. § 1232g, 1415 (2006).
34 C.F.R. Pt. 99, 300, .610 *et seq*. (2006).
Iowa Code §§ 22; 279.9B, 280.24, .25, 622.10 (2009).
281 I.A.C. 12.3(4); 41; .610 *et seq*.
1980 Op. Att'y Gen. 720, 825.

Cross Reference: 501 Student Attendance
505 Student Scholastic Achievement
506 Student Records
507 Student Health and Well-Being
603.3 Special Education
708 Care, Maintenance and Disposal of School District Records
901 Public Examination of School District Records

Code No. 506.1E1

STUDENT RECORDS CHECKLIST

* Such will be available	Copy to parent upon request	Parent signature required	User must submit written request	No parent signature required	Notify parent in advance	Notify parent of release	Request made part of student records	Schedule hearing following decision with parent	
Subpoena or Judicial Order				X	X				Lawfully issued
Student Financial Aide				X					Written request
School or Staff in Same School System				X					No written request necessary
Other school system where student plans to enroll	X		X	X		X	X		506.1E2
United States Comptroller General			X	X			X		506.1E2
Dept. of Health, Education and Welfare Secretary			X	X			X		506.1E2
National Institute of Education			X	X			X		506.1E2
Iowa Dept. of Education Official			X	X			X		506.1E2
Parent inspection of student educational records	X	X							506.1E5
Parent request for hearing to challenge records		X						X	506.1E4
Parent authorization for school to release information	X	X							506.1E3
Notification of transfer of student records	X			X					506.1E6

Available for inspection by the parent or student and the school official responsible for record maintenance.
** When a student has attained the age of 18 years or is attending an institution of post-secondary education, the permission or consent required of the rights accorded the parent of the student shall thereafter be required of and accorded only to the student.

Approved December, 2008 Reviewed December 2013 Revised _____

PATON-CHURDAN POLICY REFERENCE MANUAL

REQUEST OF NONPARENT FOR EXAMINATION OR COPIES OF STUDENT RECORDS

The undersigned hereby requests permission to examine the Paton-Churdan Community School District's official student records of:

_____, _____
(Legal Name of Student) (Date of Birth)

The undersigned requests copies of the following official student records of the above student:

The undersigned certifies that they are (check one):

(a) An official of another school system in which the student intends to enroll. ( )

(b) An authorized representative of the Comptroller General of the United States. ( )

(c) An authorized representative of the Secretary of the U.S. Department of Education ( )

(d) An administrative head of an education agency as defined in Section 408 of the Education Amendments of 1974. ( )

(e) An official of the Iowa Department of Education. ( )

(f) A person connected with the student's application for, or receipt of, financial aid (SPECIFY DETAILS ABOVE.) ( )

(g) A representative of a juvenile justice agency with which the school district has an interagency agreement. ( )

The undersigned agrees that the information obtained will only be redisclosed consistent with state or federal law without the written permission of the parents of the student, or the student if the student is of majority age.

_____
(Signature) (Title)

APPROVED: Date: _____
Address: _____

Signature: _____ City: _____
Title: _____ State: _____ ZIP _____
Dated: _____ Phone Number: _____

Code No. 506.1E3

PARENTAL AUTHORIZATION FOR RELEASE OF STUDENT RECORDS

The undersigned hereby authorizes the Paton-Churdan Community School District to release copies of the following official student records:

_____

_____

concerning_____
(Full Legal Name of Student) (Date of Birth)

_____ from _____ to _____
(Name of Last School Attended) (Year(s) of Attend.)

The reason for this request is:_____

_____

My relationship to the child is:_____

Copies of the records to be released are to be furnished to:

( ) the undersigned
( ) the student
( ) other (please specify)_____

_____Date: _____
(Signature)

Address: _____

City:_____

State:_____ ZIP ___

Phone Number: _____

Code No. 506.1E4

REQUEST FOR HEARING ON CORRECTION OF STUDENT RECORDS

To: _____ Address: _____
Board Secretary (Custodian)

I believe certain official student records of my child,_____ , (Full LegalName of Student),_____ (School Name), are inaccurate, misleading or in violation of privacy or other rights of my child.

The official education records which I believe are inaccurate, misleading or in violation of the privacy or other rights of my child are:

_____

_____

The reason I believe such records are inaccurate, misleading or in violation of the privacy or other rights of my child is:

_____

_____

My relationship to the child is:_____

I understand that I will be notified in writing of the time and place of the hearing; that I will be notified in writing of the decision; and I have the right to appeal the decision by so notifying the hearing officer in writing within ten days after my receipt of the decision.

_____
(Signature)

Date: _____
Address: _____
City:_____
State:_____ ZIP __
Phone Number: _____

Code No. 506.1E5

PARENTAL REQUEST FOR EXAMINATION OF STUDENT RECORDS

To: _____ Address: _____
Board Secretary (Custodian)

The undersigned desires to examine the following official education records.

_____

_____

of _____, _____ _____
(Full Legal Name of Student) (Date of Birth) (Grade)

_____
(Name of School)

My relationship to the student is:_____

(check one)

_ I do
_ I do not

desire a copy of such records. I understand that a reasonable charge will be made for the copies.

_____
(Parent's Signature)

APPROVED:

Signature:_____
Title:_____
Dated: _____

Date: _____
Address: _____
City: _____
State:_____ ZIP ____
Phone Number: _____

Code No. 506.1E6

NOTIFICATION OF TRANSFER OF STUDENT RECORDS

To: _____ Date: _____
Parent/or Guardian

Street Address:_____
City/State:_____ ZIP: _____

Please be notified that copies of the Paton-Churdan Community School District's official student records concerning _____ _____, (Full Legal Name of Student) have been transferred to:

_____ _____
School District Name Address

upon the written statement that the student intends to enroll in said school system.

If you desire a copyof such records furnished,pleasecheckhere and return this form to the undersigned. A reasonable charge will be made for the copies.

If you believe such records transferred are inaccurate, misleading or otherwise in violation of the privacy or other rights of the student, you have the right to a hearing to challenge the contents of such records.

_____
(Name)

_____
(Title)

Code No. 506.1E7

LETTER TO PARENT REGARDING RECEIPT OF A SUBPOENA

Date

Dear_____:

This letter is to notify you that the Paton-Churdan Community School District has received a (subpoena or court order) requesting copies of your child's permanent records. The specific records requested are_____.

The school district has until _____ to deliver the documents to (requesting party on subpoena or court order). If you have any questions, please do not hesitate to contact me at 515-389-3111.

Sincerely,

(Principal or Superintendent)

JUVENILE JUSTICE AGENCY INFORMATION SHARING AGREEMENT

Statement of Purpose: The purpose of this Agreement is to allow for the sharing of information among the School District and the Agencies prior to a student's adjudication in order to promote and collaborate to improve school safety, reduce alcohol and illegal drug use, reduce truancy, reduce in-school and out-of-school suspensions, and to support alternatives to in-school and out-of-school suspensions and expulsions which provide structured and well supervised educational programs supplemented by coordinated and appropriate services designed to correct behaviors that lead to truancy, suspension, and expulsions and to support students in successfully completing their education.

Identification of Agencies: This agreement is between the Paton-Churdan Community School District (hereinafter "School District") and (agencies listed) (hereinafter "Agencies") .

Statutory Authority: This agreement implements Iowa Code § 280.25 and is consistent with 34 C.F.R. 99.38 (2006).

Parameters of Information Exchange:

0. The School District may share any information with the Agencies contained in a student's permanent record which is directly related to the juvenile justice system's ability to effectively serve the student.
0. Prior to adjudication information contained in the permanent record may be disclosed by the school district to the Agencies without parental consent or court order.
0. Information contained in a student's permanent record may be disclosed by the School District to the Agencies after adjudication only with parental consent or a court order.
0. Information shared pursuant to the agreement is used solely for determining the programs and services appropriate to the needs of the student or student's family or coordinating the delivery of programs and services to the student or student's family.
0. Information shared under the agreement is not admissible in any court proceedings which take place prior to a disposition hearing, unless written consent is obtained from a student's parent, guardian, or legal or actual custodian.
0. Information obtained by the school from other juvenile justice agencies may not be used as the basis for disciplinary action of the student.
0. This agreement only governs a school district's ability to share information and the purposes for which that information can be used. Other agencies are bound by their own respective confidentiality policies.

Records' Transmission: The individual requesting the information should contact the principal of the building in which the student is currently enrolled or was enrolled. The principal will forward the records within 10 business days of the request.

Confidentiality: Confidential information shared between the Agencies and the school district will remain confidential and will not be shared with any other person, unless otherwise provided by law. Information shared under the agreement is not admissible in any court proceedings which take place prior to a disposition hearing, unless written consent is obtained from a student's parent. Agencies or individuals violating the terms of this agreement subject their entity represented and themselves personally to legal action pursuant to federal and state law.

JUVENILE JUSTICE AGENCY INFORMATION SHARING AGREEMENT

Amendments: This agreement constitutes the entire agreement among the agencies with respect to information sharing. Agencies may be added to this agreement at the discretion of the school district.

Term: This agreement is effective from September 1, 2001.

Termination: The School District may discontinue information sharing with an Agency if the School District determines that the Agency has violated the intent or letter of this Agreement.

APPROVED:

Signature	Address:	
Title	City	
Agency	State	Zip
Dated	Phone Number	
Signature	Address:	
Title	City	
Agency	State	Zip
Dated	Phone Number	
Signature	Address:	
Title	City	
Agency	State	Zip
Dated	Phone Number	
Signature	Address:	
Title	City	
Agency	State	Zip
Dated	Phone Number	

Approved April 1995 Reviewed December 2013 Revised July, 2001

ANNUAL NOTICE

The Family Educational Rights and Privacy Act (FERPA) affords parents and students over 18 years of age ("eligible students") certain rights with respect to the student's education records. They are:

(1) The right to inspect and review the student's education records within 45 days of the day the district receives a request for access.

Parents or eligible students should submit to the school principal (or appropriate school official) a written request that identifies the record(s) they wish to inspect. The principal will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.

(2) The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate or misleading or in violation of the student's privacy rights.

Parents or eligible students may ask the school district to amend a record that they believe is inaccurate or misleading. They should write the school principal, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading.

If the district decides not to amend the record as requested by the parent or eligible student, the district will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

(3) The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent.

One exception, which permits disclosure without consent is disclosure to school officials with legitimate educational interests. A school official is a person employed by the district as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the school board; a person or company with whom the district has contracted to perform a special task (such as an attorney, auditor, AEA employees, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee or student assistance team, or assisting another school official in performing his or her tasks.

A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

[Upon request, the district discloses education records without consent to officials of another school district in which a student seeks or intends to enroll. (Note: FERPA requires a school district to make a reasonable attempt to notify the parent or eligible student of the records request unless it states in its annual notification that it intends to forward records on request.)]

(4) The right to inform the school district that the parent does not want directory information, as defined below, to be released. Directory information can be released without prior parental consent.

Approved April 1995 Reviewed December 2013 Revised July, 2001

ANNUAL NOTICE

Any student over the age of eighteen or parent not wanting this information released to the public must make object in writing by_____ to the principal. The objection needs to be renewed annually.

(*The following is the suggested list in the federal law but boards can add or subtract from the list.)*

NAME, ADDRESS, TELEPHONE LISTING, DATE AND PLACE OF BIRTH, E-MAIL ADDRESS, GRADE LEVEL, ENROLLMENT STATUS, MAJOR FIELD OF STUDY, PARTICIPATION IN OFFICIALLY RECOGNIZED ACTIVITIES AND SPORTS, WEIGHT AND HEIGHT OF MEMBERS OF ATHLETIC TEAMS, DATES OF ATTENDANCE, DEGREES AND AWARDS RECEIVED, THE MOST RECENT PREVIOUS SCHOOL OR INSTITUTION ATTENDED BY THE STUDENT, PHOTOGRAPH AND LIKENESS AND OTHER SIMILAR INFORMATION.

(5) The right to file a complaint with the U.S. Department of Education concerning alleged failures by the district to comply with the requirements of FERPA. The name and address of the office that administers FERPA is:

Family Policy Compliance Office, U.S. Department of Education,

400 Maryland Ave., SW, Washington, DC, 20202-4605.

[The School District may share any information with the Parties contained in a student's permanent record, which is directly related to the juvenile justice system's ability to effectively serve the student. Prior to adjudication information contained in the permanent record may be disclosed by the School District to the Parties without parental consent or court order. Information contained in a student's permanent record may be disclosed by the School District to the Parties after adjudication only with parental consent or a court order. Information shared pursuant to the agreement is used solely for determining the programs and services appropriate to the needs of the student or student's family or coordinating the delivery of programs and services to the student or student's family. Information shared under the agreement is not admissible in any court proceedings, which take place prior to a disposition hearing, unless written consent is obtained from a student's parent, guardian, or legal or actual custodian. Information obtained from others shall not be used for the basis of disciplinary action of the student. This agreement only governs a school district's ability to share information and the purposes for which that information can be used.

Approved April 1995 Reviewed December 2013 Revised_____

USE OF STUDENT RECORDS REGULATION

Student records are all official records, files, and data directly related to students, including all material incorporated into each student's cumulative record folder and intended for school use or to be available to parties outside the school or school system specifically including, but not necessarily limited to: dates of attendance; academic work completed; level of achievement (grades, standardized test scores); attendance data; scores on standardized intelligence, aptitude, and psychological tests; interest inventory results; health data; family background information; teacher or counselor ratings and observations; and verified reports of serious or recurrent behavior patterns.

The intent of this regulation is to establish procedures for granting requests from parents for access to their child's records, use of the data, and procedures for its transmittal within forty-five calendar days.

A. Access to Records

1. The parent or legal guardian of a student will have access to these records upon written request to the board secretary.

The parent or legal guardian will, upon written request to the board secretary, have the opportunity to receive an interpretation of the records, have the right to question the data, and, if a difference of opinion is noted, is permitted to file a letter in the cumulative folder stating the dissenting person's position. If further challenge is made to the record, the normal appeal procedures established by school policy will be followed.

A student, eighteen years or older, has the right to determine who, outside the school system, has access to the records. Parents of students who are 18 years or older but still dependents for income tax purposes may access the student's records without prior permission of the student.

2. School officials having access to student records are defined as having a legitimate educational interest. A school official is a person employed by the school district as an administrator, supervisor, instructor or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the school board; a person or company with whom the school district has contracted to perform a special task (such as an attorney, auditor, AEA employee, medical consultant, or therapist); or a parent or student serving on an official committee, such as disciplinary or grievance committee or student assistance team, or assisting another school official in performing his or her tasks.

B. Release of Information Outside the School

1. To release student records to other school(s) in which the student intends to enroll, the parents, legal guardian, or eligible student must be notified of the transfer and the kinds of information being released unless the school district annually notifies parents that the records will be sent automatically.

USE OF STUDENT RECORDS REGULATION

0. Student records may be released to official education and other government agencies only if allowed by state or federal law.

3. To release student records to other persons or agencies, written consent is given by the parent, legal guardian, or a student of majority age. This consent form will state which records are released, to whom they are released, and the reason for the release. A copy of the specific records being released will be made available to the person signing the release form if requested.

4. Before furnishing student records in compliance with judicial orders or pursuant to any lawfully issued subpoena, the school district will make a reasonable attempt to notify the parents, legal guardian, or eligible student are notified in advance.

[5. Student records may be shared with juvenile justice agencies with which the school district has an interagency agreement. This information is shared without prior parental consent. The agreement is a public document available for inspection.]

Hearing Procedures

1. Upon parental request, the school district will hold a hearing regarding the content of a student's records which the parent believes to be inaccurate, misleading, or in violation of the privacy rights of students.

2. The hearing will be held within a reasonable time after receipt of the parent or eligible student's request. The parent or eligible student will receive reasonable advance notice of date, time and place of the hearing.

3. The hearing officer may be an employee of the school district so long as the employee does not have a direct interest in the outcome of the hearing.

4. The parents or eligible student will be given a full and fair opportunity to present evidence relevant to the issues. The parent or eligible student may be represented by an individual at their choice at their own expense.

5. The hearing officer will render a written decision within a reasonable period after the hearing. The decision will be based upon evidence presented at the hearing and must include a summary of the evidence and the reasons for the decision.

6. The parents may appeal the hearing officers decision to the superintendent within 5 days if the superintendent does not have a direct interest in the outcome of the hearing.

7. The parents may appeal the superintendent's decision, or the hearing officers decision if the superintendent was unable to hear the appeal, to the board within 10 days. It is within the discretion of the board to hear the appeal.

Code No. 506.2

STUDENT DIRECTORY INFORMATION

Student directory information is designed to be used internally within the school district. Directory information is defined in the annual notice. It may include the student's name, address, telephone number, date and place of birth, e-mail address, grade level, enrollment status, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, the most recent previous educational agency or institution attended by the student, photograph and other likeness, and other similar information.

Prior to developing a student directory or to giving general information to the public, parents will be given notice annually of the intent to develop a directory or to give out general information and have the opportunity to deny the inclusion of their child's information in the directory or in the general information about the students.

It is the responsibility of the superintendent to provide notice and to determine the method of notice that will inform parents.

NOTE: This is a mandatory policy. A school district may limit what it considers to be directory information. If the school district limits the information, it must also make those changes in the school district's annual notice. For more detailed discussion of this issue, see IASB's Policy Primer, Vol. 136 #3 – September 30, 2000.

Legal Reference:
20 U.S.C. § 1232g (2006).
34 C.F.R. Pt. 99, 300.560 - .574 (20064).
Iowa Code § 22; 622.10 (2009).
281 I.A.C. 12.3(4); 41.123.
1980 Op. Att'y Gen. 720.

Cross Reference:
504 Student Activities
506 Student Records
901 Public Examination of School District Records
902.4 Live Broadcast or videotaping

Approved April 1995 Reviewed December 2013 Revised July, 2001

Code No. 506.2E1

PARENTAL AUTHORIZATION FOR RELEASING STUDENT DIRECTORY INFORMATION

The Paton-Churdan Community School District has adopted a policy designed to assure parents and students the full implementation, protection and enjoyment of their rights under the Family Educational Rights and Privacy Act of 1974 (FERPA). A copy of the school district's policy is available for review in the office of the principal of all of our schools.

This law requires the school district to designate as "directory information" any personally identifiable information taken from a student's educational records prior to making such information available to the public.

The school district has designated the following information as directory information: The school district has designated the following information as directory information: student's name, address and telephone number; date and place of birth; email address, grade level, enrollment status, major field of study; participation in officially recognized activities and sports; weight and height of members of athletic teams; dates of attendance; degrees and awards received; and the most recent previous educational institution attended by the student; photograph and other likeness and other similar information. You have the right to refuse the designation of any or all of the categories of personally identifiable information as directory information with respect to your student provided that you notify the school district in writing not later than _____ , 20__ of this school year. If you desire to make such a refusal, please complete and return the slip attached to this notice.
If you have no objection to the use of student information, you do not need to take any action.

RETURN THIS FORM

Paton-Churdan Community School District

Parental Directions to Withhold Student/Directory Information for Education Purposes, for 20 - 20 _ school year.

Student Name:_____ Date of Birth ___

School: _____ Grade: _____

_____ _____ _____
(Signature of Parent/Legal Guardian/Custodian of Child) (Date)

This form must be returned to your child's homeroom teacher no later than_____, 20_ .
Additional forms are available at your child’s school.

Code No. 506.2R1

USE OF DIRECTORY INFORMATION

The student handbook or similar publication given to each student which contains general information about the school shall contain the following statement which shall be published at least annually in a prominent place or in a newspaper of general circulation in the school district:

> The following information may be released to the public in regard to any individual student of the school district as needed. Any student over the age of eighteen or parent not wanting this information released to the public must make objection in writing by _____ to the principal. The objection needs to be renewed annually.
>
> NAME, ADDRESS, TELEPHONE LISTING, EMAIL ADDRESS, DATE AND PLACE OF BIRTH, MAJOR FIELD OF STUDY, PARTICIPATION IN OFFICIALLY RECOGNIZED ACTIVITIES AND SPORTS, WEIGHT AND HEIGHT OF MEMBERS OF ATHLETIC TEAMS, DATES OF ATTENDANCE, DEGREES AND AWARDS RECEIVED, THE MOST RECENT PREVIOUS SCHOOL OR INSTITUTION ATTENDED BY THE STUDENT, PHOTOGRAPH AND LIKENESS AND OTHER SIMILAR INFORMATION.
>
> DATED _____ , 20___ .

Approved April 1995 Reviewed December 2013 Revised _____

Code No. 506.3

STUDENT PHOTOGRAPHS

The board will permit student "portrait" photographs to be taken on school premises by a commercial photographer as a service to the students and their families.

Parents will be notified prior to the taking of pictures by a commercial photographer for student "portraits." In no case will students be required to have their picture taken or be pressured to purchase pictures.

Students or commercial photographers may take pictures of students upon consent for such things as the yearbook or student newspaper.

It shall be the responsibility of the superintendent, in conjunction with the principal, to develop administrative rules regarding student photographs.

Legal Reference: Iowa Code § 279.8 (2009).
1980 Op. Att'y Gen. 114.

Cross Reference: 506 Student Records

Approved April 1995 Reviewed December 2013 Revised

Code No. 506.4

STUDENT LIBRARY CIRCULATION RECORDS

Student library circulation records are designed to be used internally to assist in the orderly administration of the school district libraries. As a general rule, student library circulation records are considered confidential records and will not be released without parental consent. Individuals who may access such records include a student's parents, the student, authorized licensed employees, authorized government officials from the U.S. Comptroller General, the Secretary of Education, the Commissioner and Director of the National Institute of Education, and the Assistant Secretary for Education and State Education Department. Appropriate authorities in a health or safety emergency may access the student's library circulation records without the approval or the notification of the student's parents. Parents may not access records, without the student's permission, of a student who has reached the age of majority or who is attending a post-secondary educational institution unless the student is considered a dependent for tax purposes.

It is the teacher-librarian's responsibility, as the person maintaining the student library circulation records, to approve requests for access to student library circulation records. Students' library circulation records may be accessed during the regular business hours of the school district. If copies of documents are requested, a fee for such copying may be charged.

It is the responsibility of the superintendent, in conjunction with the teacher or teacher-librarian, to develop administrative regulations regarding this policy.

Legal Reference: 20 U.S.C. § 1232g (2006).
34 C.F.R. Pt. 99 (12006).
Iowa Code §§ 22; 622.10 (2009).
281 I.A.C. 12.3(4).
1980 Op. Att'y Gen. 720, 825.

Cross Reference: 506 Student Records

Approved April 1995 Reviewed December 2013 Revised _____

Code No. 507.1

STUDENT HEALTH AND IMMUNIZATION CERTIFICATES

Students desiring to participate in athletic activities or enrolling in kindergarten or first grade in the school district shall have a physical examination by a licensed physician and provide proof of such an examination to the school district. A physical examination and proof of such an examination may be required by the administration for students in other grades enrolling for the first time in the school district.

A certificate of health stating the results of a physical examination and signed by the physician shall be on file at the attendance center. Each student shall submit an up-to-date certificate of health upon the request of the superintendent. Failure to provide this information may be grounds for disciplinary action.

Students enrolling for the first time in the school district shall also submit a certificate of immunization against diphtheria, pertussis, tetanus, poliomyelitis, rubeola, rubella, and other immunizations required by law. The student may be admitted conditionally, if the student has not yet completed the immunization process but is in the process of doing so. Failure to meet the immunization requirement will be grounds for suspension, expulsion or denial of admission. Upon recommendation of the Iowa Department of Education and Iowa Department of Public Health, students entering the district for the first time may be required to pass a TB test prior to admission. The district may conduct TB tests of current students.

Exemptions from the immunization requirement in this policy will be allowed only for medical or religious reasons recognized under the law. The student must provide a valid Iowa State Department of Health Certificate of Immunization Exemption to be exempt from this policy.

Legal Reference: Iowa Code §§ 139.9; 280.13 (2009).
281 I.A.C. 33.5.
641 I.A.C. 7.

Cross Reference: 402.2 Child Abuse Reporting
501 Student Attendance
507 Student Health and Well-Being

Approved April 1995 Reviewed December 2013 Revised _____

Administration of Medication to Students

Some students may need prescription and nonprescription medication to participate in their educational program.

Medication shall be administered when the student's parent or guardian (hereafter "parent") provides a signed and dated written statement requesting medication administration and the medication is in the original, labeled container, either as dispensed or in the manufacturer's container.

When administration of the medication requires ongoing professional health judgment, an individual health plan shall be developed by an authorized practitioner with the student and the student's parent. Students who have demonstrated competence in administering their own medications may self-administer their medication. A written statement by the student's parent shall be on file requesting co-administration of medication, when competence has been demonstrated. By law, students with asthma or other airway constricting diseases may self-administer their medication upon approval of their parents and prescribing physician regardless of competency.

Persons administering medication shall include the licensed registered nurse, physician, persons who have successfully completed a medication administration course, or to be an authorized practitioner, including parents. A medication administration course and periodic update shall be conducted by a registered nurse or licensed pharmacist, and a record of course completion kept on file at the agency.

A written medication administration record shall be on file including:

- date;
- student's name;
- prescriber or person authorizing administration;
- medication;
- medication dosage;
- administration time;
- administration method;
- signature and title of the person administering medication; and
- any unusual circumstances, actions, or omissions.

Medication shall be stored in a secured area unless an alternate provision is documented. Emergency protocols for medication-related reactions shall be posted. Medication information shall be confidential information.

Approved December, 2008 Reviewed December 2013 Revised _____

Administration of Medication to Students

Note: This law reflects the Iowa Department of Education's special education administrative rule regarding administration of medication. Since there are no rules addressing students not receiving special education services, IASB has written the sample policies and regulations to address all students.

Iowa law requires school districts to allow students with asthma or other airway constricting disease to carry and self-administer their medication as long as the parents and prescribing physician report and approve in writing. Students do not have to prove competency to the school district. The consent form, see 507.2E1, is all that is required. School districts that determine students are abusing their self-administration may either withdraw the self-administration if medically advisable or discipline the student, or both.

Legal Reference: Iowa Code §§124.101(1), 147.107, 152.1, 155A.4(2), 280.16, 280.23 (2009)
Education [281] IAC §41.404(3)
Pharmacy [657] IAC §8.32(124, 155A)
Nursing Board [655] IAC §6.2(152)

Cross Reference: 506 Student Records
507 Student Health and Well-Being
603.3 Special Education
607.2 Student Health Services

Approved December 2008 Reviewed December 2013 Revised

Authorization Asthma or Airway Constricting Medication
Self-Administration Consent Form

_____ ___/___/___ _____ ___/___/___
Student's Name (Last), (First) (Middle) Birthday School Date

In order for a student to self-administer medication for asthma or any airway constricting disease:

- Parent/guardian provides signed, dated authorization for student medication self-administration.
- Physician (person licensed under chapter 148, 150, or 150A, physician, physician's assistant, advanced registered nurse practitioner, or other person licensed or registered to distribute or dispense a prescription drug or device in the course of professional practice in Iowa in accordance with section 147.107, or a person licensed by another state in a health field in which, under Iowa law, licensees in this state may legally prescribe drugs) provides written authorization containing:
    - purpose of the medication,
    - prescribed dosage,
    - times or;
    - special circumstances under which the medication is to be administered.
- The medication is in the original, labeled container as dispensed or the manufacturer's labeled container containing the student name, name of the medication, directions for use, and date.
- Authorization is renewed annually. If any changes occur in the medication, dosage or time of administration, the parent is to notify school officials immediately. The authorization shall be reviewed as soon as practical.

Provided the above requirements are fulfilled, a student with asthma or other airway constricting disease may possess and use the student's medication while in school, at school-sponsored activities, under the supervision of school personnel, and before or after normal school activities, such as while in before-school or after-school care on school-operated property. If the student abuses the self-administration policy, the ability to self-administer may be withdrawn by the school or discipline may be imposed.

Pursuant to state law, the school district or accredited nonpublic school and its employees are to incur no liability, except for gross negligence, as a result of any injury arising from self-administration of medication by the student. The parent or guardian of the student shall sign a statement acknowledging that the school district or nonpublic school is to incur no liability, except for gross negligence, as a result of self-administration of medication by the student as established by Iowa Code § 280.16.

_____ _____ _____ _____
Medication Dosage Route Time

_____
Purpose of Medication & Administration /Instructions

Authorization-Asthma or Airway Constricting Medication
Self-Administration Consent Form

_____	____/____/____
Special Circumstances Follow-up Date	Discontinue/Re-Evaluate/
_____	____/__/____
Prescriber's Signature	Date
_____	_____
Prescriber's Address	Emergency Phone

- I request the above named student possess and self-administer asthma or other airway constricting disease medication(s) at school and in school activities according to the authorization and instructions.
- I understand the school district and its employees acting reasonably and in good faith shall incur no liability for any improper use of medication or for supervising, monitoring, or interfering with a student's self-administration of medication
- I agree to coordinate and work with school personnel and notify them when questions arise or relevant conditions change.
- I agree to provide safe delivery of medication and equipment to and from school and to pick up remaining medication and equipment.
- I agree the information is shared with school personnel in accordance with the Family Education Rights and Privacy Act (FERPA).
- I agree to provide the school with back-up medication approved in this form.
- *(Student maintains self-administration record.)* **(*Note: This bullet is recommended but not required.)***

_____	____/____/____
Parent/Guardian Signature (agreed to above statement)	Date
_____	_____
Parent/Guardian Address	Home Phone
	_____
	Business Phone

_____

_____

_____
Self-Administration Authorization Additional Information

Parental Authorization and Release Form for the Administration
of Prescription Medication to Students

_____ ___/___/___ ___/___/___
Student's Name Birthday Date

School medications and health services are administered following these guidelines:

Parent has provided a signed, dated authorization to administer medication and/or provide the health service.
The medication is in the original, labeled container as dispensed or the manufacturer's labeled container.
The medication label contains the student's name, name of the medication, directions for use, and date.
Authorization is renewed annually and immediately when the parent notifies the school that changes are necessary.

_____ _____ _____ _____
Medication/Health Care Dosage Route Time at School

_____

_____
Administration instructions

_____

_____
Special Directives, Signs to Observe and Side Effects

_____
Discontinue/Re-Evaluate/Follow-up Date

_____ _____
Prescriber's Signature Date

_____ _____
Prescriber's Address Emergency Phone

I request the above named student carry medication at school and school activities, according to the prescription, instructions, and a written record kept. Special considerations are noted above. The information is confidential except as provided to the Family Education Rights and Privacy Act (FERPA). I agree to coordinate and work with school personnel and prescriber when questions arise. I agree to provide safe delivery of medication and equipment to and from school and to pick up remaining medication and equipment.

Parental Authorization and Release Form for the Administration of Prescription Medication to Students

Parent's Signature _____ Date _____

Parent's Address _____ Home Phone _____

Additional Information _____ Business Phone _____

_____

_____

_____

Authorization Form

Code No. 507.3

COMMUNICABLE DISEASES - STUDENTS

Students with a communicable disease will be allowed to attend school provided their presence does not create a substantial risk of illness or transmission to other students or employees. The term "communicable disease" will mean an infectious or contagious disease spread from person to person, or animal to person, or as defined by law.

Prevention and control of communicable diseases is included in the school district's bloodborne pathogens exposure control plan. The procedures will include scope and application, definitions, exposure control, methods of compliance, universal precautions, vaccination, post-exposure evaluation, follow-up, communication of hazards to employees and record keeping. This plan is reviewed annually by the superintendent and school nurse.

The health risk to immunosupressed students is determined by their personal physician. The health risk to others in the school district environment from the presence of a student with a communicable disease is determined on a case-by-case basis by the student's personal physician, a physician chosen by the school district or public health officials.

It is the responsibility of the superintendent, in conjunction with the school nurse, to develop administrative regulations stating the procedures for dealing with students with a communicable disease.

For more information on communicable disease charts, and reporting forms, go to the Iowa Department of Public Health Web site: http://www.idph.state.ia.us

NOTE: This policy is consistent with current health practices regarding communicable diseases. The bloodborne pathogen language in the second paragraph and accompanying regulation is in compliance with federal law on control of bloodborne pathogens.

Legal Reference: School Board of Nassau County v. Arline, 480 U.S. 273 (1987).
29 U.S.C. §§ 701 et seq. (2006).
45 C.F.R. Pt. 84.3 (2006).
Iowa Code ch. 139 (2009).
641 I.A.C. 1.2-.5, 7.

Cross Reference: 403.3 Communicable Diseases - Employees
506 Student Records
507 Student Health and Well-Being

Approved April 1995 Reviewed December 2013 Revised

Code No. 507.3E2

REPORTABLE INFECTIOUS DISEASES

While the school district is not responsible for reporting, the following infectious diseases are required to be reported to the state and local public health offices:

Acquired Immune Deficiency Syndrome (AIDS)
Amebiasis
Anthrax
Botulism (bacterial or viral)
Brucellosis
Campylobacteriosis
Chlamydia trachomatis
Cholera
Diphtheria
E. Coli 0157:h7
Encephalitis
Giardiasis
Hepatitis, (A,B, Non A-Non-B, Unspecified)
Histoplasmosis
Human Immunodeficiency Virus (HIV) infection other than AIDS
Influenza
Legionellosis
Leprosy
Leptospirosis
Lyme disease
Malaria
Meningitis
Mumps
Parvovirus B 19 infection (fifth disease and other complications)
Pertussis (whooping cough)
Plague
viral Poliomyelitis
Psittacosis
Rabies
Reye's Syndrome
Rheumatic fever
Rocky Mountain spotted fever
Rubella (congenital syndrome)
Rubella (German measles)
Rubeola (measles)
Salmonellosis
Shigellosis
Tetanus
Toxic Shock Syndrome
Trichinosis
Tuberculosis
Tularemia
Typhoid fever
Typhus fever
Venereal disease
Chancroid
Gonorrhea
Granuloma Inguinale
Lymphogranuloma Venereum
Syphilis
Yellow fever

Any other disease which is unusual in incidence, occurs in unusual numbers of circumstances, or appears to be of public health concern, e.g., epidemic diarrhea, food or waterborne outbreaks, acute respiratory illness.

NOTE: Be sure to mail the appropriate copies to both the state and local public health offices. School districts must submit a report weekly if there are cases of mumps, chicken pox, erythema infectiosum, gastroenteritis, influenza-like illnesses and if the number is greater than 10 percent of the school district's enrollment.

Approved April 1995 Reviewed December 2013 Revised

Code No. 507.4

STUDENT ILLNESS OR INJURY AT SCHOOL

When a student becomes ill or is injured at school, the school district will attempt to notify the student's parents as soon as possible.

The school district, while not responsible for medical treatment of an ill or injured student, will have employees present administer emergency or minor first aid if possible. An ill or injured child will be turned over to the care of the parents or qualified medical employees as quickly as possible.

It is the responsibility of the principal to file an accident report with the superintendent within twenty-four hours after the student is injured.

Annually, parents are required to complete a medical emergency authorization form indicating the procedures to be followed, if possible, in an emergency involving their child. The authorization form will also include the phone numbers of the parents and alternative numbers to call in case of an injury or illness.

The superintendent is responsible, in conjunction with the school nurse, to develop rules and regulations governing the procedure in the event a student should become ill or be injured at school.

Legal Reference: Iowa Code § 613.17 (2009).

Cross Reference: 507 Student Health and Well-Being

Approved April 1995 Reviewed December 2013 Revised _____

Code No. 507.5

EMERGENCY PLANS AND DRILLS

Students will be informed of the appropriate action to take in an emergency. Emergency drills for fire, weather, and other disasters are conducted each school year. Fire and tornado drills are each conducted regularly during the academic school year with a minimum of two before December 31 and two after January 1.

Each attendance center will develop and maintain a written plan containing emergency and disaster procedures. The plan will be communicated to and reviewed with employees. Employees will participate in emergency drills. Licensed employees are responsible for instructing the proper techniques to be followed in the drill.

Legal Reference: Iowa Code § 100.31 (2009).
281 I.A.C. 41.27(3).

Cross Reference: 507 Student Health and Well-Being
711.7 School Bus Safety Instruction
804 Safety Program

Approved April 1995 Reviewed December 2013 Revised _____

Code No. 507.6

STUDENT INSURANCE

Students may have the opportunity to participate in the health and accident insurance plan selected by the school district. The cost of the health and accident insurance program shall be borne by the student. Participation in the insurance health and accident plan is not a contract with the school district, but rather, a contract between the insurance company and the student.

[Students participating in intramural or extracurricular athletics shall be required to have health and accident insurance. The student shall bring written proof of insurance or participate in the health and accident insurance program selected by the school district.]

Legal Reference: Iowa Code § 279.8 (2009).

Cross Reference: 504 Student Activities
507 Student Health and Well-Being

Approved April 1995 Reviewed December 2013 Revised

Code No. 507.7

CUSTODY AND PARENTAL RIGHTS

Disagreements between family members are not the responsibility of the school district. The school district will not take the "side" of one family member over another in a disagreement about custody or parental rights. Court orders that have been issued are followed by the school district. It is the responsibility of the person requesting an action by the school district to inform and provide the school district the court order allowing such action.

This policy does not prohibit an employee from listening to a student's problems and concerns.

It is the responsibility of the superintendent to ensure employees remain neutral in a disagreement about custody and parental rights.

Legal Reference: Iowa Code §§ 232.67, .70, .73, .75; 235A; 279.8; 710.6 (2009).
441 I.A.C. 9.2; 155; 175.

Cross Reference: 506 Student Records
507 Student Health and Well-Being

Approved April 1995 Reviewed December 2013 Revised _____

Code No. 507.8

STUDENT SPECIAL HEALTH SERVICES

The board recognizes that some special education students need special health services during the school day. These students will receive special health services in conjunction with their individualized education program.

The superintendent, in conjunction with licensed health personnel, will establish administrative regulations for the implementation of this policy.

Legal Reference:
Board of Education v. Rowley, 458 U.S. 176 (1982).
Springdale School District #50 v. Grace, 693 F.2d 41 (8th Cir. 1982).
Southeast Warren Comm. School District v. Dept. of Public Instruction, 285 N.W.2d 173 (Iowa 1979).
20 U.S.C. §§1400 et seq. (2006).
34 C.F.R. Pt. 300 et seq. (2006).
Iowa Code §§ 256.11(7); 256B; 273.2, .5, .9(2)-(3); 280.8 (2009).
281 I.A.C. 41.

Cross Reference:
502 Student Rights and Responsibilities
506 Student Records
603.3 Special Education

Approved December 2008 Reviewed December 2013 Revised _____

SPECIAL HEALTH SERVICES REGULATION

Some students who require special education need special health services in order to participate in the educational program. These students will receive special health services in accordance with their individualized educational program.

A. Definitions

"Assignment and delegation" - occurs when licensed health personnel, in collaboration with the education team, determine the special health services to be provided and the qualifications of individuals performing the health services. Primary consideration is given to the recommendation of the licensed health personnel. Each designation considers the student's special health service. The rationale for the designation is documented. If the designation decision of the team differs from the licensed health professional, team members may file a dissenting opinion.

"Co-administration" - the eligible student's participation in the planning, management and implementation of the student's special health service and demonstration of proficiency to licensed health personnel.

"Educational program" - includes all school curricular programs and activities both on and off school grounds.

"Education team" - may include the eligible student, the student's parent, administrator, teacher, licensed health personnel, and others involved in the student's educational program.

"Health assessment" - health data collection, observation, analysis, and interpretation relating to the eligible student's educational program.

"Health instruction" - education by licensed health personnel to prepare qualified designated personnel to deliver and perform special health services contained in the eligible student's health plan. Documentation of education and periodic updates are on file at school.

"Individual health plan" - the confidential, written, preplanned and ongoing special health service in the educational program. It includes assessment, planning, implementation, documentation, evaluation and a plan for emergencies. The plan is updated as needed and at least annually. Licensed health personnel develop this written plan with the education team.

"Licensed health personnel" - includes licensed registered nurse, licensed physician, and other licensed health personnel legally authorized to provide special health services and medications.

"Prescriber" - licensed health personnel legally authorized to prescribe special health services and medications.

"Qualified designated personnel" - persons instructed, supervised and competent in implementing the eligible student's health plan.

“Special health services" - includes, but is not limited to, services for eligible students whose health status (stable or unstable) requires:

Interpretation or intervention,
Administration of health procedures and health care, or
Use of a health device to compensate for the reduction or loss of a body function.

"Supervision" - the assessment, delegation, evaluation and documentation of special health services by licensed health personnel. Levels of supervision include situations in which licensed health personnel are:

physically present.
available at the same site.
available on call.

SPECIAL HEALTH SERVICES REGULATION

B. Licensed health personnel will provide special health services under the auspices of the school. Duties of the licensed personnel include the duty to:

- Participate as a member of the education team.
- Provide the health assessment.
- Plan, implement and evaluate the written individual health plan.
- Plan, implement and evaluate special emergency health services.
- Serve as liaison and encourage participation and communication with health service agencies and individuals providing health care.
- Provide health consultation, counseling and instruction with the eligible student, the student's parent and the staff in cooperation and conjunction with the prescriber.
- Maintain a record of special health services. The documentation includes the eligible student's name, special health service, prescriber or person authorizing, date and time, signature and title of the person providing the special health service and any unusual circumstances in the provision of such services.
- Report unusual circumstances to the parent, school administration, and prescriber.
- Assign and delegate to, instruct, provide technical assistance and supervise qualified designated personnel.
- Update knowledge and skills to meet special health service needs.

C. Prior to the provision of special health services the following will be on file:

- Written statement by the prescriber detailing the specific method and schedule of the special health service, when indicated.
- Written statement by the student's parent requesting the provision of the special health service.
- Written report of the preplanning staffing or meeting of the education team.
- Written individual health plan available in the health record and integrated into the IEP or IFSP.

D. Licensed health personnel, in collaboration with the education team, will determine the special health services to be provided and the qualifications of individuals performing the special health services. The documented rationale will include the following:

- Analysis and interpretation of the special health service needs, health status stability, complexity of the service, predictability of the service outcome and risk of improperly performed service.
- Determination that the special health service, task, procedure or function is part of the person's job description.
- Determination of the assignment and delegation based on the student's needs.
- Review of the designated person's competency.
- Determination of initial and ongoing level of supervision required to ensure quality services.

E. Licensed health personnel will supervise the special health services, define the level of supervision and document the supervision.

F. Licensed health personnel will instruct qualified designated personnel to deliver and perform special health services contained in the eligible individual health plan. Documentation of instruction and periodic updates are on file at school.

F. Parents will provide the usual equipment, supplies and necessary maintenance for such. The equipment is stored in a secure area. The personnel responsible for the equipment are designated in the individual health plan. The individual health plan will designate the role of the school, parents, and others in the provision, supply, storage and maintenance of necessary equipment.

Code No. 507.9

WELLNESS POLICY

The board promotes healthy students by supporting wellness, good nutrition and regular physical activity as a part of the total learning environment. The school district supports a healthy environment where students learn and participate in positive dietary and lifestyle practices. By facilitating learning through the support and promotion of good nutrition and physical activity, schools contribute to the basic health status of students. Improved health optimizes student performance potential.

The school district provides a comprehensive learning environment for developing and practicing lifelong wellness behaviors. The entire school environment, not just the classroom, shall be aligned with healthy school district goals to positively influence a student's understanding, beliefs and habits as they relate to good nutrition and regular physical activity.

The school district supports and promotes proper dietary habits contributing to students' health status and academic performance. All foods available on school grounds and at school-sponsored activities during the instructional day should meet or exceed the school district nutrition standards and in compliance with state and federal law. Foods should be served with consideration toward nutritional integrity, variety, appeal, taste, safety and packaging to ensure high-quality meals. *See the DE guidance on Healthy Kids Act, www.tinyurl.com/Iowa-HKA*

The school district will develop a local wellness policy committee comprised of representatives of the board, parents, leaders in food/exercise authority and employees. The local wellness policy committee will develop a plan to implement and measure the local wellness policy and monitor the effectiveness of the policy. The committee will designate an individual to monitor implementation and evaluation the implementation of the policy. (See Appendix B) The superintendent will report to the board regarding the effectiveness of this policy.

Specific Wellness Goals

- specific goals for nutrition education, (see Appendix A)
- physical activity, (see Appendix A)
- other school-based activities that are designed to promote student wellness, (see Appendix A)

Legal Reference: Richard B. Russell National School Lunch Act, 42 U.S.C. 1751 *et seq*. (2005)
Child Nutrition Act of 1966, 42 U.S.C. 1771 et seq.,
Iowa Code 256.7(29), 256.11(6)
281 IAC 12.5(19), 12.5(20), 58.11

Cross Reference: 504.5 Student Fund Raising
504.6 Student Activity Program
710.1 School Food Services
710.2 Free or Reduced Cost Meals Eligibility
710.3 Vending Machines

Approved May 15, 2006 Reviewed December 2013 Revised___

Nutrition Education and Promotion

The school district will provide nutrition education and engage in nutrition promotion that:

- Is offered at each grade level as part of a sequential, comprehensive, standards-based program designed to provide students with the knowledge and skills necessary to promote and protect their health;
- Promotes fruits, vegetables, whole-grain products, low-fat and fat-free dairy products, healthy food preparation methods and health-enhancing nutrition practices;
- Emphasizes caloric balance between food intake and physical activity: and
- Links with meal programs, other foods and nutrition-related community services.

Physical Education

The school district will provide physical education that:

- Is taught by a certified physical education teacher;
- Is for all students in grades PK-12, including students with disabilities.
- Includes 90 minutes per week in elementary and 3600 minutes annually in high school with moderate to vigorous activity 50% of the time;
- May be provided in alternative educational settings (i.e. early bird, after school, walking, aerobics, intramurals, dance, community education programs, weight programs).

Daily Recess

Elementary schools will provide recess for students that:

- Is at least 30 minutes a day;
- Is preferably outdoors; and
- Encourages moderate to vigorous physical activity through the provision of space and equipment.

Healthy Kids Act - Physical Activity

Elementary students, K-5 will be required to participate in 30 minutes of physical activity per day. This requirement can be met through a combination of PE, recess, classroom and other activities. Students in grades 6-12 must engage in physical activity 120 minutes per week in which there are at least five days of school. This requirement can be met through a combination of PE, school and non-school sponsored athletics and other activities where the body is exerted. The district will monitor how students fulfill this requirement using the attached physical activity contract detailing outside activity. (See Appendix C)

Physical Activity and Punishment

Employees should not use physical activity (e.g., running laps, pushups) or withhold opportunities for physical activity (e.g., recess, physical education) as punishment.

Other School-Based Activities that Promote Student and Staff Wellness

The school district will support parents' efforts to provide a healthy diet and daily physical activity for their children. The school district will:

- Provide information about physical activity opportunities before, during and after the school day;
- Share information about physical activity and physical education through the school web site, school newsletter, or take-home materials, and special events.

The school district values the health and well being of every staff member and will plan and implement activities and policies that support personal efforts by staff to maintain a healthy lifestyle.

Nutrition Guidelines for Foods Available on Campus

School Meals

Meals served through the National School Lunch and Breakfast Programs will:

- Offer both fruits and vegetables for lunch at least 3-5 times a week
- Replace white flour with whole wheat flour in selected recipes
- Ensure that bread products served are whole wheat or whole wheat white
- Offer fresh and/or frozen fruits and vegetables instead of canned (less sodium)

- Steam vegetables instead of boiling to prevent nutrient, texture and color loss
- Beginning fall of 2006, only offer skim and 1% milk products
- Beginning fall of 2006, only order 100% fruit juices
- Publish nutritional content information for all regularly served food products
- Provide water as beverage during meals
- Be appealing and attractive to children
- Be served in clean and pleasant settings

Breakfast

To ensure that all children have breakfast, either at home or at school, in order to meet their nutritional needs and enhance their ability to learn, schools will:

- Operate the breakfast program, to the extent possible;
- Arrange bus schedules and utilize methods to serve breakfasts that encourage participation;
- Notify parents and students of the availability of school breakfast program; and
- Encourage parents to provide a healthy breakfast for their children through newsletter articles, take-home materials or other means.

Meal Times and Scheduling

The school district:

- Will schedule meal periods at appropriate times, e.g., lunch should be scheduled between 11 a.m. and 1 p.m.; should not schedule tutoring, club or organizational meetings or activities during mealtimes, unless students may eat during such activities;
- Will provide students access to hand washing or hand sanitizing before they eat meals or snacks; and,
- Will take reasonable steps to accommodate the tooth-brushing regimens of students with special oral health needs (e.g., orthodontia or high tooth decay risk).

Free and Reduced-Priced Meals

The school district will make every effort to eliminate any social stigma attached to, and prevent the overt identification of, students who are eligible for free and reduced-price meals.

Qualification of Food Service Staff

Qualified nutrition professionals will administer the meal program. As part of the school district's responsibility to operate a food service program, the school district will:

- Provide continuing professional development programs that include appropriate certification and/or training programs for nutrition managers and cafeteria workers, according to their levels of responsibility.

Sharing of Foods

The school district discourages students from sharing their foods or beverages with one another during meal or snack times, given concerns about allergies and other restrictions on some children's diets.

Foods Sold Outside the Meal Program and/or School Day (e.g. vending and concessions)
All foods and beverages sold individually outside the reimbursable meal programs (including those sold through a la carte [snack] lines, vending machines, student stores or fundraising activities) during the school day, or through programs for students after the school day will meet nutrition standards as required by state or federal law. For current state guidelines, click here http://tinyurl.com/Iowa-HKA .

Fundraising Activities

There are two types of fundraising – regulated and other. Regulated fundraisers are those that offer the sale of foods or beverages on school property and that are targeted primarily to PK-12 students by or through other PK-12 students, student groups, school organizations, or through on-campus school stores. Regulated fundraising activities must comply with the state nutrition guidelines. All other fundraising activities are encouraged, but not required, to comply with the state nutrition guidelines if the activities involve foods and beverages.

Snacks

The district believes snacks served during the school day should make a positive contribution to children's diets and health, with an emphasis on serving fruits and vegetables as the primary snacks and water as the primary beverage. Schools will assess if and when to offer snacks based on timing of meals, children's nutritional needs, children's ages and other considerations. The school district will disseminate a list of healthful snack items to teachers and parents.

Rewards

The school district will not encourage the use of foods or beverages, especially those that do not meet the nutrition standards for foods and beverages sold individually, as rewards for academic performance or good behavior, and will not withhold food or beverages (including food served through meals) as a punishment.

Celebrations

The school district will disseminate a list of healthy party ideas to parents and teachers. By the 2010 school year, no more than one food or beverage that does not meet the specified nutrient standards will be allowed.

Food Safety

All foods prepared through food service operations will comply with the state and local food safety and sanitation regulations. Hazard Analysis and Critical Control Points (HACCP) plans and guidelines are implemented to prevent food illness in schools.

For the safety and security of the food and facility, access to the food service operations are limited to child nutrition staff and authorized personnel.

Plan for Measuring Implementation

The superintendent will ensure compliance with established school district-wide nutrition and physical activity wellness policies. In the school district:

- building principals will ensure compliance with physical activity policies in the school and will report on the school's compliance to the superintendent;
- food service staff will ensure compliance with nutrition policies within food service areas and will report on this matter to the superintendent.
- food service staff will report on the most recent USDA School Meals Initiative (SMI) review findings and any resulting changes. If the school district has not received a SMI review from the state agency within the past five years, the school district will request from the state agency that a SMI review be scheduled as soon as possible;
- the superintendent will develop a summary report every five years on school district-wide compliance with the school district's established nutrition and physical activity wellness policies, based on input from building principals and food service staff
- the report will be provided to the school board.

Policy Review

To help with the initial development of the school district's wellness policies, the district will conduct a baseline assessment of the school's existing nutrition and physical activity environments and practices. The results will be compiled at the school district level to identify and prioritize needs.

Assessments will be repeated every five years to help review policy compliance, assess progress and determine areas in need of improvement. As part of that review, the school district will review the nutrition and physical activity policies and practices and the provision of an environment that supports healthy eating and physical activity. The school district will revise the wellness policies and develop work plans to facilitate their implementation.

Paton-Churdan

Physical Activity Contract

20____ - 20____ School Year

In 2008, the Iowa Legislature enacted "The Healthy Kids Act," requiring that all students in grades 6 – 12 engage in physical activity for a minimum of 120 minutes per week in which there are at least five days of school. The law also requires that we monitor how students fulfill this requirement. 6th grade students will get 90 minutes of exercise per week all year in Physical Education class. 7-12 students will get 400 minutes per week in the term that they have P.E. We will have to account for the 120 minutes per week during the three terms they do not have P.E. classes.

Please fill out the items below, sign (both student and parent/guardian), and return to the school by _____. If you have any questions, call 389-3111.

Name of Student: _____ Grade: _____

School activities that student will be involved in during the 20____- 20____ school year:

____Football	____Volleyball	____Golf
____Bowling	____Basketball	____Track and Field
____Swimming	____Baseball	____Softball
____Cheerleading	____Dance team	____Other: _____

Non-school activities (may include non-school sport teams, gymnastics, martial arts, dance, individualized exercise program, weight training etc.) that the student will be involved in during the 20__-20___ school year, include a description of the activities and estimated time student participates per week: (E.g.: I attend private dance lessons 2x/week for total of 100 minutes, plus I will walk two miles every other day for another 50 minutes each week. I attend weight training 3x per week for a total of 180 minutes.)

_____
_____
_____
_____
_____
_____
_____
_____
_____.

Signature of Student _____ Date Signed: _____

Signature of Parent/Guardian: _____

Signature of Building Principal: _____

Code No. 508.1

CLASS OR STUDENT GROUP GIFTS

The board welcomes gifts to the school district from a class or student group. While class gifts to the school district do not require the approval of the superintendent, the board encourages students to consult with the superintendent or other licensed employees prior to selecting a gift for the school district.

Legal Reference: Iowa Code §§ 68B; 722.1, .2 (2009).

Cross Reference: 704.4 Gifts - Grants - Bequests

Approved April 1995 Reviewed December 2013 Revised _____

Code No. 508.2

OPEN NIGHT

In keeping with good community relations, student school activities will not be scheduled on Wednesday night beyond 6:00 p.m. whenever possible. It shall be the responsibility of the principal to oversee the scheduling of school activities for compliance with this policy.

Legal Reference: Iowa Code § 279.8 (2009).

Cross Reference: 900 Principles and Objectives for Community Relations

Approved April 1995 Reviewed December 2013 Revised

EDUCATION PROGRAM

Series 600

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GOALS AND OBJECTIVES OF THE EDUCATION PROGRAM

This series of the board policy manual is devoted to the goals and objectives for the delivery of the education program. The board's objective in the design, contents and the delivery of the education program is to provide an equal opportunity for students to pursue an education free of discrimination on the basis of race, creed, color, gender, national origin, marital status, social economic status (SES), religion, sexual orientation, gender identity or disability.

In providing the education program of the school district, the board shall strive to meet its overall goal of providing the students an opportunity to develop a healthy social, intellectual, emotional, and physical self-concept in a learning environment that provides guidance and encourages critical thinking in students.

In striving to meet this overall goal, the objectives of the education program are to provide students with an opportunity to:

- Acquire basic skills in obtaining information, solving problems, thinking critically and communicating effectively;
- Become effective and responsible contributors to the decision-making processes of the social and political institutions of the community, state and nation;
- Acquire entry-level job skills and knowledge necessary for further education;
- Acquire the capacities for a satisfying and responsible role as family members;
- Acquire knowledge, habits and attitudes that promote personal and public health, both physical and mental;
- Acquire an understanding of ethical principles and values and the ability to apply them to their own lives;
- Develop an understanding of their own worth, abilities, potential and limitations; and,
- Learn and enjoy the process of learning and acquire the skills necessary for a lifetime of continuous learning and adaptation to change.

An advisory committee of representatives of the school district community and the school district shall be appointed to make recommendations for the goals and objectives of the education program. Annually, the board shall report to the committee regarding progress toward achievement of the goals and objectives of the education program.

Approved March 1995 Reviewed December 2013 Revised December 2013

SCHOOL CALENDAR

The school calendar shall accommodate the education program of the school district. The school calendar shall be for a minimum of 190 days and include, but not be limited to, the days for student instruction, staff development, in-service days and teacher conferences.

The academic school year for students shall be for a minimum of one-hundred and eighty days in the school calendar. The academic school year for students may not begin prior to September but may begin in the week in which September 1 falls unless a waiver is obtained from the Iowa Department of Education. Should September 1 fall on a Sunday, school may begin any day during the calendar week which immediately precedes September 1. Employees may be required to report to work at the school district prior to this date.

Special education students may attend school on a school calendar different from that of the regular education program consistent with their Individualized Education Program.

The board, in its discretion, may excuse graduating seniors from up to five days of instruction after the school district requirements for graduation have been met. The board may also excuse graduating seniors from making up days missed due to inclement weather if the student has met the school district's graduation requirements.

It shall be the responsibility of the superintendent to develop the school calendar for recommendation, approval, and adoption by the board annually.

The board may amend the official school calendar when the board considers the change to be in the best interests of the school district's education program.

Legal Reference: Iowa Code §§ 20.9; 279.10, 280.3 (2009).
281 I.A.C. 12.2(1).

Cross Reference: 501.3 Compulsory Attendance
601.2 School Day
603.3 Special Education

Approved March 1995 Reviewed December 2013 Revised _____

SCHOOL DAY

The student school day for grades one through twelve shall consist of a minimum of five and one-half hours, not including the lunch period. The school day consists of the schedule of class instruction and class activities as established and sponsored by the school district. Time during which students are released from school for parent/teacher conferences may be counted as part of the student's instructional time. The minimum school day shall meet the requirements as established for the operation of accredited schools.

The school district may also record a day of school with less than the minimum instructional hours if the total hours of instructional time for grades one through twelve in any five consecutive school days equals a minimum of twenty-seven and one-half hours, even though any one day of school is less than the minimum instructional hours because of a staff development opportunity provided for the instructional staff or parent-teacher conferences have been scheduled beyond the regular school day. Schedule revisions and changes in time allotments will be made by the superintendent.

When the school is forced to close due to weather or other emergencies, that part of the day during which school was in session will constitute a school day.

It shall be the responsibility of the superintendent to inform the board annually of the length of the school day.

Legal Reference: Iowa Code § 279.8 (2009).
281 I.A.C. 12.2(2), .2(3), .2(6).

Cross Reference: 601.1 School Calendar

Approved March 1995 Reviewed December 2013 Revised

Code No. 602.1

CURRICULUM DEVELOPMENT

Curriculum development is an ongoing process in the school district and consists of both research and design. Research is the studious inquiry and critical investigation of the various content areas for the purpose of revising and improving curriculum and instruction based on relevant information pertaining to the discipline. This study is conducted both internally (what and how we are currently doing at the local level) and externally (what national standards, professional organizations, recognized experts, current research, etc. tell us relative to the content area). Design is the deliberate process of planning and selecting the standards and instructional strategies that will improve the learning experiences for all students.

A systematic approach to curriculum development (careful research, design, and articulation of the curriculum) serves several purposes:

- Focuses attention on the content standards of each discipline and ensure the identified learnings are rigorous, challenging, and represent the most important learning for our students.
- Increases the probability that students will acquire the desired knowledge, skills and dispositions and that our schools will be successful in providing appropriate learning experiences.
- Facilitates communication and coordination.
- Improves classroom instruction.

The superintendent is responsible for curriculum development and for determining the most effective method of conducting research and design activities. A curriculum framework will describe the processes and procedures that will be followed in researching, designing, and articulating each curriculum area. This framework will at a minimum, describe the processes and procedures for the following curriculum development activities to:

- Study the latest thinking, trends research and expert advice regarding the content/discipline;
- Study the current status of the content/discipline (what and how well students are currently learning); Identify content standards, benchmarks, and grade level expectations for the content/discipline;
- Describe the desired learning behaviors, teaching and learning environment related to the content/discipline; Identify differences in the desired and present program and develop a plan for addressing the differences; Communicate with internal and external publics regarding the content area;

- Involve staff, parents, students, and community members in curriculum development decisions;
- Verify integration of local, state, and/or federal mandates (MCNS, school-to-work, etc);
- Verify how the standards and benchmarks of the content/discipline support each of the broader student learning goals and provide a K-12 continuum that builds on the prior learning of each level.

It is the responsibility of the superintendent to keep the board apprised of necessary curriculum revisions, progress or each content area related to curriculum development activities, and to develop administrative regulations for curriculum development including recommendations to the board.

Approved March 1995 Reviewed December 2013 Revised April 2000

Code No. 602.1

CURRICULUM DEVELOPMENT

Legal Reference:
20 U.S.C. § 1232h (2009).
34 C.F.R. Pt. 98 (2006).
Iowa Code §§ 216.9; 279.8; 280.3-.14 (2009).
281 I.A.C. 12.5.

Cross Reference:
101 Educational Philosophy of the School District
103 Educational and Operational Planning
602 Curriculum Development
603 Instructional Curriculum
605 Instructional Materials

Curriculum Implementation

Without careful and continuing attention to implementation, planned changes in curriculum and instruction rarely succeed as intended. How change is put into practice, to a large extent, determines how well it fares.

Implementation refers to what actually happens in practice as compared to what was supposed to happen. Curriculum implementation includes the provision of organized assistance to staff in order to ensure that the newly developed curriculum and the most powerful instructional strategies are actually delivered at the classroom level. There are two components of any implementation effort that must be present to guarantee the planned changes in curriculum and instruction succeed as intended:

- Understanding the conceptual framework of the content/discipline being implemented; and,
- Organized assistance to understand the theory, observe exemplary demonstrations, have opportunities to practice, and receive coaching and feedback focused on the most powerful instructional strategies to deliver the content at the classroom level.

The superintendent is responsible for curriculum implementation and for determining the most effective way of providing organized assistance and monitoring the level of implementation. A curriculum framework will describe the processes and procedures that will be followed to assist all staff in developing the knowledge and skills necessary to successfully implement the developed curriculum in each content area. This framework will, at a minimum, describe the processes and procedures for the following curriculum implementation activities to:

- Study and identify the best instructional practices and materials to deliver the content;
- Describe procedures for the purchase of instructional materials and resources (See Policy 605.1;
- Identify/develop exemplars that demonstrate the learning behaviors, teaching, and learning environment to deliver the content;
- Study the current status of instruction in the content area (how teachers are teaching);
- Compare the desired and present delivery system, identify differences (gap analysis), and develop a plan for addressing the differences;
- Organize staff into collaborative study teams to support their learning and implementation efforts (address the gaps);
- Provide ongoing professional development related to instructional strategies and materials that focuses on theory, demonstration, practice and feedback;
- Regularly monitor and assess the level of implementation;
- Communicate with internal and external publics regarding curriculum implementation;
- Involve staff, parents, students, and community members in curriculum implementation decisions.

It is the responsibility of the superintendent to keep the board apprised of curriculum implementation activities, progress of each content area related to curriculum implementation activities, and to develop administrative regulations for curriculum implementation including recommendations to the board.

Approved March 1995 Reviewed December 2013 Revised _____

Curriculum Implementation

Legal Reference: 20 U.S.C. § 1232h (2006).
34 C.F.R. pt. 98 (2006).
Iowa Code §§ 216.9, 256.7, 279.8, 280.3 (2009).
281 I.A.C. 12.8.

Cross Reference:
101 Educational Philosophy of the School District
103 Long-Range Needs Assessment
505 Student Scholastic Achievement
602 Curriculum Development
603 Instructional Curriculum

Approved March 1995 Reviewed December 2013 Revised

CURRICULUM EVALUATION

Regular evaluation of the total curriculum is necessary to ensure that the written and delivered curriculum is having the desired effect for students.

Curriculum evaluation refers to an ongoing process of collecting, analyzing, synthesizing, and interpreting information to aid in understanding what students know and can do. It refers to the full range of information gathered in the school district to evaluate (make judgments about) student learning and program effectiveness in each content area.

Curriculum evaluation must be based on information gathered from a comprehensive assessment system that is designed for accountability and committed to the concept that all students will achieve at high levels, is standards-based, and informs decisions which impact significant and sustainable improvements in teaching and student learning.

The superintendent is responsible for curriculum evaluation and for determining the most effective way of ensuring that assessment activities are integrated into instructional practices as part of school improvement with a particular focus on improving teaching and learning. A curriculum framework will describe the procedures that will be followed to establish an evaluation process that can efficiently and effectively evaluate the total curriculum. This framework will, at a minimum, describe the procedures for the following curriculum evaluation activities:

- Identify specific purposes for assessing student learning;
- Develop a comprehensive assessment plan;
- Select/develop assessment tools and scoring procedures that are valid and reliable;
- Identify procedures for collecting assessment data;
- Identify procedures for analyzing and interpreting information and drawing conclusions based on the data (including analysis of the performance of various sub-groups of students);
- Identify procedures for establishing at least three levels of performance (specific to the content standard and the assessment tool when appropriate) to assist in determining whether students have achieved at a satisfactory level (at least two levels describe performance that is proficient or advanced and at least one level describes students who are not yet performing at the proficient level);
- Identify procedures for using assessment information to determine long-range and annual improvement goals;
- Identify procedures for using assessment information in making decisions focused on improving teaching and learning (data based decision making);
- Provide support to staff in using data to make instructional decisions;
- Define procedures for regular and clear communication about assessment results to the various internal and external publics (mandatory for communication about students receiving special education services);
- Define data reporting procedures;
- Verify that assessment tools are fair for all students and are consistent with all state and federal mandates;
- Verify that assessment tools measure the curriculum that is written and delivered;
- Identify procedures for deciding when multiple assessment measures are necessary for making good decisions and drawing appropriate conclusions about student learning;

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CURRICULUM EVALUATION

- Identify roles and responsibilities of key groups;
- Involve staff, parents, students, and community members in curriculum evaluation;
- Ensure participation of eligible students receiving special education services in district-wide assessments.

It is the responsibility of the superintendent to keep the board apprised of curriculum evaluation activities, the progress of each content area related to curriculum evaluation activities, and to develop administrative regulations for curriculum evaluation including recommendations to the board.

Legal Reference:
20 U.S.C. § 1232h (2006).
34 C.F.R. pt. 98 (2006).
Iowa Code §§ 216.9, 256.7, 279.8, 280.3 (2009).
281 I.A.C. 12.8.

Cross Reference:
101 Educational Philosophy of the School District
103 Long-Range Needs Assessment
505 Student Scholastic Achievement
602 Curriculum Development
603 Instructional Curriculum

Approved March 1995 Reviewed December 2013 Revised

PILOT - EXPERIMENTAL - INNOVATIVE PROJECTS

The board welcomes new ideas in curriculum. Proposals for pilot or experimental projects shall first be reviewed and analyzed by the superintendent. Projects recommended by the superintendent will be considered by the board. Pilot and experimental projects approved by the board, the Iowa Department of Education, or the U. S. Department of Education may be utilized in the education program.

Students, who may be or are asked to participate in a research or experimental project or program, must have their parents' written consent on file prior to participating in the project or program. A research or experimental program or project requiring parents' prior written consent is a program or project designed to explore or develop new or unproven teaching methods or techniques. These programs or projects shall be designated as research or experimental projects or programs. The educational materials of a program or project designated as a research or experimental program or project may be inspected and reviewed by the parents of the students participating or being considered for participation in the program or project. The inspection and review by the parents shall be in accordance with board policy 605.2, "Instructional Materials Inspection."

It shall be the responsibility of the superintendent to develop administrative regulations regarding this policy.

Legal Reference: 20 U.S.C. § 1232h (2006).
34 C.F.R. Pt. 98 (2006).
Iowa Code §§ 279.8, .10; 280.3-.14 (2009).
281 I.A.C. 12.5.

Cross Reference: 602 Curriculum Development
603 Instructional Curriculum

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Code No. 603.1

BASIC INSTRUCTION PROGRAM

The basic instruction program shall include the courses required for each grade level by the State Department of Education. The instructional approach will be nonsexist and multicultural.

The basic instruction program of students enrolled in kindergarten shall be designed to develop healthy emotional and social habits, language arts and communication skills, the capacity to complete individual tasks, character education and the ability to protect and increase physical well-being with attention given to experiences relating to the development of life skills and human growth and development.

The basic instruction program of students enrolled in grades one through six shall include English-language arts, social studies, mathematics, science, health, human growth and development, physical education, traffic safety, music, character education and visual art.

The basic instruction program of students enrolled in grades seven and eight shall include English-language arts, social studies, mathematics, science, health, human growth and development, family and consumer, career, technology education, physical education, music, character education and visual art.

The basic instruction program of students enrolled in grades nine through twelve shall include character education, English-language arts (6 units), social studies (5 units), mathematics (6 units), science (5 units), health (1 unit), physical education (1 unit), fine arts (3 units), foreign language (4 units), and vocational education (12 units).

The board may, in its discretion, offer additional courses in the instruction program for any grade level.

Each instruction program shall be carefully planned for optimal benefit taking into consideration the financial condition of the school district and other factors deemed relevant by the board or superintendent. Each instruction program's plan should describe the program, its goals, the effective materials, the activities and the method for student evaluation.

It shall be the responsibility of the superintendent to develop administrative regulations stating the required courses and optional courses for kindergarten, grades one through six, grades seven and eight, and grades nine through twelve.

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BASIC INSTRUCTION PROGRAM

Legal Reference:
20 U.S.C. § 1232h (2006).
34 C.F.R. Pt. 98 (2006).
Iowa Code §§ 216.9; 256.11; 279.8; 280.3-.14 (2009).
281 I.A.C. 12.5.

Cross Reference:
102 Equal Educational Opportunity
103 Educational and Operational Planning
505 Student Scholastic Achievement
602 Curriculum Development
603 Instructional Curriculum

Code No. 603.2

SUMMER SCHOOL INSTRUCTION

Generally, only Driver Education will be offered during summer school. However, the board, in its discretion, may offer summer school for one or more courses and student activities for students who need additional help and instruction or for enrichment in those areas. This decision shall be within the discretion of the board.

Upon receiving a request for summer school, the board shall weigh the benefit to the students and the school district as well as the school district's budget and availability of licensed employees to conduct summer school.

It shall be the responsibility of the superintendent to develop administrative regulations regarding this policy.

Legal Reference: Iowa Code §§ 279.8, .11; 280.3, .14; 282.1A, .6 (2009).

Cross Reference: 410.2 Summer School Licensed Employees
603 Instructional Curriculum
711.4 Summer School Program Transportation Service

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SPECIAL EDUCATION

The board recognizes some students have different educational needs than other students. The board will provide a free appropriate public education program and related services in the least restrivtive envrironment to students identified in need of
special education. The special education services will be provided from birth until the appropriate education is completed, age twenty-one or to maximum age allowable in accordance with the law. Students requiring special education will attend general education classes, participate in nonacademic and extracurricular services and activities and receive services in a general education setting to the maximum extent appropriate to the needs of each individual student. The appropriate education for each student is written in the student's Individualized Education Program (IEP).

Special education students are required to meet the requirements stated in board policy or in their IEPs for graduation. It is the responsibility of the superintendent and the area education agency director of special education to provide or make provisions for appropriate special education and related services.

Children from birth through age 2 and children age 3 through age 5 are provided comprehensive special education services within the public education system. The school district will work in conjunction with the area education agency to provide services, at the earliest appropriate time, to children with disabilities from birth through age 2. This is done to ensure a smooth transition of children entitled to early childhood special education services.

Legal Reference:
Board of Education v. Rowley, 458 U.S. 176 (1982).
Springdale School District #50 v. Grace, 693 F.2d 41 (8th Cir. 1982).
Southeast Warren Comm. School District v. Dept. of Public Instruction, 285 N.W.2d 173 (Iowa 1979).
20 U.S.C. §§1400 *et seq.* (2006).
34 C.F.R. Pt. 300 *et seq.* (2006).
Iowa Code §§ 256.11(7); 256B; 273.1, .2, .5, .9(2)-(3); 280.8 (2009).
281 I.A.C. 41.109

Cross Reference:
503 Student Discipline
505.5 Graduation Requirements
506 Student Records
507.2 Administration of Medication to Students
507.8 Student Special Health Services
601.1 School Calendar
603 Instructional Curriculum

Approved March 1995 Reviewed December 2013 Revised

MULTICULTURAL AND NONSEXIST EDUCATION

Students will have an equal opportunity for a quality education without discrimination, regardless of their race, religion, creed, socioeconomic status, color, sex, marital status, national origin, sexual orientation, gender identity or disability.

The education program is free of discrimination and provides equal opportunity for the students. The education program will foster knowledge of and respect and appreciation for the historical and contemporary contributions of diverse cultural groups, as well as men and women, to society. Special emphasis is placed on Asian-Americans, African-Americans, Hispanic-Americans and persons with disabilities. It will also reflect the wide variety of roles open to both men and women and provide equal opportunity to both sexes.

Legal Reference: Iowa Code §§ 216.9; 256.11 (2009).
281 I.A.C. 12.5(8).

Cross Reference: 102 Equal Educational Opportunity
600 Goals and Objectives of the Education Program

Approved March 1995 Reviewed December 2013 Revised _____

HEALTH EDUCATION

Students in grade levels one through twelve shall receive, as part of their health education, instruction about personal health; food and nutrition; environmental health; safety and survival skills; consumer health; family life; human growth and development; substance abuse and non-use, including the effects of alcohol, tobacco, drugs and poisons on the human body; human sexuality; self-esteem; stress management; interpersonal relationships; emotional and social health; health resources; prevention and control of disease; communicable diseases, including sexually transmitted diseases and acquired immune deficiency syndrome; and current crucial health issues. The purpose of the health education program is to help each student protect, improve and maintain physical, emotional and social well-being.

The areas stated above shall be included in health education and the instruction shall be adapted at each grade level to aid understanding by the students.

Parents who object to health education instruction in human growth and development may file a written request that the student be excused from the instruction. The written request shall include a proposed alternate activity or study acceptable to the superintendent. The superintendent shall have the final authority to determine the alternate activity or study.

Legal Reference: Iowa Code §§ 256.11; 279.8; 280.3-.14 (2009).
281 I.A.C. 12.5.

Cross Reference: 502 Student Rights and Responsibilities
603 Instructional Curriculum
607 Instructional Services

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Code No. 603.5E1

HUMAN GROWTH AND DEVELOPMENT STUDENT EXCUSE FORM

Student Name:_____ Grade: _____

Parent/Guardian:_____ Phone #: _____

Please list the curricular objective(s) from which you wish to have your child excused and the class or grade in which each is taught. An example is provided for you to follow.

	Objective	Class/Grade
Ex.	To understand the consequences of responsible and irresponsible sexual behavior.	Health Education/6
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		

I have reviewed the Human Growth and Development program goals, objectives, and materials and wish my child to be excused from class when these objectives are taught. I understand my child will incur no penalty but may/shall be required to complete an alternative assignment that relates to the class and is consistent with assignments required of all students in the class.

Signed: _____ Date: _____
(Parent or Guardian)

Signed: _____ Date: _____
(School Administrator)

Code No. 603.6

PHYSICAL EDUCATION

Students in grades kindergarten through twelve shall be required to participate in physical education courses unless the principal of their attendance center excuses them.

Students may be excused from physical education courses if the student presents a written statement from a doctor stating that such activities could be injurious to the health of the student or the student has been exempted because of a conflict with the student's religious beliefs.

Students in grades 9-12 may also be excused from physical education courses if:

- the student is enrolled in academic courses not otherwise available, or
- the student has obtained a physical education waiver for a semester because the student is actively involved in an athletic program.

Twelfth grade students may also be excused from physical education courses if the student is enrolled in a cooperative, work-study or other educational program authorized by the school, which requires the student's absence from school.

Students who will not participate in physical education must have a written request or statement from their parents.

The school district will provide physical education that:

- Is taught by a certified physical education teacher;
- Is for all students in grades PK-12, including students with disabilities.
- Includes 90 minutes per week in elementary and 3600 minutes annually in high school with moderate to vigorous activity 50% of the time;

May be provided in alternative educational settings (i.e. early bird, after school, walking, aerobics, intramurals, dance, community education programs, weight programs).

Physical Activity: Elementary students, K-5 will be required to participate in 30 minutes of physical activity per day. This requirement can be met through a combination of PE, recess, classroom and other activities. Students in grades 6-12 must engage in physical activity 120 minutes per week in which there are at least five days of school. This requirement can be met through a combination of PE, school and non-school sponsored athletics and other activities where the body is exerted. The district will monitor how students fulfill this requirement using the attached physical activity contract detailing outside activity.

Legal Reference: Iowa Code § 256.11 (2009).
Iowa Code § 256.7(5) (2009).
281 I.A.C. 12.5.

Cross Reference: 504 Student Activities
603 Instructional Curriculum
507.9 Wellness Policy

Approved March 1995 Reviewed December 2013 Revised

Paton-Churdan

Physical Activity Contract

20__-20__ School Year

In 2008, the Iowa Legislature enacted "The Healthy Kids Act," requiring that all students in grades 6 – 12 engage in physical activity for a minimum of 120 minutes per week in which there are at least five days of school. The law also requires that we monitor how students fulfill this requirement. 6th grade students will get 90 minutes of exercise per week all year in Physical Education class. 7-12 students will get 400 minutes per week in the term that they have P.E. We will have to account for the 120 minutes per week during the three terms they do not have P.E. classes.

Please fill out the items below, sign (both student and parent/guardian), and return to the school by _____. If you have any questions, call 389-3111.

Name of Student: _____ Grade: _____

School activities that student will be involved in during the 20___-___ school year:

Football ____ Volleyball ____ Golf ____

Bowling___ Basketball ____ Track and Field ____

Swimming ____ Baseball ____ Softball ____

Cheerleading ____ Dance team ___

Non-school activities (may include non-school sport teams, gymnastics, martial arts, dance, individualized exercise program, weight training etc.) that the student will be involved in during the 20___-___ school year, include a description of the activities and estimated time student participates per week:
(E.g.: I attend private dance lessons 2x/week for total of 100 minutes, plus I will walk two miles every other day for another 50 minutes each week. I attend weight training 3x per week for a total of 180 minutes.)

_____
_____
_____
_____
_____
_____
_____.

Signature of Student _____ Date Signed: _____

Signature of Parent/Guardian: _____

Signature of Building Principal: _____

CAREER EDUCATION

Preparing students for careers is one goal of the education program. Career education will be written into the education program for grades kindergarten through twelve. This education shall include, but not be limited to, awareness of self in relation to others and the needs of society, exploration of employment opportunities, experiences in personal decision-making, and experiences of integrating work values and work skills into their lives.

It shall be the responsibility of the superintendent to assist licensed employees in finding ways to provide career education in the education program. Special attention should be given to courses of vocational education nature. The board, in its review of the curriculum, shall review the means in which career education is combined with other instructional programs.

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Legal Reference: Iowa Code §§ 256.11, .11A; 280.9 (2009).
281 I.A.C. 12.5(7).

Cross Reference: 603 Instructional Curriculum

Approved March 1995 Reviewed December 2013 Revised _____

Code No. 603.8

TEACHING ABOUT RELIGION

The school district is required to keep the practice of religion out of the school curriculum. The board recognizes the key role religion has played in the history of the world and authorizes the study of religious history and traditions as part of the curriculum. Preferential or derogatory treatment of a single religion shall not take place.

It shall be the responsibility of the superintendent to ensure the study of religion in the schools in keeping with the following guidelines:

- the proposed activity must have a secular purpose;
- the primary objective of the activity must not be one that advances or inhibits religion; and
- the activity must not foster excessive governmental entanglement with religion.

Legal Reference: U.S. Const. amend. I.
Lee v. Weisman, 112 S.Ct. 2649 (1992).
Lemon v. Kurtzman, 403 U.S. 602 (1971).
Graham v. Central Community School District of Decatur County, 608 F.Supp. 531 (S.D. Iowa 1985).
Iowa Code §§ 279.8; 280.6 (2009).

Cross Reference: 603 Instructional Curriculum
604.5 Religious-Based Exclusion from a School Program
606.2 School Ceremonies and Observances

Approved March 1995 Reviewed December 2013 Revised _____

TEACHING ABOUT RELIGION REGULATION - RELIGIOUS HOLIDAYS

The historical and contemporary significance of religious holidays may be included in the education program provided that the instruction is presented in an unbiased and objective manner. The selection of holidays to be studied shall take into account major celebrations of several world religions, not just those of a single religion. Holiday-related activities shall be educationally sound and sensitive to religious differences and shall be selected carefully to avoid the excessive or unproductive use of school time. Teachers shall be especially careful in planning activities that are to take place immediately preceding or on a religious holiday.

Music, art, literature and drama having religious themes (including traditional carols, seasonal songs and classical music) shall be permitted if presented in an objective manner without sectarian indoctrination. The emphasis on religious themes shall be only as extensive as necessary for a balanced and comprehensive study or presentation. Religious content included in student performances shall be selected on the basis of its independent educational merit and shall seek to give exposure to a variety of religious customs, beliefs and forms of expression. Holiday programs, parties or performances shall not become religious celebrations or be used as a forum for religious worship, such as the devotional reading of sacred writings or the recitations of prayers.

The use of religious symbols (e.g. a cross, menorah, crescent, Star of David, lotus blossom, nativity scene or other symbol that is part of a religious ceremony) shall be permitted as a teaching aid, but only when such symbols are used temporarily and objectively to give information about a heritage associated with a particular religion. The Christmas tree, Santa Claus, Easter eggs, Easter bunnies and Halloween decorations are secular, seasonal symbols and as such can be displayed in a seasonal context.

Expressions of belief or nonbelief initiated by individual students shall be permitted in composition, art forms, music, speech and debate. However, teachers may not require projects or activities, which are indoctrinational or force students to contradict their personal religious beliefs or nonbeliefs.

Approved March 1995 Reviewed December 2013 Revised _____

Code No. 603.9

ACADEMIC FREEDOM

The board believes students should have an opportunity to reach their own decisions and beliefs about conflicting points of view. Academic freedom is the opportunity of licensed employees and students to study, investigate, present, interpret, and discuss facts and ideas relevant to the subject matter of the classroom and appropriate to and in good taste with the maturity and intellectual and emotional capacities of the students.

It shall be the responsibility of the teacher to refrain from advocating partisan causes, sectarian religious views, or biased positions in the classroom or through teaching methods. Teachers are not discouraged from expressing personal opinions as long as students are aware it is a personal opinion and students are allowed to reach their own conclusions independently.

It shall be the responsibility of the principal to ensure academic freedom is allowed but not abused in the classroom.

Legal Reference: Iowa Code §§ 279.8; 280.3, .6 (2009).

Cross Reference: 502 Student Rights and Responsibilities
603 Instructional Curriculum
903.5 Distribution of Materials

Approved March 1995 Reviewed December 2013 Revised _____

Code No. 603.9R1

TEACHING CONTROVERSIAL ISSUES

A "controversial issue" is a topic of significant academic inquiry about which substantial groups of citizens of this community, this state or this nation hold sincere, conflicting points of view.

It is the belief of the board that controversial issues should be fairly presented in a spirit of honest academic freedom so that students may recognize the validity of other points of view but can also learn to formulate their own opinions based upon dispassionate, objective, unbiased study and discussion of the facts related to the controversy.

It shall be the responsibility of the instructor to present full and fair opportunity and means for students to study, consider and discuss all sides of controversial issues including, but not limited to, political philosophies.

It shall be the responsibility of the instructor to protect the right of the student to study pertinent controversial issues within the limits of good taste and to allow the student to express personal opinions without jeopardizing the student's relationship with the teacher.

It shall be the responsibility of the teacher to refrain from advocating partisan causes, sectarian religious views, or selfish propaganda of any kind through any classroom or school device; however, an instructor shall not be prohibited from expressing a personal opinion as long as students are encouraged to reach their own decisions independently.

The board encourages full discussion of controversial issues in a spirit of academic freedom that shows students that they have the right to disagree with the opinions of others but that they also have the responsibility to base the disagreement on facts and to respect the right of others to hold conflicting opinions.

Approved March 1995 Reviewed December 2013 Revised _____

Code No. 603.10

GLOBAL EDUCATION

Because of our growing interdependence with other nations in the world, global education shall be incorporated into the education program for grades kindergarten through twelve so that students have the opportunity to acquire a perspective on world issues, problems, and prospects for an awareness of the relationship between an individual's self-interest and the concerns of people elsewhere in the world. Global education, in the education program, is the lifelong growth in understanding, through study and participation, of the world community and the interdependency of its people and systems--social, cultural, racial, economic, linguistic, technological, and ecological.

Legal Reference: Iowa Code §§ 256.11, .11A (2009).
281 I.A.C. 12.5(11).

Cross Reference: 602 Curriculum Development
603 Instructional Curriculum

Approved March 1995 Reviewed December 2013 Revised _____

Code No. 603.11

CITIZENSHIP

Being a citizen of the United States, of Iowa and of the school district community entitles students to special privileges and protections as well as requiring the students to assume civic, economic and social responsibilities and to participate in their country, state and school district community in a manner that entitles them to keep these rights and privileges.

As part of the education program, students shall have an opportunity to learn about their rights, privileges, and responsibilities as citizens of this country, state and school district community. As part of this learning opportunity students shall be instructed in the elements of good citizenship and the role quality citizens play in their country, state and school district community.

Legal Reference: Iowa Code §§ 256.11, .11A (2009).
281 I.A.C. 12.3(8).

Cross Reference: 101 Educational Philosophy of the School District
502 Student Rights and Responsibilities
503 Student Discipline

Approved March 1995 Reviewed December 2013 Revised _____

Code No. 603.12

CO-CURRICULAR ACTIVITIES

The Board of Directors believes that a dynamic program of student activities is vital to the complete development of the student. Such activities offer opportunities to serve the institution, to assist in the development of fellowship and social goodwill, to promote self realization and all-around growth, and to encourage good citizenship qualities.

To assist in the administration of a student activities program, and to provide a framework of communication and review, the administration will develop a detailed structure of the activities program, and compile it in an operating procedures manual.

LEGAL REFS.: Iowa Code Section 280.13
Iowa Administrative Code 3.5(2); 3.(2);-8)

CROSS REFS.: 503 Student Activities

Approved March 1995 Reviewed December 2013 Revised _____

Code No. 604.1

COMPETENT PRIVATE INSTRUCTION

In the event a child of compulsory attendance age, over age six and under age sixteen, does not attend public school or an accredited nonpublic school the child must receive competent private instruction.

A parent choosing competent private instruction for a student must notify the school district prior to the first day of school on forms provided by the school district. The forms are available in the central administration office. One copy of the completed forms will be kept by the school district and another copy will be forwarded to the area education agency.

The superintendent will determine whether the completed form is in compliance with the law. Specifically, the superintendent will determine whether the individual providing the instruction is either the student's parent, guardian, legal custodian or an Iowa licensed practitioner; whether the licensed practitioner's license is appropriate for the age and grade level of the student; that the student is being instructed a minimum of one hundred and forty-eight days per year; that immunization evidence is provided for students placed under competent private instruction for the first time and that the report is timely filed.

The school district shall report noncompliance with the reporting, immunization, attendance, instructor qualifications, and assessment requirements of the compulsory attendance law to the county attorney of the county of residence of the student's parent, guardian or custodian.

Students receiving competent private instruction are eligible to request open enrollment to another school district. Prior to the request for open enrollment, the student shall request dual enrollment in the resident district. The receiving district shall not bill the resident district unless the receiving district complies with the reporting requirements. If the parent, guardian or custodian fails to comply with the compulsory attendance requirements, the receiving district shall notify the resident district. The resident district shall then report the noncompliance to the county attorney of the county of residence of the parent, guardian or custodian.

Students receiving competent private instruction from a parent, guardian or legal custodian must be evaluated annually by May 1 unless such person is properly licensed. The parent, guardian or legal custodian may choose either a standardized test approved by the Iowa Department of Education or a portfolio evaluation. If the parent, guardian or legal custodian chooses standardized testing and the student is dual enrolled, the school district shall pay for the cost of the standardized test and the administration of the standardized test. If the student is not dual enrolled, the parent, guardian or legal custodian shall reimburse the school district for the cost of the standardized test and the administration of the standardized test. If a parent, guardian or legal custodian of a student receiving competent private instruction chooses portfolio assessment as the means of annual assessment, the portfolio evaluator must be approved by the superintendent. Portfolio evaluators must verify that they have received portfolio training. Portfolio evaluators must hold a valid Iowa practitioner's license or teacher certificate appropriate to the ages and grade levels of the children whose portfolios are being assessed. No annual evaluation is required for students receiving competent private instruction from an appropriately licensed or certified Iowa practitioner.

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COMPETENT PRIVATE INSTRUCTION

Upon the request of a parent, guardian or legal custodian of a student receiving competent private instruction or upon referral of a licensed practitioner who provides instruction or instructional supervision of a student under competent private instruction, the school district shall refer a student who may require special education to the area education agency, Division of Special Education, for evaluation.

Students in competent private instruction must make adequate progress. Adequate progress includes scoring at the thirtieth percentile on a standardized test or a report by the portfolio evaluator indicating adequate progress. Students who fail to make adequate progress under competent private instruction provided by the student's parent, guardian or legal custodian shall attend an accredited public or nonpublic school beginning the next school year. The parent, guardian or legal custodian of a student who fails to make adequate progress may apply to the director of the Department of Education for approval of continued competent private instruction under a remediation plan.

The remediation plan shall be for no more than one year. Before the beginning of the school year, the student may be re-tested and if the student achieves adequate progress the student may remain in competent private instruction.

Legal Reference: Iowa Code §§ 256.11; 279.10, .11; 299.1-.6, .11, .15, .24, 299A (1995).
281 I.A.C. 31.

Cross Reference:
501 Student Attendance
502 Student Rights and Responsibilities
504 Student Activities
507.1 Student Health and Immunization Certificates
604.7 Dual Enrollment
604.9 Home School Assistance Program

FORM A – (must be filed every year)
(Completed by the Parent, Guardian, or Legal or Actual Custodian)

Date when returned_____

Competent Private Instruction Report
Iowa Code section 299.4
20____-20____ School Year

Required information: See instructions before completing.
The following information is required in accordance with Iowa Code section 299.4. Parent, guardian, or legal or actual custodian must submit this report in duplicate to the school district of residence. This report is required if the student is 6 years old on or before September 15 and not yet 16 years old and does not attend an Iowa public or accredited nonpublic school. **Return this form to the school district secretary by September 15 or within 14 calendar days of removing the student from a public or accredited nonpublic school or 14 calendar days from moving into the school district.** (If you are enrolled in a home school assistance program, please notify the district if you plan to dual enroll.)

1) Child and Family Information: (Name and birth date of child under competent private instruction.)

2) Name and address of person filing report. (Please check the appropriate box after "name")

Name:	**Parent**	**Guardian**	**Legal or Actual Custodian**
Address:	**City, Zip:**		
Phone # (optional)			

Name:	**Birth Date:**

3) Immunization Evidence: If filing Form A for the 1st time, attach immunization information.
(Proof of immunization is required of all children receiving CPI, including those enrolled in a HSAP)

4) Instructional Program Information:
Outline the course of study on a separate page(s). Attach lesson plans on separate page(s).

Subject: **Text, Publisher, and Author:** **Time Spent:**

5)

Name:	**Teacher Folder Number:**
Address:	**Teacher signature- (optional):**
City, State / Zip:	**Phone Number- (optional):**

List number of days of instruction under competent private instruction _____
(Must be at least 148 days per academic year, Iowa Code section 299A.1).

6) If an appropriately licensed Iowa teacher will provide or supervise the parent, guardian, or legal or actual custodian in

7) If an Iowa licensed teacher is not providing instruction or supervising, the parent, guardian, or legal or actual custodian providing instruction to the child, the child must take an annual assessment. (Please see the acceptable annual assessments listed in this handbook, page 18). The school district will notify parents, guardians, or legal or actual custodians by October 1st of testing dates.)

providing the instruction, give the teacher's name and folder number.

The Following Information is Optional….
However, if you want your child to access special education programs or services, or if your child plans to participate in any academic or extracurricular activities at your local school district, or if you wish to have your child's annual assessment provided at no charge, complete the following:

8) **If the child is currently identified as a child requiring special education, prior approval must be sought from the special education director at the Area Education Agency before the child may receive Competent Private Instruction in Iowa unless the parent, guardian, or legal or actual custodian of the child does not consent to initial evaluation or to reevaluation of the child for receipt of special education services or programs . Iowa Code section 299A.9**

Is the child currently identified as a child requiring special education pursuant to the rules of special education? Yes___No___

Have you consented to initial evaluation or to reevaluation of the child for receipt of special education services or programs? Yes____No_____

9) **Do you desire dual enrollment in the public school for the child under competent private instruction?**
Yes ___ No ___ (If no, skip to #10.)

A. Dual enrollment is desired for:
B. Academic ____ Extra-curricular activities ____ Testing ____ Special Education _____
(Check all that apply)

C. Grade Level for the 20__-20__ school year _____

D. Subjects or Activities you wish your child to dual enroll in:

1st Semester:	2nd Semester:

10) **Do you desire to enroll in a Home School Assistance Program if offered?**
Yes _____ No _____
Note: Dual enrollment information from page 13.
Parent/Guardian/Legal or Actual Custodian Signature (required):

Instructions for Form A

Parents, guardians, or legal or actual custodians with children under competent private instruction need to submit two copies of Form A to the local public school district. After the school district receives and checks the form for completion, one copy of the form should be filed with the local district and the other copy the district sends to the secretary of the AEA. **DO NOT SEND A COPY TO THE Department of Education. NOTE: If you change your district of residence during the school year, you must also complete this form for your new district of residence.**

The due date is **August 26** or no more than 14 calendar days after the child has been removed from an Iowa accredited school or after moving into the district.

The form is designed to allow the parent, guardian, or legal or actual custodian to provide the required information, items 1-6 and parent/guardian/legal or actual custodian signature. Item 7 is informational. Items 8, 9 and 10 are optional**. If you plan to dual enroll your child in an academic course or extracurricular activity, complete item 9. (See the timeline (Link to Timeline) for an explanation of the dual enrollment deadline.)**

Items 1 & 2: All information must be supplied. Only one child per form.

Item 3: If filing Form A for the first time, attach immunization evidence. A child who begins home schooling/competent private instruction for the first time in Iowa (including children enrolled in a HSAP) must have received the required immunizations unless parents, guardians, or legal or actual custodians file a doctor's statement or an affidavit of religious exemption as outlined in section 139A.8, Code of Iowa. For exemption forms, please call 1-888-398-9696.

Item 4: List the subjects taught, the texts used, the text publisher or author, and the amount of time spent on each subject listed. Parents, guardians, or legal or actual custodians need to attach the course of study information separately. Lesson plans may be accepted for the entire year or for shorter periods of time. The lessons should show evidence of planning.

Item 5: The number listed must be at least 148 school days. Exception: If a child was enrolled in a public or accredited nonpublic school during the current academic year, then switched to home schooling, the number on this line may be the number of days remaining of the 148 school days after subtracting the number of days the child was in attendance in the school.

Item 6: In some situations, a person other than the child's parent, guardian, or legal or actual custodian either provides or supervises the instruction for the child. This person must hold a valid Iowa-teaching license appropriate to the age and grade of the child. The teacher's name, address, and folder number must be provided in this item. The school district will check the licensure of this person by contacting the Bureau of Practitioner Preparation and Licensure, Iowa Department of Education at the following website www.boee.iowa.gov or by calling (1-515-281-3245). An elementary classroom teacher license is appropriate for teaching or supervising home schooling in grades K-6; a middle school or secondary license is appropriate for grades 5-8, and a secondary classroom teacher license is appropriate for grades 7-12. If item 6 is blank, and the

child is between the ages of 7 and 15, inclusive, during the current school year, the child is subject to the baseline evaluation/annual assessment requirement. (If parent/guardian/legal or actual custodian is a licensed teacher or working with a licensed teacher who holds a license appropriate to the age and grade of the child or if the child is enrolled in a private school accredited by a regional or national accrediting organization, the child is not required to take an annual assessment. A courtesy test may be requested, see note in item number 7.)

Item 7: Children receiving competent private instruction are subject to the assessment requirement if they fit both of these criteria:

1. AGE--the child is between the ages of 7 and 15, inclusive, of the current school year.
2. TEACHER--the child's instruction is not provided or supervised by a person holding a valid Iowa teacher license appropriate to the age and grade of the child.

All children fitting both criteria must have a baseline evaluation in their first year of home schooling. Each year after the baseline evaluation, as long as they still fit both criteria, they need an annual assessment of educational progress, which may be conducted using standardized testing, portfolio assessment, or a report card from an accredited correspondence school. Children under or over the age limits by September 15 are not subject to the annual assessment. Likewise, if an appropriately licensed Iowa teacher provides or supervises a parent, guardian, or legal or actual custodian in providing the child's instruction, the child is not subject to assessment, regardless of age.

Subjects that must be assessed:

- -For children up through grade 5: Reading, Language Arts, and Mathematics:
- -For children in grades 6-12: Reading, Language Arts, Mathematics, Science, and Social Studies.

Home-schooled children subject to the testing requirement must be tested annually in these subjects even if the school district does not test its own students. National percentile ranks and national grade equivalents must be included on the score report from the test scoring service.

A detailed list of tests is in this handbook and also on the website located at http://www.iowa.gov/educate/index.php?option=com_content&task=view&id=301&Itemid=1335
Schools or AEAs providing the testing should attempt to accommodate these preferences. Schools may provide the testing themselves or may delegate it to the AEA. Schools should notify parents, guardians, or legal or actual custodians by October 1 of the dates, sites, and time of testing. If parents, guardians, or legal or actual custodians of a dual enrolled student subject to the assessment requirement request testing in their home, it must be provided at that site. If a portfolio is used as an annual assessment, the parent, guardian, or legal or actual custodian identifies the licensed teacher to evaluate the portfolio. The deadline for completing assessments is May 1st of each year and the test administrator or portfolio evaluator must send a copy of the results to the parents, guardians, legal or actual custodians, and the school district by June 30.
An evaluator holding an elementary teaching license is appropriate for evaluating a portfolio for

students in grades K-6, a middle school license for grades 5-8, and a secondary classroom teacher license is appropriate for grades 7-12. 281-IAC 31.8(3)

Special note about "courtesy testing." Occasionally, parents, guardians, or legal or actual custodians of children who are not subject to the baseline evaluation/annual assessment requirement may want their child tested anyway. As when an annual assessment is required, if the child is not dual enrolled, the parents, guardians, or legal or actual custodians pay the costs. If the child is dual enrolled, the school or AEA must provide the testing free, but need not provide a test, testing time, or testing site other than the one(s) established by the school for its regular enrollees.

Items 8, 9, and 10 are optional

Item 8: A child of compulsory attendance age, who is identified as requiring special education under chapter 256B and is receiving Competent Private Instruction, is eligible for placement under Competent Private Instruction with prior approval of the placement by the director of special education of the area education agency of the child's district of residence. It is the duty of the parent, guardian, or legal or actual custodian to send a copy of Form A to the school district and the Area Education Agency Director of Special Education for approval. Iowa Code section 299A.9 However, this consent is not required if the parent, guardian, legal, or actual custodian does not consent to initial evaluation or to reevaluation of the child for receipt of special education services or programs.

Note: In order for a child who receives CPI to receive special education services, the child must be dual enrolled. (See Item9)

Item 9: Dual enrolled students may participate in coursework or activities on the same basis as regularly enrolled students. This item is required if parents, guardians, or legal or actual custodians wish to have their children participate in an academic course, extra curricular activity, or to have the standardized test paid for by the district. Dual enrollment is also required if the child is to receive special education programs or services. If parents, guardians, or legal or actual custodians want their child dual enrolled in a course or activity the course or activities need to be listed. Districts need to develop procedures to ensure that dual enrolled students and their parents, guardians, or legal or actual custodians are given adequate notice of the time and place of the activities they have chosen. The deadline for dual enrollment is September 15 if the parents, guardians, or legal or actual custodians begin CPI at the start of the school year, 14 calendar days after moving, or 14 calendar days after withdrawing from school. **The district may deny dual enrollment if the request is after the deadline.**

Item 10: School districts are not required to offer a home school assistance program. If your local school district has a program, students will be supervised by a licensed teacher that is hired by the school district. To participate in courses or activities that are offered by the school, the child must be dual enrolled. (This item is designed to help districts determine if they need to start a program.)

SCHOOLS-Please give parents, guardians, or legal or actual custodians the FERPA (page 20) notification letter when a Form A is requested. Districts shall determine what directory information is and who the local contact is. When the parent, guardian, or legal or actual custodian gives "opt out" instructions to the school, the AEA's have requested that the LEA send a copy to them.

PARENTS/GUARDIANS/LEGAL or ACTUAL CUSTODIANS-Please review the FERPA form and return to the school.

Code No. 604.2

INDIVIDUALIZED INSTRUCTION

The board's primary responsibility in the management of the school district is the operation and delivery of the regular education program. Generally, students attending the school district shall receive the regular education program offered by the district. Only in exceptional circumstances will the board approve students receiving individualized instruction at the expense of the school district.

Recommendations from the superintendent for individualized instruction shall state the need for the instruction, the objectives and goals sought for the instruction, the employee requirements for the instruction, the implementation procedures for the instruction and the evaluation procedures and processes that will be used to assess the value of the instruction.

It shall be the responsibility of the superintendent to develop administrative regulations for individualized instruction.

Legal Reference: Iowa Code §§ 256.11; 279.8, .10, .11; 280.3, .14; 299.1-.6, .11, .15, .24; 299A (2009).

Cross Reference: 501.12 Pregnant Students
604.1 Competent Private Instruction

Approved March 1995 Reviewed December 2013 Revised _____

Code No. 604.3

PROGRAM FOR TALENTED AND GIFTED STUDENTS

The board recognizes some students require programming beyond the regular education program. The board shall identify students with special abilities and provide education programming.

It shall be the responsibility of the superintendent to develop a talented and gifted program which provides for identifying students, for program evaluation, and for training of employees.

Legal Reference: Iowa Code §§ 257.42-.49 (2009).
281 I.A.C. 12.5(12); 59.

Cross Reference: 505 Student Scholastic Achievement
604.6 Instruction at a Post-Secondary Education Institution

Approved March 1995 Reviewed December 2013 Revised _____

Code No. 604.4

PROGRAM FOR AT-RISK STUDENTS

The board recognizes some students require additional assistance in order to graduate from the regular education program. The board shall provide a plan to encourage and provide an opportunity for at-risk students to achieve their potential and obtain their high school diploma.

It shall be the responsibility of the superintendent to develop a plan for students at-risk which provides for identifying students, for program evaluation, and for the training of employees.

Legal Reference: Iowa Code §§ 257.38-.41; 280.19, .19A (2009).
281 I.A.C. 12.5(13); 33; 61; 65.

Cross Reference: 505 Student Scholastic Achievement
607.1 Student Guidance and Counseling Program

Approved March 1995 Reviewed December 2013 Revised _____

Code No. 604.5

RELIGIOUS-BASED EXCLUSION FROM A SCHOOL PROGRAM

Parents who wish to have their child excluded from a school program because of religious beliefs must inform the superintendent. The board authorizes the administration to allow the exclusion if it is not disruptive to the education program and it does not infringe on a compelling state or educational interest. Further, the exclusion must not interfere with other school district operations.

In notifying the superintendent, the parents shall abide by the following:

- The notice shall be in writing;
- The objection shall be based on religious beliefs;
- The objection shall state which activities or studies violate their religious beliefs;
- The objection shall state why these activities or studies violate their religious beliefs; and
- The objection shall state a proposed alternate activity or study.

The superintendent shall have discretion to make this determination. The factors the superintendent shall consider when a student requests to be excluded from a program or activity because of religious beliefs include, but are not limited to, staff available to supervise a student who wishes to be excluded, space to house the student while the student is excluded, available superintendent-approved alternative course of study or activity while the student is excluded, number of students who wish to be excluded, whether allowing the exclusion places the school in a position of supporting a particular religion, and whether the program or activity is required for promotion to the next grade level or for graduation.

Students who are allowed to be excluded from a program or activity which violates their religious beliefs shall be required to do an alternate supervised activity or study.

Legal Reference: U.S. Const. amend. I.
Lee v. Weisman, 112 S.Ct. 2649 (1992).
Lemon v. Kurtzman, 403 U.S. 602 (1971).
Graham v. Central Community School District of Decatur County, 608 F.Supp. 531 (S.D. Iowa 1985).
Iowa Code §§ 256.11(6); 279.8 (2009).

Cross Reference: 603 Instructional Curriculum
606.2 School Ceremonies and Observances

Approved March 1995 Reviewed December 2013 Revised

Code No. 604.6

INSTRUCTION AT A POST-SECONDARY EDUCATIONAL INSTITUTION

Students in grades nine through twelve may receive academic or vocational-technical credits that count toward the graduation requirements set out by the board for courses successfully completed in post-secondary educational institutions. The student may receive academic or vocational-technical credits through an agreement between a post-secondary educational institution or with the board's approval on a case-by-case basis.

Students in grades nine through twelve who successfully complete courses in post-secondary educational institutions under an agreement between the school district and the post-secondary educational institution will receive academic and vocational-technical credits in accordance with the agreement.

Students who have completed the eleventh grade but who have not completed the graduation requirements set out by the board may take up to seven semester hours of credit at a post-secondary educational institution during the summer months when school is not in session if the student pays for the courses. Upon successful completion of these summer courses, the students will receive academic or vocational-technical credit toward the graduation requirements set out by the board. Successful completion of the course is determined by the post-secondary educational institution. The board will have complete discretion to determine the academic credit to be awarded to the student for the summer courses.

The following factors are considered in the board's determination of whether a student will receive academic or vocational-technical credit toward the graduation requirements set out by the board for a course at a post-secondary educational institution:

- the course is taken from a public or accredited private post-secondary educational institution;
- a comparable course is not offered in the school district. A comparable course is one in which the subject matter or the purposes and objectives of the course are similar, in the judgment of the board, to a course offered in the school district;
- the course is in the discipline areas of mathematics, science, social sciences, humanities, vocational-technical education, or a course offered in the community college career options program;
- the course is a credit-bearing course that leads to a degree;
- the course is not religious or sectarian; and
- the course meets any other requirements set out by the board.

Students in grades eleven and twelve who take courses, other than courses taken under an agreement between the school district and the post-secondary educational institution, are responsible for transportation without reimbursement to and from the location where the course is being offered.

Ninth and tenth grade talented and gifted students and all students in grades eleven and twelve will be reimbursed for tuition and other costs directly related to the course up to $250. Students who take courses during the summer months when school is not in session are responsible for the costs of attendance for the courses.

Students who fail the course and fail to receive credit will reimburse the school district for all costs directly related to the course. Prior to registering for the course, students under age eighteen will have a parent sign a form indicating that the parent is responsible for the costs of the course should the student fail the course and fail to receive credit for the course. Students who fail the course and fail to receive
credit for the course for reasons beyond their control, including, but not limited to, the student's incapacity, death in the family or a move to another district, may not be responsible for the costs of the course. The school board may waive reimbursement of costs to the school district for the previously listed reasons. Students dissatisfied with a school board's decision may appeal to the AEA for a waiver of reimbursement.

The superintendent is responsible for annually notifying students and parents of the opportunity to take courses at post-secondary educational institutions in accordance with this policy. The superintendent will also be responsible for developing the appropriate forms and procedures for implementing this policy.

Legal Reference: Iowa Code §§ 256.11, .11A; 261C; 279.8; 280.3, .14 (1995).
Iowa Code Supp. § 261C.8 (1995). 281 I.A.C. 12, 22.

Cross Reference: 505 Student Scholastic Achievement
604.3 Program for Talented and Gifted Students

Approved March 1995 Reviewed December 2013 Revised

PATON-CHURDAN POLICY REFERENCE MANUAL

Code No. 604.7

DUAL ENROLLMENT

The parent, guardian, or custodian of a student receiving competent private instruction may also enroll the student in the school district. The student shall be considered under dual enrollment. The parent, guardian, or custodian requesting dual enrollment for the student should notify the board secretary prior to the third Friday of September each year on forms provided by the school district. On the form, they shall indicate the extracurricular and academic activities in which the student is interested in participating. The forms are available at the central administration office.

A dual enrollment student is eligible to participate in the school district's extracurricular and academic activities in the same manner as other students enrolled in the school district. The policies and administrative rules of the school district shall apply to the dual enrollment students in the same manner as the other students enrolled the school district. These policies and administrative rules shall include, but not be limited to, athletic eligibility requirements, the good conduct rule, academic eligibility requirements, and payment of the fees required for participation.

A dual enrollment student whose parent, guardian, or custodian has chosen standardized testing as the form of the student's annual assessment will not be responsible for the cost of the test or the administration of the test.

The school district shall notify the dual enrollment student of the extracurricular and academic activities in which the student wishes to participate.

It shall be the responsibility of the superintendent to develop administrative regulations regarding this policy.

Legal Reference: Iowa Code §§ 279.8, 299A (2009).
281 I.A.C. 31.

Cross Reference: 502 Student Rights and Responsibilities
503 Student Discipline

504 Student Activities
507 Student Health and Well-Being
604.1 Competent Private Instruction
604.9 Home School Assistance Program

Approved March 1995 Reviewed December 2013 Revised _____

Code No. 604.8

FOREIGN STUDENTS

Foreign students must meet all district entrance requirements including age, place of residence and immunization. Foreign students must be approved by the board. The board reserves the right to limit the number of foreign students accepted. Students who are citizens of a foreign country will be considered residents if they meet one of the following requirements:

- The student resides with his/her parents(s) or legal guardian;
- The student is in the United States with appropriate documentation (Form I-20) from the United States Department of Justice-Immigration and Naturalization Services; or
- The student is a participant in a recognized foreign exchange program; and
- The student is physically able to attend school and has provided the school district with such proof, including a current TB test.

Legal Reference: Iowa Code § 279.8 (2009).

Cross Reference: 501 Student Attendance
507.1 Student Health and Immunization Certificates

Approved March 1995 Reviewed December 2013 Revised

Code No. 604.9

HOME SCHOOL ASSISTANCE PROGRAM

The board, recognizing alternatives to education outside the formal public school system, authorizes the establishment of a home school assistance program. This program will assist students receiving competent private instruction by providing licensed employees of the school district to assist the parent, guardian or legal custodian in the education of the student.

The parent, guardian or legal custodian registering for the home school assistance program will agree to comply with the requirements established by the faculty of the program.

Students registered for the home school assistance program will be counted in the basic enrollment.

It is the responsibility of the superintendent to develop administrative regulations regarding this policy.

Legal Reference: Iowa Code §§ 279.8; 299A (2009).
281 I.A.C. 31.

Cross Reference: 504 Student Activities
507 Student Health and Well-Being
604.1 Competent Private Instruction
604.7 Dual Enrollment

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Code No. 604.10

Virtual/On-line Courses

The board recognizes that on-line coursework may be a good alternative for students to not only meet graduation requirements but, also have the opportunity to take advanced or other courses not offered by the school district.

High school students may earn a maximum of _____ credits to be applied toward graduation requirements by completing on-line courses offered through agencies approved by the board, such as the Iowa On-Line Learning. Credit from an on-line or virtual course may be earned only in the following circumstances: *(Choose from the following or add others that fit the policy of the school district.)*

- The course is not offered at the high school;
- Although the course is offered at the high school, the student will not be able to take it due to an unavoidable scheduling conflict that would keep the student from meeting graduation requirements;
- The course will serve as a supplement to extend homebound instruction;
- The student has been expelled from the regular school setting, but educational services are to be continued; or,
- The principal, with agreement from the student's teachers and parents, determines the student requires a differentiated or accelerated learning environment.

Students applying for permission to take a virtual course shall complete prerequisites and provide teacher/counselor recommendations to confirm the student possesses the maturity level needed to function effectively in an on-line learning environment. In addition, the express approval of the principal shall be obtained before a student enrolls in an on-line course. The school must receive an official record of the final grade before credit toward graduation will be recognized.

Provided courses are part of the student's regular school day coursework and within budgetary parameters, the costs for a virtual course, such as textbooks or school supplies, shall be borne by the school district for students enrolled full-time.

It is the responsibility of the superintendent to develop administrative regulations to implement this policy.

Legal Reference: Iowa Code § 279.8 (2009)
281 I.A.C. 15

Cross Reference: 605.6 Internet Appropriate Use
501.6 Student Transfers In

Approved December 2013 Reviewed December 2013 Revised _____

Code No. 605.1

INSTRUCTIONAL MATERIALS SELECTION

The board recognizes that the selection of instructional materials is a vital component of the school district's curriculum.

The board has sole discretion to approve instructional materials for the school district. The board delegates its authority to determine which instructional materials will be utilized and purchased by the school district to licensed employees. The licensed employees shall work closely together to ensure vertical and horizontal articulation of textbooks in the education program.

The board may appoint an ad hoc committee for the selection of instructional materials. The committee may be composed of school district employees, parents, students, community members or representatives of community groups.

In reviewing current instructional materials for continued use and in selecting additional instructional materials, the licensed employees shall consider the current and future needs of the school district as well as the changes and the trends in education and society. It shall be the responsibility of the superintendent to report to the board the action taken by the selection committee.

In making its recommendations to the superintendent, the licensed employees will select materials which:

- support the educational philosophy, goals and objectives of the school district;
- consider the needs, age, and maturity of students;
- are within the school district's budget;
- foster respect and appreciation for cultural diversity and difference of opinion;
- stimulate growth in factual knowledge and literary appreciation;
- encourage students to become decision-makers, to exercise freedom of thought and to make independent judgment through the examination and evaluation of relevant information, evidence and differing viewpoints;
- portray the variety of careers, roles, and lifestyles open to persons of both sexes; and,

Approved March 1995 Reviewed December 2013 Revised _____

- increase an awareness of the rights, duties, and responsibilities of each member of a multicultural society.

In the case of textbooks, the board shall make the final decision after a recommendation from the superintendent. The criteria stated above for selection of instructional materials shall also apply to the selection of textbooks. The superintendent may appoint licensed employees to assist in the selection of textbooks.

Gifts of instructional materials must meet these criteria stated above for the selection of instructional materials. The gift must be received in compliance with board policy 704.4 "Gifts - Grants - Bequests."

Legal Reference: Iowa Code §§ 279.8; 280.3, .14; 301 (2009).

Cross Reference: 208 Ad Hoc Committees
505 Student Scholastic Achievement
602 Curriculum Development
605 Instructional Materials

Code No. 605.1R1

SELECTION OF INSTRUCTIONAL MATERIALS

I. Responsibility for Selection of Instructional Materials

A. The Board is responsible for matters relating to the operation of the Paton-Churdan Community School District.

B. The responsibility for the selection of instructional materials is delegated to the professionally trained and licensed employees of the school system. For the purpose of this rule the term "instructional materials" includes printed and audiovisual materials (not equipment), whether considered text materials or media center materials. The board retains the final authority for the approval of textbooks.

C. While selection of materials may involve many people including principals, teachers, students, parents, community members and media specialists, the responsibility for coordinating the selection of most instructional materials and making the recommendation for the purchase rests with licensed employees. For the purpose of this rule the term "media specialist" includes librarians, school media specialists or other appropriately licensed persons responsible for the selection of media equipment and materials.

D. Responsibility for coordinating the selection of text materials for distribution to classes will rest with the licensed employees, principal and superintendent. For the purpose of this rule the term 'text materials' includes textbooks and other printed and nonprinted material provided in multiple copies for use of a total class or major segment of a class.

E. If the board appoints an ad hoc committee to make recommendations on the selection of instructional materials, the ad hoc committee shall be formed and appointed in compliance with the board policy on Ad Hoc Committees.

1. The superintendent will inform the committee as to their role and responsibility in the process.

2. The following statement shall be given to the ad hoc committee members:

> Bear in mind the principles of the freedom to learn and to read and base your decision on these broad principles rather than on defense of individual materials. Freedom of inquiry is vital to education in a democracy.

Approved March 1995 Reviewed December 2013 Revised _____

SELECTION OF INSTRUCTIONAL MATERIALS

Study thoroughly all materials referred to you and read available reviews. The general acceptance of the materials should be checked by consulting standard evaluation aids and local holdings in other schools.

Passages or parts should not be pulled out of context. The values and faults should be weighed against each other and the opinions based on the material as a whole.

Your report, presenting both majority and minority opinions, will be presented by the principal to the complainant at the conclusion of our discussion of the questioned material.

II. Material selected for use in libraries and classrooms shall meet the following guidelines:

A. Religion - Material shall represent the major religions in a factual, unbiased manner. The primary source material of the major religions shall be considered appropriate, but material which advocates rather than informs, or is designed to sway reader judgment regarding religion, shall not be included in the school libraries or classrooms.

B. Racism - Material shall present a diversity of race, custom, culture, and belief as a positive aspect of the nation's heritage and give candid treatment to unresolved intercultural problems, including those which involve prejudice, discrimination, and the undesirable consequences of withholding rights, freedom, or respect of an individual.

C. Sexism - Material shall reflect a sensitivity to the needs, rights, traits and aspirations of men and women without preference or bias.

D. Age - Material shall recognize the diverse contributions of various age groups and portray the continuing contributions of maturing members of society.

E. Ideology - Material shall present basic primary and factual information on an ideology or philosophy of government which exerts or has exerted a strong force, either favorably or unfavorably, over civilization or society, past or present. This material shall not be selected with the intention to sway reader judgment and shall be related to the maturity level of the intended audience.

F. Profanity and Sex - Material shall be subjected to a test of literary merit and reality by the media specialists and licensed staff who will take into consideration their reading of public and community standards of morality.

SELECTION OF INSTRUCTIONAL MATERIALS

G. Controversial issues materials will be directed toward maintaining a balanced collection representing various views.

The selection decision should be made on the basis of whether the material presents an accurate representation of society and culture, whether the circumstances depicted are realistically portrayed, or whether the material has literary or social value when the material is viewed as a whole.

These guidelines shall not be construed in such a manner as to preclude materials which accurately represent the customs, morals, manners, culture, or society of a different time or a different place.

III. Procedure for Selection

A. Material purchased for libraries and classrooms shall be recommended for purchase by licensed employees, in consultation with administrative staff, media center staff, students or an ad hoc committee as appointed by the board. The material recommended for purchase shall be approved by the appropriate building administrator.

1. The materials selected shall support stated objectives and goals of the school district. Specifically, the goals are:

   a. To acquire materials and provide service consistent with the demands of the curriculum;
   b. To develop students' skills and resourcefulness in the use of libraries and learning resources;
   c. To effectively guide and counsel students in the selection and use of materials and libraries;
   d. To foster in students a wide range of significant interests;
   e. To provide opportunities for aesthetic experiences and development of an appreciation of the fine arts;
   f. To provide materials to motivate students to examine their own attitudes and behaviors and to comprehend their own duties and responsibilities as citizens in a pluralistic democracy;
   g. To encourage life-long education through the use of the library; and,
   h. To work cooperatively and constructively with the instructional and administrative staff in the school.

2. Materials selected shall be consistent with stated principles of selection. These principles are:

SELECTION OF INSTRUCTIONAL MATERIALS

a. To select material, within established standards, which will meet the goals and objectives of the school district;
b. To consider the educational characteristics of the community in the selection of materials within a given category;
c. To present the sexual, racial, religious and ethnic groups in the community by:

1. Portraying people, both men and women, adults and children, whatever their ethnic, religious or social class identity, as human and recognizable, displaying a familiar range of emotions, both negative and positive.
2. Placing no constraints on individual aspirations and opportunity.
3. Giving comprehensive, accurate, and balanced representation to minority groups and women - in art and science, history and literature, and in all other fields of life and culture.
4. Providing abundant recognition of minority groups and women by showing them frequently in positions of leadership and authority.

d. To intelligently, quickly, and effectively anticipate and meet needs through awareness of subjects of local, national and international interest and significance; and,
e. To strive for impartiality in the selection process.

3. The materials selected shall meet stated selection criteria. These criteria are:

a. Authority-Author's qualifications - education, experience, and previously published works;
b. Reliability:
   1. Accuracy-meaningful organization and emphasis on content, meets the material's goals and objectives, and presents authoritative and realistic factual material.
   2. Current-presentation of content which is consistent with the finding of recent and authoritative research.

c. Treatment of subject-shows an objective reflection for the multi-ethnic character and cultural diversity of society.

d. Language:

1. Vocabulary:

a. Does not indicate bias by the use of words which may

result in negative value judgments about groups of people;

b. Does not use "man" or similar limiting word usage in generalization or ambiguities which may cause women to feel excluded or dehumanized.

2. Compatible to the reading level of the student for whom it is intended.

e. Format:

1. Book

a. Adequate and accurate index;
b. Paper of good quality and color;
c. Print adequate and well spaced;
d. Adequate margins;
e. Firmly bound; and,
f. Cost.

2. Nonbook

a. Flexibility, adaptability;
b. Curricular orientation of significant interest to students;
c. Appropriate for audience;
d. Accurate authoritative presentation;
e. Good production qualities (fidelity, aesthetically adequate);
f. Durability; and,
g. Cost.

3. Illustrations of book and nonbook materials should:

a. Depict instances of fully integrated grouping and settings to indicate equal status and nonsegregated social relationships.
b. Make clearly apparent the identity of minorities;
c. Contain pertinent and effective illustrations;

4. Flexible to enable the teacher to use parts at a time and not follow a comprehensive instructional program on a rigid frame of reference.

SELECTION OF INSTRUCTIONAL MATERIALS

f. Special Features:

1. Bibliographies.
2. Glossary.
3. Current charts, maps, etc.
4. Visual aids.
5. Index.
6. Special activities to stimulate and challenge students.
7. Provide a variety of learning skills.

g. Potential use:

1. Will it meet the requirement of reference work?
2. Will it help students with personal problems and adjustments?
3. Will it serve as a source of information for teachers and librarians?
4. Does it offer an understanding of cultures other than the student's own and is it free of racial, religious, age, disability, ethnic, and sexual stereotypes?
5. Will it expand students' sphere of understanding and help them to understand the ideas and beliefs of others?
6. Will it help students and teachers keep abreast of and understand current events?
7. Will it foster and develop hobbies and special interest?
8. Will it help develop aesthetic tastes and appreciation?
9. Will it serve the needs of students with special problems?
10. Does it inspire learning?
11. Is it relevant to the subject?
12. Will it stimulate a student's interest?

4. Gifts of library or instructional materials may be accepted if the gift meets existing criteria for library and instructional materials. The acceptance and placement of such gifts shall be within the discretion of the board.

5. In order to provide a current, highly usable collection of materials, media specialists shall provide for constant and continuing renewal of the collection, not only the addition of up-to-date materials, but by the judicious elimination of materials which no longer meet school district needs or find use. The process of weeding instructional materials will be done according to established and accepted standards for determining the relevance and value of materials in a given context.

Code No. 605.2

INSTRUCTIONAL MATERIALS INSPECTION

Parents and other members of the school district community may view the instructional materials used by the students. All instructional materials, including teacher's manuals, films, tapes or other supplementary material which will be used in connection with any survey, analysis, or evaluation as part of any federally funded programs must be available for inspection by parents.

The instructional materials must be viewed on school district premises. Copies may be obtained according to board policy.

It shall be the responsibility of the superintendent to develop administrative regulations regarding the inspection of instructional materials.

Legal Reference: Goals 2000: Educate America Act, Pub. L. No. 103-227, 108 Stat. 125 (2004).
Iowa Code §§ 279.8; 280.3, .14; 301 (2009).

Cross Reference: 602 Curriculum Development
605 Instructional Materials
901 Public Examination of School District Records

Approved March 1995 Reviewed December 2013 Revised _____

Code No. 605.3

OBJECTION TO INSTRUCTIONAL MATERIALS

Members of the school district community may object to the instructional materials utilized in the school district and ask for their use to be reconsidered.

It shall be the responsibility of the superintendent, in conjunction with the principals, to develop administrative regulations for reconsideration of instructional materials.

Legal Reference: Iowa Code §§ 279.8; 280.3, .14; 301 (2009).

Cross Reference:
213 Public Participation in Board Meetings
402.5 Public Complaints About Employees
602 Curriculum Development
605 Instructional Materials

Approved March 1995 Reviewed December 2013 Revised _____

Code No. 605.3E1

INSTRUCTIONS TO THE RECONSIDERATION COMMITTEE

The policy of this school district related to selection of learning materials states that any member of the school district community may formally challenge instructional materials used in the district's education program. This policy allows those persons in the school and the community who are not directly involved in the selection of materials to make their own opinions known. The task of the reconsideration committee is to provide an open forum for discussion of challenged materials and to make an informed recommendation on the challenge. The meetings of the committee may be subject to the open meetings law.

The most critical component of the reconsideration process is the establishment and maintenance of the committee's credibility in the community. For this purpose, the committee is composed of community members. The community should not, therefore, infer that the Committee is biased or is obligated to uphold prior professional decisions. For this same reason, a community member will be selected to chair the committee.

The reconsideration process, the task of this committee, is just one part of the selection continuum. Material is purchased to meet a need. It is reviewed and examined, if possible, prior to purchase. It is periodically re-evaluated through updating, discarding, or re-examination. The committee must be ready to acknowledge that an error in selection may have been made despite this process. Librarians and school employees regularly read great numbers of reviews in the selection process, and occasional errors are possible.

In reconsidering challenged materials, the role of the committee, and particularly the chairperson, is to produce a climate for agreement. The committee should begin by finding items of agreement, keeping in mind that the larger the group participating, the greater the amount of information available and, therefore, the greater the number of possible approaches to the problem.

If the complainant chooses, the complainant may make an oral presentation to the committee to expand and elaborate on the complaint. The committee will listen to the Complainant, to those with special knowledge, and any other interested persons. In these discussions, the committee should be aware of relevant social pressures which are affecting the situation. Individuals who may try to dominate or impose a decision must not be allowed to do so. Minority viewpoints expressed by groups or individuals must be heard, and observers must be made to feel welcome. It is important that the committee create a calm, nonvolatile environment in which to deal with a potentially volatile situation. To this end, the complainant will be kept informed of the progress of the complaint.

The committee will listen to the views of all interested persons before making recommendations. In deliberating its recommendation, the committee should remember that the school system must be responsive to the needs, tastes, and opinions of the community it serves. Therefore, the committee must distinguish between broad community sentiment and attempts to impose personal standards. The deliberations should concentrate on the appropriateness of the material. The question to be answered by the committee is, "Is the material appropriate for its designated audience at this time?"

The committee's final recommendation will be (1) to remove the challenged material from the total school environment, (2) to take no removal action, or (3) to agree on a limitation of the educational use of the materials.

The committee chairperson will instruct the secretary to convey the committee's recommendation to the office of the superintendent. The recommendation should detail the rationale on which it was based. A letter will be sent to the complainant outlining the outcome

Code No.
605.3E2

RECONSIDERATION OF INSTRUCTIONAL MATERIALS

RECONSIDERATION REQUEST FORM

Request for re-evaluation of printed or audiovisual material to be submitted to the superintendent.

REVIEW INITIATED BY: DATE:_____

Name _____

Address _____

City/State_____ Zip Code __ _ Telephone_____

School(s) in which item is used_____

Relationship to school (parent, student, citizen, etc.)_____

BOOK OR OTHER PRINTED MATERIAL IF APPLICABLE:

Author _____ Hardcover __ Paperback__ Other__

Title_____

Publisher (if known)_____

Date of Publication_____

AUDIOVISUAL MATERIAL IF APPLICABLE:

Title_____

Producer (if known)_____

Type of material (filmstrip, motion picture, etc.)_____

PERSON MAKING THE REQUEST REPRESENTS: (circle one)

Self Group or Organization

Name of group _____
Address of Group _____

Code No. 605.3E2

RECONSIDERATION OF INSTRUCTIONAL MATERIALS

1. What brought this item to your attention?

   _____

   _____

2. To what in the item do you object? (please be specific; cite pages, or frames, etc.)

   _____

   _____

3. In your opinion, what harmful effects upon students might result from use of this item?

   _____

   _____

4. Do you perceive any instructional value in the use of this item?

   _____

   _____

5. Did you review the entire item? If not, what sections did you review?

   _____

   _____

6. Should the opinion of any additional experts in the field be considered?

   ___ yes _ no

   If yes, please list specific suggestions:_____

   _____

7. To replace this item, do you recommend other material which you consider to be of equal or superior quality for the purpose intended?

   _____

   _____

RECONSIDERATION OF INSTRUCTIONAL MATERIALS

7. Do you wish to make an oral presentation to the Review Committee?

___ Yes(a) Please call the office of the Superintendent

(b) Please be prepared at this time to indicate the approximate length of time your presentation will require_____ minutes.

___ No

_____ _____

Dated Signature

SAMPLE LETTER TO INDIVIDUAL CHALLENGING INSTRUCTIONAL MATERIALS

Dear:

We recognize your concern about the use of_____
in our school district. The school district has developed procedures for selection of instructional materials but realizes that not everyone will agree with every selection made.

To help you understand the selection process, we are sending copies of the school district's:

1. Instructional goals and objectives,
2. Instructional Materials Selection policy statement, and
3. Procedure for reconsideration of instructional materials.

If you are still concerned after you review this material, please complete the Reconsideration Request Form and return it to me. You may be assured of prompt attention to your request. If I have not heard from you within one week, we will assume you no longer wish to file a formal complaint.

Sincerely,

RECONSIDERATION OF INSTRUCTIONAL MATERIALS REGULATION

A. A resident of the school district may raise an objection to instructional materials used in the school district's education program despite the fact that the individuals selecting such material were duly qualified to make the selection and followed the proper procedure and observed the criteria for selecting such material.

1. The school official or employee receiving a complaint regarding instructional materials shall try to resolve the issue informally. The materials shall remain in use pending the outcome of the reconsideration procedure.

    a. The school official or employee initially receiving a complaint, shall explain to the individual the board's selection procedure, criteria to be met by the instructional materials, and qualifications of those persons selecting the material.

    b. The school official or employee initially receiving a complaint shall explain to the individual the role of the objected material in the education program, its intended educational purpose, and additional information regarding its use. In the alternative, the employee may refer the individual to the media specialist who can identify and explain the use of the material.

2. The employee receiving the initial complaint shall advise the building principal of the initial contact no later than the end of the school day following the discussion with the individual, whether or not the individual has been satisfied by the initial contact. A written record of the contact shall be maintained by the principal in charge of the attendance center.

3. In the event the individual making an objection to instructional materials is not satisfied with the initial explanation, the individual shall be referred to the principal or to the media specialist of the attendance center. If, after consultation with the principal or media specialist, the individual desires to file a formal complaint, the principal or media specialist will assist in filling out a Reconsideration Request Form in full and filing it with the superintendent.

RECONSIDERATION OF INSTRUCTIONAL MATERIALS REGULATION

B. Request for Reconsideration

1. A resident of the school district may formally challenge instructional materials on the basis of appropriateness used in the school district's education program. This procedure is for the purpose of considering the opinions of those persons in the school district and the community who are not directly involved in the selection process.

2. Each attendance center and the school district's central administrative office will keep on hand and make available Reconsideration Request Forms. Formal objections to instructional materials must be made on this form.

3. The individual shall state the specific reason the instructional material is being challenged. The Reconsideration Request Form shall be signed by the individual and filed with the superintendent.

4. The superintendent shall promptly file the objection with the reconsideration committee for re-evaluation.

5. Generally, access to challenged instructional material shall not be restricted during the reconsideration process. However, in unusual circumstances, the instructional material may be removed temporarily by following the provisions of Section B.6.d. of this rule.

6. The Reconsideration Committee

   a. The reconsideration committee shall be made up of eight members.

      (1) One licensed employee designated annually by the superintendent.

      (2) One media specialist designated annually by the superintendent.

      (3) One member of the administrative team designated annually by the superintendent.

      (4) Three members of the community appointed annually by the board.

      (5) Two high school students, selected annually by the high school principal.

   b. The committee shall annually select their chairperson and secretary.

c. The committee shall meet at the request of the superintendent.

d. Special meetings may be called by the superintendent to consider temporary removal of materials in unusual circumstances. Temporary removal shall require a two-thirds vote of the committee.

e. Notice of committee meetings shall be made public through appropriate publications and other communications methods.

f. The committee shall receive the completed Reconsideration Request Form from the superintendent.

g. The committee shall determine its agenda for the first meeting which may include the following:

(1) Distribution of copies of the completed Reconsideration Request Form.

(2) An opportunity for the individual or a group spokesperson to talk about or expand on the Reconsideration Request Form.

(3) Distribution of reputable, professionally prepared reviews of the challenged instructional material if available.

(4) Distribution of copies of the challenged instructional material as available.

h. The committee may review the selection process for the challenged instructional material and may, to its satisfaction, determine that the challenge is without merit and dismiss the challenge. The committee will notify the individual and the superintendent of its action.

i. At a subsequent meeting, if held, interested persons, including the individual filing the challenge, may have the opportunity to share their views. The committee may request that individuals with special knowledge be present to give information to the committee.

j. The individual filing the challenge shall be kept informed by the reconsideration committee secretary on the status of the Reconsideration Request Form throughout the reconsideration process. The individual filing the challenge and known interested parties shall be given appropriate notice of meetings.

RECONSIDERATION OF INSTRUCTIONAL MATERIALS REGULATION

k. At the second or a subsequent meeting the committee shall make its decision. The committee's final recommendation may be to take no removal action, to remove the challenged material from the school environment, or to limit the educational use of the challenged material. The sole criteria for the final decision is the appropriateness of the material for its intended educational use. The written recommendation and its justification shall be forwarded to the superintendent for appropriate action, the individual and the appropriate attendance centers.

Following the superintendent's decision with respect to the committee's recommendation, the individual or the chairperson of the reconsideration committee may appeal the decision to the board for review. Such appeal must be presented to the superintendent in writing within five days following the announcement of the superintendent's decision. The board will promptly determine whether to hear the appeal.

l. A recommendation to sustain a challenge shall not be interpreted as a judgment of irresponsibility on the part of the individuals involved in the original selection or use of the material.

m. Requests to reconsider materials which have previously been reconsidered by the committee must receive approval of two-thirds of the committee members before the materials will again be reconsidered. Completed and filed Reconsideration Request Forms shall be acted upon by the committee.

n. If necessary or appropriate in the judgment of the committee, the committee may appoint a subcommittee of members or nonmembers to consolidate challenges and to make recommendations to the full committee. The composition of this subcommittee shall approximate the representation of the full committee.

o. Committee members directly associated with the selection, use, or challenger of the challenged material shall be excused from the committee during the deliberation of the challenged instructional materials. The superintendent may appoint a temporary replacement for the excused committee member, but the replacement shall be of the same general qualifications as the member excused.

p. Persons dissatisfied with the decision of the board may appeal to the Iowa Board of Education pursuant to state law.

Code No. 605.4

TECHNOLOGY AND INSTRUCTIONAL MATERIALS

The board supports the use of innovative methods and the use of technology in the delivery of the education program. The board encourages employees to investigate economic ways to utilize instructional television, audiovisual materials, computers, and other technological advances as a part of the curriculum.

It shall be the responsibility of the superintendent to develop a plan for the use of technology in the curriculum and to evaluate it annually. The superintendent shall report the results of the evaluation and make a recommendation to the board annually regarding the use of technology in the curriculum.

Legal Reference: Iowa Code § 279.8 (2009).
281 I.A.C. 12.5(10), .5(22).

Cross Reference: 602 Curriculum Development
605 Instructional Materials

Approved March 1995 Reviewed December 2013 Revised _____

Code No. 605.5

SCHOOL LIBRARY/ MEDIA CENTERS

The school district shall maintain a library/ media center in each building for use by employees and by students during the school day.

Materials for the centers will be acquired according to board policy, "Instructional Materials Selection."

It shall be the responsibility of the principal of the building in which the media center is located to oversee the use of materials in the media center.

It shall be the responsibility of the superintendent to develop procedures for the selection and replacement of both library and instructional materials, for the acceptance of gifts, for the weeding of library and instructional materials, and for the handling of challenges to either library or classroom materials.

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Legal Reference: Iowa Code §§ 279.8; 280.3, .14; 301 (2009).
281 I.A.C. 12.5(22).

Cross Reference: 602 Curriculum Development
605 Instructional Materials

Approved March 1995 Reviewed December 2013 Revised _____

Code No. 605.6

INTERNET - APPROPRIATE USE AND SAFETY

Because technology is a vital part of the school district curriculum and the Internet will be made available to employees and students. Appropriate and equitable use of the Internet will allow employees and students to access resources unavailable through traditional means.

Students will be able to access the Internet through their teachers. Individual student accounts and electronic mail addresses will not be issued to students. If a student already has an electronic mail address, the student may, with the permission of the supervising teacher, be permitted to use the address to send and receive mail at school.

It is the policy of Paton-Churdan CSD to: (a) prevent user access over its computer network to, or transmission of, inappropriate material via Internet, electronic mail, or other forms of direct electronic communications; (b) prevent unauthorized access and other unlawful online activity; (c) prevent unauthorized online disclosure, use, or dissemination of personal identification information of minors; and (d) comply with the Children's Internet Protection Act [Pub. L. No. 106-554 and 47 USC 254(h)].

Access to Inappropriate Material

To the extent practical, technology protection measures (or "Internet filters") shall be used to block or filter Internet, or other forms of electronic communications, and access to inappropriate information.

Specifically, as required by the Children's Internet Protection Act, blocking shall be applied to visual depictions of material deemed obscene or child pornography, or to any material deemed harmful to minors.

Subject to staff supervision, technology protection measures may be disabled or, in the case of minors, minimized only for bona fide research or other lawful purposes.

Inappropriate Network Usage

To the extent practical, steps shall be taken to promote the safety and security of users of the Paton-Churdan CSD online computer network when using electronic mail, chat rooms, instant messaging, and other forms of direct electronic communications. Specifically, as required by the Children's Internet Protection Act, prevention of inappropriate network usage includes: (a) unauthorized access, including 'hacking,' and other unlawful activities; and (b) unauthorized disclosure, use, and dissemination of personal identification information regarding minors.

The building principal or designated represenatives will provide age-appropriate training for students who use the Internet. The training provided will be designated to promote the district's commitment to: (a) the standards and acceptable use of Internet services as set forth in the Student Internet Safe and Responsible Use Policy; (b) student safety with regards to – safety on the internet; appropriate behavior while on online, on social networking sites, and in chat rooms; and cyberbullying awarness and response; and (c) compliance with the E-rate requirements on the Children's Internet Protection Act ("CIPA").

Supervision and Monitoring

It shall be the responsibility of all members of the Paton-Churdan staff to supervise and monitor usage of the online computer network and access to the Internet in accordance with this policy and the Children's Internet protection Act. Procedures for the disabling or otherwise modifying any technology protection measures shall be the responsibility of the superintendent or designated representatives.

The Internet can provide a vast collection of educational resources for students and employees. It is a global network, which makes it impossible to control all available information. Because information appears, disappears and changes constantly, it is not possible to predict or completely control what students may locate. The school district makes no guarantees as to the accuracy of information received on the Internet. Although students will be under teacher supervision while on the network, it is not possible to constantly monitor individual students and what they are accessing on the network. Some students might encounter information that may not be of educational value. Student Internet records and access records are confidential records treated like other student records. Students Internet activities will be monitored by the school district to ensure students are not accessing inappropriate sites that have visual depictions that include obscenity, child pornography or are harmful to minors. The school district will use technology protection measures (filters) to protect students from inappropriate access.

Employees and students will be instructed on the appropriate use of the Internet. Parents will be required to sign a permission form to allow their students to access the Internet. Students will be informed of the Internet Acceptable Use and Safety and regulations and consequences for violation of the policy or regulations.

Legal References: Children's Internet Protection Act, 47 U.S.C. §254(h).
Iowa Code § 279.8 (1999).

Cross References: 502 Student Rights and Responsibilities
506 Student Records
605.5 Media Centers

Approved March 1995 Reviewed December 2013 Revised

INTERNET - APPROPRIATE USE AND SAFETY REGULATION

I. Responsibility for Internet Appropriate Use and Safety

A. The authority for appropriate use of electronic Internet resources is delegated to the licensed employees. For the purpose of this policy, Internet is defined as:

> A collection of more than 20,000 interconnected computer networks involving an estimated 1.5 million computers and 25 million users around the world. It is a collaboration of private, public, educational, governmental and industrial sponsored networks whose operators cooperate to maintain the network infrastructure.

B. Instruction in the proper use of the Internet system will be available to employees who will then provide similar instruction to their students.

C. Employees are expected to practice appropriate use of the Internet, and violations may result in discipline up to, and including, discharge.

II. Internet Access.

A. Access to the Internet is available to teachers and students as a source of information and a vehicle of communication.

B. Students will be able to access the Internet through their teachers. Individual student accounts and electronic mail addresses will not be issued to students at this time.

1. Making Internet access available to students carries with it the potential that some students might encounter information that may not be appropriate for students. However, on a global network, it is impossible to control all materials. Because information on the Internet appears, disappears and changes, it is not possible to predict or control what students may locate.

2. It is a goal to allow teachers and students access to the rich opportunities on the Internet, while we protect the rights of students and parents who choose not to risk exposure to questionable material.

3. The smooth operation of the network relies upon the proper conduct of the end users who must adhere to strict guidelines, which require efficient, ethical and legal utilization of network resources.

4. To reduce unnecessary system traffic, users may use real-time conference features such as talk/chat/Internet relay chat only as approved by the supervising teacher.

5. Transmission of material, information or software in violation of any board policy or regulation is prohibited.

INTERNET - APPROPRIATE USE AND SAFETY REGULATION

6. The school district makes no guarantees as to the accuracy of information received on the Internet.

III. Permission to Use Internet - Annually, parents will grant permission for their student to use the Internet using the prescribed form.

IV. Student Use of Internet.

A. Equal Opportunity - The Internet is available to all students within the school district through teacher access. The number of available terminals and the demands for each terminal may limit the amount of time available for each student.

B. On-line Etiquette.

1. The use of the network is a privilege and may be taken away for violation of board policy or regulations. As a user of the Internet, students may be allowed access to other networks. Each network may have its own set of policies and procedures. It is the user's responsibility to abide by the policies and procedures of these other networks.

2. Students should adhere to on-line protocol:
   a. Respect all copyright and license agreements.
   b. Cite all quotes, references and sources.
   c. Remain on the system long enough to get needed information, then exit the system.
   d. Apply the same privacy, ethical and educational considerations utilized in other forms of communication.

3. Student access for electronic mail will be through their own account, with teacher permission. Students should adhere to the following guidelines:

   a. Others may be able to read or access the mail so private messages should not be sent.
   b. Delete unwanted messages immediately.
   c. Use of objectionable language is prohibited.
   d. Always sign messages.
   e. Always acknowledge receipt of a document or file.

INTERNET - APPROPRIATE USE AND SAFETY REGULATION

C. Restricted Material - Students will not intentionally access or download any text file or picture or engage in any conference that includes material which is obscene, libelous, indecent, vulgar, profane or lewd; advertises any product or service not permitted to minors by law; constitutes insulting or fighting words, the very expression of which injures or harasses others; or presents a clear and present likelihood that, either because of its content or the manner of distribution, it will cause a material and substantial disruption of the proper and orderly operation and discipline of the school or school activities, will cause the commission of unlawful acts or the violation of lawful school regulations.

D. Unauthorized Costs - If a student gains access to any service via the Internet that has a cost involved or if a student incurs other types of costs, the student accessing such a service will be responsible for those costs.

V. Student Violations--Consequences and Notifications.

Students who access restricted items on the Internet are subject to the appropriate action described in board policy or regulations or the following consequences:

1. First Violation - A warning will be issued to the student. At the principals' discretion, the student may lose Internet access for a period up to fifteen school days at the discretion of the principal.

2. Second Violation - A second violation will be issued to the student. At the principals' discretion, the student will forfeit all Internet privileges for a period of up to forty-five school days. A notice will be sent to the student's parents.

3. Third Violation - A third violation will be issued to the student. At the principals' discretion, the student will forfeit all Internet privileges for up to one hundred and eighty school days. A copy of the notice will be sent to the student's parents.

Code No. 605.6E1

INTERNET ACCESS PERMISSION LETTER TO PARENTS

Your child has access to the Internet. The vast domain of information contained within Internet's libraries can provide unlimited opportunities to students.

Students will be able to access the Internet through their teachers. Individual student accounts and electronic mail addresses will not be issued to students at this time.

Students will be expected to abide by the following network etiquette:

- The use of the network is a privilege and may be taken away for violation of board policy or regulations. As a user of the Internet, students may be allowed access to other networks. Each network may have its own set of policies and procedures. Students will abide by the polices and procedures of these other networks.
- Students will respect all copyright and license agreements.
- Students will cite all quotes, references, and sources.
- Students will only remain on the system long enough to get needed information.
- Students will apply the same privacy, ethical and educational considerations utilized in other forms of communication.

Students accessing Internet services that have a cost involved will be responsible for payment of those costs.

Please sign the form if you would like your child to be granted Internet access and return the permission form to your child's school.

Student Name Grade

Parent or Guardian's Signature Date

If you have granted your child Internet access, please have them respond to the following:

I have read the expected network etiquette and agree to abide by these provisions. I understand that violation of these provisions may constitute suspension or revocation of Internet privileges.

I agree to be responsible for payment of costs incurred by accessing any Internet services that have a cost involved.

Student's signature Date

Code No. 605.6E2

INTERNET APPROPRIATE USE AND SAFETY VIOLATION NOTICE

Student:

Teacher:

Date:

Students who access restricted items on the Internet are subject to the appropriate action described in the school's discipline policy or student handbook or to the following consequences:

First Offense:

_____ The above student has violated the Internet Appropriate Use and Safety Policy. He/she is restricted from Internet access for up to four weeks and assignment of detention(s).

Second Offense:

_____ The above student has violated the Internet Appropriate Use and Safety Policy for a second time. He/she is restricted from Internet access for up to eight weeks and assignment of detention(s) or suspension.

Third Offense:

_____ The above student has violated the Internet Appropriate Use and Safety Policy for a third time. As a consequence of this violation the above student has forfeited all Internet Access privileges for the rest of the school year and assignment of detention(s) or suspension.

Code No. 605.7

Use of Information Resources

In order for students to experience a diverse curriculum, the board encourages employees to supplement their regular curricular materials with other resources. In so doing, the board recognizes that federal law makes it illegal to duplicate copyrighted materials without authorization of the holder of the copyright, except for certain exempt purposes. Severe penalties may be imposed for plagiarism, unauthorized copying or using of media, including, but not limited to, print, electronic and web-based materials, unless the copying or using conforms to the "fair use" doctrine. Under the "fair use" doctrine, unauthorized reproduction of copyrighted materials is permissible for such purposes as criticism, comment, news reporting, teaching, scholarship or research providing that all fair use guidelines are met.

While the school district encourages employees to enrich the learning programs by making proper use of supplementary materials, it is the responsibility of employees to abide by the school district's copying procedures and obey the requirements of the law. In no circumstances shall it be necessary for school district staff to violate copyright requirements in order to perform their duties properly. The school district will not be responsible for any violations of the copyright law by employees or students. Violation of the copyright law by employees may result in discipline up to, and including, termination. Violation of the copyright law by students may result in discipline, up to and including, suspension or expulsion.

Parents or others who wish to record, by any means, school programs or other activities need to realize that even though the school district received permission to perform a copyrighted work does not mean outsiders can copy it and re-play it. Those who wish to do so should contact the employee in charge of the activity to determine what the process is to ensure the copyright law is followed. The school district is not responsible for outsiders violating the copyright law or this policy.

Any employee or student who is uncertain as to whether reproducing or using copyrighted material complies with the school district's procedures or is permissible under the law should contact the *principal*who will also assist
employees and students in obtaining proper authorization to copy or use protected material when such authorization is required.

It is the responsibility of the superintendent, in conjunction with the *principal,*
, to develop administrative regulations regarding
this policy.

Legal References: 17 U.S.C. § 101 et al. (2006)
281 I.A.C. 12.3(12).

Cross References: 605.6 Internet Appropriate Use

Approved December 2013 Reviewed _____ Revised _____

Use of Information Resources Regulation

Employees and students may make copies of copyrighted materials that fall within the following guidelines. Where there is reason to believe the material to be copied does not fall within these guidelines, prior permission shall be obtained from the publisher or producer with the assistance of the [*principal, teacher, teacher-librarian – choose all that apply or add others*]. Employees and students who fail to follow this procedure may be held personally liable for copyright infringement and may be subject to discipline by the board.

Under the "fair use" doctrine, unauthorized reproduction of copyrighted materials is permissible for such purposes as criticism, comment, news reporting, teaching, scholarship or research. Under the fair use doctrine, each of the following four standards must be met in order to use the copyrighted document:

- Purpose and Character of the Use – The use must be for such purposes as teaching or scholarship.
- Nature of the Copyrighted Work – The type of work to be copied.
- Amount and Substantiality of the Portion Used – Copying the whole of a work cannot be considered fair use; copying a small portion may be if these guidelines are followed.
- Effect of the Use Upon the Potential Market for or value of the Copyrighted Work – If resulting economic loss to the copyright holder can be shown, even making a single copy of certain materials may be an infringement, and making multiple copies presents the danger of greater penalties.

Authorized Reproduction and Use of Copyrighted Material Reminders:

- Materials on the Internet should be used with caution since they may, and likely are, copyrighted.
- Proper attribution (author, title, publisher, place and date of publication) should always be given.
- Notice should be taken of any alterations to copyrighted works, and such alterations should only be made for specific instructional objectives.
- Care should be taken in circumventing any technological protection measures. While materials copied pursuant to fair use may be copied after circumventing technological protections against unauthorized copying, technological protection measures to block access to materials may not be circumvented.

In preparing for instruction, a teacher may make or have made a single copy of:

- A chapter from a book;
- An article from a newspaper or periodical;
- A short story, short essay or short poem; or,
- A chart, graph, diagram, drawing, cartoon or picture from a book, periodical or newspaper.

A teacher may make multiple copies not exceeding more than one per pupil, for classroom use or discussion, if the copying meets the tests of “brevity, spontaneity and cumulative effect” set by the following guidelines. Each copy must include a notice of copyright.

- Brevity
- A complete poem, if less than 250 words and two pages long, may be copied; excerpts from longer poems cannot exceed 250 words;
- Complete articles, stories or essays of less than 2500 words or excerpts from prose works less than 1000 words or 10% of the work, whichever is less may be copied; in any event, the minimum is 500 words;
- Each numerical limit may be expanded to permit the completion of an unfinished line of a poem or prose paragraph;

- One chart, graph, diagram, drawing, cartoon or picture per book or periodical issue may be copied. “Special” works cannot be reproduced in full; this includes children's books combining poetry, prose or poetic prose. Short special works may be copied up to two published pages containing not more than 10 percent of the work.
- Spontaneity – Should be at the “instance and inspiration” of the individual teacher when there is not a reasonable length of time to request and receive permission to copy.
- Cumulative Effect – Teachers are limited to using copied material for only one course for which copies are made. No more than one short poem, article, story or two excerpts from the same author may be copied, and no more than three works can be copied from a collective work or periodical column during one class term. Teachers are limited to nine instances of multiple copying for one course during one class term. Limitations do not apply to current news periodicals, newspapers and current news sections of other periodicals.

Copying Limitations

Circumstances will arise when employees are uncertain whether or not copying is prohibited. In those circumstances, the*, [principal, teacher or teacher-librarian – choose all that apply or add others]* should be contacted. The following prohibitions have been expressly stated in federal guidelines:

- Reproduction of copyrighted material shall not be used to create or substitute for anthologies, compilations or collective works.
- Unless expressly permitted by agreement with the publisher and authorized by school district action, there shall be no copying from copyrighted consumable materials such as workbooks, exercises, test booklets, answer sheets and the like.
- Employees shall not:
- Use copies to substitute for the purchase of books, periodicals, music recordings, consumable works such as workbooks, computer software or other copyrighted material. Copy or use the same item from term to term without the copyright owner's permission;
- Copy or use more than nine instances of multiple copying of protected material in any one term;
- Copy or use more than one short work or two excerpts from works of the same author in any one term;
- Copy or use protected material without including a notice of copyright. The following is a satisfactory notice: NOTICE: THIS MATERIAL MAY BE PROTECTED BY COPYRIGHT LAW.
- Reproduce or use copyrighted material at the direction of someone in higher authority or copy or use such material in emulation of some other teacher's use of copyrighted material without permission of the copyright owner.
- Require other employees or students to violate the copyright law or fair use guidelines.

Authorized Reproduction and Use of Copyrighted Materials in the Library

A library may make a single copy or three digital copies of:

- An unpublished work in its collection;
- A published work in order to replace it because it is damaged, deteriorated, lost or stolen, provided that an unused replacement cannot be obtained at a fair price.
- A work that is being considered for acquisition, although use is strictly limited to that decision. Technological protection measures may be circumvented for purposes of copying materials in order to make an acquisition decision.

A library may provide a single copy of copyrighted material to a student or employee at no more than the actual cost of photocopying. The copy must be limited to one article of a periodical issue or a small part of other material, unless the library finds that the copyrighted work cannot be obtained elsewhere at a fair price. In the latter circumstance, the entire work may be copied. In any case, the copy shall contain the notice of copyright and the student or staff member shall be notified that the copy is to be used only for private study, scholarship or research. Any other use may subject the person to liability for copyright infringement.

Authorized Reproduction and Use of Copyrighted Music or Dramatic Works

Teachers may:

- Make a single copy of a song, movement, or short section from a printed musical or dramatic work that is unavailable except in a larger work for purposes of preparing for instruction;
- Make multiple copies for classroom use of an excerpt of not more than 10% of a printed musical work if it is to be used for academic purposes other than performance, provided that the excerpt does not comprise a part of the whole musical work which would constitute a performable unit such as a complete section, movement, or song;
- In an emergency, a teacher may make and use replacement copies of printed music for an imminent musical performance when the purchased copies have been lost, destroyed or are otherwise not available.
- Make and retain a single recording of student performances of copyrighted material when it is made for purposes of evaluation or rehearsal;
- Make and retain a single copy of excerpts from recordings of copyrighted musical works for use as aural exercises or examination questions; and,
- Edit or simplify purchased copies of music or plays provided that the fundamental character of the work is not distorted. Lyrics shall not be altered or added if none exist.

Performance by teachers or students of copyrighted musical or dramatic works is permitted without the authorization of the copyright owner as part of a teaching activity in a classroom or instructional setting. The purpose shall be instructional rather than for entertainment.

Performances of nondramatic musical works that are copyrighted are permitted without the authorization of the copyright owner, provided that:

- The performance is not for a commercial purpose;
- None of the performers, promoters or organizers are compensated; and,
- Admission fees are used for educational or charitable purposes only.

All other musical and dramatic performances require permission from the copyright owner. Parents or others wishing to record a performance should check with the sponsor to ensure compliance with copyright.

Recording of Copyrighted Programs

Television programs, excluding news programs, transmitted by commercial and non-commercial television stations for reception by the general public without charge may be recorded off-air simultaneously with broadcast transmission (including simultaneous cable retransmission) and retained by a school for a period not to exceed the first forty-five (45) consecutive calendar days after date of recording. Upon conclusion of this retention period, all off-air recordings must be erased or destroyed immediately. Certain programming such as that provided on public television may be exempt from this provision; check with the *[principal, teacher or teacher librarian – choose all that apply or add others]* or the subscription database, e.g. unitedstreaming.

Use of Information Resources Regulation

Off-air recording may be used once by individual teachers in the course of instructional activities, and repeated once only when reinforcement is necessary, within a building, during the first 10 consecutive school days, excluding scheduled interruptions, in the 45 calendar day retention period. Off-air recordings may be made only at the request of and used by individual teachers, and may not be regularly recorded in anticipation of requests. No broadcast program may be recorded off-air more than once at the request of the same teacher, regardless of the number of times the program may be broadcast. A limited number of copies may be reproduced from each off-air recording to meet the legitimate needs of teachers. Each additional copy shall be subject to all provisions governing the original recording.

After the first ten consecutive school days, off-air recordings may be used up to the end of the 45 calendar day retention period only for evaluation purposes, i.e., to determine whether or not to include the broadcast program in the teaching curriculum. Permission must be secured from the publisher before the recording can be used for instructional purposes after the 10 day period.

Off-air recordings need not be used in their entirety, but the recorded programs may not be altered from their original content. Off-air recordings may not be physically or electronically combined or merged to constitute teaching anthologies or compilations. All copies of off-air recordings must include the copyright notice on the broadcast program as recorded.

Authorized Reproduction and Use of Copyrighted Computer Software

Schools have a valid need for high-quality software at reasonable prices. To assure a fair return to the authors of software programs, the school district shall support the legal and ethical issues involved in copyright laws and any usage agreements that are incorporated into the acquisition of software programs. To this end, the following guidelines shall be in effect:

- All copyright laws and publisher license agreements between the vendor and the school district shall be observed;
- Staff members shall take reasonable precautions to prevent copying or the use of unauthorized copies on school equipment;
- A back-up copy shall be purchased, for use as a replacement when a program is lost or damaged. If the vendor is not able to supply a replacement, the school district shall make a back-up copy that will be used for replacement purposes only;
- A copy of the software license agreement shall be retained by the*, [board secretary, technology director or teacher-librarian - choose all that apply or add others]*; and,
- A computer program may be adapted by adding to the content or changing the language. The adapted program may not be distributed.

Fair Use Guidelines for Educational Multimedia

Students may incorporate portions of copyrighted materials in producing educational multimedia projects such as videos, Power Points, podcasts and web sites for a specific course, and may perform, display or retain the projects.

Use of Information Resources Regulation

Educators may perform or display their own multimedia projects to students in support of curriculum-based instructional activities. These projects may be used:

- In face-to-face instruction;
- In demonstrations and presentations, including conferences;
- In assignments to students;
- For remote instruction if distribution of the signal is limited;
- Over a network that cannot prevent duplication for fifteen days, after fifteen days a copy may be saved on-site only; or,
- In their personal portfolios.
- Educators may use copyrighted materials in a multimedia project for two years, after that permission must be requested and received.

The following limitations restrict the portion of any given work that may be used pursuant of fair use in an educational multimedia project:

- Motion media: ten percent or three minutes, whichever is less;
- Text materials: ten percent or 1,000 words, whichever is less;
- Poetry: an entire poem of fewer than 250 words, but no more than three poems from one author or five poems from an anthology. For poems of greater than 250 words, excerpts of up to 250 words may be used, but no more than three excerpts from one poet or five excerpts from an anthology;
- Music, lyrics and music video: Up to ten percent, but no more than thirty seconds. No alterations that change the basic melody or fundamental character of the work;
- Illustrations, cartoons and photographs: No more that five images by an artist, and no more than ten percent or fifteen images whichever is less from a collective work;
- Numerical data sets: Up to ten percent or 2,500 field or cell entries, whichever is less;

Fair use does not include posting a student or teacher's work on the Internet if it includes portions of copyrighted materials. Permission to copy shall be obtained from the original copyright holder(s) before such projects are placed online. The opening screen of such presentations shall include notice that permission was granted and materials are restricted from further use.

Notices – Before including this section, make sure employees are ready to comply with it and notices are posted.

The [superintendent, principal, teacher, teacher-librarian, choose all that apply or add others] is responsible for ensuring that appropriate warning devices are posted. The warnings are to educate and warn individuals using school district equipment of the copyright law. Warning notices must be posted:

- *On or near copiers;*
- *On forms used to request copying services;*
- *On video recorders;*
- *On computers; and,*
- *At the library and other places where interlibrary loan orders for copies of materials are accepted.*

NOTE: For copyright notices and more information, please go to Heartland AEA website:
http://www.iowaaeaonline.org/copyright/BriefNOTESscreen.pdf

Code No. 606.1

CLASS SIZE - CLASS GROUPING

It shall be within the sole discretion of the board to determine the size of classes and to determine whether class grouping shall take place. The board may review class sizes annually.

It shall be the responsibility of the superintendent to make a recommendation to the board on class size based upon the financial condition of the school district, the qualifications of and number of licensed employees, and other factors deemed relevant to the board.

Legal Reference: Iowa Code §§ 279.8; 280.3 (2009).

Cross Reference: 606.6 Insufficient Classroom Space

Approved March 1995 Reviewed December 2013 Revised _____

Code No. 606.2

SCHOOL CEREMONIES AND OBSERVANCES

The school district will continue school ceremonies and observances which have become a tradition and a custom of the education program. These include, but are not limited to, reciting the Pledge of Allegiance and observance of holidays, such as Christmas, Halloween and Easter, by programs and performances. Such ceremonies or observances shall have a secular purpose and shall not advocate or sponsor a particular religion.

Students who do not wish to participate in these activities may be silent during the ceremony or observance or receive permission from the principal to be excused from the ceremony for religious reasons in compliance with board policy.

Legal Reference: U.S. Const. amend. I.
Lee v. Weisman, 112 S.Ct. 2649 (1992).
Lemon v. Kurtzman, 403 U.S. 602, (1971).
Graham v. Central Community School District of Decatur County, 608 F.Supp. 531
(S.D. Iowa 1985).
Iowa Code § 279.8 (2009).

Cross Reference: 603 Instructional Curriculum
604.5 Religious-Based Exclusion From A School Program

Approved March 1995 Reviewed December 2013 Revised _____

Code No. 606.3

ANIMALS IN THE CLASSROOM

Live animals will not be allowed in school district facilities except under special circumstances and only for an educational purpose. Permission from the principal will be required of anyone wishing to bring an animal into school district facilities. Appropriate supervision of animals is required when animals are brought into the school district facilities.

The person bringing the animal must furnish transportation for the animal brought to school. Animals will not be allowed to travel to and from the student's attendance center on the school bus without prior approval from the principal.

It shall be the responsibility of the principal to determine appropriate supervision of animals in the classroom.

Legal Reference: Iowa Code § 279.8 (2009).

Cross Reference: 507 Student Health and Well-Being

Approved March 1995 Reviewed December 2013 Revised _____

Code No. 606.4

STUDENT PRODUCTION OF MATERIALS AND SERVICES

Materials and services produced by students at the expense of the school district are the property of the school district. Materials and services produced by students at the student's expense, except for incidental expense to the school district, are be the property of the student.

It shall be the responsibility of the superintendent to determine incidental expense.

Legal Reference: Iowa Code § 279.8 (2009).

Cross Reference: 408.2 Licensed Employee Publication or Creation of Materials

Approved March 1995 Reviewed December 2013 Revised _____

Code No. 606.5

STUDENT FIELD TRIPS AND EXCURSIONS

The principal may authorize field trips and excursions when such events contribute to the achievement of education goals of the school district. The school district will provide transportation for field trips and excursions.

In authorizing field trips and excursions, the principal shall consider the financial condition of the school district, the educational benefit of the activity, the inherent risks or dangers of the activity, and other factors deemed relevant by the superintendent. Written parental permission will be required prior to the student's participation in field trips and excursions. The superintendent's approval will be required for field trips and excursions for overnight field trips. Board approval will be required for field trips and excursions which involve for out of state field trips.

Field trips and excursions are to be arranged with the principal well in advance. A detailed schedule and budget must be submitted by the employee. The school district will be responsible for obtaining a substitute teacher if one is needed. Following field trips and excursions, the teacher may be required to submit a written summary of the event.

Legal Reference: 390 C.F.R. Pt. 390.3(f) (1993).
Iowa Code § 279.8 (2009).
281 I.A.C. 43.9.

Cross Reference: 503.1 Student Conduct
503.4 Good Conduct Rule
603 Instructional Curriculum
711 Transportation

Approved March 1995 Reviewed December 2013 Revised _____

Code No. 606.6

INSUFFICIENT CLASSROOM SPACE

Insufficient classroom space shall be determined on a case-by-case basis. In making its determination whether insufficient classroom space exists, the board may consider several factors, including but not limited to, the nature of the education program, the grade level, the available licensed employees, the instructional method, the physical space, student-teacher ratios, equipment and materials, facilities either being planned or under construction, facilities planned to be closed, financial condition of the school district and projected to be available, a sharing agreement in force or planned, a bargaining agreement in force, laws or rules governing special education class size, board-adopted school district goals and objectives, and other factors considered relevant by the board.

This policy shall be reviewed by the board annually. It shall be the responsibility of the superintendent to bring this policy to the attention of the board each year.

Legal Reference: Iowa Code § 282.18(13) (2009).
281 I.A.C. 17.6(3).

Cross Reference:
103 Educational and Operational Planning
501.15 Open Enrollment Transfers - Procedures as a Receiving District
606.1 Class Size - Class Grouping

Approved March 1995 Reviewed December 2013 Revised _____

Code No. 607.1

STUDENT GUIDANCE AND COUNSELING PROGRAM

The board shall provide a student guidance and counseling program. The guidance counselor shall be certified with the Iowa Department of Education and hold the qualifications required by the board. The guidance and counseling program will serve grades kindergarten through twelve. The program will assist students with their personal, educational, and career development. The program shall be coordinated with the education program and involve licensed employees.

Legal Reference: Iowa Code § 622.10 (2009).
281 I.A.C. 12.3(6); .5(21).

Cross Reference:
506 Student Records
603 Instructional Curriculum
604.4 Program for At-Risk Students

Approved March 1995 Reviewed December 2013 Revised _____

Code No. 607.2

STUDENT HEALTH SERVICES

Health services are an integral part of comprehensive school improvement, assisting all students to increase learning, achievement, and performance. Health services coordinate and support existing programs to assist each student in achievement of an optimal state of physical, mental and social well being. Student health services ensure continuity and create linkages between school, home, and community service providers. The school district's comprehensive school improvement plan, needs, and resources determine the linkages.

Nurses and other medical employees employed by or requested to conduct services for the board shall hold and maintain a current Iowa license. In addition to the health services provided in the curriculum, the school district will provide the following district-wide health services:

- Annual vision screening tests;
- Annual audiometer screening tests;
- Annual spinal screening;
- Annual height and weight measurement; and
- Furnish evidence of immunization for students to the State Board of Health within the first thirty days of the school year.

The services listed above will be provided in conjunction with state public health officials and local hospitals. The school district will annually notify parents of physical exams or screenings conducted on students except for vision, hearing or scoliosis.

The superintendent, in conjunction with the school nurse will develop administrative regulations implementing this policy. The superintendent will provide a written report on the role of health services in the education program to the board annually.

Legal Reference: No Child Left Behind, Title II, Sec. 1061, P.L. 107-110 (2004).
42 U.S.C. §§ 12101 et seq. (2006).
20 U.S.C. 1232g § -1400 -6301 et seq. (2006).
29 U.S.C. § 794(a) (2006)
28 C.F.R. 35
34 C.F.R. pt. 99, 104, 200, 300 et seq. (2006)
Iowa Code §§ 22.7, 139A.3. .8, .21; 143.1, 152, 256.7(24), .11, 280.23 (2009).
281 I.A.C. 12.3(4), (7), (11); 12.4(12); 12.8; 41.405.
282 I.A.C. 15.3(14); 22.
641 I.A.C. 7.
655 I.A.C. 6, 6.3(1), 6.3(6), 6.6(1), 7.

Cross Reference: 501.4 Entrance - Admissions
507 Student Health and Well-Being

Approved March 1995 Reviewed December 2013 Revised

STUDENT HEALTH SERVICES REGULATION

Student Health Services Administrative Regulations

Student Health Services - Each school building may develop a customized student health services program within comprehensive school improvement based on its unique needs and resources. Scientific advances, laws, and school improvement necessitate supports to students with health needs to receive their education program.

Supports to improve student achievement include:

- qualified health personnel
- school superintendent, school nurse, and school health team working collaboratively
- family and community involvement
- optimal student health services program with commitment to its continuing improvement

Components provided within a coordinated school health program include:

health services	health education
nutrition	physical education and activity
healthy, safe environment	counseling, psychological, and social services
staff wellness	family and community involvement

Student health services are provided to identify health needs; facilitate access to health care; provide for health needs related to educational achievement; promote health, well-being, and safety; and plan and develop the health services program.

Student Health Services Essential Functions

Identify student health needs:

1. Provide individual initial and annual health assessments
2. Provide needed health screenings
3. Maintain and update confidential health records
4. Communicate (written, oral, electronic) health needs as consistent with confidentiality laws

Facilitate student access to physical and mental health services:

1. Link students to community resources and monitor follow through
2. Promote increased access and referral to primary health care financial resources such as Medicaid, HAWK-I, social security, and community health clinics
3. Encourage appropriate use of heath care

Provide for student health needs related to educational achievement:

1. Manage chronic and acute illnesses
2. Provide special health procedures and medication including delegation, training, and supervision of qualified designated school personnel

STUDENT HEALTH SERVICES REGULATION

3. Develop, implement, evaluate, and revise individual health plans (IHPs) for all students with special health needs according to mandates in the Individuals with Disabilities Education Act (IDEA), Rehabilitation Act (Section 504), and American with Disabilities Act (ADA)
4. Provide urgent and emergency care for individual and group illness and injury
5. Prevent and control communicable disease and monitor immunizations
6. Promote optimal mental health
7. Promote a safe school facility and a safe school environment
8. Participate in and attend team meetings as a team member and health consultant

Promote student health, well-being, and safety to foster healthy living:

1. Provide developmentally appropriate health education and health counseling for individuals and groups
2. Encourage injury and disease prevention practices
3. Promote personal and public health practices
4. Provide health promotion and injury and disease prevention education

Plan and develop the student health services program collaboratively with the superintendent, school nurse, and school health team:

1. Gather and interpret data to evaluate needs and performance
2. Establish health advisory council and school health team
3. Develop health procedures and guidelines
4. Collaborate with staff, families, and community
5. Maintain and update confidential student school health records
6. Coordinate program with all school health components
7. Coordinate with school improvement
8. Evaluate and revise the health service program to meet changing needs
9. Organize scheduling and direct health services staff
10. Develop student health services annual status report
11. Coordinate information and program delivery within the school and between school and major constituents
12. Provide health services by qualified health professionals to effectively deliver services, including multiple levels of school health expertise such as registered nurses, physicians, and advanced registered nurse practitioners
13. Provide for professional development for school health services staff

Expanded Health Services

These additional health services address learning barriers and the lack of access to health care. Examples include school-based services in the school, school-linked services connected to the school, primary care, mental health, substance abuse, and dental health.

NONINSTRUCTIONAL OPERATIONS AND BUSINESS SERVICE
Series 700

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Code No. 700

PURPOSE OF NONINSTRUCTIONAL AND BUSINESS SERVICES

This series of the board policy manual is devoted to the goals and objectives for the school district's noninstructional services and business operations that assist in the delivery of the education program. These noninstructional services include, but are not limited to, transportation, the school lunch program and child care. The board, as it deems necessary, will provide additional noninstructional services to support the education program.

It shall be the goal of the board to provide noninstructional services and to conduct its business operations in an efficient manner.

Approved March 1995 Reviewed December 2013 Revised _____

PATON-CHURDAN POLICY REFERENCE MANUAL

Code No. 701.1

DEPOSITORY OF FUNDS

Each year at its annual meeting, the board shall designate by resolution the name and location of the Iowa located financial depository institution or institutions to serve as the official school district depository or depositories. The maximum deposit amount to be kept in the depository shall be stated in the resolution. The amount stated in the resolution must be for all depositories and include all of the school district's funds.

It shall be the responsibility of the board secretary to include the resolution in the minutes of the meeting.

Legal Reference: Iowa Code §§ 12C; 279.33 (2009).

Cross Reference: 210.1 Annual Meeting
206.4 Treasurer
704.1 Local - State - Federal - Miscellaneous Revenue

Approved March 1995 Reviewed December 2013 Revised _____

PATON-CHURDAN POLICY REFERENCE MANUAL

Code No. 701.2

TRANSFER OF FUNDS

When the necessity for a fund has ceased to exist, the balance may be transferred to another fund or account by board resolution. School district monies received without a designated purpose may be transferred in this manner. School district monies received for a specific purpose or upon vote of the people may only be transferred, by board resolution when the purpose for which the monies were received has been completed. Voter approval is required to transfer monies to the general fund from the capital projects fund and debt service fund.

It is the responsibility of the board secretary to make recommendations to the board regarding transfers and to provide the documentation justifying the transfer.

Legal Reference: Iowa Code §§ 24.21-.22; 279.8; 298A (2009).

Cross Reference: 701.3 Financial Records
703 Budget
704.2 Sale of Bonds

Approved March 1995 Reviewed December 2013 Revised _____

Code No. 701.3

FINANCIAL RECORDS

Financial records of the school district are maintained in accordance with generally accepted accounting principles (GAAP) as required or modified by law. School district monies are received and expended from the appropriate fund and/or account. The funds and accounts of the school district will include, but not be limited to:

Governmental fund type:
- General fund
- Special revenue fund
  - --Management levy fund
  - --Physical plant and equipment levy fund
  - --Public education and recreation levy fund
  - --Student activity fund
- Capital projects fund
- Debt service fund

Proprietary fund type:
- Enterprise fund
  - --School nutrition fund
  - --Child care fund
- Internal service fund

Fiduciary funds:
- Trust or agency funds
  - --Expendable trust funds
  - --Nonexpendable trust funds
  - --Agency funds
  - --Pension trust funds

Account groups:
- General fixed assets account group
- General long-term debt account group

As necessary the board may, by board resolution, create additional funds within the governmental, proprietary and fiduciary fund types. The resolution shall state the type of fund, name of the fund and purpose of the fund.

The general fund is used primarily for the education program. Special revenue funds are used to account for monies restricted to a specific use by law. Proprietary funds account for operations of the school district operated similar to private business, and they account for the costs of providing goods and services provided by one department to other departments on a cost reimbursement basis. Fiduciary funds are used to account for monies or assets held by the school district on behalf of, or in trust for, another entity. The account groups are the accounting records for fixed assets and long-term debt.
It is the responsibility of the superintendent to implement this policy and bring necessary changes in the maintenance of the school district's financial records to the attention of the board.

Legal Reference: Iowa Code §§ 11.23; 298A (2009).

Cross Reference: 704 Revenue
705 Expenditures

Approved June 1997 Reviewed December 2013 Revised_____

Code No. 702

CASH IN SCHOOL BUILDINGS

The amount of cash that may be kept in the school building for any one day shall be sufficient for that day's operations.

A minimal amount of cash shall be kept in the central administration office at the close of the day. Excess cash shall be deposited in the authorized depository of the school district.

It shall be the responsibility of the superintendent to determine the amount of cash necessary for each day's operations and to comply with this policy.

Legal Reference: Iowa Code § 279.8 (2009).

Cross Reference: 701.1 Depository of Funds
704 Revenue

Approved March 1995 Reviewed December 2013 Revised _____

Code No. 703.1

BUDGET PLANNING

Prior to certification of the budget, the board will review the projected revenues and expenditures for the school district and make adjustments where necessary to carry out the education program within the revenues projected.

A budget for the school district shall be prepared annually for the board's review. The budget shall include the following:

- the amount of revenues from sources other than taxation;
- the amount of revenues to be raised by taxation;
- an itemization of the amount to be spent in each fund; and,
- a comparison of the amount spent and revenue received in each fund for like purposes in the two prior fiscal years.

It shall be the responsibility of the superintendent to prepare the budget for review by the board prior to the April 15 deadline each year.

Prior to the adoption of the proposed budget by the board, the public shall be apprised of the proposed budget for the school district. Prior to the adoption of the proposed budget by the board, members of the school district community shall have an opportunity to review and comment on the proposed budget. A public hearing for the proposed budget of the board shall be held each year in sufficient time to file the adopted budget no later than April 15.

The proposed budget filed by the board with the board secretary and the time and place for the public hearing on the proposed budget shall be published in a newspaper designated for official publication in the school district. It shall be the responsibility of the board secretary to publish the proposed budget and public hearing information at least ten days prior to the public hearing.

The board shall adopt and certify a budget for the operation of the school district to the county auditor by April 15. It shall be the responsibility of the board secretary to file the adopted and certified budget with the county auditor and other proper authorities.

The board may amend the budget for the fiscal year in the event of unforeseen circumstances. The amendment procedures shall follow the procedures for public review and adoption of the original budget by the board outlined in these policies.

It shall be the responsibility of the superintendent and the board secretary to bring any budget amendments necessary to the attention of the board to allow sufficient time to file the amendment with the county auditor no later than May 31 of each year.

Legal Reference: Iowa Code §§ 24; 257; 279.8; 297; 298; 618 (2009).

Cross Reference: 214 Public Hearings
703 Budget
704 Revenue
705 Expenditures

Approved March 1995 Reviewed December 2013 Revised _____

Code No. 703.2

SPENDING PLAN

The budget of the school district shall be the authority for the expenditures of the school district for the fiscal year for which the budget was adopted and certified. It shall be the responsibility of the superintendent to operate the school district within the budget.

Legal Reference: Iowa Code § 24.9 (2009).

Cross Reference: 703 Budget
704 Revenue

Approved March 1995 Reviewed December 2013 Revised _____

Code No. 704.1

LOCAL - STATE - FEDERAL - MISCELLANEOUS REVENUE

Revenues of the school district shall be received by the board treasurer. Other persons receiving revenues on behalf of the school district shall promptly turn them over to the board treasurer.

Revenue, from whatever source, shall be accounted for and classified under the official accounting system of the school district. It shall be the responsibility of the board treasurer to deposit the revenues received by the school district in a timely manner. School district funds from all sources shall not be used for private gain or political purposes.

Tuition fees received by the school district shall be deposited in the general fund. The tuition fees for kindergarten through twelfth grade during the regular academic school year shall be set by the board based upon the superintendent's recommendation in compliance with current law. Tuition fees for summer school, driver's education and adult education shall be set by the board prior to the offering of the programs.

The board may charge materials fees for the use or purchase of educational materials. Materials fees received by the school district shall be deposited in the general fund. It shall be the responsibility of the superintendent to recommend to the board when materials fees will be charged and the amount of the materials fees.

Rental fees received by the school district for the rental of school district equipment or facilities shall be deposited in the general fund. It shall be the responsibility of the superintendent to recommend to the board a fee schedule for renting school district property.

Proceeds from the sale of real property shall be placed in the schoolhouse fund. The proceeds from the sale of other school district property shall be placed in the general fund.

The board may claim exemption from the law prohibiting competition with private enterprise for the following activities:

- Goods and services directly and reasonably related to the educational mission;
- Goods and services offered only to students, employees or guests which cannot be provided by private enterprise at the same or lower cost;
- Use of vehicles for charter trips offered to the public, full- or part-time, or temporary students;
- Goods and services which are not otherwise available in the quantity or quality required by the school district;

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LOCAL - STATE - FEDERAL - MISCELLANEOUS REVENUE

- Telecommunications other than radio or television stations;
- Sponsoring or providing facilities for fitness and recreation;
- Food service and sales; and,
- Sale of books, records, tapes, software, educational equipment, and supplies.

It shall be the responsibility of the superintendent to bring to the board's attention additional sources of revenue for the school district.

Legal Reference: Iowa Code §§ 12C; 23A; 257.2; 279.8; 282.2, .6, .24; 291.12, .13; 297.9-.12, .22; 301.1 (2009).

Cross Reference: 701.1 Depository of Funds
703 Budget
803 Selling and Leasing
905 Use of School District Facilities & Equipment

Code No. 704.2

SALE OF BONDS

The board may conduct an election for the authority to issue bonded indebtedness. Revenues generated from an approved bond issue are used only for the purpose stated on the ballot. Once the purpose on the ballot is completed, any balance remaining in a capital projects fund may be retained for future capital projects in accordance with the purpose stated on the ballot or any remaining balance may be transferred by board resolution to the debt service fund or the physical plant and equipment levy fund. Voter approval is required to transfer monies to the general fund from the capital projects fund.

Revenues received from the issuing of bonded indebtedness are deposited into the capital projects fund.

Legal Reference: Iowa Code §§ 74-76; 278.1; 291.13; 298 (2009).

Cross Reference: 701 Financial Accounting System
704 Revenue

Approved March 1995 Reviewed December 2013 Revised

Code No. 704.3

INVESTMENTS

School district funds in excess of current needs shall be invested in compliance with this policy. The goals of the school district's investment portfolio in order of priority are:

- To provide safety of the principal;
- To maintain the necessary liquidity to match expected liabilities; and
- To obtain a reasonable rate of return.

In making investments, the school district shall exercise the care, skill, prudence and diligence under the circumstances then prevailing that a prudent person acting in a like capacity and familiar with such matters would use to meet the goals of the investment program.

School district funds are monies of the school district, including operating funds. "Operating funds" of the school district are funds which are reasonably expected to be used during a current budget year or within fifteen months of receipt. When investing operating funds, the investments must mature within three hundred and ninety-seven days or less. When investing funds other than operating funds, the investments must mature according to the need for the funds.

The board authorizes the treasurer to invest funds in excess of current needs in the following investments.

- Interest bearing savings, money market, and checking accounts at the school district's authorized depositories;
- Iowa Schools Joint Investment Trust Program (ISJIT); and,
- Certificates of deposit and other evidences of deposit at federally insured Iowa depository institutions.

It is the responsibility of the treasurer to oversee the investment portfolio in compliance with this policy and the law.

The treasurer is responsible for reporting to and reviewing with the board at its regular meetings the investment portfolio's performance, transaction activity and current investments.
It shall be the responsibility of the superintendent to deliver a copy of this policy to the school district's depositories, auditor and outside persons doing investment business with the school district.

It shall also be the responsibility of the superintendent, in conjunction with the treasurer, to develop a system of investment practices and internal controls over the investment practices. The investment practices shall be designed to prevent losses, to document the officers' and employees' responsibility for elements of the investment process and address the capability of the management.

Legal Reference: Iowa Code §§ 11.2, .6; 12.62; 12B.10; 12C; 22.1, .14; 28E.2; 257; 279.29; 283A 285; 502.701; 633.123 (2009).

Cross Reference: 206.4 Treasurer
704 Revenue

Approved March 1995 Reviewed December 2013 Revised

Code No. 704.4

GIFTS - GRANTS - BEQUESTS

The board believes gifts, grants, and bequests to the school district may be accepted when they will further the interests of the school district. The board shall have sole authority to determine whether the gift furthers the interests of the school district.

Gifts, grants, and bequests shall be approved by the board. Once it has been approved by the board, a board member or the superintendent may accept the gift on behalf of the school district.

Gifts, grants, and bequests once accepted on behalf of the school district shall become the property of the school district. Gifts, grants, and bequests shall be administered in accordance with terms, if any, agreed to by the board.

Legal Reference: Iowa Code §§ 279.42; 565.6 (2009).

Cross Reference: 217 Gifts to Board of Directors
402.4 Gifts to Employees
508.1 Class or Student Group Gifts

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Code No. 704.5

STUDENT ACTIVITIES FUND

Revenue raised by students or from student activities shall be deposited and accounted for in the student activities fund. This revenue is the property of and shall be under the financial control of the board. Students may use this revenue for purposes approved by the superintendent or building principal.

Whether such revenue is collected from student contributions, club dues, and special activities or result from admissions to special events or from other fund-raising activities, all funds will be under the jurisdiction of the board and under the specific control of the superintendent. They will be deposited in a designated depository and will be disbursed and accounted for in accordance with instructions issued by the superintendent.

It shall be the responsibility of the board secretary to keep student activity accounts up-to-date and complete.

Any unencumbered class or activity account balances will automatically revert to the general fund of the school when a class graduates or an activity is discontinued.

Legal Reference: Iowa Code §§ 11.23; 279.8 (2009).

Cross Reference: 504 Student Activities
701 Financial Accounting System

Approved March 1995 Reviewed December 2013 Revised

Code No. 705.1

PURCHASING - BIDDING

The board supports economic development in Iowa. Purchases by the school district will be made in Iowa for Iowa goods and services from a locally-owned business located within the school district or from an Iowa-based company which offers these goods or services if the cost and other considerations are relatively equal and they meet the required specifications.

Prior to August 15 of each year and after analyzing the school district's anticipated procurement level for the current fiscal year, the school board shall set a goal of ten percent of the anticipated procurement level to be purchased from certified targeted small businesses. In determining the procurement level, the cost of utilities (heat, electricity, telephone and natural gas) and employees' costs shall not be included. After the goal has been established, the superintendent shall file the required Targeted Small Business Procurement form with the Department of Education by August 15.

By July 31 of each year, the superintendent shall file a report with the Department of Education outlining purchases of goods and services from targeted small businesses for the previous fiscal year.

The school board and superintendent shall encourage targeted small businesses which are not certified with the Department of Inspections and Appeals to become certified targeted small businesses.

It shall be the responsibility of the superintendent to approve purchases, except those authorized by or requiring direct board action. The superintendent may coordinate and combine purchases with other governmental bodies to take advantage of volume price breaks.

The superintendent shall have the authority to authorize purchases without competitive bids for goods and services costing under $10,000 without prior board approval. For goods and services costing more than $10,000 and less than $25,000, the superintendent shall receive quotes of the goods and services to be purchased prior to approval of the board. Competitive sealed bids are required for purchases, other than emergency purchases, for goods and services that cost $25,000 or more, including construction contracts and school buses.

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Code No. 705.1

PURCHASING - BIDDING

The purchase will be made from the lowest responsible bidder based upon total cost considerations including, but not limited to, the cost of the goods and services being purchased, availability of service and/or repair, delivery date, the targeted small business procurement goal and other factors deemed relevant by the board.

The board and the superintendent shall have the right to reject any or all bids, or any part thereof, and to re-advertise. If it is determined that a targeted small business which bid on the project may be unable to perform the contract, the superintendent shall notify the Department of Economic Development. The board will enter into such contract or contracts as the board deems in the best interests of the school district.

Legal Reference: Iowa Code §§ 18.6(9); 23A; 28E.20; 72.3; 73; 73A; 285.10(3), .10(7); 301 (2009).
261 I.A.C. 54.
281 I.A.C. 43.25.
481 I.A.C. 25.
1984 Op. Att'y Gen. 115.
1974 Op. Att'y Gen. 171.

Cross Reference: 705 Expenditures
801.4 Site Acquisition
802 Maintenance, Operation and Management
803 Selling and Leasing

Approved March 1995 Reviewed December 2013 Revised _____

Code No. 705.2

PURCHASING ON BEHALF OF EMPLOYEES

Generally, the school district shall not purchase items on behalf of employees. The school district may in unusual and unique circumstances do so. It shall be within the discretion of the board to determine when unique and unusual circumstances exist.

No purchase shall be made unless the employee has paid the school district prior to the order being placed and the employee has agreed to be responsible for any taxes or other expenses due.

Legal Reference: Iowa Code § 279.8 (2009).

Cross Reference: 703 Budget

Approved March 1995 Reviewed December 2013 Revised

Code No. 705.3

PAYMENT FOR GOODS AND SERVICES

The board authorizes the issuance payment of claims against the school district for goods and services. The board will allow the payment after the goods and services have been received and accepted in compliance with board policy.

The board authorizes the board secretary, upon approval of the superintendent, to issue payment for verified bills, for reasonable and necessary expenses, when the board is not in session. The board secretary will examine the claims and verify bills. The board will approve the bills at its next regular meeting

The secretary will determine to the secretary's satisfaction that the claims presented to the board are in order and are legitimate expenses of the school district. It is the responsibility of the secretary to bring claims to the board.

The board president and board secretary may sign warrants by use of a signature plate or rubber stamp. If the board president is unavailable to personally sign warrants, the vice president may sign warrants on behalf of the president.

It is the responsibility of the superintendent to develop the administrative regulations regarding this policy.

Legal Reference: Love v. City of Des Moines, 210 Iowa 90, 230 N.W. 373 (1930).
Iowa Code §§ 279.8, .29, .30, .36; 291.12; 721.2(5) (2009).
281 I.A.C. 12.3(1).
1980 Op. Att'y Gen. 102, 160, 720.
1976 Op. Att'y Gen. 69.
1972 Op. Att'y Gen. 130, 180, 392, 456, 651.
1936 Op. Att'y Gen. 375.

Cross Reference: 705 Expenditures

Approved March 1995 Reviewed December 2013 Revised _____

Code No. 706.1

PAYROLL PERIODS

The payroll period for the school district shall be monthly. Employees shall be paid on the 20th day of each month. If this day is a holiday, recess, or weekend, the payroll shall be paid on the last working day prior to the holiday, recess or weekend.

It shall be the responsibility of the board secretary to issue payroll to employees in compliance with this policy.

Legal Reference: Iowa Code §§ 20.9; 91A.2(4), .3 (2009).

Cross Reference: 706.2 Payroll Deductions

Approved March 1995 Reviewed December 2013 Revised

Code No. 706.2

PAYROLL DEDUCTIONS

Ease of administration shall be the primary consideration for payroll deductions, other than those required by law. Payroll deductions shall be made for federal income tax withholdings, Iowa income tax withholdings, social security, and the Iowa Public Employees' Retirement System.

Employees may elect to have payments withheld for professional dues, district-related and mutually agreed upon group insurance coverage, and/or tax sheltered annuity programs. Requests for these deductions shall be made in writing to the business manager.
It shall be the responsibility of the superintendent to determine which additional payroll deductions will be allowed.

The requirements stated in the Master Contract between employees in a certified collective bargaining unit and the board regarding payroll deductions of such employees shall be followed.

Legal Reference: Iowa Code §§ 91A.2(4), .3; 294.8-.9, .15-.16; 422 (2009).

Cross Reference: 406.6 Licensed Employee Tax Shelter Programs
412.4 Classified Employee Tax Shelter Programs
706.1 Payroll Periods

Approved March 1995 Reviewed December 2013 Revised

Code No. 706.3

PAY DEDUCTIONS

The district provides leaves of absences to allow employees to be absent from work to attend to important matters outside of the workplace. As public employers, school districts are expected to record and monitor the work that employees perform and to conform to principles of public accountability in their compensation practices.

Consistent with principles of public accountability, it is the policy of the district that, when an employee is absent from work for less than one work day and the employee does not use accrued leave for such absence, the employee's pay will be reduced or the employee will be placed on leave without pay if:

- the employee has not sought permission to use paid leave for this partial-day absence,
- the employee has sought permission to use paid leave for this partial-day absence and permission has been denied,
- the employee's accrued paid leave has been exhausted, or,
- the employee chooses to use leave without pay.

In each case in which an employee is absent from work for part of a work day, a deduction from compensation will be made or the employee will be placed on leave without pay for a period of time which is equal to the employee's absence from the employee's regularly scheduled hours of work on that day.

Legal Reference: 29 U.S.C. Sec. 2 13(a) (2006)
29 C.F.R. Part 541 (2006)

Cross References: 409.8 Licensed Employee Unpaid Leave
414.8 Classified Employee Unpaid Leave

Approved March 1995 Reviewed December 2013 Revised _____

Code No. 706.3R1

PAY DEDUCTION REGULATION

The district complies with all applicable laws with respect to payment of wages and benefits to employees including laws such as the federal Fair Labor Standards Act and the Iowa Wage Payment Collection Act. The district will not make pay deductions that violate either the federal or state laws.

Any employee who believes that the district has made an inappropriate deduction or has failed to make proper payment regarding wages or benefits is encouraged to immediately consult with the appropriate supervisor. Alternatively, any employee may file a formal written complaint with the Business Manager. Within 15 business days of receiving the complaint, the Business Manager will make a determination as to whether the pay deductions were appropriate and provide the employee with a written response that may include reimbursement for any pay deductions that were not appropriately made.

This complaint procedure is available in addition to any other complaint process that also may be available to employees.

Code No. 707.1

SECRETARY'S REPORTS

The board secretary shall report to the board each month about the receipts, disbursements and balances of the various funds. This report shall be in written form and sent to the board with the agenda for the board meeting.

Legal Reference: Iowa Code §§ 279.8; 291.7 (2009).

Cross Reference: 206.3 Secretary
210.1 Annual Meeting
707 Fiscal Reports

Approved March 1995 Reviewed December 2013 Revised

Code No. 707.2

TREASURER'S ANNUAL REPORT

At the annual meeting, the treasurer shall give the annual report stating the amount held over, received, paid out, and on hand in the general and schoolhouse funds. This report shall be in written form and sent to the board with the agenda for the board meeting. The treasurer shall also furnish the board with a sworn statement from each depository showing the balance then on deposit.

It shall be the responsibility of the treasurer to submit this report to the board annually.

Legal Reference: Iowa Code §§ 279.31, .33 (2009).

Cross Reference: 206.4 Treasurer
210.1 Annual Meeting
707 Fiscal Reports

Approved March 1995 Reviewed December 2013 Revised

Code No. 707.3

PUBLICATION OF FINANCIAL REPORTS

Each month the schedule of bills allowed by the board shall be published in a newspaper designated as a newspaper for official publication. Annually, the total salaries paid to employees regularly employed by the school district shall also be published in a newspaper designated as a newspaper for official publication.

It shall be the responsibility of the board secretary to publish these reports in a timely manner.

Legal Reference: Iowa Code § 279.35, .36; 618 (2009).
1952 Op. Att'y Gen. 133.

Cross Reference: 206.3 Secretary

Approved March 1995 Reviewed December 2013 Revised

Code No. 707.4

AUDIT

To review the funds and accounts of the school district, the board shall employ an auditor to perform an annual audit of the financial affairs of the school district. The administration shall cooperate with the auditors.

Legal Reference: Iowa Code § 11.6 (2009).

Cross Reference: 701 Financial Accounting System
707 Fiscal Reports

Approved March 1995 Reviewed December 2013 Revised

Code No. 707.5

INTERNAL CONTROLS

The Board expects all board members, employees, volunteers, consultants, vendors, contractors, students and other parties maintaining any relationship with the school district to act with integrity, due diligence, and in accordance with all laws in their duties involving the school district's resources. The board is entrusted with public dollars and no one connected with the school district should do anything to erode that trust.

Internal control is the responsibility of all employees of the school district. The superintendent, business manager and board secretary shall be responsible for developing internal controls designed to prevent and detect fraud, financial impropriety, or fiscal irregularities within the school district subject to review and approval by the board. Administrators shall be alert for any indication of fraud, financial impropriety, or irregularity within the administrator's area of responsibility.

Any employee who suspects fraud, impropriety, or irregularity shall report their suspicions immediately to his/her immediate supervisor, and/or the superintendent, and/or an audit committee member. The superintendent and/or an audit committee member shall have primary responsibility for any necessary investigations and shall coordinate investigative efforts with the board's legal counsel, auditing firm, and other internal or external departments and agencies, including law enforcement officials, as the superintendent and/or an audit committee member may deem appropriate.

Employees bringing forth a legitimate concern about a potential impropriety will not be retaliated against and those who do retaliate against such an employee will be subject to disciplinary action up to, and including, discharge.

In the event the concern or complaint involves the superintendent, the concern shall be brought to the attention of the board vice-president, and/or an audit committee member] who shall be empowered to contact the board's legal counsel, insurance agent, auditing firm, and any other agency to investigate the concern or complaint.

Upon approval of the board, the superintendent, and/or an audit committee member may contact the State Auditor or elect to employ the school district's auditing firm or State Auditor to conduct a complete or partial forensic/internal control/SAS99 audit annually or otherwise as often as deemed necessary. The superintendent is authorized to order a complete forensic audit if, in the superintendent's judgment, such an audit would be useful and beneficial to the school district. The superintendent, and/or an audit committee member shall ensure the State Auditor is notified of any suspected embezzlement or theft pursuant to Iowa law. In the event, there is an investigation, records will be maintained for use in the investigation. Individuals found to have altered or destroyed records will be subject to disciplinary action, up to, and including termination.

Legal References: American Competitiveness and Corporate Accountability Act of 2002, Pub. L. No. 107-204.
Iowa Code ch. 11, 279.8 (2009).

Cross References: 707.6 Audit Committee

Approved October 2010 Revised_____ Reviewed_____

Code No. 707.5R1

INTERNAL CONTROLS PROCEDURES

Fraud, financial improprieties, or irregularities include, but are not limited to:

- Forgery or unauthorized alteration of any document or account belonging to the district.
- Forgery or unauthorized alteration of a check, bank draft, or any other financial document.
- Misappropriation of funds, securities, supplies, or other assets.
- Impropriety in the handling of money or reporting of financial transactions.
- Profiteering because of "insider" information of district information or activities.
- Disclosing confidential and/or proprietary information to outside parties.
- Accepting or seeking anything of material value, other than items used in the normal course of advertising, from contractors, vendors, or persons providing services to the district.
- Destroying, removing, or inappropriately using district records, furniture, fixtures, or equipment.
- Failing to provide financial records to authorized state or local entities.
- Failure to cooperate fully with any financial auditors, investigators or law enforcement.
- Any other dishonest or fraudulent act involving district monies or resources.

The superintendent, and/or an audit committee member shall investigate reports of fraudulent activity in a manner that protects the confidentiality of the parties and the facts. All employees involved in the investigation shall be advised to keep information about the investigation confidential.

If an investigation substantiates the occurrence of a fraudulent activity, the superintendent, and/or an audit committee member, or board vice-president if the investigation centers on the superintendent, shall issue a report to the board and appropriate personnel. The final disposition of the matter and any decision to file or not file a criminal complaint or to refer the matter to the appropriate law enforcement and/or regulatory agency for independent investigation shall be made in consultation with district legal counsel. The results of the investigation shall not be disclosed to or discussed with anyone other than those individuals with a legitimate right to know until the results are made public.

Code No. 707.6

AUDIT COMMITTEE

The board recognizes that it is charged with raising tax revenues and related expenditures to maintain the educational program for the school district. Public funds are held in trust by the board to be spent appropriately on the educational program. To further ensure funds are spent appropriately, the board establishes an audit committee to assist the board on internal financial matters and with the annual audit.

The audit committee is comprised of the two board members, business manager and superintendent.

The major responsibilities of the audit committee are to:

- Recommend an auditor to the board
- Oversee the selection of the independent auditor and the resolution of audit findings including compliance with the mandatory request for proposal process.
- Act as a liaison between the board and the auditor during the audit process.
- Annually report to the board about the annual audit.
- Recommend internal changes that may need to be made to ensure appropriate internal controls are being implemented.

The audit committee will meet as directed by its chair.

Legal References: American Competitiveness and Corporate Accountability Act of 2002, Pub. L. No. 107-204.
Iowa Code ch. 11, 279.8 (2009).

Cross References: 208 Ad Hoc Committees
707.5 Internal Controls

Approved _____ Revised _____ Reviewed _____

Code No. 708

CARE, MAINTENANCE AND DISPOSAL OF SCHOOL DISTRICT RECORDS

School district records shall be housed in the central administration office of the school district. It shall be the responsibility of the superintendent to oversee the maintenance and accuracy of the records. The following records shall be kept and preserved according to the schedule below:

- Secretary's financial records- Permanently
- Treasurer's financial records - Permanently
- Minutes of the Board of Directors - Permanently
- Annual audit reports - Permanently
- Annual budget - Permanently
- Permanent record of individual pupil - Permanently
- Records of payment of judgments against the school district - 20 years
- Bonds and bond coupons - 10 years
- Written contracts - 10 years
- Cancelled warrants, check stubs, bank statements, bills, invoices, and related records - 5 years
- Recordings of closed meetings - 1 year
- Program grants - As determined by the grant
- Nonpayroll personnel records - 7 years
- Payroll records - 3 years

Employees' records shall be housed in the central administration office of the school district. The employees' records shall be maintained by the superintendent, the building administrator, the employee's immediate supervisor, and the board secretary.

An inventory of the furniture, equipment, and other nonconsumable items other than real property of the school district shall be conducted annually under the supervision of the superintendent. This report shall be filed with the board secretary.

The permanent and cumulative records of students currently enrolled in the school district are housed in the central administration office. Permanent records must be housed in a fireproof vault. The building administrator is responsible for keeping these records current. Records of students who have graduated or are no longer enrolled in the school district are housed in the central administration office or in a safety deposit box at the United Bank of Iowa. These records will be maintained by the guidance counselor. The guidance counselor may microfilm or microfiche or place on a flash drive, school district records and may destroy paper copies of the records if they are more than three years old. A properly authenticated reproduction of a microfilmed or electronic record meets the same legal requirements as the original record.

Legal Reference: City of Sioux City v. Greater Sioux City Press Club, 421 N.W.2d 895 (Iowa 1988).
City of Dubuque v. Telegraph Herald, Inc., 297 N.W.2d 523 (Iowa 1980).
Iowa Code §§ 22.3, .7; 279.8, .15, .16; 304 (2009).
281 I.A.C. 12.3(6).

Cross Reference: 206.3 Secretary
215 Board of Directors' Records
401.5 Employee Records
506 Student Records
901 Public Examination of School District Records

Approved March 1995 Reviewed December 2013 Revised

Code No. 709

INSURANCE PROGRAM

The board will maintain a comprehensive insurance program to provide adequate coverage against major types of risk, loss, or damage, as well as legal liability. The board will purchase insurance at replacement values, when possible, after reviewing the costs and availability of such insurance. The comprehensive insurance program is reviewed once every three years. Insurance will only be purchased through legally licensed Iowa insurance agents.

The school district will assume the risk of property damage, legal liability, and dishonesty in cases in which the exposure is so small or dispersed that a loss does not significantly affect the operation of the education program or financial condition of the school district.

The board may retain a private organization for fixed assets management services.

Administration of the insurance program, making recommendations for additional insurance coverage, placing the insurance coverage and loss prevention activities is the responsibility of the superintendent. The (superintendent/fixed assets manager) is responsible for maintaining the fixed assets management system, processing claims and maintaining loss records.

Legal Reference: Iowa Code §§ 20.9; 85.2; 279.12, .28; 285.5(6), .10(6); 296.7; 517A.1; 670.7(2009).
1974 Op. Att'y Gen. 171.
1972 Op. Att'y Gen. 676.

Cross Reference: 205 Board Member Liability
709 Insurance Program
804 Safety Program

Approved March 1995 Reviewed December 2013 Revised

Code No. 710.1

SCHOOL FOOD PROGRAM

The school district will operate a school lunch program in each attendance center. The school food program services will include hot lunches through participation in the National School Lunch Program and supplementary foods for students during the school day. Students may bring their lunches from home and purchase milk or juice and other incidental items.

School food service facilities are provided to serve students and employees when school is in session and during school-related activities. They may also be used under the supervision of the director for food service to employee groups, and civic organizations meeting for the purpose of better understanding the schools, and senior citizens in accordance with board policy.

The school food program is operated on a nonprofit basis. The revenues of the school food program will be used only for paying the regular operating costs of the school food program. Supplies of the school food program shall only be used for the school food program.

The board will set, and periodically review, the prices for school lunches, and special milk programs. It shall be the responsibility of the superintendent to make a recommendation regarding the prices of school lunch, and milk.

It shall be the responsibility of food service director to administer the program and to cooperate with the superintendent for the proper functioning of the school food program.

Legal Reference: 42 U.S.C. §§ 1751 et seq. (2006).
7 C.F.R. Pt. 210 et seq. (2006).
Iowa Code ch. 283A (2009).
281 I.A.C. 58.

Cross Reference: 710 School Food Services
905 Use of School District Facilities and Equipment

Approved March 1995 Reviewed October 2010 Revised _____

Code No. 710.2

FREE OR REDUCED COST MEALS ELIGIBILITY

Students enrolled and attending school in the school district, who are unable to afford the special milk program, the cost or a portion of the cost of the school lunch and supplemental foods, will be provided the school food program services at no cost or at a reduced cost.

It shall be the responsibility of the central office to determine if a student qualifies for free or reduced cost school food services. Students, whom the central office believes are improperly nourished, will not be denied the school food program services simply because the paperwork has not been completed.

Employees, students and others will be required to purchase tickets for meals consumed.

It shall be the responsibility of the superintendent to develop administrative regulations for implementing this policy.

Legal Reference: 42 U.S.C. §§ 1751 et seq. (2006).
7 C.F.R. Pt. 210 et seq. (2006).
Iowa Code ch. 283A (2009).
281 I.A.C. 58.

Cross Reference: 710 School Food Services

Approved March 1995 Reviewed December 2013 Revised

Code No. 710.3

VENDING MACHINES

Food served or purchased by students during the school day and food served or purchased for other than special circumstances is approved by the superintendent. Vending machines in the school building are the responsibility of the building principal. Purchases from the vending machines, will reflect the guidelines in the Wellness policy 507.9.

It is the responsibility of the superintendent to develop administrative regulations for the use of vending machines and other sales of food to students.

Legal Reference: 42 U.S.C. §§ 1751 et seq. (2006.
7 C.F.R. Pt. 210 et seq. (2006).
Iowa Code ch. 283A (2009).
281 I.A.C. 58.

Cross Reference: 504.5 Student Fund Raising
710 School Food Services

Approved March 1995 Reviewed December 2013 Revised

Code No. 711.1

STUDENT SCHOOL TRANSPORTATION ELIGIBILITY

Elementary and middle school students living more than two miles from their designated school attendance centers and high school students living more than three miles from their designated attendance centers are entitled to transportation to and from their attendance center at the expense of the school district.

Transportation of students who require special education services will generally be provided as for other students, when appropriate. Specialized transportation of a student to and from a special education instructional service is a function of that service and, therefore, an appropriate expenditure of special education instructional funds generated through the weighting plan.

Transportation of a student to and from a special education support service is a function of that service, and is specified in the individualized education program (IEP) or the individualized family service plan (IFSP). When the IEP or IFSP team determines that unique transportation arrangements are required and the arrangements are specified in the IEP or IFSP, the school district will provide one or more of the following transportation arrangements for instructional services and the AEA for support services:

- Transportation from the student's residence to the location of the special education and back to the student's residence, or child care placement for students below the age of six.
- Special assistance or adaptations in getting the student to and from and on and off the vehicle, en route to and from the special education.
- Reimbursement of the actual costs of transportation when by mutual agreement the parents provide transportation for the student to and from the special education.

The school district is not required to provide reimbursement to parents who elect to provide transportation in lieu of agency-provided transportation.

A student may be required, at the board's discretion, to meet a school vehicle without reimbursement up to three-fourths of a mile. The board may require the parent to transport their children up to two miles to connect with school bus vehicles at the expense of the school district when conditions deem it advisable. It is within the discretion of the board to determine such conditions. Parents of students who live where transportation by bus is impracticable or unavailable may be required to furnish transportation to and from the designated attendance center at the expense of the school district. Parents, who transport their children at the expense of the school district, are reimbursed at the rate per mile set by the state.

Transportation arrangements made by agreement with a neighboring school district will follow the terms of the agreement. Students, who choose to attend a school in a school district other than their resident school district, will provide transportation to and from the school at their own expense.

Legal Reference:	20 U.S.C. §§ 1401, 1701 et seq. (2006). 34 C.F.R. Pt. 300 et seq. (2006). Iowa Code §§ 256B.4; 285; 321 (2009). 281 I.A.C. 41.8; 43.
Cross Reference:	501.16 Homeless Children and Youth 603.3 Special Education 711 Transportation

Approved April 1998 Reviewed December 2013 Revised

Code No. 711.2

STUDENT CONDUCT ON SCHOOL TRANSPORTATION

Students utilizing school transportation shall conduct themselves in an orderly manner fitting to their age level and maturity with mutual respect and consideration for the rights of the school vehicle driver and the other passengers. Students who fail to behave in an orderly manner will be subject to disciplinary measures.

The driver shall have the authority to maintain order on the school vehicle. It shall be the responsibility of the driver to report misconduct to the building administrator.

The board supports the use of video cameras on school buses used for transportation to and from school as well as for field trips, curricular or extracurricular events. The video cameras will be used to monitor student behavior and may be used as evidence in a student disciplinary proceeding. The videotapes are student records subject to school district confidentiality, board policy and administrative regulations.

After two warnings for bad conduct, the building principal shall have the authority to suspend transportation privileges of the student or impose other appropriate discipline. In the event of serious bad conduct, the building principal shall have the authority to suspend transportation privileges immediately for a period of time.

It shall be the responsibility of the superintendent, in conjunction with the building principal, to develop administrative regulations regarding student conduct and discipline when utilizing school district transportation.

Legal Reference: Iowa Code §§ 279.8; 285; 321 (2009).

Cross Reference: 503 Student Discipline
506 Student Records

Approved March 1995 Reviewed December 2013 Revised

Code No. 711.2R1

STUDENT CONDUCT ON SCHOOL TRANSPORTATION REGULATION

All persons riding in school district vehicles shall adhere to the following rules. The driver, sponsor or chaperones are to follow the school bus discipline procedure for student violations of this policy. Video cameras may be in operation on the school buses.

1. Bus riders shall be at the designated loading point before the bus arrival time.
2. Bus riders shall wait until the bus comes to a complete stop before attempting to enter.
3. Riders must not extend arms or heads out of the windows at any time.
4. Aisles must be kept cleared at all times.
5. All bus riders shall load and unload through the right front door. The emergency door is for emergencies only.
6. A bus rider will depart from the bus at the designated point unless written permission to get off at a different location is given to the driver.
7. A rider will be assigned a seat by the driver.
8. Riders who damage seats or other equipment will reimburse the district for the cost of the repair or replacement.
9. Riders are not permitted to leave their seats while the vehicle is in motion.
10. Waste containers are provided on all buses for bus riders' use.
11. Permission to open windows must be obtained from the driver.
12. Classroom conduct is to be observed by students while riding the bus except for ordinary conversation.
13. The driver is in charge of the students and the vehicle, and the driver is to be obeyed promptly and cheerfully.
14. Students shall assist in looking after the safety and comfort of younger students.

Approved March 1995 Reviewed December 2013 Revised

STUDENT CONDUCT ON SCHOOL TRANSPORTATION REGULATION

15. A bus rider who must cross the roadway to board or depart from the bus shall pass in front of the bus (no closer than 10 feet), look in both directions and proceed to cross the road or highway only on signal from the driver.

16. Students shall not throw objects about the vehicle nor out through the windows.

17. Shooting paper wads, squirt guns or other material in the vehicle is not permitted.

18. Students shall keep feet off the seats.

19. Roughhousing in the vehicle is prohibited.

20. Students shall refrain from crowding or pushing.

21. The use or possession of alcohol, tobacco or look-alike substances is prohibited in the vehicle.

22. The Good Conduct Rule is in effect.

Code No. 711.2R2

USE OF VIDEO CAMERAS ON SCHOOL BUSES REGULATION

The board supports the use of video cameras on school buses as a means to monitor and maintain a safe environment for students and employees. The video cameras may be used on buses used for transportation to and from school, field trips, curricular events and extracurricular events. The contents of the videotapes may be used as evidence in a student disciplinary proceeding.

Student Records

The content of the videotapes is a student record subject to board policy and administrative regulations regarding confidential student records. Only those persons with a legitimate educational purpose may view the videotapes. In most instances, those individuals with a legitimate educational purpose may be the superintendent, building principal, transportation director, bus driver and special education staffing team. A videotape recorded during a school-sponsored trip, such as an athletic event, may also be accessible to the sponsor or coach of the activity. If the content of the videotape becomes the subject of a student disciplinary proceeding, it may be treated like other evidence in the proceeding.

Notice

The school district will annually provide the following or similar notice to students and parents:

> The Paton-Churdan Community School District Board of Directors has authorized the use of video cameras on school district buses. The video cameras will be used to monitor student behavior to maintain order on the school buses to promote and maintain a safe environment. Students and parents are hereby notified that the content of the videotapes may be used in a student disciplinary proceeding. The content of the videotapes are confidential student records and will be retained with other student records. Videotapes will only be retained if necessary for use in a student disciplinary proceeding or other matter as determined necessary by the administration. Parents may request to view videotapes of their child if the videotapes are used in a disciplinary proceeding involving their child.

Note: If a school board makes the determination that students will be notified when the video cameras are in use, it should also state it in the annual notice.

The following notice will also be placed on all school buses equipped with a video camera:

> This bus is equipped with a video/audio monitoring system.

Approved March 1995 Reviewed December 2013 Revised _____

Code No. 711.2R2

USE OF VIDEO CAMERAS ON SCHOOL BUSES REGULATION

Review of Videotapes

The school district shall review videotapes randomly or when necessary as a result of an incident reported by a bus driver, student or parent. The tape is recirculated after 30 days.

Viewing of videotapes is limited to the individuals having a legitimate educational purpose.

Video Monitoring System

Video cameras will be used on a select number of school district buses.

Determination of how video cameras will be used and which school buses will be equipped with video equipment will be made by the superintendent in consultation with the building principals and transportation director.

Student Conduct

Students are prohibited from tampering with the video cameras on the school buses. Students found in violation of this regulation shall be disciplined in accordance with the school district discipline policy and Good Conduct Rule and shall reimburse the school district for any repairs or replacement necessary as a result of the tampering.

Code No. 711.3

STUDENT TRANSPORTATION FOR EXTRACURRICULAR ACTIVITIES

The board in its discretion may provide school district transportation for extracurricular activities including, but not limited to, transporting student participants and other students to and from extracurricular events.

Students participating in extracurricular events, other than those held at the school district facilities, may be transported to the extracurricular event by school district transportation vehicles or by another means approved by the superintendent.

Students, who are provided transportation in school district transportation vehicles for extracurricular events, shall ride both to and from the event in the school vehicle unless arrangements have been made with the building principal prior to the event. A student's parent may personally appear and request to transport the student home from a school-sponsored event in which the student traveled to the event on a school district transportation vehicle.

It shall be the responsibility of the superintendent to make a recommendation to the board annually as to whether the school district shall provide the transportation authorized in this policy. In making the recommendation to the board, the superintendent shall consider the financial condition of the school district, the number of students who would qualify for such transportation, and other factors the board or superintendent deem relevant.

Legal Reference: Iowa Code §§ 256B.4; 285.1-.4; 321 (2009).
281 I.A.C. 41.8; 43.

Cross Reference: 504 Student Activities
711 Transportation

Approved March 1995 Reviewed December 2013 Revised

Code No. 711.4

SUMMER SCHOOL PROGRAM TRANSPORTATION SERVICE

The school district may use school vehicles for transportation to and from summer extracurricular activities. The superintendent shall make a recommendation to the board annually regarding their use.

Transportation to and from the student's attendance center for summer school instructional programs shall be within the discretion of the board. It shall be the responsibility of the superintendent to make a recommendation regarding transportation of students in summer school instructional programs at the expense of the school district. In making the recommendation to the board, the superintendent shall consider the financial condition of the school district, the number of students involved in summer school programs, and other factors deemed relevant by the board or the superintendent.

Legal Reference: Iowa Code § 285.10 (2009).
281 I.A.C. 43.10.

Cross Reference: 603.2 Summer School Instruction
711 Transportation

Approved March 1995 Reviewed December 2013 Revised _____

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Code No. 711.5

TRANSPORTATION OF NONRESIDENT AND NONPUBLIC SCHOOL STUDENTS

The board has sole discretion to determine the method to be utilized for transporting nonresident and nonpublic students. Nonresident students paying tuition may be, and resident students attending a nonpublic school accredited by the State Department of Education will be, transported on an established public school vehicle route as long as such transportation does not interfere with resident public students' transportation. Nonresident and nonpublic school students shall obtain the permission of the superintendent prior to being transported by the school district.

Parents of resident students who provide transportation for their children attending a nonpublic school accredited by the Iowa Department of Education will be reimbursed at the established state rate. This reimbursement shall be paid only if the school district receives the funds from the state. If less than the amount of funds necessary to fully reimburse parents of the nonpublic students is received by the school district, the funds shall be prorated.

The charge to the nonresident students shall be determined based on the students' pro rata share of the actual costs for transportation. The parents of these students shall be billed for the student's share of the actual costs of transportation. The billing shall be according to the schedule developed by the superintendent. It shall be the responsibility of the superintendent to determine the amount to be charged and report it to the board secretary for billing.

Continued transportation of nonresident and nonpublic school students on a public school vehicle route will be subject to resident public school students' transportation needs. The superintendent shall make a recommendation annually to the board regarding the method to be used. In making a recommendation to the board, the superintendent shall consider the number of students to be transported, the capacity of the school vehicles, the financial condition of the school district and other factors deemed relevant by the board or the superintendent.

Nonresident and nonpublic school students are subject to the same conduct regulations as resident public students as prescribed by board policy, and to other policies, rules, or regulations developed by the school district regarding transportation of students by the school district.

Legal Reference: Iowa Code §§ 285.1-.2, .10, .16 (2009).

Cross Reference: 711 Transportation

Approved March 1995 Reviewed December 2013 Revised

Code No. 711.6

TRANSPORTATION OF NONSCHOOL GROUPS

Only in unusual circumstances will the board make school district transportation vehicles available to local nonprofit entities which promote cultural, educational, civic, community, or recreational activities for transporting to and from nonschool-sponsored activities in the state as long as the transportation does not interfere with or disrupt the education program of the school district and does not interfere with or delay the transportation of students. The local nonprofit entity must pay the cost of using the school district vehicle as determined by the superintendent.

It shall be the responsibility of the superintendent to develop administrative regulations for use of school district transportation vehicles to transport students and others to school-sponsored events within the state and for application for, use of, and payment for using the school district transportation vehicles by local nonprofit entities for a nonschool-sponsored activity.

Legal Reference: Iowa Code §§ 285.1(21), .10(9), (10) (2009).
281 I.A.C. 41.412
281 I.A.C. 43.10.

Cross Reference: 711 Transportation
900 Principles and Objectives for Community Relations

Approved March 1995 Reviewed December 2013 Revised

Code No. 711.7

SCHOOL BUS SAFETY INSTRUCTION

The school district shall conduct school bus safe riding practices instruction and emergency safety drills once a year for students who utilize school district transportation.

Each school bus vehicle shall have, in addition to the regular emergency safety drill, a plan for helping those students who require special assistance to safety during an emergency. This shall include, but not be limited to, students with disabilities.

School district vehicle drivers are required to attend each safety drill.

Employees shall be responsible for instructing the proper techniques to be followed during an emergency, as well as safe riding practices. It shall be the responsibility of the superintendent to develop administrative regulations regarding this policy.

Legal Reference: Iowa Code §§ 279.8; 321 (2009).
281 I.A.C. 43.40.
281 I.A.C. 41.412

Cross Reference: 503 Student Discipline
507 Student Health and Well-Being
804.2 Warning System and Emergency Plans

Approved March 1995 Reviewed December 2013 Revised

Code No. 711.8

TRANSPORTATION IN INCLEMENT WEATHER

School district buses will not operate when weather conditions due to fog, rain, snow or other natural elements make it unsafe to do so. Because weather conditions may vary around the school district and may change quickly, the best judgment possible will be used with the information available.

The final judgment as to when conditions are unsafe to operate will be made by the superintendent. The superintendent will be assisted by the actual "on location" reports of the drivers.

Several drivers each year will be specially designated to report weather and road conditions by bus radio when requested to do so. Other employees and students will be notified by notification system when school is cancelled or temporarily delayed. When school is cancelled because of weather anywhere in the school district, all schools will be closed.

When weather conditions deteriorate during the day after school has begun, cancellation notices will be announced by notification system. Students will be returned to their regular drop-off sites unless weather conditions prevent it. In that case, students will be kept at or returned to school until they are picked up by the parents.

Legal Reference: Iowa Code § 279.8 (2009).

Cross Reference: 601.2 School Day

Approved October 2010 Reviewed _____ Revised _____

Code No. 711.9

District Vehicle Idling

The board recognizes that it has a role in reducing environmental pollutants and in assisting students and others be free from pollutants that may impact their respiratory health. Unnecessary vehicle idling emits pollutants and wastes fuel. The board directs the superintendent, in conjunction with the Director of Transportation, to work on administrative regulations to implement this policy and reduce school vehicle idling time.

Legal References: Iowa Code §279.8 (2009).

Cross References:
- 403 Employee Health and Well-Being
- 507 Student Health and Well-Being
- 711 Transportation

Approved October 2010 Reviewed December 2013 Revised

Code No. 711.10

TRANSPORTATION FOR STUDENTS INVOLVED IN EXTRA-CURRICULAR ACTIVITIES AVAILABLE THROUGH COOPERATIVE AGREEMENT

In the event that the Paton-Churdan Community School District board of directors makes additional extra-curricular activities available to District students by entering into a cooperative student participation agreement with one or more other school districts whereby the other school is the host school, the District will not provide transportation for District students practicing or participating in those activities at another school site. Students and their families shall be solely responsible for the students' transportation arrangements, and the District shall bear no liability for injuries to students as a result of transportation provided by private individuals, adults or students.

The superintendent shall provide notice of this policy to District parents and students by publication in the student handbook.

Approved January, 1999 Reviewed December 2013 Revised

STUDENTS

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OBJECTIVES FOR EQUAL EDUCATIONAL OPPORTUNITIES FOR STUDENTS

This series of the board policy manual is devoted to the board's goals and objectives for assisting the students of the school district in obtaining an education. Each student will have an opportunity to obtain an education in compliance with the policies in this series.

It is the goal of the board to develop a healthy social, intellectual, emotional, and physical self-concept in the students enrolled in the school district. Each student attending school will have the opportunity to use it and its education program and services as a means for self-improvement and individual growth. In so doing, the students are expected to conduct themselves in a manner that assures each student the same opportunity.

The board supports the delivery of the education program and services to students free of discrimination on the basis of race, color, sex, marital status, national origin, religion, sexual orientation, gender identity or disability. This concept of equal educational opportunity serves as a guide for the board and employees in making decisions relating to school district facilities, employment, and selection of educational materials, equipment, curriculum, and regulations affecting students.

In the delivery of the education program, students will treat the employees with respect and students will receive the same in return. Employees have the best interests of the students in mind and will assist them in school-related or personal matters if they are able to do so. Students should feel free to discuss problems, whether school-related or personal, with the guidance counselor or other employees.

Board policies, rules and regulations affect students while they are on school district property or on property within the jurisdiction of the school district; while on school owned and/or operated school or chartered vehicles; while attending or engaged in school activities; and while away from school grounds if misconduct will directly affect the good order, efficient management and welfare of the school district.

Board policy refers to the term "parents" in many of the policies. The term parents for purposes of this policy manual means the legal parents, the legal guardian or custodian of a student, and students who have reached the age of majority or are otherwise considered an adult by law.

Inquiries by students regarding compliance with equal educational opportunity and affirmative action laws and policies, including but not limited to complaints of discrimination, are directed to the Affirmative Action Coordinator by writing to the Affirmative Action Coordinator Paton-Churdan Community School District, Box 157, Churdan, Iowa 50050; or by telephoning 515-389-3111.

Inquiries by students regarding compliance with equal educational opportunity and affirmative action laws and policies, including but not limited to complaints of discrimination, may also be directed in writing to the Director of the Region VII office of Civil Rights, U.S. Department of Education 8930 Ward Parkway, Suite 2037, Kansas City, MO. 64114 (816) 268-0550, http://www.state.ia.us/government/crc/index.html or Iowa Dept. of Education, Grimes State Office Bldg., Des Moines, IA. (515) 281-5294. This inquiry or complaint to the federal or state office may be done instead of, or in addition to, an inquiry or complaint at the local level.

Approved April, 1998 Reviewed December 2013 Revised _____

OBJECTIVES FOR EQUAL EDUCATIONAL OPPORTUNITIES FOR STUDENTS

Further information and copies of the procedures for filing a complaint are available in the school district's central administrative office and the administrative office in each attendance center.

Code No. 501.1

RESIDENT STUDENTS

Children who are residents of the school district community will attend the school district without paying tuition.

The residence of a student means the place, abode, or dwelling of the student. Generally, the legal dwelling of minors is the same as their parents. However, a student may establish a dwelling with someone other than the parents and attend public school in the school district without paying tuition if the primary purpose for residing in the school district is not for the purpose of obtaining a free public education. Further, students who have reached the age of majority and who are still eligible to attend an Iowa secondary school may declare their residence independent of the residence of the parents.

Each case involving the bona fide residence of a student will be decided upon its individual merits by the superintendent.

Legal Reference:
Lakota Cons. Ind. School v. Buffalo Center-Rake Comm. School, 334 N.W.2d 704 (Iowa 1983).
Mt. Hope School Dist. v. Hendrickson, 197 N.W. 47 (Iowa 1924).
Oshel v. Creston Comm. School Dist., DPI Admin. Doc. 570 (1981).
33 D.P.I. Dec. Rule 80 (1984).
Iowa Code §§ 257.6; 282.2, .6, .7; 285.4 (2009).
1956 Op. Att'y Gen. 185.
1946 Op. Att'y Gen. 197.
1938 Op. Att'y Gen. 69.
1930 Op. Att'y Gen. 147.

Cross Reference:
100 Legal Status of the School Board
501 Student Attendance

Approved April 1995 Reviewed December 2013 Revised

Code No. 501.2

NONRESIDENT STUDENTS

Students who are eligible to attend an Iowa public school but who are not legal residents of the school district may be admitted into the school district at the discretion of the superintendent upon application and payment of tuition. The tuition rate shall be the current per-pupil cost of the school district as computed by the board secretary and as authorized by the Iowa Department of Education.

Resident students whose families move from the school district after the start of a semester and who wish to complete the semester in the school district may be permitted to attend without the payment of tuition at the discretion of the superintendent. Students who plan to open enroll to the nonresident district may complete the school year without approval of the superintendent or board.

Students in grades eleven or twelve who are no longer residents of the school district, but were residents in the preceding school year, may continue to attend school until they graduate without the payment of tuition.

Nonresident students who are eligible to attend an Iowa public school and who have evidence they will become legal residents of the school district prior to the third Friday in September may be allowed to attend without the payment of tuition.

Legal Reference: Lakota Cons. Ind. School v. Buffalo Center-Rake Comm. School, 334 N.W.2d 704 (Iowa 1983).
Mt. Hope School Dist. v. Hendrickson, 197 N.W. 47 (Iowa 1924).
Oshel v. Creston Comm. School Dist., DPI Admin. Doc. 570 (1981).
Iowa Code §§ 257.6; 282.1, .2, .6, .7, .24 (2009).

Cross Reference: 501 Student Attendance

Approved April 1995 Reviewed December 2013 Revised

Code No. 501.3

COMPULSORY ATTENDANCE

Parents within the school district who have children over age six and under age sixteen by September 15, in proper physical and mental condition to attend school, shall have the children attend school. Students shall attend school the number of days school is in session in accordance with the school calendar. Exceptions to this policy include children who:

- have completed the requirements for graduation in an accredited school or have obtained a high school equivalency diploma;
- are attending religious services or receiving religious instruction;
- are attending an approved or probationally approved private college preparatory school;
- are attending an accredited nonpublic school; or,
- are receiving competent private instruction.

It is the responsibility of the parent of a child to provide evidence of the child's mental and physical inability to attend school or of the child's qualifications for one of the exceptions listed above.

The principal will investigate the cause for a student's truancy. If the principal is unable to secure the truant student's attendance, the principal should discuss the next step with the school board. If after school board action, the student is still truant, principal will refer the matter over to the county attorney.

The school will participate in mediation if requested by the county attorney. The superintendent will represent the school district in mediation. The school district will monitor the student's compliance with the mediation agreement and will report violations of the mediation agreement to the county attorney.

Note: The compulsory attendance law does not require school districts to have a truancy officer.

Legal Reference: Iowa Code §§ 259A; 279.10-.11; 299.1-.1A; 299A (2009).
1978 Op. Att'y. Gen. 379.

Cross Reference:
501 Student Attendance
601.1 School Calendar
604.1 Competent Private Instruction

Approved April 1995 Reviewed December 2013 Revised _____

ENTRANCE - ADMISSIONS

Children in the school district community will be allowed to enroll in the school district's regular education program beginning at age five. The child must be age five on or prior to September 15 to participate in the school district's kindergarten program. The child must be age six on or prior to September 15 to begin the first grade of the education program.

The board shall require evidence of age and residency in the form of a birth certificate or other evidence before the student may enroll in the school district's education program. It shall be within the discretion of the superintendent to determine what is satisfactory evidence for proof of age.

Prior to enrollment, the child must provide the administration with their health and immunization certificate. Failure to provide this information within the time period set by the superintendent shall be reason for suspension, expulsion or denying admission to the student.

Legal Reference: Iowa Code §§ 139.9; 282.1, .3, .6 (2009).
1980 Op. Att'y Gen. 258.

Cross Reference: 501 Student Attendance
507.1 Student Health and Immunization Certificates

Approved April 1995 Reviewed December 2013 Revised

Code No. 501.6

STUDENT TRANSFERS IN

Students who transfer into the school district must meet the immunization and age requirements set out for students who initially enroll in the school district.

The school district shall request the student's cumulative records from the previous school district. If the student cannot offer proof of grade level, the superintendent will make the grade level determination. The superintendent may require testing or other information to determine the grade level. Students expelled or suspended from their previous school district will only be enrolled after approval of the board.

The superintendent shall determine the amount of credits to be transferred. If the student has not previously attended an accredited school, it is within the superintendent's discretion to accept or reject credits or grades.

The board may deny admission if the student is not willing to provide the board with the necessary information.

Legal Reference: 20 U.S.C. § 1232g (2006).
Iowa Code §§ 139.9; 282.1, .3; 299A (2009).

Cross Reference:

	501	Student Attendance
	505.3	Student Honors and Awards
	507	Student Health and Well-Being
	604.1	Competent Private Instruction

Approved April 1995 Reviewed December 2013 Revised

Code No. 501.7

STUDENT TRANSFERS OUT OR WITHDRAWALS

If the student's parents wish to withdraw or transfer the student from school prior to completing and graduating from the education program, they shall notify the superintendent in writing as soon as possible of the decision to withdraw or transfer the student from the education program. The student or parent should present this written notice at the office and receive instructions regarding the return of textbooks, library books, locker equipment, hot lunch tickets, etc.

The notice shall state the student's final day of attendance. If the student is not enrolling in another school district, the school district shall maintain the student's records in the same manner as the records of students who have graduated from the school district.

If the parents wish to have the student's cumulative record sent to the new school district, the parents shall notify the superintendent in writing. This notice shall include the name of the school district and the person at the new school district to whom the student's cumulative records should be sent. If the new school district requests the student's cumulative records, the school district will forward the cumulative records and notify the parents the records have been sent. The notice shall inform the parents of their right to review the records sent.

If the student is of compulsory education age and not transferring to another public school district or an accredited nonpublic school, the parents shall notify the superintendent that the student is receiving competent private instruction and file the necessary competent private instruction reports.

Legal Reference: 20 U.S.C. § 1232g (2006).
Iowa Code §§ 274.1; 299.1-.1A (2009).

Cross Reference:
501 Student Attendance
506 Student Records
604.1 Competent Private Instruction

Approved April 1995 Reviewed December 2013 Revised _____

Code No. 501.8

STUDENT ATTENDANCE RECORDS

As part of the school district's records, the daily attendance of each student shall be recorded and maintained on file with the permanent records of the board secretary.

It shall be the responsibility of the principals to ensure that such reports are filed with the board secretary, the custodian of school records.

Legal Reference: Iowa Code §§ 294.4; 299 (2009).
281 I.A.C. 12.2(4).

Cross Reference: 501 Student Attendance
506 Student Records

Approved April 1995 Reviewed December 2013 Revised _____

Code No. 501.9

STUDENT ABSENCES - EXCUSED

Regular attendance by students is essential for students to obtain the maximum opportunities from the education program. Parents and students alike are encouraged to ensure an absence from school is a necessary absence. Students shall attend school unless excused by the principal of their attendance center.

Student absences approved by the principal shall be excused absences. Excused absences shall count as days in attendance for purposes of the truancy law. These absences include, but are not limited to, illness, family emergencies, recognized religious observances, and school-sponsored or approved activities.

Students whose absences are approved shall make up the work missed and receive full credit for the missed school work. It shall be the responsibility of the student to initiate a procedure with the student's teacher to complete the work missed.

Students who wish to participate in school-sponsored activities must attend school the full day the day of the activity unless permission has been given by the principal for the student to be absent.

It shall be the responsibility of the parent to notify the student's attendance center as soon as the parent knows the student will not be attending school on that day. The principal may request evidence or written verification of the student's reason for absence.

It shall be the responsibility of the superintendent, in conjunction with the principal, to develop administrative regulations regarding this policy.

Legal Reference: Iowa Code §§ 294.4; 299 (2009).
281 I.A.C. 12.2(4).

Cross Reference: 501 Student Attendance
503 Student Discipline
504 Student Activities
506 Student Records

Approved April 1995 Reviewed December 2013 Revised _____

Code No. 501.10

TRUANCY - UNEXCUSED ABSENCES

Regular attendance by the students at school is essential for students to obtain the maximum opportunities from the education program. Parents and students alike are encouraged to ensure an absence from school is a necessary absence. Students shall attend school unless excused by the principal of their attendance center.

Truancy is the failure to attend school for the minimum number of days established in the school calendar by the board. Truancy is the act of being absent without a reasonable excuse. These absences shall include, but not be limited to, tardiness, shopping, hunting, concerts, preparation or participation in parties and other celebrations and employment. Truancy will not be tolerated by the board.

Students are subject to disciplinary action for truancy including suspension and expulsion. It shall be within the discretion of the principal to determine, in light of the circumstances, whether a student may make up work missed because of truancy. Students receiving special education services will not be assigned to [supervised study hall, in-school suspension] unless the goals and objectives of the student's Individualized Education Program are capable of being met.

The truancy officer shall investigate the cause for a student's truancy. If the truancy officer is unable to secure the truant student's attendance, the truancy officer should discuss the next step with the superintendent. If after discussion with superintendent, the student is still truant, the truancy officer shall refer the matter over to the county attorney.

The school will participate in mediation if requested by the county attorney. The superintendent shall represent the school district in mediation. The school district will monitor the student's compliance with the mediation agreement and will report violations of the mediation agreement to the county attorney.

It shall be the responsibility of the superintendent, in conjunction with the principal, to develop administrative regulations regarding this policy. The administrative regulations shall indicate the disciplinary action to be taken for truancy.

Approved April 1995 Reviewed December 2013 Revised _____

TRUANCY - UNEXCUSED ABSENCES

Legal Reference: Iowa Code §§ 294.4; 299 (2009).
281 I.A.C. 12.2(4).

Cross Reference:

206.3	Secretary
410.3	Truancy Officer
501	Student Attendance
503	Student Discipline
504	Student Activities
506	Student Records

Code No. 501.11

STUDENT RELEASE DURING SCHOOL HOURS

Students will be allowed to leave the school district facilities during school hours only with prior authorization from their parents, unless the parent appears personally at the student's attendance center to arrange for the release of the student during school hours, or with the permission of the principal.

Approved reasons for release of a student during the school day shall include, but not be limited to, illness, family emergencies, medical appointments, religious instruction, classes outside the student's attendance center, employment for which the student has been issued a work permit and other reasons determined appropriate by the principal.

It shall be the responsibility of the superintendent, in conjunction with the principal, to develop administrative regulations regarding this policy.

Legal Reference: Iowa Code § 294.4 (2009).
281 I.A.C. 12.2(4).

Cross Reference: 501 Student Attendance
503 Student Discipline
504 Student Activities
506 Student Records

Approved April 1995 Reviewed December 2013 Revised

Code No. 501.12

PREGNANT STUDENTS

The board encourages pregnant students to continue to attend the education program as long as they are physically able to do so. The pregnant student may notify the principal or the guidance counselor as soon as she is aware of the pregnancy. The school may require that a pregnant student provide the principal with a written note from her doctor relative to special conditions that might exist and specific suggestions as to how long the student may continue to attend classes. If the student is unable to attend school because of her physical condition, the student may be excused and arrangements made to continue her studies during her absence. The student shall resume classes upon the recommendation of her physician.

Legal Reference: Iowa Code §§ 216; 279.8; 280.3 (2009).

Cross Reference: 501 Student Attendance
604.2 Individualized Instruction

Approved April 1995 Reviewed December 2013 Revised _____

Code No. 501.13

STUDENTS OF LEGAL AGE

Students who have attained legal age may continue the education program without payment of tuition as long as they are eligible to attend an Iowa public school and are residents of the school district.

Parents will be allowed to access and view the student's records without written permission from the student if the student is still a dependent for tax purposes. In most cases, with the discretion of the principal or the superintendent, the student will be able to make decisions and sign documents rather than requiring parental permission or signature.

Legal Reference: 20 U.S.C. § 1232g (2006).
Iowa Code §§ 22; 282.2, .6, .7; 285.4; 599.1; 622.10 (2009).
281 I.A.C. 12.3(6).

Cross Reference: 501 Student Attendance
506 Student Records

Approved April 1995 Reviewed December 2013 Revised

Code No. 501.14

OPEN ENROLLMENT TRANSFERS - PROCEDURES AS A SENDING DISTRICT

The school district will participate in open enrollment as a sending district. As a sending district, the board will allow resident students who meet the requirements to open enroll to another public school district.

Parents requesting open enrollment out of the school district for their student will notify the sending and receiving school district no later than March 1 in the school year preceding the first year desired for open enrollment. The notice is made on forms provided by the Department of Education. The forms are available at the central administration office.

Parents of children who will begin kindergarten in the school district are exempt from the open enrollment March 1 deadline. Parents of children who will begin kindergarten will file in the same manner set forth above by September 1. Parents who have good cause as defined by law for failing to meet the March 1 deadline may make an open enrollment request by September 1 unless another deadline applies.

The receiving district will approve open enrollment requests according to the timelines established by law. The parents may withdraw the open enrollment request prior to the start of the school year. The receiving district's superintendent will notify the parents and sending school district by mail within five days of the school district's action to approve or deny the open enrollment request.

The board may approve a student's request to allow the receiving district to enter the school district for the purposes of transportation.

An open enrollment request out of the school district from parents of a special education student is reviewed on a case-by-case basis. The determining factor for approval of such an open enrollment request will be whether the special education program available in the receiving school district is appropriate for the student's needs. The area education agency director of special education serving the receiving district will determine whether the program is appropriate. The special education student will remain in the school district until the final determination is made.

It is the responsibility of the superintendent to maintain open enrollment request applications and notice forms. It will also be the responsibility of the superintendent to develop appropriate office procedures and administrative regulations necessary for open enrollment requests.

NOTE: This policy reflects Iowa's open enrollment law. The option addresses the issue of transportation of open enrolled students. The board needs to establish by policy whether it will or will not allow a receiving district to enter the district to pick up open enrolled students. This option is on the bottom of the first page of this policy. For more detailed discussion of this issue, see IASB's Policy Primer, Vol. 18 #3 – June 24, 2005.

Legal Reference: Iowa Code §§ 139A.8; 274.1; 279.11; 282.1, .3, .8, .18; 299.1 (2009).
281 I.A.C. 17.
1990 Op. Att'y Gen. 75.

Cross Reference: 501 Student Attendance
506 Student Records

Approved _____ Reviewed December 2013 Revised October, 2005

OPEN ENROLLMENT TRANSFERS - PROCEDURES AS A RECEIVING DISTRICT

The school district will participate in open enrollment as a receiving district. As a receiving district, the board will allow nonresident students, who meet the legal requirements, to open enroll into the school district. The board will have complete discretion to determine the attendance center of the students attending the school district under open enrollment.

The superintendent will approve all timely filed applications by June 1; incoming kindergarten applications; good cause application; or continuation of an educational program application filed by September 1.

Open enrollment requests into the school district will not be approved if insufficient classroom space exists. Open enrollment requests into the school district will also not be approved for students who have been suspended or expelled by the administration or the board of the school district the student is or was attending until the student has been reinstated into the school district from which the student was suspended or expelled. Once the student is reinstated, the student's open enrollment request will be considered in the same manner as other open enrollment requests provided the required timelines are met.

Open enrollment requests into the school district that, if denied, would result in students from the same nuclear family being enrolled in different school districts, will be given highest priority. The board, in its discretion, may waive the insufficient classroom space reason for denial for students of the same nuclear family to prevent the division of a nuclear family between two school districts. Other open enrollment requests into the school district are considered in the order received by the school district with the first open enrollment request given a higher priority than the second open enrollment request and so forth.

Generally, students in grades nine through twelve open enrolling into the school district will not be eligible for participation in interscholastic athletics, at the varsity level, during the first ninety days of open enrollment into the school district.

Parents are responsible for providing transportation to and from the receiving school district without reimbursement unless the parents qualify for transportation assistance. Upon a parent's request, the board may approve transportation into the sending district. (The transportation is limited to within two (2) miles of the district boundary. The board's approval is subject to the sending district's approval.

Approved_____ Reviewed December 2013 Revised October, 2005

OPEN ENROLLMENT TRANSFERS - PROCEDURES AS A RECEIVING DISTRICT

An open enrollment request into the school district from parents of a special education student is reviewed on a case-by-case basis. The determining factors for approval of such an open enrollment request will be whether the special education program available in the school district is appropriate for the student's needs and whether the enrollment of the special education student will cause the class size to exceed the maximum allowed. The area education agency director of special education serving the school district will determine whether the program is appropriate. The special education student will remain in the sending district until the final determination is made.

The policies of the school district will apply to students attending the school district under open enrollment.

It is the responsibility of the superintendent to develop appropriate office procedures and administrative regulations necessary for open enrollment requests.

NOTE: This policy reflects Iowa's open enrollment law. The board needs to determine whether it will delegate

Legal Reference: Iowa Code §§ 139A.8; 274.1; 279.11; 282.1, .3, .8, .18; 299.1 (2009).
281 I.A.C. 17.
1990 Op. Att'y Gen. 75.

Cross Reference: 501.6 Student Transfers In
501.7 Student Transfers Out or Withdrawals
501.14 Open Enrollment Transfers - Procedures as a Sending District
506 Student Records
507 Student Health and Well-Being
606.6 Insufficient Classroom Space

Code No. 501.16

HOMELESS CHILDREN AND YOUTH

The board will make reasonable efforts to identify homeless children and youth of school age within the district, encourage their enrollment and eliminate existing barriers to their receiving an education which may exist in district policies or practices. The designated coordinator for identification of homeless children and for tracking and monitoring programs and activities for these children is the guidance counselor.

Legal Reference: No Child Left Behind, Title X, Sec. 722, P.L. 107-110 (2002).
42 U.S.C. §§ 11431 *et seq*. (2006).
281 I.A.C. 33 (2009).

Cross Reference: 501 Student Attendance
503.3 Fines - Fees - Charges
506 Student Records
507.1 Student Health and Immunization Certificates
603.3 Special Education
711.1 Student School Transportation Eligibility

Approved	Reviewed December 2013	Revised October, 2005

Code No. 502.1

STUDENT APPEARANCE

The board believes inappropriate student appearance causes material and substantial disruption to the school environment or presents a threat to the health and safety of students, employees and visitors.

Students are expected to adhere to standards of cleanliness and dress that are compatible with the requirements of a good learning environment. The standards will be those generally acceptable to the community as appropriate in a school setting.

The board expects students to be clean and well-groomed and wear clothes in good repair and appropriate for the time, place and occasion. Clothing or other apparel promoting products illegal for use by minors and clothing displaying obscene material, profanity, or reference to prohibited conduct are disallowed. While the primary responsibility for appearance lies with the students and their parents, appearance disruptive to the education program will not be tolerated. When, in the judgment of a principal, a student's appearance or mode of dress disrupts the educational process or constitutes a threat to health or safety, the student may be required to make modifications.

It shall be the responsibility of the superintendent, in conjunction with the principals, to develop administrative regulations regarding this policy.

Legal Reference:
Hazelwood School District v. Kuhlmeier, 484 U.S. 260 (1988).
Bethal School District v. Fraser, 478 U.S. 675 (1986).
Tinker v. Des Moines Ind. Comm. Sch. Dist., 393 U.S. 503 (1969).
Bystrom v. Fridley High School, 822 F.2d 747 (8th Cir. 1987).
Torvik v. Decorah Community School, 453 F.2d 779 (8th Cir. 1972).
Turley v. Adel Community School District, 322 F.Supp. 402 (S.D. Iowa 1971).
Sims v. Colfax Comm. School Dist., 307 F.Supp. 485 (Iowa 1970).
Iowa Code § 279.8 (2009).

Cross Reference:
500 Objectives for Equal Educational Opportunities for Students
502 Student Rights and Responsibilities

Approved April 1995 Reviewed December 2013 Revised

Code No. 502.2

CARE OF SCHOOL PROPERTY/VANDALISM

Students shall treat school district property with the care and the respect they would treat their own property. Students found to have destroyed or otherwise harmed school district property may be required to reimburse the school district. They may be subject to discipline under board policy and the school district rules and regulations. They may also be referred to local law enforcement authorities.

It shall be the responsibility of the superintendent, in conjunction with the principal, to develop administrative rules regarding this policy.

Legal Reference: Iowa Code § 279.8; 282.4, .5; 613.16 (2009).

Cross Reference: 502 Student Rights and Responsibilities
802.1 Maintenance Schedule

Approved April 1995 Reviewed December 2013 Revised

Code No. 502.3

FREEDOM OF EXPRESSION

Student expression, other than student expression in student-produced official school publications, made on the school district premises or under the jurisdiction of the school district or as part of a school-sponsored activity may be attributed to the school district; therefore, student expression must be responsible. Student expression must be appropriate to assure that the students learn and meet the goals of the school activity and that the potential audience is not exposed to material that may be harmful or inappropriate for their level of maturity.

Students will be allowed to express their viewpoints and opinions as long as the expression is responsible. The expression shall not, in the judgment of the administration, encourage the breaking of laws, cause defamation of persons, be obscene or indecent, or cause a material and substantial disruption to the educational program. The administration, when making this judgment, shall consider whether the activity in which the expression was made is school-sponsored and whether review or prohibition of the students' speech furthers an educational purpose. Further, the expression must be done in a reasonable time, place, and manner that is not disruptive to the orderly and efficient operation of the school district.

Students who violate this policy may be subject to disciplinary measures. Employees shall be responsible for insuring students' expression is in keeping with this policy. It shall be the responsibility of the superintendent to develop administrative regulations regarding this policy.

Legal Reference:
U.S. Const. amend. I.
Hazelwood School District v. Kuhlmeier, 484 U.S. 260 (1988).
Bethel School District v. Fraser, 478 U.S. 675 (1986).
New Jersey v. T.L.O., 469 U.S. 325 (1985).
Tinker v. Des Moines Independent Community School District, 393 U.S. 503 (1969).
Bystrom v. Fridley High School, 822 F.2d 747 (8th Cir. 1987).
Iowa Code §§ 279.8; 280.22; 282.3 (2009).

Cross Reference:

502	Student Rights and Responsibilities
504	Student Activities
603.9	Academic Freedom
903.5	Distribution of Materials

Approved April 1995 Reviewed December 2013 Revised _____

Code No. 502.4

STUDENT COMPLAINTS AND GRIEVANCES

Student complaints and grievances regarding board policy or administrative regulations and other matters should be addressed to the student's teacher or another licensed employee, other than the administration, for resolution of the complaint. It is the goal of the board to resolve student complaints at the lowest organizational level.

If the complaint cannot be resolved by a licensed employee, the student may discuss the matter with the principal within 5 days of the employee's decision. If the matter cannot be resolved by the principal, the student may discuss it with the superintendent within 5 days after speaking with the principal.

If the matter is not satisfactorily resolved by the superintendent, the student may ask to have the matter placed on the board agenda of a regularly scheduled board meeting in compliance with board policy.

Legal Reference: Iowa Code § 279.8 (2009).

Cross Reference:

210.8	Board Meeting Agenda
213	Public Participation in Board Meetings
307	Communication Channels
502	Student Rights and Responsibilities
504.3	Student Publications

Approved April 1995 Reviewed December 2013 Revised _____

Code No. 502.5

STUDENT LOCKERS

Student lockers are the property of the school district. Students shall use the lockers assigned to them by the school district for storing their school materials and personal belongings necessary for attendance at school. It shall be the responsibility of each student to keep their assigned lockers clean and undamaged.

To ensure students are properly maintaining their assigned locker, the principal of the building may periodically inspect the lockers. Students will be given twenty-four hours notice of a maintenance inspection. Student lockers may be searched in compliance with board policy regulating search and seizure.

Legal Reference: Iowa Code §§ 279.8; 280.14; 808A (2009).

Cross Reference: 502 Student Rights and Responsibilities

Approved April 1995 Reviewed December 2013 Revised _____

Code No. 502.6

WEAPONS

The board believes weapons and other dangerous objects in school district facilities cause material and substantial disruption to the school environment or present a threat to the health and safety of students, employees and visitors on the school district premises or property within the jurisdiction of the school district.

School district facilities are not an appropriate place for weapons or dangerous objects. Weapons and other dangerous objects shall be taken from students and others who bring them onto the school district property or onto property within the jurisdiction of the school district or from students who are within the control of the school district.

Parents of students found to possess a weapon or dangerous objects on school property shall be notified of the incident. Confiscation of weapons or dangerous objects shall be reported to the law enforcement officials, and the student will be subject to disciplinary action including suspension or expulsion.

Students bringing a firearm to school shall be expelled for not less than twelve months and will be referred to law enforcement authorities. The superintendent shall have the authority to recommend this expulsion requirement be modified for a student on a case-by-case basis. For purposes of this portion of this policy, the term "firearm" includes any weapon which is designed to expel a projectile by the action of an explosive, the frame or receiver of any such weapon, a muffler or silencer for such a weapon, or any explosive, incendiary or poison gas.

Weapons under the control of law enforcement officials shall be exempt from this policy. The principal may allow authorized persons to display weapons or other dangerous objects for educational purposes. Such a display shall also be exempt from this policy. It shall be the responsibility of the superintendent, in conjunction with the principal, to develop administrative regulations regarding this policy.

Legal Reference: No Child Left Behind, Title IV, Sec. 4141, P.L. 107-110 (2004)
Improving America's Schools Act of 1994, P.L. 103-382.
18 U.S.C. § 921 (2006)
McClain v. Lafayette County Bd. of Education, 673 F.2d 106 (5th Cir. 1982).
Iowa Code §§ 279.8; 724 (2009).
281 I.A.C. 12.3 (6)

Cross Reference: 502 Student Rights and Responsibilities
503 Student Discipline
507 Student Health and Well-Being

Approved April 1995 Reviewed December 2013 Revised

Code No. 502.7

SMOKING - DRINKING - DRUGS

The board prohibits the distribution, dispensing, manufacture, possession, use, or being under the influence of beer, wine, alcohol, tobacco, other controlled substances, or "look alike" substances that appear to be tobacco, beer, wine, alcohol or controlled substances by students while on school district property or on property within the jurisdiction of the school district; while on school owned and/or operated school or chartered buses; while attending or engaged in school activities; and while away from school grounds if misconduct will directly affect the good order, efficient management and welfare of the school district.

The board believes such illegal, unauthorized or contraband materials generally cause material and substantial disruption to the school environment or present a threat to the health and safety of students, employees, or visitors.

Violation of this policy by students will result in disciplinary action including suspension or expulsion. Use, purchase or being in possession of cigarettes, tobacco or tobacco products for those under the age of eighteen, may be reported to the local law enforcement authorities. Possession, use or being under the influence of beer, wine, alcohol and/or of a controlled substance may also be reported to the local law enforcement authorities.

Students who violate the terms of this policy may be required to satisfactorily complete a substance abuse assistance or rehabilitation program approved by the school board. If such student fails to satisfactorily complete such a program, the student may be subject to discipline including suspension or expulsion.

The board believes the substance abuse prevention program will include:

- Age-appropriate, developmentally-based drug and alcohol curriculum for students in grades kindergarten through twelve, which address the legal, social, and health consequences of tobacco, drug and alcohol use and which provide information about effective techniques for resisting peer pressure to use tobacco, drugs or alcohol;

- A statement to students that the use of illicit drugs and the unlawful possession and use of alcohol is wrong and harmful;

- Standards of conduct for students that clearly prohibit, at a minimum, the unlawful possession, use, being under the influence of or distribution of illicit drugs and alcohol by students on school premises or as part of any of its activities;

- A clear statement that disciplinary sanctions, up to and including suspension or expulsion and referral for prosecution, will be imposed on students who violate the policy and a description of those sanctions;

- A statement that students may be required to successfully complete an appropriate rehabilitation program;

- Information about drug and alcohol counseling and rehabilitation and re-entry programs available to students;

- A requirement that parents and students be given a copy of the standards of conduct and the statement of disciplinary sanctions required; and
- Notification to parents and students that compliance with the standards of conduct is mandatory.

It shall be the responsibility of the superintendent, in conjunction with the principal, to develop administrative regulations regarding this policy.

Legal Reference: 34 C.F.R. Pt. 86 (2006).
Iowa Code §§ 124; 279.8, .9; 453A (2009).
281 I.A.C. 12.3(9); .5(3)(e), .5(4)(e), .5(5)(e), .5(21).

Cross Reference: 502 Student Rights and Responsibilities
503 Student Discipline
507 Student Health and Well-Being

Approved April 1995 Reviewed December 2013 Revised _____

Code No. 502.8

SEARCH AND SEIZURE

School district property is held in public trust by the board. School district authorities may, without a search warrant, search a student, student lockers, personal effects, desks, work areas or student vehicles based on a reasonable suspicion that a board policy, school rule or law has been broken. The search shall be in a manner reasonable in scope to maintain order and discipline in the schools, promote the educational environment, and protect the safety and welfare of students, employees and visitors to the school district facilities.

School authorities may seize any illegal, unauthorized or contraband materials discovered in the search. Items of contraband may include, but are not limited to, nonprescription controlled substances, marijuana, cocaine, amphetamines, barbituates, apparatus used for controlled substances, alcoholic beverages, tobacco, weapons, explosives, poisons and stolen property. Such items are not to be possessed by a student while they are on school district property or on property within the jurisdiction of the school district; while on school owned and/or operated school or chartered buses; while attending or engaged in school activities; and while away from school grounds if misconduct will directly affect the good order, efficient management and welfare of the school district. Possession of such items will be grounds for disciplinary action including suspension or expulsion and may be reported to local law enforcement authorities. The board believes that such illegal, unauthorized or contraband materials cause material and substantial disruption to the school environment or presents a threat to the health and safety of students, employees, or visitors on the school district premises or property within the jurisdiction of the school district.

It shall be the responsibility of the superintendent, in conjunction with the principal, to develop administrative regulations regarding this policy.

Legal Reference: U.S. Const. amend. IV.
New Jersey v. T.L.O., 469 U.S. 325 (1985).
Cason v. Cook, 810 F.2d 188 (8th Cir. 1987), cert. den., 482 U.S. 930 (1987).
Iowa Code ch. 808A (1995).
281 I.A.C. 12.3(8).

Cross Reference: 502 Student Rights and Responsibilities
503 Student Discipline

Approved April 1995 Reviewed December 2013 Revised

Code No. 502.8E1

SEARCH AND SEIZURE CHECKLIST

I. What factors caused you to have a reasonable and articulable suspicion that the search of this student or the student's effects or automobile would turn up evidence that the student has violated or is violating the law, school policy, rules or regulations affecting school order?

A. Eyewitness account.

1. By whom:_____
2. Date/Time:_____
3. Place:_____
4. What was seen:_____

_____

B. Information from a reliable source.

1. From whom:_____
2. Time received:_____
3. How information was received:_____
4. Who received the information:_____
5. Describe information: _____

C. Suspicious behavior. Explain.

_____

_____

D. Student's past history. Explain.

_____

_____

E. Time of search:_____

F. Location of search:_____

G. Student told purpose of search:_____

H. Consent of student requested:_____

SEARCH AND SEIZURE CHECKLIST

II. Was the search you conducted reasonable in terms of scope and intrusiveness?

A. What were you searching for:_____

B. Where did you search?

C. Sex of the student:_____

D. Age of the student:_____

E. Exigency of the situation:_____

F. What type of search was being conducted:_____

G. Who conducted the search:_____

Position_____Sex_____

H. Witness(s): _____

_____

III. Explanation of Search.

A. Describe the time and location of the search:_____

B. Describe exactly what was searched:_____

C. What did the search yield: _____

D. What was seized:_____

E. Were any materials turned over to law enforcement authorities: _____

F. Were parents notified of the search including the reason for it and the scope:

_____

SEARCH AND SEIZURE REGULATION

I. Searches, in general.

A. Reasonable and Articulable Suspicion: A search of a student will be justified when there are reasonable grounds for the suspicion that the search will turn up evidence that the student has violated or is violating the law or school district policy, rules, or regulations affecting school order.

Reasonable suspicion may be formed by considering factors such as the following:

(1) eyewitness observations by employees;
(2) information received from reliable sources;
(3) suspicious behavior by the student; or,
(4) the student's past history and school record although this factor alone is not sufficient to provide the basis for reasonable suspicion.

B. Reasonable Scope: A search will be permissible in its scope or intrusiveness when the measures adopted are reasonably related to the objectives of the search. Reasonableness of scope or intrusiveness may be determined based on factors such as the following:

(1) the age of the student;
(2) the sex of the student;
(3) the nature of the infraction; and
(4) the emergency requiring the search without delay.

II. Types of Searches

A. Personal Searches

1. A student's person and/or personal effects (e.g., purse, backpack, etc.) may be searched when a school official has reasonable suspicion to believe the student is in possession of illegal or contraband items or has violated school district policies, rules, regulations or the law affecting school order.
2. Personally intrusive searches will require more compelling circumstances to be considered reasonable.

(a) Pat-Down Search: If a pat-down search or a search of a student's garments (such as jackets, socks, pockets, etc.) is conducted, it will be conducted in private by a school official of the same sex as the student and with another adult witness of the same sex present, when feasible.

(b) A more intrusive search, short of a strip search, of the student's person, handbags, book bags, etc., is permissible in emergency situations when the health and safety of students, employees, or visitors are threatened. Such a search may only be conducted in private by a school official of the same sex as the student, with an adult of the same sex present unless the health or safety of students will be endangered by the delay which may be caused by following these procedures.

SEARCH AND SEIZURE REGULATION

B. Locker and Desk Inspections

Although school lockers and desks are temporarily assigned to individual students, they remain the property of the school district at all times. The school district has a reasonable and valid interest in insuring the lockers and desks are properly maintained. For this reason, lockers and desks are subject to unannounced inspections and students have no legitimate expectations of privacy in the locker or desk. Periodic inspections of all or a random selection of lockers or desks may be conducted by school officials in the presence of the student or another individual. Any contraband discovered during such searches will be confiscated by school officials and may be turned over to law enforcement officials.

The contents of a student's locker or desk (coat, backpack, purse, etc.) may be searched when a school official has reasonable and articulable suspicion that the contents contains illegal or contraband items or evidence of a violation of law or school policy or rule. Such searches should be conducted in the presence of another adult witness when feasible.

C. Automobile Searches

Students are permitted to park on school premises as a matter of privilege, not of right. The school retains authority to conduct routine patrols of the student parking lots. The interior of a student's automobile on the school premises may be searched if the school official has reasonable and articulable suspicion to believe that illegal, unauthorized or contraband items are contained inside.

Code No. 502.9

INTERVIEWS OF STUDENTS BY OUTSIDE AGENCIES

Generally, students may not be interviewed during the school day by persons other than parents and school district officials and employees.

Requests from law enforcement officers and from persons other than parents, school district officials, and employees to interview students shall be made through the principal's office. Upon receiving a request, it shall be the responsibility of the principal to determine whether the request will be granted. Generally, prior to granting a request, the principal shall attempt to contact the parents to inform them of the request and to ask them to be present.

If a child abuse investigator wishes to interview a student, the principal will defer to the investigator's judgment as to whether the student should be interviewed independently from the student's parents, whether the school is the most appropriate setting for the interview, and who will be present during the interview.

Students will not be taken from school without the consent of the principal and without proper warrant.

Legal Reference: Iowa Code § 232; 280.17 (2009).
281 I.A.C. 102.
441 I.A.C. 9.2; 155; 175.
1980 Op. Att'y Gen. 275.

Cross Reference:
402.2 Child Abuse Reporting
502.8 Search and Seizure
503 Student Discipline
902.4 Students and the News Media

Approved April 1995 Reviewed December 2013 Revised _____

Code No.502.10

STUDENTS USE OF MOTOR VEHICLES

The board recognizes the convenience to families and students of having students drive to and park at their school attendance center. Driving a motor vehicle to and parking it at the student's attendance center is a privilege.

Students may not loiter around or be in their vehicle during the school day without permission from the principal. Students shall leave school when there is no longer a legitimate reason for them to be at school. Students who drive shall enter and leave the parking lot by the routes designated by the principal.

Students who live within one mile of school, and would not otherwise be eligible for a student driving permit, may be eligible for a student driving permit, for driving to and from school and school activities and practices, if the student meets the following criteria: a) must be in an activity that meets daily after school hours; b) must be in an activity through out the school year.

- Example 1: Student is going to be in a fall activity, a winter activity and a spring activity… they can receive the permit in the fall.
- Example 2: Student is not going to be in a fall activity, but will be in a winter activity and a spring activity… they must wait until the winter activity begins to obtain the permit.
- Example 3: The will participte in a fall activity, but not a winter activity, but will participate in a spring activity… the student will not be eligible to receive the permit.

Students must realize that it is up to the discretion of school officials as to whether a student is violating the proper use of a school permit and the school can evoke that permit at any time.

Students who wish to drive to and park at their school attendance center shall comply with the rules and regulations established by the building principal. Failure to comply with this policy or the school district rules shall be reason for revocation of school driving and parking privileges as well as other disciplinary action including suspension and expulsion.

1. There shall be no driving of motor vehicles by students during school hours unless specific permission by the superintendent or principal has been given.
2. Motor vehicles driven to school by students will remain parked from the time the student arrives in the morning until school is dismissed in the evening.
3. No student will be allowed to ride in any vehicle during the school noon hour. Exceptions will be made for students riding home with parents or adult neighbors during the lunch hour.
4. Students who continually drive improperly on the school grounds may lose the privilege of driving on school grounds.
5. Any student who violates the student driving policy may be suspended from school.

Legal Reference: Iowa Code §§ 279.8; 321 (2009).
Cross Reference: 502 Student Rights and Responsibilities

Approved April 1995 Reviewed December 2013 Revised

STUDENT CONDUCT

The board believes inappropriate student conduct causes material and substantial disruption to the school environment, interferes with the rights of others, or presents a threat to the health and safety of students, employees, and visitors on school premises. Appropriate classroom behavior allows teachers to communicate more effectively with students.

Students will conduct themselves in a manner fitting to their age level and maturity and with respect and consideration for the rights of others while on school district property or on property within the jurisdiction of the school district; while on school owned and/or operated school or chartered vehicles; while attending or engaged in school activities; and while away from school grounds if misconduct will directly affect the good order, efficient management and welfare of the school district. Consequences for the misconduct will be fair and developmentally appropriate in light of the circumstances.

Students who fail to abide by this policy, and the administrative regulations supporting it, may be disciplined for conduct which disrupts or interferes with the education program; conduct which disrupts the orderly and efficient operation of the school district or school activity; conduct which disrupts the rights of other students to participate in or obtain their education; conduct that is violent or destructive; or conduct which interrupts the maintenance of a disciplined atmosphere. Disciplinary measures include, but are not limited to, removal from the classroom, detention, suspension, probation, and expulsion.

A student who commits an assault against an employee on school district property or on property within the jurisdiction of the school district; while on school-owned or school-operated chartered vehicles; while attending or engaged in school district activities will be suspended by the principal. Notice of the suspension is sent to the board president. The board will review the suspension to determine whether to impose further sanctions against the student which may include expulsion. Assault for purposes of this section of this policy is defined as:

- an act which is intended to cause pain or injury to, or which is intended to result in physical contact which will be insulting or offensive to another, coupled with the apparent ability to execute the act; or
- any act which is intended to place another in fear of immediate physical contact which will be painful, injurious, insulting or offensive, coupled with the apparent ability to execute the act; or,
- intentionally points any firearm toward another or displays in a threatening manner any dangerous weapon toward another.

The act is not an assault when the person doing any of the above and the other person are voluntary participants in a sport, social or other activity, not in itself criminal, when the act is a reasonably foreseeable incident of such sport or activity, and does not create an unreasonable risk of serious injury or breach of the peace.

Removal from the classroom means a student is sent to the building principal's office. It is within the discretion of the person in charge of the classroom to remove the student.

Detention means the student's presence is required during non-school hours for disciplinary purposes. The student can be required to appear prior to the beginning of the school day, after school has been dismissed for the day, or on a non-school day. Whether a student will serve detention, and the length of the detention, is within the discretion of the licensed employee or the building principal, disciplining the student.

Approved April, 1995	Reviewed December 2013	Revised

STUDENT CONDUCT

Suspension means; either an in-school suspension, an out-of-school suspension, a restriction from activities or loss of eligibility. An in-school suspension means the student will attend school but will be temporarily isolated from one or more classes while under supervision. An in-school suspension will not exceed ten consecutive school days. An out-of-school suspension means the student is removed from the school environment, which includes school classes and activities. An out-of-school suspension will not exceed ten days. A restriction from school activities means a student will attend school and classes and practice but will not participate in school activities.

Probation means a student is given a conditional suspension of a penalty for a definite period of time in addition to being reprimanded. The conditional suspension will mean the student must meet the conditions and terms for the suspension of the penalty. Failure of the student to meet these conditions and terms will result in immediate reinstatement of the penalty.

Expulsion means an action by the board to remove a student from the school environment, which includes, but is not limited to, classes and activities, for a period of time set by the board.

Following the suspension of a special education student, an informal evaluation of the student's placement will take place. The Individual Education Program (IEP) is evaluated to determine whether it needs to be changed or modified in response to the behavior that led to the suspension.

If a special education student's suspensions, either in or out of school, equal ten days on a cumulative basis, a staffing team will meet to determine whether the IEP is appropriate.

It is the responsibility of the superintendent, in conjunction with the principal, to develop administrative regulations regarding this policy.

Legal Reference:
No Child Left Behind, Title IV, Sec. 4115, P.L. 107-110 (2002).
Goss v. Lopez, 419 U.S. 565 (1975).
Brands v. Sheldon Community School District, 671 F. Supp. 627 (N.D. Iowa 1987).
Sims v. Colfax Comm. School Dist., 307 F. Supp. 485 (Iowa 1970).
Bunger v. Iowa High School Athletic Assn., 197 N.W.2d 555 (Iowa 1972).
Board of Directors of Ind. School Dist. of Waterloo v. Green, 259 Iowa 1260, 147 N.W.2d 854 (1967).
Iowa Code §§ 279.8; 282.4, .5; 708.1 (2009).

Cross Reference:
501 Student Attendance
502 Student Rights and Responsibilities
504 Student Activities
603.3 Special Education
903.5 Distribution of Materials

Code No. 503.1R1

STUDENT SUSPENSION

Administration Action

A. Probation

1. Probation is conditional suspension of a penalty for a set period of time. Probation may be imposed by the principal for infractions of school rules which do not warrant the necessity of removal from school.

2. The principal will conduct an investigation of the allegations against the student prior to imposition of probation. The investigation will include, but not be limited to, written or oral notice to the student of the allegations against the student and an opportunity to respond. Written notice and reasons for the probation will be sent to the parents.

B. In-School Suspension

1. In-school suspension is the temporary isolation of a student from one or more classes while under administrative supervision. In-school suspensions may be imposed by the principal for infractions of school rules which are serious but which do not warrant the necessity of removal from school.

2. The principal shall conduct an investigation of the allegations against the student prior to imposition of an in-school suspension. The investigation will include, but not be limited to, written or oral notice to the student of the allegations against the student and an opportunity to respond. In-school suspension will not be imposed for more than ten school days. Written notice and reasons for the in-school suspension will be sent to the student's parents.

C. Out-of-School Suspension

1. Out-of-school suspension is the removal of a student from the school environment for periods of short duration. Out-of-school suspension is to be used when other available school resources are unable to constructively remedy student misconduct.

Approved April 1995 Reviewed December 2013 Revised _____

STUDENT SUSPENSION

2. A student may be suspended out of school for up to ten school days by a principal for a commission of gross or repeated infractions of school rules, regulations, policy or the law, or when the presence of the student will cause interference with the maintenance of the educational environment or the operation of the school. The principal may suspend students after conducting an investigation of the charges against the student, giving the student:

   a. Oral or written notice of the allegations against the student and
   b. The opportunity to respond to those charges.

   At the principal's discretion, the student may be allowed to confront witnesses against the student or present witnesses on behalf of the student.

3. Notice of the out-of-school suspension will be mailed no later than the end of the school day following the suspension to the student's parents, board president and the superintendent. A reasonable effort shall be made to personally notify the student's parents and such effort shall be documented by the person making or attempting to make the contact. Written notice to the parents shall include the circumstances which led to the suspension and a copy of the board policy and rules pertaining to the suspension.

D. Suspensions and Special Education Students

1. Students who have been identified as special education students may be referred for a review of the student's Individual Education Program (IEP). The IEP may be revised to include a continuum of intervention strategies and programming to change the behavior.

2. Students who have not been identified as special education students may be referred for evaluation after the student's suspension to determine whether the student has a disability and is in need of special education.

Approved April 1995 Reviewed December 2013 Revised _____

Code No. 503.2

EXPULSION

Only the board may remove a student from the school environment. The removal of a student from the school environment, which includes, but is not limited to, classes and activities, is an expulsion from school.

Students may be expelled for violations of board policy, school rules or the law. It shall be within the discretion of the board to discipline a student by using an expulsion for a single offense or for a series of offenses depending on the nature of the offense and the circumstances surrounding the offense.

It shall be within the discretion of the superintendent to recommend to the board the expulsion of a student for disciplinary purposes. Only the board may take action to expel a student and to readmit the student. The principal shall keep records of expulsions in addition to the board's records.

When a student is recommended for expulsion by the board, the student shall be provided with:

1. Notice of the reasons for the proposed expulsion;
2. The names of the witnesses and an oral or written report on the facts to which each witness testifies unless the witnesses are students whose names may be released at the discretion of the superintendent;
3. An opportunity to present a defense against the charges and provide either oral testimony or written affidavits of witnesses on the student's behalf;
4. The right to be represented by counsel; and,
5. The results and finding of the board in writing open to the student's inspection.

In addition to these procedures, a special education student must be provided with additional procedures. A determination should be made of whether the student is actually guilty of the misconduct. A staffing team should determine whether the student's behavior is caused by the student's disability and whether the conduct is the result of inappropriate placement. Discussions and conclusions of this meeting should be recorded.

If the special education student's conduct is not caused by the disability, the student may be expelled or suspended for a long-term period following written notice to the parent and pursuant to the school district's expulsion hearing procedures. If the misconduct is caused by the disability and a change in placement is recommended, the change must be made pursuant to the placement procedures used by the school district.

Approved April 1995 Reviewed December 2013 Revised _____

Code No. 503.2

EXPULSION

Legal Reference:
Goss v. Lopez, 419 U.S. 565 (1975).
Wood v. Strickland, 420 U.S. 308 (1975).
Southeast Warren Comm. School District v. Dept. of Public Instruction, 285 N.W.2d 173 (Iowa 1979).
Iowa Code §§ 21.5; 282.3, .4, .5 (2009).
281 I.A.C. 12.3(8).

Cross Reference:
502 Student Rights and Responsibilities
503 Student Discipline

Approved April 1995 Reviewed December 2013 Revised

Code No. 503.3

FINES - FEES - CHARGES

The board believes students should respect school district property and assist in its preservation for future use by others. Students may be assessed fines, charges, or fees for the materials needed in a course, for overdue school materials, for participating in activities, or for misuse of school property.

The superintendent shall inform the board of the dollar amount to be charged to students or others for fines, charges, or fees annually. It shall be the responsibility of the superintendent, in conjunction with the principal, to develop administrative regulations regarding this policy.

Legal Reference: Iowa Code §§ 256.7(20); 279.8; 280.10, .11; 282.6; 285.1; 301.1 (2009).
281 I.A.C. 18.
1994 Op. Att'y Gen. 23.
1990 Op. Att'y Gen. 79.
1982 Op. Att'y Gen. 227.
1980 Op. Att'y Gen. 532.

Cross Reference: 501.16 Homeless Children & Youth
502 Student Rights and Responsibilities
503 Student Discipline

Approved April 1995 Reviewed December 2013 Revised

Code No. 503.3E1

STANDARD FEE WAIVER APPLICATION

Date_____ School Year_____

All information provided in connection with this application will be kept confidential.

Name of Student:_____ Grade in School:_____

Name of Student:_____ Grade in School:_____

Name of Student:_____ Grade in School:_____

Name of parent, guardian, legal or actual custodian:_____

Please check type of waiver desired:

Full waiver _____ Partial waiver _____ Temporary waiver _____

Please check if the student or the student's family meets the financial eligibility criteria or is involved in one of the following programs:

Full waiver
_____Free meals offered under the Children Nutrition Program
_____The Family Investment Program (FIP)
_____Supplemental Security Income (SSI)
_____Transportation assistance under open enrollment
_____Foster care

Partial waiver
_____Reduced priced meals offered under the Children Nutrition Program

Temporary waiver
If none of the above apply, but you wish to apply for a temporary waiver of school fees because of serious financial problems, please state the reason for this request:

Signature of parent, guardian, legal or actual custodian:_____

Note: Your signature is required for the release of information regarding the student or the student's family financial eligibility for the programs checked above.

Approved April 1995 Reviewed December 2013 Revised_____

STUDENT FEE WAIVER AND REDUCTION PROCEDURES

The board recognizes that while certain fees charged students are appropriate and authorized, certain students and their families are not financially able to pay the fees. The school district will grant either full waivers, partial waivers or temporary waivers depending upon the circumstances and the student or student's parents' ability to meet the financial criteria.

A. Waivers -

1. Full Waivers - a student will be granted a full waiver of fees charged by the school district if the student or student's parents meet the financial eligibility criteria for free meals under the Child Nutrition program, Family Investment Program, or transportation assistance under open enrollment. Students in foster care are also eligible for full waivers.

2. Partial Waivers - a student will be granted a partial waiver of fees charged by the school district if the student or the student's parents meet the financial eligibility criteria for reduced price meals offered under the Child Nutrition program. A partial waiver is based on the same percentage as the reduced price meals.

3. Temporary Waivers - a student may be eligible for a temporary waiver of fees charged by the district in the event the student's parents are facing financial difficulty. Temporary waivers may be applied for at any time throughout the school year and will not extend beyond the end of the school year.

B. Application - Parents or students eligible for a fee waiver will make an application on the form provided by the school district. Applications may be made at any time but must be renewed annually.

C. Confidentiality - The school district will treat the application and application process as any other student record and student confidentiality and access provisions will be followed.

D. Appeals - Denials of a waiver may be appealed to the Superintendent of Schools

E. Fines or charges assessed for damage or loss to school property are not fees and will not be waived.

F. Notice - the school district will annually notify parents and students of the waiver. The following information will be included in registration materials.

Students whose families meet the income guidelines for free and reduced price lunch, the Family Investment Program (FIP), or transportation assistance under open enrollment, or who are in foster care are eligible to have their student fees waived or partially waived. Students whose families are experiencing a temporary financial difficulty may be eligible for a temporary waiver of student fees. Parents or students who believe they may qualify for temporary financial hardship should contact the business manager for a waiver form. This waiver does not carry over from year to year and must be completed annually.

Code No. 503.4

GOOD CONDUCT RULE

Participation in school activities is a privilege. School activities provide the benefits of promoting additional interests and abilities in the students during their school years and for their lifetimes.

Students who participate in extracurricular activities serve as ambassadors of the school district throughout the calendar year, whether away from school or at school. Students who wish to have the privilege of participating in extracurricular activities must conduct themselves in accordance with board policy and must refrain from activities which are illegal, immoral or unhealthy.

Students who fail to abide by this policy and the administrative regulations supporting it may be subject to disciplinary measures. The principal shall keep records of violations of the good conduct rule.

It shall be the responsibility of the superintendent to develop rules and regulations for school activities. Students wanting to participate in school activities must meet the requirements set out by the school district for participation in the activity.

NOTE: This is a mandatory policy. The detail outlining specific conduct expected and penalties for violation should be in the student handbook, and students involved in extracurricular activities must be notified of its contents.

Legal Reference: Bunger v. Iowa High School Athletic Assn., 197 N.W.2d 555 (Iowa 1972).
In re Jason Clark, 1 D.P.I. App. Dec. 167 (1978).
Iowa Code §§ 280.13, .13A (2009).
281 I.A.C. 12.3(8); 36.15(1).

Cross Reference: 502 Student Rights and Responsibilities
503 Student Discipline
504 Student Activities

Approved April 1995 Reviewed December 2013 Revised _____

Code No. 503.5

CORPORAL PUNISHMENT

Corporal punishment is defined as the intentional physical punishment of a student and is prohibited. It includes the use of unreasonable or unnecessary physical force or physical contact made with the intent to harm or cause pain. No employee is prohibited from:

Using reasonable and necessary force, not designed or intended to cause pain, in order to accomplish any of the following:

- To quell a disturbance or prevent an act that threatens physical harm to any person.
- To obtain possession of a weapon or other dangerous object within a pupil's control.
- For the purposes of self-defense or defense of others as provided for in Iowa Code section 704.3.
- To remove a disruptive pupil from class or any area of school premises or from school-sponsored activities off school premises.
- To protect a student from the self-infliction of harm.
- To protect the safety of others.

Using incidental, minor, or reasonable physical contact to maintain order and control.

Reasonable physical force should be commensurate with the circumstances of the situation. The following factors should be considered in using reasonable physical force for the reasons stated in this policy:

1. The size and physical, mental, and psychological condition of the student;
2. The nature of the student's behavior or misconduct provoking the use of physical force;
3. The instrumentality used in applying the physical force;
4. The extent and nature of resulting injury to the student, if any;
5. The motivation of the school employee using physical force.

Upon request, the student's parents are given an explanation of the reasons for physical force.

It is the responsibility of the superintendent to develop administrative regulations regarding this policy.

Legal Reference:
Ingraham v. Wright, 430 U.S. 651 (1977).
Goss v. Lopez, 419 U.S. 565 (1975).
Tinkham v. Kole, 252 Iowa 1303, 110 N.W.2d 258 (1961).
Lai v. Erickson, PTPC Admin. Doc. 83-12 (1983).
Iowa Code §§ 279.8; 280.21 (2009).
281 I.A.C. 12.3(6); 103.
1980 Op. Att'y Gen. 275.

Cross Reference:
402.3 Abuse of Students by School District Employees
502 Student Rights and Responsibilities
503 Student Discipline

Approved December, 2008 Reviewed December 2013 Revised _____

Code No. 504.1

STUDENT GOVERNMENT

The student council provides for student activities, serves as a training experience for student leaders, promotes the common good, gives students a share in the management of the school, develops high ideals of personal conduct, acts as a clearinghouse for student activities, seeks to interest students in school district affairs and helps solve problems that may arise. Members of the council are student representatives who have direct access to the administration.

The principal, in conjunction with the students and licensed employees, shall set forth the guidelines for the student government's elections, operations, and other elements of the government.

Legal Reference: Iowa Code § 279.8 (2009).

Cross Reference: 502 Student Rights and Responsibilities
504 Student Activities

Approved April 1995 Reviewed December 2013 Revised _____

Code No. 504.2

STUDENT ORGANIZATIONS

Extracurricular activities and student groups are related to the curriculum of the secondary schools in the school district. These secondary school curriculum-related student organizations may use the school facilities for meetings and other purposes before, after, and during the instructional school day.

It will also be the responsibility of the principal to determine whether a student group is curriculum-related. One or more of the following questions will be answered affirmatively if the group is curriculum-related:

- Is the subject matter of the group actually taught in a regularly offered course?
- Will the subject matter of the group soon be taught in a regularly offered course?
- Does the subject matter of the group concern the body of courses as a whole?
- Is participation in the group required for a particular course?
- Does participation in the group result in academic credit?

It is the responsibility of the superintendent, in conjunction with the principal, to develop administrative regulations regarding this policy. The administrative regulations will include, but not be limited to, stating the process for establishing a curriculum-related student group, assigning a faculty advisor and obtaining board approval for each student group. The administrative rules will also include the purpose of each group and its relationship to the curriculum.

Legal Reference: Westside Community Board of Education v Mergens, 496 U.S. 226 (1990).
Bender v. Williamsport Area Community School District, 741 F.2d 538 (3d Cir. 1984), *vacated and remanded on other grounds*, 475 U.S. 534 (1986).
20 U.S.C. §§ 4071-4074 (2006).
Iowa Code §§ 287.1-.3; 297.9 (2009).

Cross Reference: 502 Student Rights and Responsibilities
504 Student Activities

Approved April, 1995 Reviewed December 2013 Revised_____

Code No. 504.3

STUDENT PUBLICATIONS

Students may produce official school publications as part of the curriculum under the supervision of a faculty advisor and the principal. Official school publications include material produced in the journalism, newspaper, yearbook, or writing classes and distributed to the student body either free or for a fee.

Any expression made by students, including student expression in official school publications, is not an expression of official school policy. The school district, the board, and the employees or officials are not liable in any civil or criminal action for any student expression made or published by students unless the employees or officials have interfered with or altered the content of the student speech or expression. The liability, if any, is only to the extent of the interference or alteration of the speech or expression.

Official school publications are free from prior restraint by employees or officials except as provided by law. A faculty advisor shall supervise student writers to maintain professional standards of English and journalism and to comply with the law including, but not limited to, the restrictions against unlawful speech. The production of official school publications shall be guided by the law and by the ethical standards adopted by professional associations or societies of journalism.

Persons, other than students, who believe they have been aggrieved by student expression in a student-produced official school publication shall follow the grievance procedure outlined in board policy 214.1. Students who believe their freedom of expression in a student-produced official school publication has been restricted shall follow the grievance procedure outlined in board policy 502.6.

The superintendent shall be responsible for developing a student publications code. This code shall include, but not be limited to, reasonable rules including time, place, and manner of restrictions. The superintendent shall also be responsible for distributing this policy and the student publications code to the students and their parents.

Legal Reference: Hazelwood School District v. Kuhlmeier, 484 U.S. 260 (1988).
Bystrom v. Fridley High School, 822 F.2d 747 (8th Cir. 1987).
Iowa Code § 280.22 (2009).

Cross Reference: 502 Student Rights and Responsibilities
504 Student Activities

Approved April 1995 Reviewed December 2013 Revised

Code No. 504.3R1

STUDENT PUBLICATIONS CODE

A. Official school publications defined.

An "official school publication" is material produced by students in the journalism, newspaper, yearbook, or writing classes and distributed to students either free or for a fee.

B. Expression in an official school publication.

1. No student shall express, publish or distribute in an official school publication material which is:
   a. obscene;
   b. libelous;
   c. slanderous; or
   d. encourages students to:

      1) commit unlawful acts;
      2) violate school rules;
      3) cause the material and substantial disruption of the orderly and efficient operation of the school or school activity;
      4) disrupt or interfere with the education program;
      5) interrupt the maintenance of a disciplined atmosphere; or
      6) infringe on the rights of others.

2. The official school publication shall be produced under the supervision of a faculty advisor.

C. Responsibilities of students.

1. Students writing or editing official school publications shall assign and edit the news, editorial and feature contents of the official school publications subject to the limitations of the student publications code and the law.

2. Students shall strive to achieve professional standards of accuracy, fairness, objectivity and thoroughness in each and every aspect of official school publications.

3. Students shall strive to achieve professional standards of grammar, usage, punctuation and spelling for clarity and accuracy of official school publications.

Approved April 1995 Reviewed December 2013 Revised _____

STUDENT PUBLICATIONS CODE

D. Responsibilities of faculty advisors.

Faculty advisors shall supervise student writers to maintain professional standards of English and journalism and to comply with the law including, but not limited to, the restrictions against unlawful speech.

E. Liability.

Student expression in an official school publication shall not be deemed to be an expression of the school district. The school district, the board, and the employees or officials are not liable in any civil or criminal action for any student expression made or published by students unless the employees or officials have interfered with or altered the content of the student expression. The liability, if any, is only to the extent of interference or alteration of the speech or expression.

F. Appeal procedure.

1. Students who believe they have been unreasonably restricted in their exercise of expression in an official student publication shall seek review of the decision through the student grievance procedure, under board policy 502.6.

2. Persons who believe they have been aggrieved by a student-produced official student publication shall file their complaint through the citizen grievance procedure, under board policy 214.1.

G. Time, place and manner of restrictions on official school publications.

1. Official student publications may be distributed in a reasonable manner on or off school premises.

2. Distribution in a reasonable manner shall not encourage students to:

a. commit unlawful acts;
b. violate school rules;
c. cause the material and substantial disruption of the orderly and efficient operation of the school district or school activity;
d. disrupt or interfere with the education program;
e. interrupt the maintenance of a disciplined atmosphere; or
f. infringe on the rights of others.

Code No. 504.4

STUDENT PERFORMANCES

Students, as part of the education program, may participate in contests or other public and private events approved by the superintendent that will be of benefit to the student and the education program. Performance at such events is a privilege.

Students, who perform at such events, serve as ambassadors of the school district and must conduct themselves in the same manner as required in the regular school day. Students who fail to abide by this policy and the administrative regulations supporting it may be subject to disciplinary measures.

Students will be allowed to perform in these events only with proper permission and supervision and when the events do not disrupt the education program or other school district operations. The events must be approved by the superintendent, unless it involves unusual travel and expense, in which case the board must approve of the performance.

It shall be the responsibility of the superintendent, in conjunction with the principal, to develop administrative regulations regarding this policy. In developing the administrative regulations, these guidelines should be followed:

- Performances by student groups below the high school level should be allowed on a very limited basis;
- All groups of students should have an opportunity to participate; and,
- Extensive travel by one group of students should be discouraged.

It shall be within the discretion of the superintendent to determine whether the event will benefit the education program and the participating students. Contests or other performances by students unapproved by the superintendent shall be the responsibility of the parent and the student.

Legal Reference: Hazelwood School District v. Kuhlmeier, 484 U.S. 260 (1988).
Iowa Code §§ 280.13-.14 (2009).
281 I.A.C. 12.6.

Cross Reference:
502 Student Rights and Responsibilities
503.4 Good Conduct Rule
504 Student Activities
904 Community Activities Involving Students

Approved April 1995 Reviewed December 2013 Revised _____

Code No. 504.5

STUDENT FUND RAISING

Students may raise funds for school-sponsored events with the permission of the principal. Fund raising by students for events other than school-sponsored events is not allowed. Collection boxes for school fund raising must have prior approval from the principal before being placed on school property.

It shall be the responsibility of the superintendent, in conjunction with the principal, to develop administrative regulations regarding this policy.

Legal Reference: Senior Class of Pekin High School v. Tharp, 154 N.W.2d 874 (Iowa 1967).
Iowa Code § 279.8 (2009).

Cross Reference:

502	Student Rights and Responsibilities
503	Student Discipline
504	Student Activities
704.5	Student Activities Fund
904.2	Advertising and Promotion

Approved April 1995 Reviewed December 2013 Revised _____

Code No. 504.6

STUDENT ACTIVITY PROGRAM

Participation in school activities is a privilege. School activities provide the benefits of promoting additional interests and ability in the students during their school years and for their lifetime.

Students will have an opportunity to participate in a school activity unless the activity is not offered, the activity is an intramural or interscholastic athletic activity or the student cannot participate for disciplinary reasons. If the activity is an intramural or interscholastic athletic activity, students of the opposite sex will have a comparable opportunity for participation. Comparable opportunity does not guarantee boys and girls will be allowed to play on each other's teams when there are athletic activities available that will allow both boys and girls to reap the benefits of school activities, which are the promotion of additional interests and abilities in the students.

Student activity events must be approved by the superintendent unless it involves unusual travel expense, in which case the board will take action. The events must not disrupt the education program or other school district operations.

A high school student who participates in school sponsored athletics may participate in a non-school sponsored sport during the same season with approval of one of the following: superintendent, high school principal, or athletic director.

It shall be the responsibility of the superintendent to develop administrative regulations for each school activity. These regulations shall include, but not be limited to, when physical examinations will be required, how and when parents will be informed about the risk of the activity, academic requirements, and proof of insurance on the student participating in certain activities. Students wanting to participate in school activities must meet the requirements set out by the school district for participation in the activity.

Legal Reference: 20 U.S.C. §§ 1681-1683; 1685-1686 (2006).
34 C.F.R. Pt. 106.41 (2006).
Iowa Code §§ 216.9; 280.13-.14 (2009).
281 I.A.C. 12.6.

Cross Reference: 501 Student Attendance
502 Student Rights and Responsibilities
503 Student Discipline
504 Student Activities
507 Student Health and Well-Being

Approved April 1995 Reviewed December 2013 Revised January 1999

Code No. 505.1

STUDENT PROGRESS REPORTS AND CONFERENCES

Students shall receive a progress report at the end of each six/nine-week grading period. Students who are doing poorly, and their parents, shall be notified prior to the end of the semester in order to have an opportunity to improve their grade. The board encourages the notification of students who have made marked improvement prior to the end of the semester.

Scheduled parent-teacher conferences will be held in the fall and spring at the elementary, junior high and high school to keep parents informed. The conferences in grades 7-12 are student led.

Parents, teachers, or principals may request a conference for students in grades kindergarten through twelve in addition to the scheduled conference time. Parents and students are encouraged to discuss the student's progress or other matters with the student's teacher.

Legal Reference: Iowa Code §§ 256.11, .11A; 280 (2009).
Iowa Code § 256E.1(1)(b)(1) (2009)
281 I.A.C. 12.3(6), .3(7); .5(16).

Cross Reference: 505 Student Scholastic Achievement
506 Student Records

Approved April 1995 Reviewed December 2013 Revised _____

Code No. 505.2

STUDENT PROMOTION - RETENTION - ACCELERATION

Students will be promoted to the next grade level at the end of each school year based on the student's achievement, age, maturity, emotional stability, and social adjustment.

The retention of a student will be determined based upon the judgment of the licensed employee and the principal. When it becomes evident a student in grades kindergarten through eight may be retained in a grade level for an additional year, the parents will be informed. It shall be within the sole discretion of the district to retain students in their current grade level.

Students in grades nine through twelve will be informed of the required course work necessary to be promoted each year. When it becomes evident a student in these grades will be unable to meet the minimum credit requirements for the year, the student and parents will be informed. It shall be within the sole discretion of the district to retain students in their current grade level and to deny promotion to a student.

Students in grades kindergarten through twelve with exceptional talents may, with the permission of the principal and parents, take classes beyond their current grade level. Enrichment opportunities outside the school district may be allowed when they do not conflict with the school district's graduation requirements.

Legal Reference: Iowa Code §§ 256.11, .11A; 279.8; 280.3 (2009).
281 I.A.C. 12.3(7); 12.5(16).

Cross Reference: 501 Student Attendance
505 Student Scholastic Achievement

Approved April 1995 Reviewed December 2013 Revised _____

Code No. 505.3

STUDENT HONORS AND AWARDS

The school district will provide a program that establishes honors and awards including, but not limited to, academic letters, scholarships and good citizenship awards for students to assist students in setting goals. Students will be made aware of honors and awards and the action necessary on the part of the student to achieve them. It is possible that students who have not attended the school district for their entire education or have not attended an accredited public or private school will not be eligible for honors and awards.

It shall be the responsibility of the superintendent to develop the administrative regulations regarding this policy.

Legal Reference: Iowa Code § 279.8 (2009).

Cross Reference:
- 501.6 Student Transfers In
- 504 Student Activities
- 505 Student Scholastic Achievement

Approved April 1995 Reviewed December 2013 Revised _____

Code No. 505.4

TESTING PROGRAM

A comprehensive testing program shall be established and maintained to evaluate the education program of the school district and to assist in providing guidance or counseling services to students and their families.

No student shall be required, as part of a program funded by the United States Department of Education, to submit, without prior written consent from the student's parent, to surveys, analysis or evaluation which reveals information concerning:

- political affiliations;
- mental and psychological problems potentially embarrassing to the student or the student's family;
- sex behavior and attitudes;
- illegal, anti-social, self-incriminating and demeaning behavior;
- critical appraisals of other individuals with whom students have close family relationships;
- legally recognized, privileged and analogous relationships, such as those of lawyers, physicians and ministers; or
- income, but not including income required by law to determine eligibility for participation in a program or for receiving financial assistance under such program.

It shall be the responsibility of the superintendent, in conjunction with the principal, to develop administrative regulations regarding this policy.

It shall be the responsibility of the board to review and approve the evaluation and testing program.

Approved April 1995 Reviewed December 2013 Revised _____

Code No. 505.4

TESTING PROGRAM

Legal Reference:
No Child Left Behind, Title II, Sec. 1061, P.L. 107-110 (2006)
Goals 2000: Educate America Act, Pub. L. No. 103-227, 108 Stat. 125 (1994).
20 U.S.C. § 1232h (2006).
Iowa Code §§ 280.3; 256B; 282.1, .3, .6 (2009).
281 I.A.C. 12.5(13), .5(21).

Cross Reference:
505 Student Scholastic Achievement
506 Student Records
607.2 Student Health Services

Code No. 505.5

GRADUATION REQUIREMENTS

Students must successfully complete the courses required by the board and Iowa Department of Education in order to graduate.

It shall be the responsibility of the superintendent to ensure that students complete grades one through twelve and that high school students complete 52 credits prior to graduation. The following credits will be required:

Language Arts	8 credits
Science	8 credits
Mathematics	6 credits
Social Studies	8 credits
Physical Education	4 semesters
Electives	14 credits

The required courses of study will be reviewed by the board annually.

Graduation requirements for special education students will be in accordance with the prescribed course of study as described in their Individual Education Program (IEP).

Legal Reference: Iowa Code §§ 256.11, .11A; 279.8; 280.3, .14 (2009).
281 I.A.C. 12.2; .3(7); .5; 41.404 (6)(e)

Cross Reference: 505 Student Scholastic Achievement
603.3 Special Education

Approved April 1995 Reviewed December 2013 Revised _____

Code No. 505.6

EARLY GRADUATION

Generally, students will be required to complete the necessary course work and graduate from high school at the end of grade twelve. Students may graduate prior to this time if they meet the minimum graduation requirements stated in board policy.

A student who graduates early will no longer be considered a student and will become an alumnus of the school district. However, the student who graduates early may participate in commencement exercises.

NOTE: This is a mandatory policy. School districts do not have the authority to limit when a student may graduate early. Students can graduate early whenever they meet the school district's graduation requirements. It is recommended that when a student graduates early, the student either gets the diploma or a notice from the school district that the student has graduated. The board should determine in policy how an early graduate will be treated after the student graduates. The board should determine whether the early graduate will be allowed to participate in activities and, if so, which activities.

Legal Reference: Iowa Code §§ 279.8; 280.3, .14 (2009).
281 I.A.C. 12.2; .3(7); .5.

Cross Reference: 505 Student Scholastic Achievement

Approved April 1995 Reviewed December 2013 Revised _____

Code No. 505.7

COMMENCEMENT

Students who have met the requirements for graduation will be allowed to participate in the commencement proceedings provided they abide by the proceedings organized by the school district. It shall be the responsibility of the principal to solicit input from each graduating class regarding the proceedings for their commencement.

Failure of a student to participate in commencement will not be a reason for withholding the student's final progress report or diploma certifying the student's completion of high school.

Legal Reference: Iowa Code §§ 279.8; 280.3, .14 (2009).
281 I.A.C. 12.2; .3(7); .5.

Cross Reference: 505 Student Scholastic Achievement

Approved April 1995 Reviewed December 2013 Revised _____

Code No. 505.8

PARENTAL INVOLVEMENT

Parental involvement is an important component in a student's success in school. The board encourages parents to become involved in their child's education to ensure the child's academic success.

Paton-Churdan Community School District will involve parents in the joint development of the district school improvement plan and in the district's review process for the purpose of school improvement. The district provides coordination, technical assistance and other necessary support in the planning and implementation of parent involvement activities. The district encourages parent involvement and supports the partnership between home/school/community by providing understandable information about standards and assessments; providing training and materials for parents to help their children and to involve other parents; educating school personnel about involving parents and the value of parent contributions; and developing meaningful roles for community organization and businesses to work with parents and schools.

The board will ensure that :

1. This written policy will be distributed to parents of participating Title I children during the fall and spring parent-teacher conferences and/or during the annual Title I public meeting.

2. An annual meeting during parent teacher conferences is held for all parents of participating children, both public and private. Additional parent meetings with flexible meeting times shall be held throughout the year as determined by parent interest and suggestions.

3. Parents are given assistance in understanding the requirements of the Title I law, National Educational Goals, content standards, performance standards, and assessments during parent-teacher conferences and/or the annual Title I public meeting.

4. Parents receive an explanation of the school's performance profile, expected proficiency levels for students, and their student's assessment results during the fall and spring parent –teacher conferences or as determined by the student's progress.

5. Parents are informed of the reasons for their children's participation, the curriculum, and the instructional objectives and methods of the program. This is achieved during parent-teacher conferences, letters to the parents, phone calls, and classroom visits.

6. Parents receive timely responses to all parent recommendations. All information sent to parents is in the language used in the home. Full opportunities are provided for all parents to participate in Title I activities. Verbal and written responses are utilized between parent and teachers.

7. A jointly developed school/parent compact outlines how parents, the entire school staff, and students share the responsibility for improved student achievement and the means by with the school and parents continue to build and develop partnerships to help children achieve the local

high standards. The compact is explained, shared, and distributed annually at the first parent-teacher conference and reviewed during subsequent conferences.

8. The Title I program provides opportunities for parents to be come partners with the school in promoting the education of their children at home and at school. Parents are given help monitoring their student's progress. The school provides assistance to parents on how they can participate in decisions related to their student's education. The school provides reasonable support for parental involvement activities as requested by parents. Materials are sent home to the parents periodically containing methods and activities to promote their child's education growth. Ideas are also discussed durring parent-teacher conferences.

9. The school coordinates and integrates parent involvement programs and activities with other programs as appropriate. One method is through articles in the school newsletter.

10. An annual evaluation of the parental involvement policy shall be conducted to determine the effectiveness of this policy and the barriers of this policy for increasing parental involvement. Policy evaluation findings shall be used in designing strategies for school improvement and revising parent policies. Surveys will be sent to the parents of Title I students, the students who have participated in the program during the school years, and the classroom teachers of the Title I students. The surveys will be sent by and evaluated by the Title I teacher in the month of May.

The superintendent is responsible for notifying parents of this policy annually or within a reasonable time after it has been amended during the school year. It is the responsibility of the superintendent to develop administrative regulations regarding this policy.

Legal References: No Child Left Behind, Title I, Sec. 1118, P.L. 107-110.

Cross References: 903.2 Community Resource Persons and Volunteers

Approved: November 2002 Reviewed: December 2013 Revised: _____

BUILDINGS & SITES

Series 800

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Code No. 800

OBJECTIVES OF BUILDINGS & SITES

This series of the board policy manual sets forth the board objectives and goals for the school district's buildings and sites. It shall be the goal of the board to provide sufficient school district buildings and sites for the education program. The board shall strive to provide an environment, which will encourage and support learning.

In providing this environment the school district buildings and sites will accommodate the organizational and instructional patterns that support the education program. The board shall have final authority to determine what is necessary to meet the needs of the education program.

It shall be the responsibility of the superintendent to oversee the day-to-day operations of the school buildings and sites and to notify the board of areas in need of improvement.

Approved March 1995 Reviewed December 2013 Revised _____

Code No. 801.1

BUILDINGS & SITES LONG RANGE PLANNING

As part of the board's long-range plan for the school district's education program, the board shall include the buildings and sites needs for the education program. The long-term needs for building and sites shall be discussed and determined by the board.

It shall be the responsibility of the superintendent to provide information including, but not limited to, enrollment projections and education program requirements to the board.

Legal Reference: Iowa Code §§ 280.3, .12, .14; 297 (2009).

Cross Reference: 103 Educational and Operational Planning

Approved March 1995 Reviewed December 2013 Revised _____

Code No. 801.2

BUILDINGS & SITES SURVEYS

The board may engage the services of consultants or other personnel to study the needs of the school district's buildings and sites in providing the education program. The results of these services will be considered in planning the education program and in making decisions about the improvement and acquisition of additional buildings and sites.

It shall be the responsibility of the superintendent to make a recommendation to the board regarding the need for such services and who should perform such services for the board.

Legal Reference: Iowa Code §§ 280.3, .14; 297 (2009).

Cross Reference: 103 Educational and Operational Planning
801 Site Acquisition and Building Construction

Approved March 1995 Reviewed December 2013 Revised _____

Code No. 801.3

EDUCATIONAL SPECIFICATIONS FOR BUILDINGS & SITES

Buildings and sites considered for purchase or construction by the board or currently owned by the school district and used for the education program must meet, or upon improvement be able to meet, the specifications set by the board. The board will make this determination.

Prior to remodeling or other construction of buildings and sites, the board may appoint a committee of consultants, employees, citizens, or others to assist the board in developing the specifications for the new or improved buildings and sites. These specifications will be consistent with the education program, and they will provide the architect with the information necessary to determine what is expected from the facility. It is within the discretion of the board to determine whether a committee is appointed.

The education specifications will include, but not be limited to, the financial resources available for the project, the definition and character of classrooms, the functional use to be made of the rooms, description of specialized needs, and other pertinent information as the board deems necessary.

It is the responsibility of the superintendent to make a recommendation to the board regarding the specifications of buildings and sites.

Legal Reference: Cedar Rapids Community School District, Linn County v. City of Cedar Rapids, 252 Iowa 205, 106 N.W.2d 655 (1960).
Iowa Code §§ 73A.2, .18; 280.3, .14; 297; 544A (2009).
1974 Op. Att'y Gen. 529.

Cross Reference: 801 Site Acquisition and Building Construction

Approved March 1995 Reviewed December 2013 Revised _____

Code No. 801.4

SITE ACQUISITION

Sites acquired by the board shall meet or, upon improvement, be able to meet the specifications set out by the board prior to using the site for the education program. The board may meet in closed session to discuss potential purchases of sites.

It shall be the responsibility of the superintendent to assist the board and to make recommendations concerning the acquisition of sites.

Legal Reference: Iowa Code §§ 21.5(j); 297 (2009).

Cross Reference: 212 Closed Sessions
705.1 Purchasing - Bidding
801 Site Acquisition and Building Construction

Approved March 1995 Reviewed December 2013 Revised _____

Code No. 801.5

BIDS AND AWARDS FOR CONSTRUCTION CONTRACTS

The board supports economic development in Iowa, particularly in the school district community. Construction contracts will be made in the school district community or in Iowa from Iowa-based companies if the bids submitted are comparable in quality and can be received without additional cost in comparison to those submitted by other bidders. The board will have the authority to approve or reject construction contracts.

Public, competitive sealed bids are required for construction projects, including renovation and repair, with a cost exceeding the statutory minimums required by law. The public, competitive sealed bid requirement is waived in the case of emergency repairs when the repairs are necessary to prevent the closing of a school. The AEA administrator will certify that the emergency repairs are necessary to prevent the closing of a school. The superintendent will comply with the competitive quote process for those projects subject to the competitive quote law. The superintendent will determine the process for obtaining quotes for projects below the competitive quote limit.

The award of construction contracts will, generally, be made to the lowest responsible bidder. The board, in its discretion, after considering factors relating to the construction, including, but not limited to, the cost of the construction, availability of service and/or repair, completion date, and any other factors deemed relevant by the board, may choose a bid other than the lowest bid. The board will have the right to reject any or all bids, or any part thereof, and to enter into the contract or contracts deemed to be in the best interests of the school district.

It is the responsibility of the superintendent to make a recommendation and the reason for it to the board for construction contract bids.

Legal Reference: Iowa Code §§ 72; 73; 73A.2, .18; 297.7-.8 (2009).

Cross Reference: 705 Expenditures
801 Site Acquisition and Building Construction

Approved March 1995 Reviewed December 2013 Revised _____

Code No. 802.1

MAINTENANCE SCHEDULE

The school district buildings and sites, including the grounds, buildings and equipment, will be kept clean and in good repair. Employees should notify the superintendent when something is in need of repair or removal, including graffiti.

It shall be the responsibility of the superintendent to maintain the school district buildings and sites. As part of this responsibility, a maintenance schedule shall be created and adhered to in compliance with this policy.

NOTE: The sentence on graffiti is necessary because of the liability a school district could incur in a case involving harassment. The continued presence of graffiti could expose the school district to liability. It is recommended that school districts implement a procedure to discourage, report and remove graffiti in a timely manner.

Legal Reference: Iowa Code §§ 279.8; 280.3, .14 (2009).

Cross Reference: 502.2 Care of School Property/Vandalism
502.5 Student Lockers
802 Maintenance, Operation and Management
804.1 Facilities Inspections

Approved March 1995 Reviewed December 2013 Revised _____

Code No. 802.2

REQUESTS FOR IMPROVEMENTS

Generally, except for emergency situations, requests for improvements or repairs shall be made to the superintendent by building principals and the head custodian. Requirements for requests outlined in the maintenance schedule shall be followed.

The superintendent may approve minor improvements, not exceeding a cost of $10,000. The board must approve improvements exceeding $10,000. Routine maintenance and repairs outlined in the maintenance schedule shall be followed.

Legal Reference: Iowa Code §§ 279.8; 280.3, .14 (2009).

Cross Reference: 802.1 Maintenance Schedule
802.3 Emergency Repairs

Approved March 1995 Reviewed December 2013 Revised _____

Code No. 802.3

EMERGENCY REPAIRS

In the event of an emergency requiring repairs, in excess of the state limit, to a school district facility are necessary to correct or control the situation and to prevent the closing of school, the provisions relating to bidding will not apply.

It is the responsibility of the superintendent to obtain certification from the area education agency administrator stating such repairs in excess of the state limit were necessary to prevent the closing of school.

It is the responsibility of the superintendent to notify the board as soon as possible considering the circumstances of the emergency.

Legal Reference: Iowa Code §§ 280.3, .14; 297.8 (2009).

Cross Reference: 705.1 Purchasing - Bidding
802 Maintenance, Operation and Management

Approved March 1995 Reviewed December 2013 Revised _____

CAPITAL ASSETS

The school district will establish and maintain a capital assets management system for reporting capitalized assets owned or under the jurisdiction of the school district in its financial reports in accordance with generally accepted accounting principles (GAAP) as required or modified by law; to improve the school district's oversight of capital assets by assigning and recording them to specific facilities and programs and to provide for proof of loss of capital assets for insurance purposes.

Capital assets, including tangible and intangible assets, are reported in the government-wide financial statements (i.e. governmental activities and business type activities) and the proprietary fund financial statements. Capital assets reported include school district buildings and sites, construction in progress, improvements other than buildings and sites, land and machinery and equipment. Capital assets reported in the financial reports will include individual capital assets with an historical cost equal to or greater than $25,000. The Federal regulations governing school lunch programs require capital assets attributable to the school lunch program with a historical cost of equal to or greater than $500 be capitalized. Additionally, capital assets are depreciated over the useful life of each capital asset.

All intangible assets with a purchase price equal to or greater than $25,000 with useful life of two or more years, are included in the intangible asset inventory for capitalization purposes. Such assets are recorded at actual historical cost and amortized over the designated useful lifetime applying a straight-line method of depreciation. If there are no legal, contractual, regulatory, technological or other factors that limit the useful life of the asset, then the intangible asset needs to be considered to have an indefinite useful life and no amortization should be recorded.

Phase III districts, as determined under GASB 34, will not retroactively report intangible assets.

This policy applies to all intangible assets. If an intangible asset that meets the threshold criteria is fully amortized, the asset must be reported at the historical cost and the applicable accumulated amortization must also be reported. It is not appropriate to "net" the capital asset and amortization to avoid reporting. For internally generated intangible assets, outlays incurred by the government's personnel, or by a third-party contractor on behalf of the government, and for development of internally generated intangible assets should be capitalized.

The capital assets management system must be updated monthly to account for the addition/acquisition, disposal, relocation/transfer of capital assets. It is the responsibility of the superintendent to count and reconcile the capital assets with capital assets management system on June 30 each year.

It is the responsibility of the superintendent to develop administrative regulations implementing this policy. It will also be the responsibility of the superintendent to educate employees about this policy and its supporting administrative regulations.

Legal Reference: Iowa Code §§ 257.31(4); 279.8; 297.22-.25; 298A (2009).

Cross Reference: 709 Insurance Program
701.3 Financial Records

Approved November, 2010 Reviewed _December 2013_____ Revised _____

CAPITAL ASSETS REGULATION

A. Capital Assets Management System

The superintendent, and/or other designated staff, shall:

1) Conduct the fixed assets physical count;
2) Develop the fixed assets listing;
3) Tag fixed assets included in the fixed assets management system with a bar code identification number;
4) Make a recommendation of a computer software program for managing the fixed assets management system;
5) Enter the necessary data into the fixed capital assets management system and compile the appropriate reports;
6) Develop forms and procedures for maintaining the integrity of the fixed capital assets management system; and,
7) Maintain responsibility for an accurate fixed capital assets management system.

B. Determining historical cost

1. The historical cost of a capital asset is based on the actual costs expended in making the capital assets serviceable.

2. Gifts of capital assets are valued at the estimated fair market value at the addition/acquisition date.

3. Fixed assets purchased under a capital lease are valued at historical cost of their net present value of the minimum lease payments on the addition/acquisition date.

4. The historical cost of capital assets must include capitalized interest.

C. Annual capital assets listing reconciliation

1. The superintendent, and/or other designated staff, in conjunction with the capital assets management team, will conduct an annual capital assets physical count to develop the annual capital assets listing in a manner similar to the initial capital assets listing process in B above. At least every three years, someone other than the person in custody of the capital assets in the building/department/room will perform the capital assets physical count for the building/department/room.

2. Upon completion of the annual capital assets listing, the capital assets listing is reconciled to the capital assets management system data base.

3. Capital assets found to have been excluded from the data base are added to the capital assets management system. The capital assets management system process should be reviewed to prevent future incidents of excluding a capital asset.

4. Capital assets unaccounted for are reported to the superintendent who contacts the supervisor of and the individual in charge/control/custody of the capital asset. The individual in charge/control/custody of the capital asset has thirty days to account for the capital asset.

CAPITAL ASSETS REGULATION

5. Capital assets unaccounted for after thirty days are reported to the superintendent for appropriate action and documentation. "Appropriate action" may include discipline, up to and including discharge, and may require the employee/person in charge/control/custody of the capital asset to replace the asset.

6. The superintendent is responsible for documenting the reasons each asset was not reconciled to the capital assets management system.

D. Addition/acquisition of capital assets.

1. The school district's purchasing policy and administrative regulations must be followed when acquiring capital assets. The school district's policy and administrative regulations must be followed for receiving a gift of capital assets.

2. The capital assets addition/acquisition documentation must be completed for each additional capital assets with an addition/acquisition cost of equal to or greater than $25,000. The following information should be collected, if applicable:
   a. Name of location-building/department/room;
   b. Location-building/department/room code;
   c. Balance sheet accounting/class code;
   d. Government or BTA program;
   e. Addition/acquisition date;
   f. Check/purchase order number or gift;
   g. Bar code identification number assigned to and placed on the capital asset;
   h. Serial/model number;
   i. Cost-historical;
   j. Fair market value on acquisition date (donated assets only);
   k. Estimated useful life;
   l. Vendor;
   m. Purchasing fund and function;
   n. Description of capital asset;
   o. Department/person charged with custody,
   p. Method of addition/acquisition-purchase, trade, gift etc.,
   q. Quantity;
   r. Replacement cost;
   s. Addition/acquisition authorization; and,
   t. Function for depreciation.

3. Capital assets acquired in a month must be entered into the capital assets management system in the same month.

4. The actual costs of construction in progress, other than infrastructure, is entered into the capital assets management system in the month in which costs are incurred until the total cost of addition/acquisition is entered. Upon completion of construction, the total costs accumulated over the period of construction are reclassified to buildings.

CAPITAL ASSETS REGULATION

5. Capital assets acquired in a month must be entered into the capital assets management system in the same month.

E. Relocation/transfer of machinery and equipment capital assets.

1. A capital assets relocation/transfer documentation must be completed prior to removing machinery and equipment capital assets from their current location. The following information must be collected:
   a. Relocation/transfer date;
   b. Quantity;
   c. Bar code identification number;
   d. Current location-building/department/room code;
   e. Name of current location-building/department/room;
   f. New location-building/department/room code;
   g. Name of new location-building/department/room;
   h. Date placed at new location-building/department/room;
   i. Department/person charged with custody; and
   j. Relocation/transfer authorization.

2. Capital assets relocated/transferred in a month must be entered into the capital assets management system in the same month.

F. Disposal of capital assets

1. A Capital Assets disposal documentation must be completed prior to disposing of real property. The following information must be collected:
   a. Disposal date;
   b. Quantity;
   c. Bar code tag identification number;
   d. Legal description,
   e. Location/Address;
   f. Purchaser;
   g. Disposal methods for real property trade, sale, stolen, etc.; and,
   h. Disposal authorization.

2. Capital assets disposed of in a month must be entered into the capital assets management system in the same month.

3. When assets are sold or disposed of, it is necessary to calculate and report a gain or loss in the statement of activities. The gain/loss is calculated by subtracting the net book value (historical cost less any accumulated amortization) from the net amount realized on the sale or disposal.

G. Lost, damaged or stolen capital assets.

1. A Lost, Damaged or Stolen Capital Assets Report must be completed when a capital asset has been lost, damaged or stolen. The following information must be collected:

CAPITAL ASSETS REGULATION

a. Date of loss, damage or theft;
b. Employee/person discovering;
c. Quantity;
d. Description of capital asset;
e. Bar code tag identification number;
f. Location-building/department/room;
g. Description of loss, damage, etc.;
h. Filing of police report-yes or no;
i. Filing of insurance report-yes or no;
j. Sent for repair-yes or no;
k. Date returned from repair;
l. Date returned to location-building/department/room;
m. Department/person charged with custody; and,
n. Authorization.

2. Capital assets damaged, lost or stolen in a month must be entered into the capital assets management system in the same month.

H. Capital assets reports

1. Annual reports for June 30 each year.
   a.Capital assets listing including the following items:
      1) Balance sheet accounting/class code;
      2) Purchasing fund, function and depreciation function;
      3) Bar code tag identification number;
      4) Description of the ~~fixed~~ capital asset;
      5) Historical cost or other;,-
      6) Location;
      7) Current year depreciation/expense; and,
      8) Accumulated depreciation/amortization.
   b. capital assets listing by location/building;
   c. capital assets listing by department/employee/person charged with custody; and,
   d. capital assets listing by replacement cost.

CAPITAL ASSETS MANAGEMENT SYSTEM DEFINITIONS

Back trending/standard costing - an estimate of the historical original cost using a known average installed cost for like units as of the estimated addition/ acquisition date. This cost is only applied to the capital assets initially counted upon implementation of the capital assets management system when the historical original cost cannot be determined. It is inappropriate to apply the back trending/standard costing method to any capital assets acquired after the assets management system implementation date.

Balance sheet accounting/class codes - the codes set out for assets in the Iowa Department of Education Uniform Accounting Manual. They are: 200-capital assets; 211- land and land improvements; 221-site improvements; 222-accumulated depreciation on site improvements; 231-buildings and building improvements; 232-accumulated depreciation on buildings and building improvements; 241-machinery and equipment; 242-accumulated depreciation on machinery and equipment, 251-works of art and historical treasures; 252-accumulated depreciation on works of art and historical treasures, 261-infrastructure, 262-accumulated depreciation on infrastructure, and 271-construction in progress.

Book value - the value of capital assets on the records of the school district, which can be the cost or, the cost less the appropriate allowances, such as depreciation.

Buildings and building improvements - a capital assets account reflecting the addition/acquisition cost of permanent structures owned or held by a government and the improvements thereon.

Business-type activities – one of two classes of activities reported in the government-wide financial statements. Business-type activities are financed in the whole or in part by fees charged to external parties for goods or services. These activities are usually reported in enterprise funds.

Capital expenditures/expenses - expenditures/expenses resulting in the addition/acquisition of or addition/acquisition to the school district's capital assets.

Capital assets - Capital assets with a value of equal to or greater than *$25,000)* based on the historical cost include: long-lived assets obtained or controlled as a result of past transactions, events or circumstances. Capital assets include buildings, construction in progress, improvements other than facilities, land, machinery and equipment, and intangible assets.

Capitalization policy - the criteria used by the school district to determine which capital assets will be reported as capital assets on the school district’s financial statements and records

Capitalization threshold - The dollar value at which a government elects to capitalize tangible or intangible assets that are used in operations and that have initial useful lives extending beyond a single reporting period.

Capitalized interest - interest accrued and reported as part of the cost of the capital assets during the construction phase of a capital project. The construction phase extends from the initiation of pre-construction activities until the time the asset is placed in service.

Construction in progress - buildings in the process of being constructed other than infrastructure.

Cost - the amount of money or other consideration exchanged for goods or services.

CAPITAL ASSETS DEFINITIONS

Depreciation/Amortization - expiration in the service life of capital assets, other than wasting assets, attributable to wear and tear, deterioration, action of the physical elements, inadequacy and obsolescence. In accounting for depreciation/amortization, the cost of a capital asset, less any salvage value, is prorated over the estimated service life of such an asset, and each period is charged with a portion of such cost.

Fixtures - attachments to buildings that are not intended to be removed and cannot be removed without damage to the buildings. Those fixtures with a useful life presumed to be as long as that of the building itself are considered a part of the building. Other fixtures are classified as machinery and equipment.

General capital assets - capital assets that are not capital assets of any fund, but of the governmental unit as a whole. Most often these capital assets arise from the expenditure of the financial resources of governmental funds.

General capital assets account group (GFAAG) - a self-balancing group of accounts established to account for capital assets of the school district, not accounted for through specific proprietary funds.

Government activities – activities generally financed through taxes, intergovernmental revenues, and other non-exchange revenues. These activities are usually reported in governmental funds and internal service funds.

Government-wide financial statements – Financial statements that incorporate all of a government's governmental and business-type activities, as well as its nonfiduciary component units. There are two basic government-wide financial statements the statement of net assets and the statement of activities. Both basic government-wide financial statements are presented using the economic resources measurement focus and the accrual basis of accounting.

Historical (acquisition) cost - the actual costs expended to place a capital asset into service. For land and buildings, costs such as legal fees, recording fees, surveying fees, architect fees and similar fees are included in the historical cost. For machinery and equipment, costs such as freight and installation fees and similar fees are included in the historical cost.

Improvements – In addition made to, or change made in, a capital asset, other than maintenance, to prolong its life or to increase the efficiency or capacity. The cost of the addition or change is added to the book value of the asset.

Improvements other than buildings - attachments or annexation to land that are intended to remain so attached or annexed, such as sidewalks, trees, drives, tunnels, drains and sewers. Sidewalks, curbing, sewers and highways are sometimes referred to as "betterments," but the term "improvements" is preferred.

Infrastructure – long-lived capital assets that normally are stationary in nature and normally can be preserved for a significantly greater number of years than most capital assets. Examples of infrastructure assets include; roads, bridges, tunnels, drainage systems, tater and sewer systems, dams, and lighting systems.

CAPITAL ASSETS DEFINITIONS

Investment in general capital assets - an account in the GFAAG representing the school district's investment in general capital assets. The balance in this account generally is subdivided according t o the source of the monies that finance the capital assets addition/acquisition, such as general fund revenues and special assessments.

Land and buildings - real property owned by the school district.

Machinery and equipment - capital assets which maintain their identity when removed from their location and are not changed materially or consumed immediately (e.g., within one year) by use. Machinery and equipment are often divided into specific categories such as: transportation machinery and equipment which includes school buses and school district owned automobiles, trucks and vans; other motor machinery and equipment which includes lawn maintenance machinery and equipment, tractors, motorized carts, maintenance machinery and equipment, etc.; other machinery and equipment which includes furniture and machinery and equipment contained in the buildings whose original cost is equal to or greater than *$25,000),* and capital assets under capital leases and capital assets being acquired under a lease/purchase agreement.

Proprietary funds – Funds that focus on the determination of operating income, changes in net assets (or cost recovery), financial position, and cash flows. There are two different types of proprietary funds: enterprise funds and internal service funds.

Replacement cost - the amount of cash or other consideration required today to obtain the same capital assets or its equivalent.

Code No. 802.6

VANDALISM

The board believes everyone should treat school district buildings and sites and property with respect for the benefit of the education program. Users of school district property shall treat it with care. Employees discovering vandalism should report it to the building principal as soon as possible.

Persons suspected, found or proven to have destroyed or otherwise harmed school district property may be subject to discipline by the school district, if the person is under the jurisdiction of the school district, and may be reported to local law enforcement officials. Persons who are not under the jurisdiction of the school district and who are suspected, found or proven to have destroyed or otherwise harmed school district property shall be reported to the local law enforcement authorities.

Legal Reference: Iowa Code § 279.8 (2009).

Cross Reference: 502 Students Rights and Responsibilities
903.4 Public Conduct on School District Premises

Approved March 1995 Reviewed December 2013 Revised _____

Code No. 802.7

ENERGY CONSERVATION

In concert with the board's goal to utilize public funds in an effective and efficient manner, employees and students shall practice energy conservation methods when utilizing the school district's buildings and sites. These methods include, but are not limited to, turning off lights and equipment when not in use, reducing the temperature of the facility, particularly when it is not in use, and keeping windows and doors properly closed or open, depending upon the weather.

It shall be the responsibility of the superintendent to develop energy conservation guidelines for employees and students. Employees and students shall abide by these guidelines.

Legal Reference: Iowa Code §§ 279.44; 473.19-.20 (2009).

Cross Reference: 700 Purpose of Noninstructional and Business Services

Approved March 1995 Reviewed December 2013 Revised _____

Code No. 803.1

DISPOSITION OF OBSOLETE EQUIPMENT

School property, such as equipment, furnishings, or supplies (hereinafter equipment), will be disposed of when it is determined to be of no further use to the school district. It is the objective of the school district in disposing of the equipment to achieve the best available price or most economical disposal.

Obsolete equipment having a value of less than $5000 will be disposed of in a manner determined by the board. (Insert method here.) However, the sale of equipment, furnishings or supplies disposed of in this manner will be published in a newspaper of general circulation. The publication of the sale will be published with at least one insertion each week for two consecutive weeks.

A public hearing will be held regarding the disposal of the equipment with a value of $5,000 or more prior to the board's final decision. The board will adopt a resolution announcing the proposed sale and will publish notice of the time and place of the public hearing and the description of the property will be in the resolution. Notice of the public hearing will be published at least once, but not less than 10 days and not more than 20 days, prior to the hearing date. Upon completion of the public hearing, the board may dispose of the equipment.

It is the responsibility of the superintendent to make a recommendation to the board regarding the method for disposing of equipment of no further use to the school district.

Legal Reference: Iowa Code §§ 297.22-.25 (2009).

Cross Reference: 704 Revenue
705.1 Purchasing - Bidding
803 Selling and Leasing

Approved March 1995 Reviewed December 2013 Revised _____

Code No. 803.2

LEASE, SALE OR DISPOSAL OF SCHOOL DISTRICT BUILDINGS & SITES

Decisions regarding the lease, sale, or disposal of school district real property are made by the board. In making its decision the board will consider the needs of the education program and the efficient use of public funds.

Prior to the board's final decision regarding real property, a public hearing will be held. The board will adopt a resolution announcing the proposed sale which will contain notice of the time and place of the public hearing and the description of the property or locally known address. Notice of the time and place of the public hearing will be published at least once, but not less than 10 days and not more than 20 days, prior to the hearing date. Upon completion of the public hearing, the board may dispose of the property.

If the real property contains less than two acres, is located outside of a city, is not adjacent to a city and was previously used as a schoolhouse site, the property may revert to the owner of the tract from whom the property was taken following the procedures set forth in IOWA CODE §§ 297.15-.25.

In the case of a sale or lease of school district real property not being used for the education program, unless otherwise exempted, advertisements for bids will be taken. If the bids received by the board are deemed inadequate, the board may decline to sell or lease the property and re-advertise.

In the case of the razing of a school district facility, in an amount in excess of the statutory minimum required by law, the board will advertise and take bids for the purpose of awarding the contract for the project.

The superintendent is responsible for coordinating the action necessary for the board to accomplish the lease, sale, or disposal of school district real property, including student-constructed buildings. It will also be the responsibility of the superintendent to make a recommendation to the board regarding the use of school district real property not being utilized for the education program.

NOTE: The language in the second and third paragraph reflect Iowa law regarding the sale of real property

Legal Reference: Iowa Code §§ 297.15-.25 (2009).

Cross Reference:
704 Revenue
705.1 Purchasing - Bidding
803 Selling and Leasing

Approved March 1995 Reviewed December 2013 Revised _____

Code No. 804.1

FACILITIES INSPECTIONS

A program for annual inspection, in addition to those conducted by authorized agencies, of the equipment, facilities, and grounds shall be conducted as part of the maintenance schedule for school district buildings and sites. The results of this inspection shall be reported to the board at its annual meeting. Further, the board may conduct its own inspection of the school district buildings and sites annually.

Legal Reference: Iowa Code § 279.8 (2009).

Cross Reference: 802 Maintenance, Operation and Management

Approved March 1995 Reviewed December 2013 Revised _____

Code No. 804.2

WARNING SYSTEM AND EMERGENCY PLANS

The school district shall maintain a warning system designed to inform students, employees, and visitors in the facilities of an emergency. This system shall be maintained on a regular basis under the maintenance plan for school district buildings and sites.

Students shall be informed of this system according to board policy. Each classroom and office shall have a plan for helping those in need of assistance to safety during an emergency. This shall include, but not be limited to, students and employees with disabilities.

Licensed employees shall be responsible for instructing students on the proper techniques to be followed during an emergency. It shall be the responsibility of the superintendent to develop administrative regulations regarding this policy.

Legal Reference: Iowa Code § 100.31 (2009).

Cross Reference: 507 Student Health and Well-Being
711.7 School Bus Safety Instruction
804 Safety Program

Approved March 1995 Reviewed December 2013 Revised _____

Code No. 804.3

BOMB THREATS

As soon as a bomb threat is reported to the administration, the school district facility should be cleared immediately. The appropriate school district or law enforcement officials will make a thorough search. Employees and students shall remain outside the school district facility until it is determined that danger no longer exists.

It shall be the responsibility of the superintendent to file a report or keep a report of each incident for the school district records.

Legal Reference: Iowa Code § 279.8 (2009).

Cross Reference: 804 Safety Program

Approved March 1995 Reviewed December 2013 Revised _____

Code No. 804.4

ASBESTOS CONTAINING MATERIAL

Friable and nonfriable asbestos containing materials will be maintained in good condition and appropriate precautions will be followed when the material is disturbed. If there is a need to replace asbestos it will be replaced with nonasbestos containing materials. Each school building will maintain a copy of the asbestos management plan.

The school district will appoint and train appropriate employees as necessary.

Legal Reference: 20 U.S.C. §§ 3601 et seq. (2006).
40 C.F.R. Pt. 763 (2006).
Iowa Code §§ 279.52-.54 (2009).

Cross Reference: 403.4 Hazardous Chemical Disclosure
802 Maintenance, Operation and Management

Approved March 1995 Reviewed December 2013 Revised _____

SCHOOL DISTRICT - COMMUNITY RELATIONS

Series 900

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Code No. 900

PRINCIPLES AND OBJECTIVES FOR COMMUNITY RELATIONS

Successful education programs require the support of the school district community. The board addresses the importance of the role of the school district community in the school district in this series of the policy manual. The board recognizes this support is dependent on the school district community's understanding of participation in the efforts, goals, problems and programs of the school district.

In this section, the board sets out its policies defining its relationship with the school district community. In striving to obtain the support of the school district community, the board will:

- Provide access to school district records;
- Inform the school district community of the school district's goals, objectives, achievements, and needs;
- Invite the input of the school district community; and,
- Encourage cooperation between the school district and the school district community.

Approved March 1995 Reviewed December 2013 Revised _____

Code No. 901

PUBLIC EXAMINATION OF SCHOOL DISTRICT RECORDS

Public records of the school district may be viewed by the public during the regular business hours of the administration offices of the school district. These hours are 8:00 a.m. to 4:00 p.m. Monday through Friday, except for holidays and recesses.

Persons wishing to view the school district's public records shall contact the board secretary and make arrangements for the viewing. The board secretary will make arrangements for viewing the records as soon as practicable, depending on the nature of the request. Records defined by law as confidential records shall be viewed or copied upon receipt of written permission by the board secretary or superintendent from the person or entity whose confidential records are being requested.

Persons wanting copies may be assessed a fee for the copy. Persons wanting compilation of information may be assessed a fee for the time of the employee to compile the requested information. Printing of materials for the public at the expense of the school district shall only occur when the event is sponsored by the school district.

Pursuant to Iowa law, the board has determined certain records need to be confidential as their disclosure could jeopardize the safety of persons or property and include, but are not limited to, the following:

- Security procedures
- Emergency preparedness procedures
- Evacuation procedures
- Security codes and passwords

It shall be the responsibility of the board secretary to maintain accurate and current records of the school district. It shall be the responsibility of the board secretary to respond in a timely manner to requests for viewing and receiving public information of the school district.

Legal Reference: Iowa Code §§ 21.4; 22; 291.6 (2009).
1980 Op. Att'y Gen. 88.
1972 Op. Att'y Gen. 158.
1968 Op. Att'y Gen. 656.

Cross Reference: 215 Board of Directors' Records
401.5 Employee Records
506 Student Records
708 Care, Maintenance, and Disposal of School District Records
902.1 News Media Relations

Approved March 1995 Reviewed December 2013 Revised _____

Code No. 902.1

NEWS MEDIA RELATIONS

The board recognizes the value of and supports open, fair and honest communication with the news media. The board will maintain a cooperative relationship with the news media. As part of this cooperative relationship, the board and the media will develop a means for sharing information while respecting each party's limitations.

Members of the news media are encouraged and welcome to attend open board meetings. The board president shall be the spokesperson for the board, and the superintendent shall be the spokesperson for the school district. It shall be the responsibility of the board president and superintendent to respond to inquiries from the news media about the school district.

Members of the news media seeking information about the school district shall direct their inquiries to the superintendent. The superintendent shall accurately and objectively provide the facts and board positions in response to inquiries from the news media about the school district.

Legal Reference: Iowa Code §§ 21.4; 22; 279.8 (2009).

Cross Reference: 902 Press, Radio and Television News Media

Approved March 1995 Reviewed December 2013 Revised _____

Code No. 902.2

NEWS CONFERENCES AND INTERVIEWS

The superintendent, on behalf of the board and the school district, may hold a news conference or respond to a request for an interview with the news media. The superintendent shall respond accurately, openly, honestly, and objectively to inquiries from the news media about the school district.

News conferences and interviews planned or pre-arranged for school district activities shall include the board and the superintendent. The superintendent may hold news conferences for issues requiring an immediate response. It shall be within the discretion of the superintendent to determine whether a news conference or interview shall be held to provide an immediate response to an issue.

It shall be the responsibility of the superintendent to keep the board apprised of news conferences and interviews.

Legal Reference: Iowa Code §§ 21.4; 22; 279.8 (2009).

Cross Reference: 902 Press, Radio and Television News Media

Approved March 1995 Reviewed December 2013 Revised _____

Code No. 902.3

NEWS RELEASES

The superintendent shall determine when a news release about internal school district and board matters will be issued. In making this determination, the superintendent shall strive to keep the media and the school district community accurately and objectively informed. Further, the superintendent shall strive to create and maintain a positive image for the school district. It shall be the responsibility of the superintendent to approve news releases originating within the school district prior to their release.

News releases will be prepared and disseminated to news media in the school district community. Questions about news releases shall be directed to the superintendent.

Legal Reference: Widmer v. Reitzler, 182 N.W.2d 177 (Iowa 1970).
Dobrovolny v. Reinhardt, 173 N.W.2d 837 (Iowa 1970).
Iowa Code §§ 21.4; 22.2 (2009).
1980 Op. Att'y Gen. 73.
1952 Op. Att'y Gen. 133.

Cross Reference: 902 Press, Radio and Television News Media

Approved March 1995 Reviewed December 2013 Revised _____

Code No. 902.4

LIVE BROADCAST OR VIDEOTAPING

Individuals may broadcast or videotape public school district events, including open board meetings, as long as it does not interfere with or disrupt the school district event and it does not create an undue burden in adapting the buildings and sites to accommodate the request.

It shall be within the discretion of the superintendent to determine whether the request is unduly burdensome and whether the broadcast or videotaping will interfere with or disrupt the school district event.

It shall be the responsibility of the superintendent to develop administrative regulations outlining the procedures for making the request and the rules for operation if the request is granted.

Legal Reference: Iowa Code §§ 21.4, .7; 22; 279.8 (2009).

Cross Reference: 902.1 News Media Relations
903.3 Visitors to School District Buildings and Sites

Approved March 1995 Reviewed December 2013 Revised _____

Code No. 903.1

SCHOOL - COMMUNITY GROUPS

The board values the participation and the support of school district-community groups, including, but not limited to, the booster club and other like organizations, which strive for the betterment of the school district and the education program. The board will work closely with these groups.

Prior to any purchase of, or fund raising for, the purchase of goods or services for the school district, the group shall confer with the superintendent to assist the group in purchasing goods or services to meet the school district's needs.

Funds raised by these groups for the school district may be kept as part of the accounts of the school district.

It shall be the responsibility of the building principal to be the liaison with the school district-community groups affiliated with the building principal's attendance center.

Legal Reference: Iowa Code §§ 279.8; 291.13 (2009).

Cross Reference: 903 Public Participation in the School District

Approved March 1995 Reviewed December 2013 Revised _____

Code No. 903.2

COMMUNITY RESOURCE PERSONS AND VOLUNTEERS

The board recognizes the valuable resource it has in the members of the school district community. When possible and in concert with the education program, members of the school district community may be asked to make presentations to the students or to assist employees in duties other than teaching. The school district may officially recognize the contributions made by volunteers.

Recruitment, training, utilization, and the maintenance of records for the purposes of insurance coverage and/or recognition of school district volunteers is the responsibility of the superintendent.

Legal Reference: Iowa Code §§ 279.8; 670 (2009).

Cross Reference: 603.1 Basic Instruction Program
903.3 Visitors to School District Buildings and Sites

Approved March 1995 Reviewed December 2013 Revised _____

Code No. 903.3

VISITORS TO SCHOOL DISTRICT BUILDINGS & SITES

The board welcomes the interest of parents and other members of the school district community and invites them to visit the school buildings and sites. Visitors, which include persons other than employees, parents, or students, must notify the principal of their presence in the facility.

Parents who wish to visit a classroom while school is in session are asked to notify the classroom teacher and obtain approval from the teacher prior to the visit so appropriate arrangements can be made and so class disruption can be minimized. Teachers and other employees shall not take time from their duties to discuss matters with visitors.

Visitors shall conduct themselves in a manner fitting to their age level and maturity and with mutual respect and consideration for the rights of others while attending school events. Visitors failing to conduct themselves accordingly may be asked to leave the premises. A parent or responsible adult must accompany children who wish to visit school.

It shall be the responsibility of employees to report inappropriate conduct. It shall be the responsibility of the superintendent and principals to take the action necessary to cease the inappropriate conduct. If the superintendent or principals are not available, a school district employee shall act to cease the inappropriate conduct.

Legal Reference: Iowa Code §§ 279.8; 716.7 (2009).

Cross Reference: 902 Press, Radio and Television News Media
903.2 Community Resource Persons and Volunteers

Approved March 1995 Reviewed December 2013 Revised _____

PUBLIC CONDUCT ON SCHOOL PREMISES

The board expects that students, employees and visitors will treat each other with respect, engage in responsible behavior, exercise self-discipline and model fairness, equity and respect. Individuals violating this policy will be subject to discipline. Students will be disciplined consistent with the student conduct policies. Employees will be disciplined consistent with employee discipline policies and laws. Others will be subject to discipline according to this policy.

Individuals are permitted to attend school sponsored or approved activities or visit school premises only as guests of the school district, and, as a condition, they must comply with the school district's rules and policies. Individuals will not be allowed to interfere with or disrupt the education program or activity. Visitors, like the participants, are expected to display mature, responsible behavior. The failure of individuals to do so is not only disruptive but embarrassing to the students, the school district and the entire community.

To protect the rights of students to participate in the education program or activities without fear of interference or disruption and to permit the school officials, employees and activity sponsors and officials to perform their duties without interference or disruption, the following provisions are in effect:

- Abusive, verbal or physical conduct of individuals directed at students, school officials, employees, officials and activity sponsors of sponsored or approved activities or at other individuals will not be tolerated.
- Verbal or physical conduct of individuals that interferes with the performance of students, school officials, employees, officials and activity sponsors of sponsored or approved activities will not be tolerated.
- The use of vulgar, obscene or demeaning expression directed at students, school officials, employees, officials and activity sponsors of sponsored or approved activities participating in a sponsored or approved activity or at other individuals will not be tolerated.

If an individual becomes physically or verbally abusive, uses vulgar, obscene or demeaning expression, or in any way interrupts an activity, the individual in charge of the event may remove the individual from the event. Law enforcement may be contacted for assistance.

Individuals removed from school premises have the ability to follow the board's chain of command and complaint policies should they choose to do so. The exclusion is in effect should the individual choose to appeal the decision of the superintendent. The term "individual" as used in the policy also includes students and employees.

If an individual has been notified of exclusion and thereafter tries to enter a school building or attends a sponsored or approved activity, the individual will be advised that his/her attendance will result in prosecution. The school district may obtain a court order for permanent exclusion from the school building or from future school sponsored or approved activities.

Approved August 1999 Reviewed December 2013 Revised_____

PUBLIC CONDUCT ON SCHOOL PREMISES

NOTE: This policy reflects the Iowa civility and trespass law, and outlines a school district's authority to enforce the law

Legal Reference: Iowa Code §§ 279.8, .66; 716.7 (2009).

Cross Reference:
205 Board Member Liability
504 Student Activities
802.6 Vandalism
903 Public Participation in the School District

Code No. 903.5

DISTRIBUTION OF MATERIALS

The board recognizes that students, employees, parents or citizens may want to distribute materials within the school district that are noncurricular. Noncurricular materials to be distributed must be approved by the building principal and meet certain standards prior to their distribution.

It shall be the responsibility of the superintendent, in conjunction with the building principals to draft administrative regulations regarding this policy.

Legal Reference:
U.S. Const. amend. I.
Hazelwood School District v. Kuhlmeier, 484 U.S. 260 (1988).
Bethel School District v. Fraser, 478 U.S. 675 (1986).
New Jersey v. T.L.O., 469 U.S. 325 (1985).
Tinker v. Des Moines Ind. Comm. Sch. Dist., 393 U.S. 503 (1969).
Bystrom v. Fridley High School, 822 F.2d 747 (8th Cir. 1987).
Iowa Code §§ 279.8; 280.22 (2009).

Cross Reference:
502.3 Freedom of Expression
503.1 Student Conduct
504 Student Activities
603.9 Academic Freedom

Approved March 1995 Reviewed December 2013 Revised _____

Code No. 903.5R1

DISTRIBUTION OF MATERIALS REGULATION

I. Guidelines.

Individuals, including students, may have the right to distribute on school premises, at reasonable times and places, unofficial written material, petitions, buttons, badges or other insignia, except expression which:

(a) is obscene to minors;
(b) is libelous;
(c) contains indecent, vulgar, profane or lewd language;
(d) advertises any product or service not permitted to minors by law;
(e) constitutes insulting or fighting words, the very expression of which injures or harasses other people (e.g., threats of violence, defamation of character or of a person's race, religion, gender, disability, age or ethnic origin);
(f) presents a clear and present likelihood that, either because of its content or the manner of distribution, it will cause a material and substantial disruption of the proper and orderly operation and discipline of the school or school activities, will cause the commission of unlawful acts or the violation of lawful school regulations.

Distribution on school premises of material in categories (a) through (d) to any student is prohibited. Distribution on school premises of material in categories (e) and (f) to a substantial number of students is prohibited.

II. Procedures.

Anyone wishing to distribute unofficial written material must first submit for approval a copy of the material to the building principal at least twenty-four hours in advance of desired distribution time, together with the following information:

1. Name and phone number of the person submitting request and;
2. Date(s) and time(s) of day of intended display or distribution;
3. Location where material will be displayed or distributed;
4. The grade(s) of students to whom the display or distribution is intended.

Approved March 1995 Reviewed December 2013 Revised _____

DISTRIBUTION OF MATERIALS REGULATION

Within twenty-four hours of submission, the principal will render a decision whether the material violates the guidelines in subsection I or the time, place and manner restrictions in subsection III of this policy. In the event that permission to distribute the material is denied, the person submitting the request should be informed in writing of the reasons for the denial. Permission to distribute material does not imply approval of its contents by either the school, the administration, the board or the individual reviewing the material submitted.

If the person submitting the request does not receive a response within twenty-four hours of submission, the person shall contact the building principal's office to verify that the lack of response was not due to an inability to locate the person. If the person has made this verification and there is no response to the request, the material may be distributed in accordance with the time, place and manner provisions in subsection III.

If the person is dissatisfied with the decision of the principal, the person may submit a written request for appeal to the superintendent. If the person does not receive a response within three school days of submitting the appeal, the person shall contact the superintendent to verify that the lack of response is not due to an inability to locate the person. If the person has made this verification and there is no response to the appeal, the material may be distributed in accordance with the time, place and manner provisions in subsection III.

At every level of the process the person submitting the request shall have the right to appear and present the reasons, supported by relevant witnesses and material, as to why distribution of the written material is appropriate.

Permission to distribute material does not imply approval of its contents by the school district, the board, the administration or the individual reviewing the material submitted.

III. Time, place and manner of distribution.

The distribution of written material is prohibited when it blocks the safe flow of traffic within corridors and entranceways of the school or otherwise disrupts school activities. The distribution of unofficial material shall be limited to a reasonable time, place and manner as follows:

1. The material shall be distributed from a table set up for the purpose in a location designated by the principal, which location shall not block the safe flow of traffic or block the corridors or entrance ways, but which shall give reasonable access to students.

DISTRIBUTION OF MATERIALS REGULATION

2. The material shall be distributed either before and/or after the regular instructional day.

3. No written material may be distributed during and at the place of a normal school activity if it is reasonably likely to cause a material and substantial disruption of that activity.

IV. Definitions.

The following definitions apply to the following terms used in this policy:

1. "Obscene to minors" is defined as:

   (a)The average person, applying contemporary community standards, would find that the written material, taken as a whole, appeals to the prurient interest of minors of the age to whom distribution is requested;

   (b)The material depicts or describes, in a manner that is patently offensive to prevailing standards in the adult community concerning how such conduct should be presented to minors of the age to whom distribution is requested, sexual conduct such as intimate sexual acts (normal or perverted), masturbation, excretory functions, and lewd exhibition of the genitals; and

   (c)The material, taken as a whole, lacks serious literary, artistic, political or scientific value for minors.

2. "Minor" means any person under the age of eighteen.

3. "Material and substantial disruption" of a normal school activity is defined as follows:

   (a)Where the normal school activity is an educational program of the district for which student attendance is compulsory, "material and substantial disruption" is defined as any disruption which interferes with or impedes the implementation of that program.

   (b)Where the normal school activity is voluntary in nature (including, without limitation, school athletic events, school plays and concerts, and lunch periods), "material and substantial disruption" is defined as student rioting, unlawful seizures of property, widespread shouting or boisterous demonstration, sit-in, stand-in, walk-out, or other related forms of activity.

DISTRIBUTION OF MATERIALS REGULATION

In order for expression to be considered disruptive, there must exist specific facts upon which the likelihood of disruption can be forecasted including past experience in the school, current events influencing student activities and behavior, and instances of actual or threatened disruption relating to the written material in question.

4. "School activities" means any activity of students sponsored by the school and includes, by way of example but not limited to, classroom work, library activities, physical education classes, official assemblies and other similar gatherings, school athletic contests, band concerts, school plays and in-school lunch periods.

5. "Unofficial" written material includes all written material except school newspapers, literary magazines, yearbooks, and other publications funded and/or sponsored or authorized by the school. Examples include leaflets, brochures, flyers, petitions, placards and underground newspapers, whether written by students or others.

6. "Libelous" is a false and unprivileged statement about a specific individual that tends to harm the individual's reputation or to lower him/her in the esteem of the community.

7. "Distribution" means circulation or dissemination of written material by means of handing out free copies, selling or offering copies for sale and accepting donations for copies. It includes displaying written material in areas of the school, which are generally frequented by students.

V. Disciplinary action.

Distribution by any student of unofficial written material prohibited in subsection I or in violation of subsection III may be halted, and students may be subject to discipline including suspension and expulsion. Any other party violating this policy may be requested to leave the school property immediately and, if necessary, local law enforcement officials will be called.

VI. Notice of policy to students.

A copy of this policy will be published in student handbooks.

Code No. 904.1

TRANSPORTING STUDENTS IN PRIVATE VEHICLES

Generally, transporting students for school purposes shall be done in a vehicle owned by the school district and driven by a school bus driver. Students may be transported in private vehicles for school purposes. It shall be within the discretion of the superintendent to determine when this is appropriate.

Individuals transporting students for school purposes in private vehicles must have the permission of the superintendent. Private vehicles will be used only when proof of insurance has been supplied to the superintendent and when the parents of the students to be transported have given written permission to the superintendent. The school district assumes no responsibility for those students who have not received the approval of the superintendent and who ride in private vehicles for school purposes.

This policy statement applies to transportation of students for school purposes in addition to transporting students to and from their designated attendance center. It shall be the responsibility of the superintendent to develop administrative regulations regarding this policy.

Legal Reference: Iowa Code §§ 279.8; 285; 321 (2009).
281 I.A.C. 43.

Cross Reference:
401.6 Transporting of Students by Employees
401.7 Employee Travel Compensation
711 Transportation

Approved March 1995 Reviewed December 2013 Revised _____

Code No. 904.2

ADVERTISING AND PROMOTION

The use of students, the school district name, or its buildings and sites for advertising and promoting products and/or services of entities and organizations operating for a profit shall be disallowed. Nonprofit entities and organizations may be allowed to use students, the school district name, or its buildings and sites if the purpose is educationally related and prior approval has been obtained from the superintendent.

Legal Reference: Iowa Code § 279.8 (2009).

Cross Reference: 504.5 Student Fund Raising
904 Community Activities Involving Students

Approved March 1995 Reviewed December 2013 Revised _____

Code No. 905.1

COMMUNITY USE OF SCHOOL FACILITIES

School district facilities and equipment will be made available to local nonprofit entities which promote cultural, educational, civic, community, or recreational activities. "Entity(ies)" will include organizations, groups and individuals and their agents. Such use will be permitted only when the use does not interfere with or disrupt the education program or a school-related activity, the use is consistent with state law, and will end no later than midnight. It is within the discretion of the board to allow for-profit entities to use school district facilities and equipment. The board reserves the right to deny use of the facilities and equipment to an entity. It is within the discretion of the superintendent to allow use of school district facilities and equipment on Sundays.

Entities that wish to use school district facilities or equipment must apply at Central Office. It is the responsibility of the board secretary or superintendent to determine whether the school district facility or equipment requested is available and whether the application for use meets board policy and administrative regulations. It is the responsibility of the superintendent and board secretary to provide application forms, obtain proof of insurance, and draw up the contract for use of school district facilities and equipment.

Use of school district facilities and equipment by entities will be supervised by a school district employee unless special prior arrangements are made with the superintendent. The school district employee will not accept a fee from the entity using school district facilities and equipment. If appropriate, the school district employee may be paid by the school district.

Entities that use school district buildings, or equipment, or sites must leave the building or site in the same condition it was in prior to its use. Inappropriate use of school district facilities and equipment may result in additional fees charged to, or the inability of, the entity to use school district facilities or equipment in the future.

Community use of facilities is permissible when:

1. The use in no way interferes with school activities;
2. The use is consistent with state law;
3. A custodian or some other school authority is present while the facilities are being used;
4. The activity sponsored is lawful and conforms to regulations of the school;
5. The user is responsible and will exercise care in the use of such facilities and reimburse for any damages incurred;
6. Meetings or events will end by midnight;

The administration may impose additional restrictions when it is deemed in the best interest of the school district or the students.

The board may allow entities, such as the Boy and Girl Scouts and 4-H, to use the school district facilities equipment without charge. While such entities may use the facilities and equipment without charge, they ma required to pay a custodial fee.

It is the responsibility of the superintendent to develop a fee schedule for the board's approval and to dev administrative regulations regarding this policy.

Code No. 905.1

COMMUNITY USE OF SCHOOL FACILITIES

Legal Reference: Iowa Code §§ 8D; 123.46; 276; 278.1(4); 279.8; 297.9-.11 (2007).
1982 Op. Att'y Gen. 561.
1940 Op. Att'y Gen. 232.
1936 Op. Att'y Gen. 196.

Cross Reference: 704 Revenue

Approved March 1995 Reviewed December 2013 Revised _____

Code No. 905.1E1

AGREEMENT TO USE SCHOOL FACILITIES

The parties to this Agreement are the Paton-Churdan Community School District, hereinafter referred to as "District", and the user of Paton-Churdan Community School District facilities, hereinafter referred to as "User".

WHEREAS, the District from time to time may allow certain individuals or entities to use facilities owned by the District, and,

WHEREAS, individuals and entities from time to time request permission to use facilities of the District, and

WHEREAS, it is in the best interests of the District and the User that under such circumstances a written agreement be executed setting forth the understanding of the District and the User regarding their respective rights and responsibilities.

WHEREFORE, the undersigned agree as following:

l**. Facilities.** The District hereby grants to the User the right to use the following facilities at the following times and for the following purposes.

Facilities:

Time:

Purposes:

2**. District Interest.** It is understood that the District is not sponsoring this function, has no interest in this function, and receives no compensation for the use of the District's facilities.

3**. Hold Harmless Agreement.** The User agrees to hold the District harmless regarding any liability on the part of the District to the User or any other person or entity because of the use of the District's facilities.

4**. School Board Policies.** The User agrees to abide by all School Board policies regarding the use of the District's facilities, and the User agrees to determine and become familiar with the specific board policies regarding any particular facility use.

Dated at Churdan, Iowa this____day of, 20_____

PATON-CHURDAN COMMUNITY SCHOOL DISTRICT

_____ _____

User By

Code No. 905.1R1

USE OF SCHOOL FACILITIES REGULATION

1. There shall be no alcoholic beverages brought to or consumed in the buildings or on the grounds.

2. There shall be no smoking in school facilities.

3. A custodian or employee must be present while the facility is being used.

4. After an outside group has used a school building, employees assisted by a committee from the outside group will do cleaning. Fees for such work will be charged to the group as part of the rental fee charged for the use of the building.

5. Entities are required to stay within the area of the school district facility or site and use only the school district equipment authorized by the school district for use by the entity. Other school district facilities, sites, or areas in the school district building or equipment are off limits to the entity.

Approved March 1995 Reviewed December 2013 Revised _____

Code No. 905.2

TOBACCO-FREE ENVIRONMENT

School district facilities and grounds, including school vehicles, are off limits for tobacco use, including the use of nicotine products that are not FDA (Food and Drug Administration) approved for tobacco cessation. This requirement extends to students, employees and visitors. This policy applies at all times, including school-sponsored and nonschool-sponsored events. Persons failing to abide by this request are required to extinguish their smoking material, dispose of the tobacco/nicotine product or leave the school district premises immediately. It is the responsibility of the administration to enforce this policy.

Legal Reference: Goals 2000: Educate America Act, Pub. L. No. 103-227, 108 Stat. 125 (1994).
House File 2212, Iowa General Assembly (2008)
Iowa Code §§ 142B; 279.8, .9; 297 (2009).

Cross Reference: 903.4 Public Conduct on School Premises
905.1 Community Use of School District Buildings & Sites & Equipment

Approved August 2008 Reviewed December 2013 Revised _____

Code No. 905.3

USE OF SCHOOL FACILITIES-SUNDAY USE

There shall be no Sunday use of school facilities for meetings, practices, or rehearsals by student groups.

The general policies governing the scheduling and use of school facilities (see Code. No. 1004.1 will apply to requests from community organizations for Sunday use.)

LEGAL REFS: Iowa Code Sections 297.9; 300.1

Approved March 1995 Reviewed December 2013 Revised _____