

**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     This sign indicates the legal references. They tell the user where the user may  
Reference find the statutes, case law, attorney general opinions, administrative rules that  
            give authority to a policy
  
- Cross     Many policies in the manual relate to other policies in the manual. Cross  
Reference 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

106 Title IX

Title IX Form Bank

Title IX Procedure Manual

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.

Cross Reference: 200 Legal Status of the Board of Directors

Approved April, 1995 Reviewed July 2021 Revised \_\_\_\_\_

## 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.

Approved April, 1995 Reviewed July 2021 Revised \_\_\_\_\_

## **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



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

Approved April, 1995 Reviewed July 2021 Revised \_\_\_\_\_

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, family, 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, 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.

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

Approved April, 1998                      Reviewed July 2021                      Revised March, 2015

Code No. 102.E1

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, national origin, gender, disability, religion, creed, age, marital status, sexual orientation, gender identity and socioeconomic status 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) Main Building

(telephone number) 515-389-3111

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.

Approved April, 1998 Reviewed July 2021 Revised November, 2015

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			

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
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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) Main Building  
(Telephone No.) 515-389-3111

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.

Approved April, 1998 Reviewed July 2021 Revised \_\_\_\_\_

## 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 race, color, national origin, gender, disability, religion, creed, age, marital status, sexual orientation, gender identity and socioeconomic status 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 their race, color, national origin, gender, disability, religion, creed, age, marital status, sexual orientation, gender identity and socioeconomic status with the personnel contact person.

A student, or a parent of a student, with a complaint of discrimination based upon their race, color, national origin, gender, disability, religion, creed, age, marital status, sexual orientation, gender identity and socioeconomic status 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.

Approved April, 1998 Reviewed July 2021 Revised



Code No. 102.R1

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: Guidance Counselor  
Office Address: 606 Adrian  
Churdan, Iowa 50050  
Phone Number: 515-389-3111  
Office Hours: 8:00 AM – 4:00 PM during days when school is in session

Approved April, 1998 Reviewed July 2021 Revised \_\_\_\_\_

## 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.

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

Approved April, 2000      Reviewed July 2021      Revised \_\_\_\_\_

Code No. 103.R1

#### 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

The Paton-Churdan Community School District is committed to providing all students, employees, and volunteers with a safe and civil school environment in which all members of the school community are treated with dignity and respect. Bullying and/or harassing behavior can seriously disrupt the ability of school employees to maintain a safe and civil environment, and the ability of students to learn and succeed.

Bullying and/or harassment of or by students, employees, and volunteers is against federal, state, and local policy and is not tolerated by the board.

Accordingly, school employees, volunteers, and students shall not engage in bullying or harassing behavior while on school property, while on school-owned or school-operated vehicles, while attending or participating in school-sponsored or sanctioned activities, and while away from school grounds if the conduct materially interferes with the orderly operation of the educational environment or is likely to do so.

Complaints may be filed with the superintendent or superintendent's designee pursuant to the regulation accompanying this policy. The superintendent is responsible for implementation of this policy and all accompanying procedures. Complaints will be investigated within a reasonable time frame. Within 24 hours of receiving a report that a student may have been the victim of conduct that constitutes bullying and/or harassment, the district will notify the parent or guardian of the student.

If as a result of viewing surveillance system data or based on a report from a school district employee, the district determines that a student has suffered bullying or harassment by another student enrolled in the district, a parent or guardian of the student may enroll the student in another attendance center within the district that offers classes at the student's grade level, subject to the requirements and limitations established in Iowa law related to this topic.

A school employee, volunteer, or student, or a student's parent or guardian who promptly, reasonably, and in good faith reports an incident of bullying or harassment, in compliance with the procedures in the regulation, to the appropriate school official designated by the school district, shall be immune from civil or criminal liability relating to such report and to participation in any administrative or judicial proceeding resulting from or relating to the report.

#### **Retaliation Prohibited**

Individuals who knowingly file false bullying or harassment complaints and any person who gives false statements in an investigation may be subject to discipline by appropriate measures.

Any student found to have violated or retaliated in violation of this policy shall be subject to measures up to, and including, suspension and expulsion. Any school employee found to have violated or retaliated in violation of this policy shall be subject to measures up to, and including, termination of employment. Any school volunteer found to have violated or retaliated in violation of this policy shall be subject to measures up to, and including, removal from service and exclusion from school grounds.

## Definitions

For the purposes of this policy, the defined words shall have the following meaning:

- “Electronic” means any communication involving the transmission of information by wire, radio, optic cable, electromagnetic, or other similar means. “Electronic” includes but is not limited to communication via electronic mail, internet-based communications, pager service, cell phones, and electronic text messaging.
- “Harassment” and “bullying” mean any repeated or potentially repeated electronic, written, verbal, or physical act or other ongoing conduct toward an individual based on any trait or characteristic of the individual which creates an objectively hostile school environment that meets one or more of the following conditions:
  1. Places the individual in reasonable fear of harm to the individual’s person or property.
  2. Has a substantial detrimental effect on the individual’s physical or mental health.
  3. Has the effect of substantially interfering with the individual’s academic or career performance. Has the effect of substantially interfering with the individual’s ability to participate in or benefit from the services, activities, or privileges provided by a school.
- “Trait or characteristic of the individual” includes but is not limited to age, color, creed, national origin, race, religion, marital status, sex, sexual orientation, gender identity, physical attributes, physical or mental ability or disability, ancestry, political party preference, political belief, socioeconomic status, or familial status.
- “Volunteer” means an individual who has regular, significant contact with students.

## Publication of Policy

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,

Approved December 1995 Reviewed August 2023 Revised August 2023

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

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)

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

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: \_\_\_\_ / \_\_\_\_ / \_\_\_\_

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: \_\_\_\_ / \_\_\_\_ / \_\_\_\_

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)

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

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: \_\_\_\_ / \_\_\_\_ / \_\_\_\_



## Regulation 104-R(1): Anti-Bullying/Harassment Policy - Investigation Status: Approved Procedures

Original Adopted Date: 8/2023 | Last Reviewed Date: 08/2023

### Filing a Complaint

An individual who believes that the individual has been harassed or bullied may file a complaint with the superintendent or superintendent's designee. The complaint form is available [*link to form on website or designate location such as building office*]. If the complainant is a school employee, after filing the complaint with the superintendent or superintendent's designee, the employee may separately notify the parent or guardian of the student alleged to have been harassed or bullied.

An alternate investigator will be designated in the event it is claimed that the superintendent or superintendent's designee committed the alleged bullying or harassment or some other conflict of interest exists. Complaints shall be filed within [*state number of days - 180*] of the event giving rise to the complaint or from the date the Complainant could reasonably become aware of such occurrence. The Complainant will state the nature of the complaint and the remedy requested. The Complainant shall receive assistance as needed.

### Investigation

The school district will promptly and reasonably investigate allegations of bullying or harassment upon receipt of a written complaint. The [*superintendent or the superintendent's designee or name the position if not the superintendent*] (hereinafter "Investigator") will be responsible for handling all complaints alleging bullying or harassment.

*The investigation may include, but is not limited to the following:*

- *Interviews with the Complainant and the individual named in the complaint ("Respondent")*
- *A request for the Complainant to provide a written statement regarding the nature of the complaint;*
- *A request for the Respondent to provide a written statement;*
- *Interviews with witnesses identified during the course of the investigation;*
- *A request for witnesses identified during the course of the investigation to provide a written statement; and*
- *Review and collection of documentation or information deemed relevant to the investigation.*

The Investigator shall consider the totality of circumstances presented in determining whether conduct objectively constitutes bullying or harassment as defined in Board policy. Upon completion of the investigation, the Investigator shall issue a report with respect to the findings, and provide a copy of the report to the appropriate building principal or Superintendent if the investigation involved the building principal

The complaint and identity of the Complainant, Respondent, or witnesses will only be disclosed as reasonably necessary in connection with the investigation or as required by law or policy. Similarly, evidence uncovered in the investigation shall be kept confidential to the extent reasonably possible.

**Decision**

The investigator, building principal or superintendent, depending on the individuals involved, shall inform the Complainant and the accused about the outcome of the investigation. If, after an investigation, a student is found to be in violation of the policy, the student shall be disciplined by appropriate measures, which may include suspension and 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.

Individuals who knowingly file false bullying and/or harassment complaints and any person who gives false statements in an investigation may 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.

**Cross References**

<b>Code</b>	<b>Description</b>
102	Equal Educational Opportunity
102	Equal Educational Opportunity
102	Equal Educational Opportunity
102	Equal Educational Opportunity
102	Equal Educational Opportunity
102	Equal Educational Opportunity
102	Equal Educational Opportunity
102	Equal Educational Opportunity
401.01	Equal Employment Opportunity
401.13	Staff Technology Use/Social Networking
401.13	Staff Technology Use/Social Networking
402.03	Abuse of Students by School District Employees
404	Employee Conduct and Appearance
404	Employee Conduct and Appearance
404	Employee Conduct and Appearance
604.11	Appropriate Use of Online Learning Platforms
605.06	Internet - Appropriate Use
605.06	Internet - Appropriate Use
605.06	Internet - Appropriate Use
605.06	Internet - Appropriate Use

DISCRIMINATION AND HARASSMENT BASED ON SEX PROHIBITED

In accordance with Title IX of the Education Amendments Act of 1972, the Paton-Churdan Community School District prohibits sex discrimination, including sexual harassment as defined by the regulations implementing Title IX (34 C.F.R. § 106.30), against any individual participating in any education program or activity of the District. This prohibition on discrimination applies to students, employees, and applicants for employment.

The Board authorizes the Superintendent to adopt procedures for any individual to report sexual harassment to the District's Title IX Coordinator, for the provision of supportive measures to anyone who has been subjected to sexual harassment whether or not they proceed with a formal complaint under those procedures, and for the investigation and resolution of such complaints, as required by Title IX. This Title IX grievance process shall be used to respond to all complaints of sexual harassment that fall within the scope of Title IX. For complaints of sexual harassment that do not fall within the scope of Title IX, the District may still offer supportive measures to the subject of such conduct and shall apply any other policy or procedure applicable to the alleged conduct.

Any individual with questions about the District's Title IX policy and procedures, or who would like to make a report or file a formal complaint of sex discrimination or sexual harassment may contact the District's designated Title Coordinator, **Annie Smith, 515-389-3111, [asmith@paton-churdan.k12.ia.us](mailto:asmith@paton-churdan.k12.ia.us)**

Retaliation against a person who made a report or complaint of sexual harassment, assisted, or participated in any manner in an investigation or resolution of a sexual harassment report or complaint is strictly prohibited. Retaliation includes threats, coercion, discrimination, intimidation, reprisals, and/or adverse actions related to employment or education. Any individual who believed they have been retaliated against in violation of this Policy should immediately contact the District's Title IX Coordinator.

Legal References:      20 U.S.C. § 1681 *et seq.*  
                                 34 C.F.R. § 106 *et seq.*

Approved 9/14/20                      Reviewed July 2021                      Revised \_\_\_\_\_

**[NAME] Community School District  
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Formal Complaint of Sexual Harassment

Name: \_\_\_\_\_

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

Name of individual(s) who engaged in the conduct alleged below:

Describe the conduct that led to this complaint (attach additional pages if needed):

Date(s) of each incident:

Location(s) of each incident:

Names of possible witnesses:

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

Signature: \_\_\_\_\_

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

Reporting Form for Individuals to Report Sexual Harassment

Name of individual filing this report: \_\_\_\_\_

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

Were you the target of the conduct alleged in this report?

If no, who was the target of the conduct alleged in this report?

Name of individual who engaged in the conduct alleged below:

Describe the conduct that led to this complaint (attach additional pages if needed):

Date(s) of each incident:

Location(s) of each incident:

Names of possible witnesses:

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

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Notice of Investigation to Complainant

[To be provided by Title IX Coordinator to Complainant at the initiation of an investigation]  
[Date]

Dear [Complainant's Name],

The [NAME] Community School District received your complaint alleging that [Respondent's name] (the "Respondent") engaged in conduct that may constitute sexual misconduct under District Policy. Specifically, you submitted a complaint alleging that the Respondent [description of alleged conduct in complaint including time, date, location, and specific acts of respondent alleged in complaint].

The policy Respondent is alleged to have violated is [insert all applicable policy names/numbers – including Title IX and others as applicable], and specifically its prohibition on [specific type of sexual harassment alleged – e.g., hostile environment, stalking, etc.]. A complete copy of the District's Title IX procedures is [insert link or attach to this letter]. Please review these procedures carefully and let me know if you have any questions.

The District must investigate formal complaints of potential sexual misconduct as required by policy and law, to the extent of the information available. We have assigned [NAME(s)] as the Investigator(s) who will gather information and make factual findings in this case. If you have any concerns about the impartiality of the Investigator(s), please let me know immediately.

The Respondent is entitled to a presumption of innocence, which will be maintained throughout the process until a determination of responsibility is made. The Investigator(s) will be in contact with you to schedule a time to formally interview you for the investigation. You may be accompanied by a support person, advisor, or advocate of your choice to the investigation interview, including a lawyer, at your own expense. This person should not be someone who you will also identify as a witness.

As part of this process, you will have a right to provide evidence and witnesses for the Investigator's consideration, and to review and comment on evidence gathered by the Investigator(s) from the other party and witnesses. The District will objectively evaluate all relevant evidence, including inculpatory (proves a violation) and exculpatory (proves no violation) evidence to reach a determination of responsibility.

Consistent with the Policy, you are hereby directed not to delete any potentially relevant evidence, including electronic files, records, or data in your possession. You are further directed not to sell, give away, destroy, or otherwise surrender possession of any personal or District-issued devices. Do not wipe or reformat any personal or District-issued devices. Do not delete any social media or email accounts that you currently have or delete any content or data from the same. These directives are effective immediately and remain in effect until further notice. If you have any questions about this directive, please contact me.

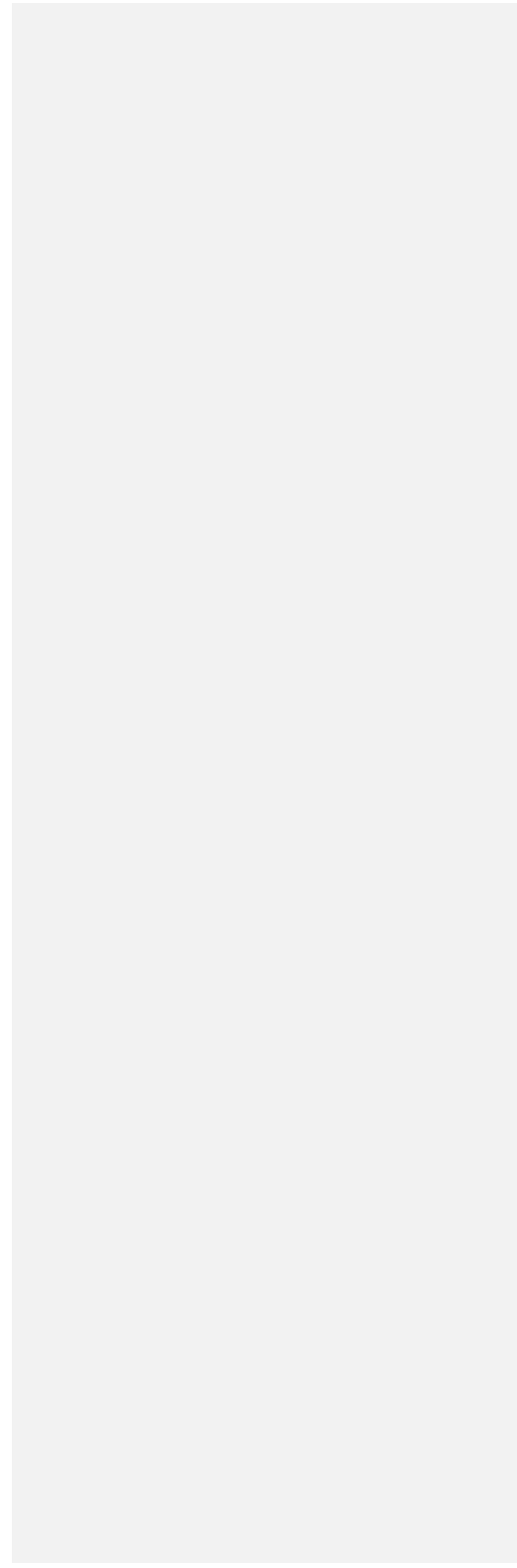
The District works to maintain confidentiality in the resolution process, and we ask for your discretion in minimizing the sharing of information to respect the sensitivity of this matter to all parties. You are directed to refrain from contacting the Respondent throughout this process. Additionally, you are reminded about the District's policy against retaliation, either by you or by someone acting on your behalf. Any individual who believes they have been retaliated against for participation in this process should immediately report it to \_\_\_\_\_.

You are expected to cooperate in an honest and forthright manner with this investigation. Making false statements or knowingly submitting false information during the grievance process is prohibited by the District and may constitute an independent basis for disciplinary sanctions

against any student or employee, up to and including suspension or expulsion of a student or termination of an employee's employment.  
I understand this is a lot of information. Please let me know if you have any questions at any point during the process.  
Sincerely,

---

Title IX Coordinator  
[NAME] Community School District  
[CONTACT INFORMATION FOR TIX COORDINATOR]





Notice of Investigation to Respondent

[To be provided simultaneously by Title IX Coordinator to Respondent upon initiation of investigation]

[Date]

Dear [Respondent's Name],

The [NAME] Community School District received a complaint alleging that you engaged in conduct that may constitute sexual misconduct under District Policy. Specifically, [name of complainant] (the "Complainant") submitted a complaint alleging that you [description of alleged conduct in complaint including time, date, location, and specific acts of respondent alleged in complaint].

The policy you are alleged to have violated is [insert all applicable policy names/numbers – including Title IX and others as applicable], and specifically its prohibition on [specific type of sexual harassment alleged – e.g., hostile environment, stalking, etc.]. A complete copy of the District's Title IX procedures is [insert link or attach to this letter]. Please review these procedures carefully and let me know if you have any questions.

The District must investigate formal complaints of potential sexual misconduct as required by policy and law, to the extent of the information available. We have assigned [NAME(s)] as the Investigator(s) who will gather information and make factual findings in this case. If you have any concerns about the impartiality of the Investigator(s), please let me know immediately.

You are entitled to a presumption of innocence, which will be maintained throughout the process until a determination of responsibility is made. The Investigator(s) will be in contact with you to schedule a time to formally interview you for the investigation. You may be accompanied by a support person, advisor, or advocate of your choice to the investigation interview, including a lawyer, at your own expense. This person should not be someone who you will also identify as a witness.

As part of this process, you will have a right to provide evidence and witnesses for the Investigator's consideration, and to review and comment on evidence gathered by the Investigator(s) from the other party and witnesses. The District will objectively evaluate all relevant evidence, including inculpatory (proves a violation) and exculpatory (proves no violation) evidence to reach a determination of responsibility.

Consistent with the Policy, you are hereby directed not to delete any potentially relevant evidence, including electronic files, records, or data in your possession. You are further directed not to sell, give away, destroy, or otherwise surrender possession of any personal or District-issued devices. Do not wipe or reformat any personal or District-issued devices. Do not delete any social media or email accounts that you currently have or delete any content or data from the same. These directives are effective immediately and remain in effect until further notice. If you have any questions about this directive, please contact me.

The District works to maintain confidentiality in the resolution process, and we ask for your discretion in minimizing the sharing of information to respect the sensitivity of this matter to all parties. You are directed to refrain from contacting the Complainant throughout this process. Additionally, you are reminded about the District's policy against retaliation, either by you or by someone acting on your behalf. Any individual who believes they have been retaliated against for participation in this process should immediately report it to \_\_\_\_\_.

You are expected to cooperate in an honest and forthright manner with this investigation. Making false statements or knowingly submitting false information during the grievance process

is prohibited by the District and may constitute an independent basis for disciplinary sanctions against any student or employee, up to and including suspension or expulsion of a student or termination of an employee's employment.

I understand this is a lot of information. Please let me know if you have any questions at any point during the process.

Sincerely,

---

Title IX Coordinator

[NAME] Community School District

[CONTACT INFORMATION FOR TIX COORDINATOR]

Notice of Interview

[to be provided to complainant(s) and respondent(s) prior to any interview or other meeting with sufficient time to prepare for the interview/meeting]

[Date]

Dear [name of party]:

As you know from the Notice of Investigation, the District is conducting an investigation into a complaint of sexual harassment in which you are named as a party.

You will be interviewed by the District's Investigator(s), [insert investigator(s) names] at [location], on [date] at [time]. The purpose of this interview is to ask you questions about what you know or may know about the allegations in the complaint, including identifying and producing any relevant evidence and witness names for the Investigator's consideration.

The individuals present at this interview will be yourself, the Investigator, [include any other names of anticipated attendees, if any]. You are entitled to be accompanied by a support person, advocate, or attorney, at your own expense. However, any person accompanying you may not participate in the interview, answer questions on your behalf, or question the Investigator about any matter.

If you have any questions, please let me know.

Sincerely,

\_\_\_\_\_  
[name and title of Title IX Coordinator or Investigator]

[contact information]



Title IX Investigation Report Form  
[to be completed by Title IX Investigator(s)]

**Name of Investigator:**

**Date of report:**

**Scope of investigation:** This investigation considered claims made by [Complainant name and role (student, employee, etc.)] (the "Complainant") as to whether or not [Respondent name and role] (the "Respondent") has violated District policy no. [insert name and title of Title IX and other applicable policies].

This report will only provide a summary of the facts as determined by the investigator and is not a final determination of the allegations.

**Jurisdiction:** [state whether the evidence shows that the District exercises substantial control over both the Respondent and the circumstances under which the alleged sexual harassment occurred – if not, then the complaint must be dismissed from the Title IX process, and can be handled under any other applicable District policy or procedure].

**Parties (list all):**

Complainant- NAME

Respondent – NAME

**Nature of Alleged Conduct Constituting Sexual Harassment:**

**Procedural history:**

- A report was made to the District by \_\_\_\_\_ on [date]. A formal complaint was provided by the Complainant to the Title IX Coordinator on [date].
- The Title IX Coordinator assigned this Investigator on [date] to conduct an investigation into the formal complaint. Notices of Investigation were provided to both parties on [date].
- This Investigator interviewed the following individuals:
  - Complainant – name and date of interview
  - Respondent – name and date of interview
  - Any witnesses – names and dates of interview
- This Investigator also reviewed the following evidence:
  - List of any documents, videos, photos, or other evidence provided by any party or witness
- On [date not less than 10 days before the date of this report], this Investigator provided Complainant and Respondent with copies of all evidence obtained by this Investigator. Complainant and Respondent had an opportunity to provide a written response to this evidence, prior to the Investigator completing this Investigation Report. [Indicate whether each party did or did not provide a written response].
- [include any other procedural steps, including if there have been significant delays in the process or other unexpected events]

**Summary of Interviews:**

Complainant Interview:

Witness A interview:

Witness B interview:

Respondent Interview:

**Summary of Other Evidence Received:**

**Feedback from Parties following Receipt of Evidence Directly Relating to Complaint:**

**Investigator’s Observations Regarding Credibility of Parties and Witnesses:**

*Note: Investigator’s Observations Regarding Credibility of Parties and Witnesses is optional but not required. Ultimately the decision-maker’s job, but the investigator has the ability to observe firsthand so might be helpful to decision-maker. REMOVE this note once a decision has been made, prior to publishing.*

Commented [MVH2]: Optional but not required. Ultimately the decision-maker’s job, but the investigator has the ability to observe firsthand so might be helpful to decision-maker

This report will be provided to the Title IX Coordinator, Complainant and Respondent (and any advocate or attorney for each), and \_\_\_\_\_, who has been designed as the Decision-Maker for this Complaint.

Sincerely,

\_\_\_\_\_

[Name, title], Investigator

Decision on Formal Complaint  
[to be completed by decision-maker]

**Name of Decision-Maker(s):**

**Date of Determination:**

**Names of Parties to the Complaint:** [Complainant(s) and Respondent(s)]

**List the allegations in the complaint:**

**Procedural history:** [A description of the procedural steps taken from the receipt of the formal complaint through the determination of responsibility – can use what is in the investigation report as a starting point in addition to the following:]

- The parties were provided the investigation report on [date – at least 10 days prior to date of this determination]. The parties had an opportunity to submit written response to the investigation report for consideration prior to this decision-maker reaching a determination regarding responsibility. [indicate whether each party did or did not submit a written response].
- The parties had an opportunity to submit written questions to be asked of the other party and any witnesses. The decision-maker asked all relevant questions and provided the responses to those questions to the parties. The parties had a limited opportunity for follow-up questions [if applicable].
- The decision-maker considered all available, relevant evidence prior to reaching the determination(s) contained in this report.

**Findings of fact for each allegation:**

Statement of undisputed material facts:

Findings on disputed material facts:

**Conclusions:** [Conclusions for each allegation regarding the application of this Policy and any other relevant District policy, procedure, handbook provision, or rule to the facts. Include a statement of whether each allegation is founded or unfounded, and rationale for this determination]

**Sanctions:** [Include any sanctions that will be imposed (or recommended if outside the authority of the decision-maker) on respondent, if any, and a rationale therefor]

**Remedies:** [include any remedies the District will provide to restore or preserve Complainant's access to the District's educational program or activity, if applicable, and a rationale therefor]

**Appeal Procedures:** Within five (5) calendar days of delivery of the written decision to them, either party may appeal this decision and/or any sanction imposed herein to \_\_\_\_\_ or her/his designee. Such appeals will be in writing and will be delivered to the \_\_\_\_\_ or her/his designee. The \_\_\_\_\_ or her/his designee will determine if the written decision will be stayed

pending the outcome of the appellate decision. Appeals will be limited to any of the following bases:

- A procedural irregularity that affected the outcome of the matter;
- New evidence that was not reasonably available at the time the written decision was issued that could affect the outcome of the matter; or
- The Title IX Coordinator, Investigator(s), or Decision-Maker had a conflict of interest or bias that affected the outcome of the matter.

The \_\_\_\_\_ or her/his designee will notify both parties in writing if an appeal is received alleging one of the bases for appeal above. Both parties will be given an opportunity to submit a written statement in support of, or challenging, the written decision. The parties' written statements must be submitted within five (5) calendar days of notice of the appeal.

**Retaliation:** Retaliation against a person who reports sexual misconduct, assists someone with a report of sexual misconduct, or participates in any manner in an investigation or resolution of a sexual misconduct report is strictly prohibited. Retaliation includes threats, coercion, discrimination, intimidation, reprisals, and/or adverse actions related to employment or education. Any individual who believed they have been retaliated against in violation of this Policy should immediately contact the District's Title IX Coordinator, [insert name and contact information for Title IX Coordinator].

Sincerely,

---

—

[name(s) and title(s) of decision-maker(s)]

Date



**Appeal Form**

[to be filled out by a party wishing to appeal the initial determination/sanction]

Name of Appealing Party:

Role in complaint: [Complainant or Respondent]

Date:

I, \_\_\_\_\_, hereby appeal the written decision on the grounds that (check at least one):

\_\_\_ A procedural irregularity affected the outcome of the matter. The facts supporting this appeal are (attach additional pages if needed):

\_\_\_ New evidence was not reasonably available at the time the written decision was issued that could affect the outcome of the matter. The facts supporting this appeal are (attach additional pages if needed):

\_\_\_ The Title IX Coordinator, Investigator(s), or Decision-Maker(s) had a conflict of interest or bias that affected the outcome of the matter. The facts supporting this appeal are (attach additional pages if needed):

I hereby affirm that the foregoing is true and correct to the best of my knowledge.

\_\_\_\_\_  
Signature of appealing party

Notice of Appeal

[to be provided simultaneously to both Complainant and Respondent]

[date]

Dear [party name]:

This is a notice that a timely appeal has been filed by [name of appealing party] challenging the decision issued by [name and title of initial decision-maker] in the formal sexual harassment complaint made by [Complainant's name] against [Respondent's name].

This appeal alleges that [state the basis for appeal provided on the appeal form and briefly summarize the allegations of the appealing party].

This appeal will be reviewed by [name and title of appeal decision-maker]. You have the right to provide a written statement to [the appeal decision-maker] in support of, or challenging, the written decision. Please submit your written statement [indicate whether in-person, email, or other] within five (5) calendar days of the date of this letter.

If you have any questions, please let me know.

Sincerely,

---

[name, title, contact information]

Determination on Appeal

[to be delivered simultaneously to both Complainant and Respondent]  
[date]

Dear [party name]:

I have carefully considered the appeal filed by [name of appealing party], challenging the written decision on the complaint of sexual harassment made by [complainant's name] against [respondent's name].

Based on my review of this matter, it is my determination that the decision should be [affirmed – OR- reversed – OR – modified as follows... - OR – this matter should be remanded back to the investigator or decision-maker to take the following actions...]. I reached this determination [for the following reason(s) – brief description of rationale]. Pursuant to District policy, this decision is final and is not subject to further appeal.

Retaliation against any individual who files or otherwise participates in bringing a complaint is strictly prohibited under federal and state law, as well as District policy. Founded acts of retaliation will result in disciplinary action up to and including termination. Any individual who believes they have been retaliated against for participation in this process should report any concerns immediately to \_\_\_\_\_.

Sincerely,

\_\_\_\_\_  
[Name and Title of Appeal Decision-Maker]

Informal Resolution

[to be provided to Complainant and Respondent by Title IX Coordinator]  
[date]

Re: Informal resolution of complaint involving [complainant's name] and [respondent's name]  
Dear [party name]:

This letter sets forth information about the District's informal resolution process. If both parties consent, this process may help you reach a mutually acceptable resolution to the formal complaint.

The formal complaint made by [complainant's name] alleges that [respondent's name] [include the allegations in the formal complaint].

To resolve this complaint, the Title IX Coordinator will meet separately with each party to gather information relevant to the complaint and discuss possible ways to resolve the complaint. If the parties agree to a resolution, the Title IX Coordinator will draft a resolution agreement to be reviewed by both parties. Each party may sign the resolution agreement if they voluntarily agree to the terms. Once the agreement is signed by each party, it is final and is not subject to appeal. Either party may withdraw from informal resolution at any point prior to signing the resolution agreement. The Complainant may then decide whether to proceed with the formal grievance process under District policy (including investigation and determination of responsibility) or to withdraw the formal complaint. Supportive measures may be provided during informal resolution, during a formal grievance, and/or after the formal complaints is resolved, dismissed, or withdraw.

The Title IX Coordinator will retain a copy of the formal complaint and any resolution agreement for a period of seven (7) years following the closure of the complaint. In order to promote honest, direct, communication, information disclosed during informal resolution will remain confidential, except where disclosure may be required by law or authorized in connection with duties on behalf of the District.

If you have any questions, please let me know. Otherwise, if you voluntarily agree to participate in the informal resolution process, please sign below.

Sincerely,

\_\_\_\_\_  
[name], Title IX Coordinator

**By signing below, I, [party name], hereby knowingly and voluntarily agree to participate in informal resolution to the complaint identified above.**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Notice of Dismissal

[to be provided simultaneously to Complainant and Respondent upon dismissal of a formal complaint]

[date]

Dear [party name]:

This letter hereby notifies you that the sexual harassment complaint filed on [date] is being dismissed by the District for the following reason [check one]:

- \_\_\_\_\_ The conduct alleged in the complaint would not constitute sexual harassment as defined in Section II of this policy, even if proved;
- \_\_\_\_\_ The conduct alleged not occur in the District's education program or activity; or
- \_\_\_\_\_ The conduct did not occur in the United States.
- \_\_\_\_\_ The Complainant notified the Title IX Coordinator in writing that the Complainant wished to withdraw the formal complaint or any allegations;
- \_\_\_\_\_ The Respondent is no longer enrolled or employed by the District; or
- \_\_\_\_\_ Specific circumstances exist that prevent the District from gathering evidence sufficient to reach a determination as to the formal complaint or allegations. These circumstances are: \_\_\_\_\_.

This dismissal may be appealed by submitting a written appeal to [name, title, contact information of designated appeal decision-maker] within five (5) calendar days of the date of this Notice of Dismissal. Appeals are limited to the following grounds:

- A procedural irregularity that affected the outcome of the matter;
- New evidence that was not reasonably available at the time this dismissal was issued that could affect the outcome of the matter; or
- The Title IX Coordinator, Investigator(s), or Decision-Maker had a conflict of interest or bias that affected the outcome of the matter.

Even after dismissal of a formal complaint from the District's Title IX grievance process, the District may still (1) offer supportive measures to either party and/or (2) investigate and resolve the complaint under any other applicable District policy or process. You will be notified if the District intends to take further action on this complaint.

If you have any questions, please let me know.

Sincerely,

\_\_\_\_\_  
[Name, title, contact information for Title IX Coordinator]

Documentation of District Response

[to be completed and maintained by Title IX Coordinator for 7 years for record-keeping purposes]  
[date]

**Complaint Information:**

Complainant name:

Respondent name:

Was a formal complaint filed?

If so, on what date?

**District Response:**

Were supportive measures provided to Complainant? If so, list all supportive measures that were provided.

If not, please explain why it was not clearly unreasonable for the District not to provide Complainant with supportive measures.

What other steps were taken in response to the report or formal complaint? E.g., resolved through informal resolution, resolved through formal grievance process (indicate whether founded or unfounded).

What sanctions were issued as a result of the report or formal complaint, if any?

What remedies were issued as a result of the report or formal complaint, if any?

In light of the above, do you believe the District's response was not deliberately indifferent? Briefly explain.

---

[Name], Title IX Coordinator

Date

**[NAME] COMMUNITY SCHOOL DISTRICT  
SEXUAL HARASSMENT PROCEDURES MANUAL**

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## I. THE POLICY

In accordance with Title IX of the Education Amendments Act of 1972, the Paton-Churdan Community School District prohibits sex discrimination, including sexual harassment, against any individual participating in any education program or activity of the District. This prohibition on discrimination applies to students, employees, and applicants for employment. The Board authorizes the Superintendent to adopt procedures for any individual to report sex discrimination or sexual harassment, and for the investigation and resolution of such complaints.

Any individual with questions about the District's Title IX policy and procedures, or who would like to make a report or file a formal complaint of sex discrimination or sexual harassment may contact the District's designated Title Coordinator, **Annie Smith, 515-389-3111, [asmith@paton-churdan.k12.ia.us](mailto:asmith@paton-churdan.k12.ia.us)**

The District will utilize this Policy and Procedure to respond to all claims of sex discrimination or sexual harassment as defined in Section II of this policy. If the District determines that a report or complaint does not allege conduct within the scope of Title IX, it may still proceed to investigate or respond to that report or complaint under any other applicable District policy or procedure.

## II. DEFINITIONS

- A. **Sexual harassment** means unwelcome behavior or conduct (physical, verbal, written, electronic) that is directed at someone because of that person's sex or gender, and that meets any of the following definitions:
1. **“Quid Pro Quo” Harassment.** A District employee explicitly or implicitly conditions the provision of an aid, benefit, or service of the District on an individual's participation in unwelcome sexual conduct; **OR**
  2. **Hostile Educational/Work Environment.** Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the District's education program or activity; **OR**
  3. **Sexual assault.** An offense that meets the definition any one of the following offenses:
    - o Rape: the penetration, no matter how slight, of the vagina or anus, with any body part or object, or oral penetration by a sex organ of another person without consent of the victim;
    - o Fondling: the touching of the private body parts of another person for the purpose of sexual gratification without consent of the victim;
    - o Incest: sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law; or
    - o Statutory rape: sexual intercourse with a person who is under the statutory age of consent; **OR**



4. **Stalking:**

- Purposefully engaging in a course of conduct directed at a specific person ("target") that would cause a reasonable person to fear bodily injury to, or the death of, the target or a member of the target's immediate family;
- when the person ("stalker") knows or should know that the target will be placed in reasonable fear of bodily injury to, or the death of, the target or a member of the target's immediate family by the course of conduct; and
- the stalker's course of conduct induces fear in the target of bodily injury to, or the death of, the target or a member of the target's immediate family; **OR**

5. **Dating Violence:** violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on a consideration of:

- The length of the relationship.
  - The type of relationship.
  - The frequency of interaction between the persons involved in the relationship;
- OR**

6. **Domestic Violence:** any felony or misdemeanor crime of violence committed:

- By a current or former spouse or intimate partner of the victim;
- By a person with whom the victim shares a child in common;
- By a person who is cohabiting with, or has cohabited with, the victim as a spouse or intimate partner;
- By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the State of Iowa; or
- By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the State of Iowa.

**B. Consent** means knowing and voluntary agreement to engage in conduct or an activity with another individual. Silence or an absence of resistance does not imply consent. Past consent to engage in conduct or an activity does not imply future consent; consent can be revoked at any time. An individual who is incapacitated (e.g., when a person is asleep, unconsciousness, under the influence of drugs or alcohol, or disability) cannot give consent. Coercion, force, or the threat of either invalidates consent. Under no circumstances can a student give consent to engage in any sexual conduct or activity with an employee of the District.

**C. Complainant** means any person who alleges that they have been subjected to sexual harassment as defined by this Policy. At the time of filing a formal complaint, a complainant must be participating in or attempting to participate in the District's education program or activity.

**D. Respondent** means any person who has been reported to be the perpetrator of conduct that could constitute sexual harassment under this Policy, and over whom the District is able to exercise substantial control.

### **III. POLICY SCOPE**

This Policy applies to all persons participating in the District's education program or activity, including students and employees and applicants for employment. Under Title IX, the District has jurisdiction over locations, events or circumstances over which it substantially controls the Respondent and the context in which the harassment occurs. The District's jurisdiction is limited to conduct against a person that occurs in the United States.

Any person may make a report of sexual harassment to the District's Title IX Coordinator.

### **IV. CONFIDENTIALITY**

The District is committed to creating an environment that encourages individuals to come forward if they have experienced or witnessed sexual harassment. However, the District cannot promise absolute confidentiality to any party. District employees cannot promise confidentiality to any student who reports possible sexual harassment to them.

The District will keep confidential the identity of any individual who has made a report or complaint of sex discrimination or sexual harassment, or has been identified as the perpetrator or respondent to any such report or complaint, or is a witness to any complaint or investigation, **except** as required to carry out the purposes of this Policy (including the conduct of any complaint resolution process), applicable law, or as permitted by the Family Educational Rights and Privacy Act ("FERPA"), 20 U.S.C. § 1232g.

### **V. REPORTING SEXUAL MISCONDUCT, INCLUDING SEXUAL ASSAULT AND SEXUAL HARASSMENT**

#### **A. Employee Reporting Obligations**

Any District employee who witnesses or becomes aware of sexual harassment has an affirmative obligation to report immediately to the District's Title IX Coordinator or to their building principal or immediate supervisor. Failure to do so may result in disciplinary action against the employee, up to and including termination of employment.

#### **B. Reporting to Law Enforcement**

Because sexual misconduct may constitute both a violation of District policy and criminal activity, individuals who have been subject to criminal sexual misconduct may wish to report their concerns to law enforcement. An individual may proceed under this Policy whether or not they elect to report to law enforcement.

#### **C. Reporting to the District**

Any individual who wishes to make a report or file a formal complaint of sexual harassment may contact the District's Title IX Coordinator **Annie Smith, 515-389-3111, [asmith@paton-churdan.k12.ia.us](mailto:asmith@paton-churdan.k12.ia.us)** Any individual who is subject to, witnesses, or becomes aware of alleged sexual harassment may also submit an anonymous report at **Box 157 Churdan, Iowa 50050**.

Commented [MVH3]: Optional

**Allegations that an employee of the District has engaged in sexual harassment toward a student must be immediately reported or referred to the District's designated Level 1 Investigator, and must be handled in accordance with 281 Iowa Administrative Code Chapter 102 (Procedures for Charging and Investigating Incidents of Abuse of Students by School Employees).** The Level 1 Investigator shall be responsible for complying with the requirements of Chapter 102, including with respect to reporting the alleged conduct to law enforcement or other appropriate state agencies. The Level 1 Investigator shall work with the District's Title IX Coordinator to determine how to preserve or restore the student's access to the District's education program and activities.

Commented [MVH4]: You may want to link to your District's Level 1 investigator(s) here.

#### D. Amnesty for Complainants and Participants in Investigations

The District will not pursue disciplinary action for improper possession or use of alcohol or other drugs against a student who reports in good faith an incident of sexual misconduct, or who participates in good faith in an investigation into an incident of sexual misconduct. The District may still notify the parent/guardian of the student(s) involved in such possession/use to promote the student safety and well-being or otherwise report such possession or use as required by law.

Commented [MVH5]: This is optional – very common in higher ed policies. It is intended to encourage students to report sexual misconduct by alleviating concern that the student will be in trouble for admitting to drinking or drug use. You can delete this paragraph if you do not wish to keep it.

#### E. Retaliation Prohibited

Retaliation against a person who makes a report or complaint of sexual harassment, or who assists, or participates in any manner in an investigation or resolution of a sexual harassment report or complaint is strictly prohibited. Retaliation includes threats, coercion, discrimination, intimidation, reprisals, and/or adverse actions related to employment or education. Any individual who believes they have been retaliated against in violation of this Policy should immediately contact the District's Title IX Coordinator.

This Policy's antiretaliation protections do not apply to any individual who makes a materially false statement in bad faith in the course of any complaint, investigation, hearing, or other proceeding under this Policy. However, a determination that an individual made a materially false statement in bad faith must be supported by some evidence other than the determination of whether the Respondent violated this Policy alone. An individual who makes a materially false statement in bad faith may be subject to discipline up to and including suspension or expulsion of a student or termination of an employee's employment.

#### F. Time Frames for Reporting and Response

The District strongly encourages prompt reporting of complaints and information. While there is no time limit in invoking this Policy in responding to complaints of alleged sexual harassment, a complaint should be submitted as soon as possible after the event takes place in order to maximize the District's ability to respond promptly and equitably.

The District may not be able to fully investigate a formal complaint against an individual who is no longer affiliated with the District. Under those circumstances, the District will still consider whether it can offer supportive measures to the Complainant or proceed under another applicable law, policy, procedure, handbook provision, or rule.

In all cases, the District will conduct a prompt and equitable investigation of allegations of sexual misconduct. Generally the District will attempt to complete the investigation and make a determination regarding responsibility within forty-five (45) calendar days of receipt of a formal complaint. However, the District may alter or extend this time with notice to both parties. The time it takes to complete the resolution of a sexual harassment complaint may vary based on the complexity of the investigation and the severity and extent of the alleged conduct, as well as on whether there is a parallel criminal investigation, or if school breaks occur during the process.

## VI. PROCESS FOR RESPONDING TO REPORTS OF SEXUAL HARASSMENT

### A. Initial Meeting with the Complainant

Upon receipt of any report of sexual harassment occurring in the District's educational program or activity, the Title IX Coordinator or designee will schedule a meeting with the Complainant in order to provide the Complainant a general understanding of this Policy and to identify forms of supportive measures available to the Complainant with or without the filing of a formal complaint, and to explain the process for filing a formal complaint. The intake meeting may also involve a discussion of any specific supportive measures that may be appropriate.

At the initial intake meeting with the Complainant, the Title IX Coordinator or designee will seek to determine how the Complainant wishes to proceed. The Complainant may opt for: (1) informal resolution; (2) formal resolution; or (3) not proceeding. Supportive measures may still be offered whether or not the Complainant chooses any of these options.

If the Complainant wishes to proceed with either informal or formal resolution, a written document must be filed by the Complainant or signed by the Title IX coordinator alleging harassment against a respondent (the "formal complaint"). Where the Title IX Coordinator signs a formal complaint, the Title IX Coordinator is not the complainant or otherwise a party to a complaint proceeding under this Policy.

**Commented [MVH6]:** This is a suggestion. Title IX does not have a strict timing requirement, other than that it must be reasonably prompt. Keep in mind:

- time to complete an investigation
- 10 days after investigator is done with interviews to send evidence to parties for their written comment
- investigator issues the report after receiving party feedback
- parties must have investigator's report for 10 days prior to determination of responsibility being made by the decision-maker

Realistically, 30 days is the least amount of time this can all happen on paper (questionable whether it could happen that fast in reality). Some policies even go as long as 60 days. Keep in mind that supportive measures may be necessary to preserve equal access while the process plays out

## B. **Informal Resolution**

Upon filing of a formal complaint, a Complainant who does not wish to pursue formal resolution may request a less formal proceeding, known as “Informal Resolution.” Informal resolution is available to the parties any time prior to a determination of responsibility being issued.

Informal resolution is a voluntary process that requires the written consent of the Complainant and Respondent. The District will not require the parties to participate in the Informal Resolution process as a condition of enrollment, employment, or of any other right conferred by the District. The Title IX Coordinator will assess the severity of the alleged harassment and the potential risk for others in the District community to determine whether informal resolution may be appropriate. Informal Resolution will **never** be used to resolve allegations involving an employee sexually harassing a student.

The Title IX Coordinator will provide the parties with a written notice setting forth the allegations, the requirements of the informal resolution process set forth in this Policy, the right of any party to withdraw from the informal process and proceed with the formal grievance process at any time prior to agreeing to a resolution; and any consequences resulting from the participation in the informal process, including the records that will be maintained or could be shared by the District.

Upon receipt of written consent from the parties to participate in informal resolution, the Title IX Coordinator will consult separately with the Complainant and Respondent and gather additional relevant information as necessary. The Title IX Coordinator may also put in place any appropriate supportive measures to protect the educational and work environment of the parties.

The Title IX Coordinator will work with parties to determine a mutually acceptable resolution to the complaint. This resolution will be reduced to writing and signed by the Complainant and the Respondent. Once signed, the written resolution becomes final and neither party can initiate the formal grievance process for the allegations in the formal complaint. The written resolution is not subject to appeal.

Either party may, at any time prior to signing an informal resolution agreement, elect to end the informal resolution process and initiate formal resolution instead.

In order to promote honest, direct, communication, information disclosed during informal resolution will remain confidential, except where disclosure may be required by law or authorized in connection with duties on behalf of the District.

**Commented [MVH7]:** Informal resolution is optional and it is within the District’s discretion how to conduct it. Included is a fairly simply informal resolution process that you can modify to meet your district’s needs, or you can delete this entire section if you do not wish to provide an informal resolution option.

### C. Formal Resolution

Upon submission of a formal complaint, Complainant may elect to pursue a formal resolution, which is described more specifically in this section.

#### 1. Consolidation of Complaints

The District may consolidate formal complaints of sexual harassment against more than one respondent, or by more than one complainant against one or more respondents, or by one party against another party, where the allegations arise out of the same facts or circumstances.

#### 2. Required Notices

**Notice of Investigation.** If a Complainant elects to pursue a formal complaint, the Title IX Coordinator or designee will provide a written Notice of Investigation simultaneously to both parties notifying the parties of:

- the identities of the parties involved in the incident;
- the conduct alleged;
- the date and location of the incident;
- Respondent's entitlement to a presumption of innocence;
- The parties' rights to have an advisor of their choice at the party's expense, who may be an attorney;
- The parties' rights to review and comment on investigative evidence; and
- The effect of making materially false statements in bad faith during this process.

If, during the course of investigation, the District determines that additional allegations will be investigated as part of the pending complaint, the Title IX Coordinator or designee will provide written notice of the additional allegations to any identified Complainant(s) or Respondent(s).

**Notice of Interviews, Hearings, or Other Meetings.** The Title IX Coordinator shall provide to Complainant and Respondent a written notice of the date, time, location, participants, and purpose of any interview, hearing, or meeting with sufficient time for the party to prepare.

#### 3. Dismissal

The District shall dismiss any formal complaint made under this Policy if at any time it determines that it lacks jurisdiction under Title IX because the conduct alleged in the formal complaint:

- Would not constitute sexual harassment as defined in Section II of this policy, even if proved,
- Did not occur in the District's education program or activity; or
- Did not occur against a person in the United States.

The District, in its sole discretion, may dismiss any formal complaint under this Policy if at any time:

- The Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the formal complaint or any allegations;
- The Respondent is no longer enrolled in or employed by the District; or
- Specific circumstances exist that prevent the District from gathering evidence sufficient to reach a determination as to the formal complaint or allegations. Examples include, but are not limited to, a significant passage of time from the date of the allegation(s) in the complaint to the date the complaint is filed that makes investigation impracticable, or where the Complainant has stopped participating in the process.

Dismissal of a complaint from proceeding under this Policy does not preclude the District from offering supportive measures to any party or from proceeding under any other applicable policy, procedure, rule, or handbook provision applicable to students and/or employees of the District.

Upon dismissal of any formal complaint under this section, written notice of this dismissal and the reason(s) therefor will be provided simultaneously to Complainant and Respondent.

#### **4. Investigation**

The Title IX Coordinator shall designate an Investigator to conduct an investigation into any formal complaint. The Investigator must be appropriately trained in conducting Title IX investigations, unbiased, and have no conflict of interest in the present case. The Investigator serves as a neutral fact-finder, and shall interview both parties, relevant witnesses, and gather and review evidence relevant to the outcome of the complaint.

The burden of proof and the burden of gathering sufficient evidence to reach a determination of responsibility rests with the District and not with the parties. Both parties will have an equal opportunity to present witnesses and other evidence (both inculpatory and exculpatory) to the Investigator. Neither party will be restricted in their ability to discuss the allegations or to gather and present relevant evidence; provided, however, that such communications shall not constitute harassment or retaliation against any party other otherwise violate applicable law, rule, or regulation.

The Investigator will evaluate all relevant evidence, both inculpatory and exculpatory, and will not make credibility determinations based solely on a person's status as complainant, respondent or witness.

The Investigator will only access, consider, disclose, or otherwise use a party's treatment records made or maintained by a health care provider, or other records protected under a legally recognized privilege, with that party's voluntary, written consent.

Prior to completion of the Investigative Report, the Investigator will provide each party with copies of any evidence obtained by the Investigator that is directly related to the allegations in the complaint. Both parties will have ten (10) calendar days to submit a written response to the

evidence to the Investigator. By accepting receipt of this information, the parties and their representatives, if any, agree that the use or dissemination of evidence for any purpose other than those directly related to the parties' participation in the Title IX grievance process is prohibited and may result in appropriate discipline in accordance with District policy.

## 5. Investigative Report

After conducting the investigation, the Investigator will complete an investigative report that summarizes all relevant evidence, including statements and interviews with the parties and any witnesses, and any documents, records, photographs, recordings, or other evidence obtained by the investigator.

The investigative report will be distributed simultaneously to both of the parties at least ten (10) calendar days prior to a Determination of Responsibility being made.

## 6. Determination of Responsibility

The Decision-Maker is responsible for determining whether the conduct alleged in the complaint constitutes a violation of this Policy and any other applicable District policies, procedures, handbook provisions, or rules. The Decision-Maker shall be The superintendent or his/her designee. The Decision-Maker shall not be the Title IX Coordinator or Investigator, and must be impartial and unbiased, have no conflict of interest in the particular case, and have training required by Title IX and this policy.

After receipt of the investigative report and prior to reaching a decision, each party shall be permitted to submit to the Decision-Maker relevant questions to be asked of the other party and/or any witnesses, including those challenging the credibility of the party or witness. The Decision-Maker shall review the questions with the party or witness to whom the questions are directed, but shall not ask any questions that are irrelevant or improperly inquire about the Complainant's sexual predisposition or past sexual conduct (other than where the incidents occurred between the Complainant and Respondent and are asked for purposes of demonstrating consent, where applicable). The Decision-Maker will provide a written explanation to the party of why any question was excluded. The Decision-Maker shall provide the responses of the party or witness in writing to both parties. The parties shall be provided with an opportunity for limited additional follow-up questioning.

If any party or witness does not cooperate with responding to these questions, the Decision-Maker will not rely on any statement of that party or witness in reaching a determination of responsibility. The Decision-maker cannot draw an inference about responsibility based solely on a party's or witness's refusal to answer questions.

## 7. Standard of Proof and Determination

**Commented [MVH8]:** You may, but are not required to, identify the position(s) that will serve as decision-maker. You can delete this sentence if you would prefer not identify the decision-maker(s) in this document.

The decision-maker can also be a multi-member panel.



The determination of whether or not a violation of this Policy occurred will be made on the preponderance of the evidence, or whether it is more likely than not that the Respondent violated this Policy.

## 8. Sanction

Sanctions and remedies will be determined on a case-by-case basis by the Decision-Maker, where authorized to do so. Where applicable federal or state law, Board policy, contract, handbook provision, or other rule gives authority for issuing of a particular sanction to a different District decision-making body (e.g., school board, IEP team) the Decision-Maker will recommend sanctions to that decision-making body or official, or the Board for further action.

Sanctions may include, but are not limited to a written warning, suspension or expulsion of a student, or suspension or termination of an employee's employment with the District. The Decision-Maker may impose or recommend any sanction that it finds to be fair and proportionate to the violation and in accordance with Board Policy.

Remedies may include, but are not limited to, offers of counseling, training, changes or modifications to class or work schedules or assignments, provision of additional supervision, and other actions as deemed appropriate under the circumstances present in the case. The Title IX Coordinator shall be responsible for implementing any proposed remedies.

## 9. Written Determination Regarding Responsibility

The Decision-Maker will issue a written determination regarding responsibility, which shall be determined by a preponderance of the evidence. The written determination will include:

- Identification of the allegations;
- A description of the procedural steps taken from the receipt of the formal complaint through the determination, including notifications to the parties, interviews, site visits, methods used to gather other evidence, and hearings held (if applicable);
- Findings of fact;
- Conclusions regarding the application of this Policy and any other relevant District policy, procedure, handbook provision, or rule to the facts;
- A statement of and rationale for the Decision-Maker(s) determination regarding responsibility for each allegation;
- A statement of and rationale for any disciplinary sanctions that will be imposed on Respondent, if applicable;
- A statement of and rationale for any remedies the District will provide to restore or preserve Complainant's access to the District's educational program or activity, if applicable; and
- A statement of the District's appeal policy and procedures.

The Decision-Maker will provide the written determination to the parties simultaneously. The written determination shall be final, subject to the parties' right to appeal in Section 10, below.

**Commented [MVH9]:** You are required to "describe the range of...or list possible disciplinary sanctions or remedies."

You can modify these lists as needed. However, note that items that are listed as sanctions cannot be used as supportive measures.

## 10. Appeals

Within five (5) calendar days of delivery of the written determination to them, either party may appeal the dismissal of a formal complaint, or the Decision-Maker's written determination and/or any sanction imposed by the Decision-Maker to the Title IX Coordinator or her/his designee. Such appeals will be in writing and will be delivered to The Title IX Coordinator or her/his designee, who will deliver the appeal to the Appeal Decision-Maker. The Appeal Decision-Maker or her/his designee will determine if the written determination will be stayed pending the outcome of the appellate decision. Appeals will be limited to any of the following bases:

- A procedural irregularity that affected the outcome of the matter;
- New evidence that was not reasonably available at the time the written determination was issued that could affect the outcome of the matter; or
- The Title IX Coordinator, Investigator(s), or Decision-Maker(s) had a conflict of interest or bias that affected the outcome of the matter.

The Title IX Coordinator or her/his designee will notify both parties in writing if an appeal is received alleging one of the bases for appeal above. Both parties will be given an opportunity to submit a written statement in support of, or challenging, the written determination. The parties' written statements must be submitted within five (5) calendar days of notice of the appeal.

Except as required to explain the basis of new information, an appeal will be limited to a review of the written record of the investigation, the written determination, and the parties' written statements on appeal.

The Appeal Decision-Maker or her/his designee may affirm, reverse, or modify the written determination and/or sanctions imposed, or may remand to the Investigator or Decision-Maker for further action. A written appeal decision will be issued simultaneously to the parties describing the result of the appeal and the rationale therefor. The written appeal decision of the Appeal Decision-Maker or her/his designee is the final decision of the District, and no further appeals are permitted under this Policy.

### C. Complainant Does Not Wish to Pursue Resolution or Requests Confidentiality

If the Complainant does not wish to pursue formal or informal resolution and/or requests that his or her report remain confidential, the Title IX Coordinator or designee will inform the Complainant that the District's ability to respond to the alleged sexual harassment may be limited. The Title IX Coordinator or designee may weigh the Complainant's request against the following factors:

- The seriousness of the alleged sexual misconduct,
- Whether there have been other complainants of sexual misconduct against the same Respondent, and
- The Respondent's right to receive information about the allegations, including the name of the complainant.

**Commented [MVH10]:** Superintendent or other administrator should be the appeal decision-maker (should be higher in organization than the initial decision-maker). Strongly recommend that it not be the board to avoid appeals to the Iowa DE under Iowa Code § 290.1.

You may, but are not required to identify the appeal decision maker by name/title.

The Title IX Coordinator will only initiate a formal complaint under these procedures against the wishes of the Complainant where required by federal or state law, regulation, or rule, or where doing so is not clearly unreasonable based on known circumstances, based on the potential impact to the District community if the allegations were true.

The Title IX Coordinator or designee will inform the Complainant if the District cannot ensure confidentiality. Even if the District cannot take disciplinary action against the Respondent because the Complainant insists on confidentiality or that the complaint not be resolved, the District reserves the authority to implement supportive measures or other appropriate actions to promote a safe learning environment for the complainant and/or the entire District community.

#### **D. Advisors**

Complainants and Respondents have equivalent rights to be accompanied at any stage of the process by an advisor of their choice, who may be a parent or guardian, union representative (where applicable), other support person, or an attorney at the party's sole expense. Advisors may not answer questions on behalf of any party or otherwise participate in any interview or meeting, other than to confer with the party they are supporting/representing.

#### **E. Supportive Measures**

The District may implement supportive measures to preserve or restore the Complainant's access to the District's education program or activity. Supportive measures will be individualized, provided at no cost to the parties, and are non-disciplinary in nature.

Supportive measures may include, but are not limited to:

- Counseling,
- Extension of deadlines or other course-related adjustments,
- Modifications of work or class schedules,
- Mutual restrictions on contact between the parties,
- Leaves of absence,
- Increased security and monitoring,
- Increased supervision and/or escort services, and/or
- Other similar measures.

The District may temporarily remove a student accused of violation this policy on an emergency basis, following an individualized safety and risk analysis that finds an immediate threat to the physical safety of any individual. Any student so removed will be provided with notice and an opportunity to challenge this action immediately following the removal, and any other rights conferred by law. Emergency removals must be consistent with other applicable laws. The District, in its sole discretion, may place an employee accused of violating this policy on administrative leave pending the outcome of the informal or formal complaint process.

**Commented [MVH11]:** This is where you need to be mindful of 10-day limit on suspensions prior to taking a student to the board, as well as the protections of the IDEA/Section 504 for students with disabilities

## **VII. RESOURCES AND SERVICES FOR STUDENTS AND EMPLOYEES**

There are resources available to individuals regardless of whether or not they choose to report a violation of this Policy to the District or local law enforcement. Any person may obtain information about services and supports offered to students and employees by contacting the District's Title IX Coordinator.

### A. Community Resources

There are resources in the community where an individual may seek support outside of the District. Use of any of these services is solely at the discretion of the individual. The District does not make any representations regarding the effectiveness or appropriateness of any of these resources, and does not assume responsibility, financial or otherwise, for these resources.

**Commented [MVH12]:** This is optional. You can list any outside community providers – e.g., community-based counseling or mental health provider; free or low cost medical clinics; local RVAP office (rape victim advocacy program); suicide prevention hotline; etc.

### B. External Reporting Resources

A Complainant may choose to file a complaint with the state and federal agencies listed below.

#### **Office for Civil Rights (OCR) – Chicago Office**

U.S. Department of Education  
Citigroup Center  
500 W. Madison Street,  
Suite 1475  
Chicago, IL 60661  
Phone: (312) 730-1560  
Fax: (312) 730-1576  
TDD: (877) 521-2172  
Email: OCR.Chicago@ed.gov

Building  
400 E. 14th Street  
Des Moines, IA 50319  
Toll free: (800) 457-4416  
Phone: (515) 281-4121  
Fax: (515) 242-5840  
TDD: (877) 521-2172  
Web:  
<https://icrc.iowa.gov/>

**Commented [MVH13]:** If you're in a city that has a local civil/human rights commission, include their contact information as well

#### **Equal Employment Opportunity Commission (EEOC)**

Reuss Federal Plaza  
310 W. Wisconsin Avenue, Suite 800  
Milwaukee, WI 53203-2292  
Phone: (800) 669-4000  
Fax: (414) 297-4133  
TTY: (800) 669-6820  
Web: [www.eeoc.gov/](http://www.eeoc.gov/)

#### **Iowa Civil Rights Commission (ICRC)** Grimes State Office

## VIII. PREVENTION, TRAINING, AND POLICY COMMUNICATION

The District is committed to education, communication, and training of students and employees in order to prevent sexual harassment and to assure an appropriate response when incidents occur. The District will provide information to students and employees on:

- The definitions of sexual harassment;
- District procedures for responding to incidents of sexual harassment; and
- Employee obligation to report any sexual harassment of which the employee becomes aware.

The District will also ensure that individuals who serve as Title IX Coordinators, Title IX Investigators, Decision-Makers, Appeal Decision-Makers, and facilitators of the informal resolution process have adequate training as required by [Title IX](#).

## IX. RECORDKEEPING

The District will maintain the following records for seven years:

- Each sexual harassment investigation, including determinations, audio or video recordings, disciplinary sanctions, and any remedies provided to the Complainant;
- Any appeal and the result therefrom;
- Any informal resolution; and
- Materials used by the District to train Title IX Coordinators, investigators, decision-makers, and those who facilitate informal resolution under this Policy.

Additionally, the District will create and maintain for seven years:

- Any actions, including supportive measures, taken in response to a report or formal complaint of sexual harassment;
- Documentation of the basis for the District's conclusion that its response to any such report or complaint was not deliberately indifferent;
- Documentation that the District has taken measures designed to restore or preserve access to the District's educational program or activity;
- Where no supportive measures are provided to Complainant, documentation of why it was not clearly unreasonable to do so.

**Commented [MVH14]:** Training is required on the definition of sexual harassment, the scope of the District's education program or activity, how to conduct the District's investigation and grievance process, as applicable, and how to serve impartially, including by avoiding prejudgment of the facts, conflicts of interest, and bias. Decision-Makers will also receive training on relevance of questions and evidence, including exclusion of questions or evidence protected under applicable "rape shield" laws, rules, or regulations. Investigators must also receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence. Training materials must not rely on sex stereotypes and must promote impartial investigations and adjudications of formal complaints.

## BOARD OF DIRECTORS

### Series 200

- 200 Legal Status of the Board of Directors
  - 200.1 Organization of the Board of Directors (I, II)
  - 200.2 Powers of the Board of Directors
  - 200.3 Responsibilities of the Board of Directors
  - 200.4 Board Member Social Media Engagement
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  - 209.4 Suspension of Policy
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  - 209.6 Review and Revision of Policy
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210 Board of Directors' Meetings

- 210.1 Annual Meeting
- 210.2 Regular Meeting
- 210.3 Special Meeting
- 210.4 Work Sessions
- 210.5 Meeting Notice
- 210.6 Quorum
- 210.7 Rules of Order
- 210.8 Board Meeting Agenda
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211 Open Meetings

212 Closed Sessions

213 Public Participation in Board Meetings

- 213.1 Public Complaints

214 Public Hearings

215 Board of Directors' Records

- 215.1E1 Board Meeting Minutes

216 Board of Directors' Member Services

- 216.1 Association Membership
- 216.2 Board of Directors' Member Development and Training
- 216.3 Board of Directors' Member Compensation and Expenses (I, II)

217 Gifts to Board of Directors

Code No. 201

## BOARD OF DIRECTORS' ELECTIONS

The school election takes place on the first Tuesday after the first Monday in November of odd-numbered years. Each school election is used to elect citizens to the board to maintain a 5 member board and to address questions that are 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 in accordance with the timelines established by law.

If a vacancy occurs on the board it shall be filled in accordance with law and board policy.

It is the responsibility of the county commissioner of elections to conduct school elections.

Legal Reference: Iowa Code §§ 39; 45; 63; 69; 274.7; 277; 278.1; 279.7.

Cross Reference: 202 Board of Directors Members  
202.3 Term of Office  
202.4 Vacancies  
203 Board of Directors' Conflict of Interest

Approved November 17, 2008 Reviewed November, 2015 Revised July 2021

PATON-CHURDAN POLICY MANUAL



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.

Cross Reference: 209 Board of Directors' Management Procedures

Approved April, 1995 Reviewed July 2021 Revised \_\_\_\_\_

PATON-CHURDAN POLICY MANUAL

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.

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

Approved April, 1995 Reviewed July 2021 Revised \_\_\_\_\_

**Policy 200.04: Board Member Social Media Engagement**

**Status:** ADOPTED

**Original Adopted Date:** 08/2023 | **Last Reviewed Date:** 08/2023

The board sees the value in promoting the excellent work and accomplishments of the district's students and staff. Social media is one of many effective communication tools that the district may utilize. Board members have been publicly elected to govern the district and accept a fiduciary responsibility. That responsibility means board members agree to always act in the best interests of the district. For this reason, the board shall expect that individual communications and social media posts made by board members will reflect the values and decorum expected of elected officials in the school community.

All board members enjoy rights to freedom of speech under both the U.S. and Iowa Constitutions. As such, the district will not limit protected speech of any board members. Certain categories of speech are not protected and may be subject to regulation. Additionally, board members should be aware that protected speech can still subject individuals to legal liability. If using social media to discuss district related matters, board members should be aware that they may be prohibited from blocking individual communications and posters based upon the content of their posts.

The board as a whole and individual board members in their governance role have legal obligations to safeguard the privacy of information related to student and employee matters. Board members will refrain from posting or communicating on social media in a way that violates the district's obligation to protect the privacy of its students and employees.

Board members are uniquely positioned in the school community to be both accessible and responsive to community concerns about the effective governance of the district. As a result, the board will remember their obligations to safeguard student and employee privacy when responding to any social media posts or communications, even if the response is intended to correct information for the rest of the school community. Board members will direct concerned individuals to the appropriate district staff to address their inquiry or complaint in accordance with board policy.

**Cross References**

<b>Code</b>	<b>Description</b>
200.03	<a href="#">Responsibilities of the Board of Directors</a>
902.01	<a href="#">News Media Relations</a>

Code No. 201

### BOARD OF DIRECTORS' ELECTIONS

The school election takes place on the first Tuesday after the first Monday in November of odd numbered years. Each 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.

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

Approved November 17, 2008 Reviewed July 2021 Revised July 2021

PATON-CHURDAN POLICY MANUAL

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.

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

Approved April, 1995 Reviewed July 2021 Revised \_\_\_\_\_

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 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?"

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

Approved \_\_\_\_\_ November 17, 2008 \_\_\_\_\_ Reviewed July 2021 \_\_\_\_\_ Revised \_\_\_\_\_

Code No. 202.3

#### TERM OF OFFICE

Board members elected for a full term at a regularly scheduled school election in November, 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.

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

Approved November 17, 2008 Reviewed July 2021 Revised July 2021

PATON-CHURDAN POLICY MANUAL

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 four 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.

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

Approved November 17, 2008 Reviewed July 2021 Revised

PATON-CHURDAN POLICY MANUAL



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:

Approved: July, 2000 Reviewed: July 2021 Revised:

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.

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 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.
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.

Approved April, 1995 Reviewed July 2021 Revised \_\_\_\_\_

## CODE OF ETHICS

### 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.
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.

CODE OF ETHICS

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.

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.

Cross Reference: 709 Insurance Program

Approved April, 1995 Reviewed July 2021 Revised \_\_\_\_\_

PATON-CHURDAN POLICY MANUAL

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 , in even numbered years, at a regular meeting held between twelve to thirteen months after the most recent organizational meeting.

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.***

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

Approved November 17, 2008      Reviewed July 2021      Revised July 2021

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 , in even numbered years, at a regular meeting held between twelve to thirteen months after the most recent organizational meeting..

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.

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

Approved November 17, 2008      Reviewed July 2021      Revised July 2021

PATON-CHURDAN POLICY MANUAL



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.

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

Approved April, 1995 Reviewed July 2021 Revised \_\_\_\_\_

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.

Cross Reference: 200 Legal Status of the Board of Directors

Approved April, 1995 Reviewed July 2021 Revised \_\_\_\_\_

PATON-CHURDAN POLICY MANUAL

## 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.

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

Approved April, 1995 Reviewed July 2021 Revised \_\_\_\_\_

## 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.

## 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.

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

Approved April, 1995   Reviewed July 2021   Revised \_\_\_\_\_

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.

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

Approved April, 1995 Reviewed July 2021 Revised \_\_\_\_\_

PATON-CHURDAN POLICY MANUAL

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.

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

Approved April, 1995 Reviewed July 2021 Revised \_\_\_\_\_

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.

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

Approved April, 1995 Reviewed July 2021 Revised \_\_\_\_\_

PATON-CHURDAN POLICY MANUAL



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.

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

Approved April, 1995 Reviewed July 2021 Revised \_\_\_\_\_

PATON-CHURDAN POLICY MANUAL

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.

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.

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

Approved December 1999 Reviewed July 2021 Revised     

PATON-CHURDAN POLICY MANUAL

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.

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

Approved April, 1995 Reviewed July 2021 Revised \_\_\_\_\_

PATON-CHURDAN POLICY MANUAL

## 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.***

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

Approved April, 1995 Reviewed July 2021 Revised

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.

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

Approved April, 1995 Reviewed July 2021 Revised \_\_\_\_\_

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.

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

Approved April, 1995 Reviewed July 2021 Revised \_\_\_\_\_

PATON-CHURDAN POLICY MANUAL

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.

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

Approved April, 1995 Reviewed July 2021 Revised \_\_\_\_\_

PATON-CHURDAN POLICY MANUAL

**Policy 210.05: Meeting Notice****Status:** ADOPTED**Original Adopted Date:** 03/2022 | **Last Revised Date:** 08/2023 | **Last Reviewed Date:** 08/2023

Public notice will be given for meetings and work sessions held by the board. Public notice will indicate the time, place, date and tentative agenda of board meetings. The public notice will be posted in a prominent place clearly designated for posting agendas in the central administration office, and on an exterior facing door/window so that community members may see the agenda when the building is physically closed. The agenda will be posted 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. A copy of the public notice will also be accessible to employees and students.

In the case of special meetings, public notice will 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 will be given as soon as practical and possible in light of the situation. The media and others who have requested notice will be notified of the emergency meeting. Attendance at a special meeting or emergency meeting by the media or board members will constitute a waiver of notice.

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

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**Cross References**

<b>Code</b>	<b>Description</b>
210.08	<a href="#">Board Meeting Agenda</a>
210.08-EH(1)	<a href="#">Board Meeting Agenda - Example</a>
210.08-EH(2)	<a href="#">Board Meeting Agenda - Example (with closed session)</a>



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.

Cross Reference: 210 Board of Directors' Meetings

Approved April, 1995 Reviewed July 2021 Revised \_\_\_\_\_

PATON-CHURDAN POLICY MANUAL

## 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.

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

Approved April, 1995 Reviewed July 2021 Revised \_\_\_\_\_

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.

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

Approved April, 1995 Reviewed July 2021 Revised \_\_\_\_\_

### 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.

Cross Reference: 210 Board of Directors' Meetings

Approved April, 1995 Reviewed July 2021 Revised \_\_\_\_\_

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.

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

Approved April, 1995 Reviewed July 2021 Revised \_\_\_\_\_

## 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.

Approved \_\_\_\_\_ April, 1995    Reviewed \_\_\_\_\_ July 2021    Revised \_\_\_\_\_

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.

Cross Reference: 208 Ad Hoc Committees  
211 Open Meetings

## **Policy 213: Public Participation in Board Meetings**

**Status: Approved**

**Original Adopted Date:** 03/2022 | **Last Revised Date:** 08/2023 | **Last Reviewed Date:** 08/2023

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 will set aside a specific time for public comment.

### **Public Comment During Board Meetings**

Citizens wishing to address the board during public comment must notify the board secretary prior to the board meeting. The board president will recognize these individuals to make their comments at the appropriate time during public comment. Citizens wishing to present petitions to the board may also do so at this time. The board however, 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. Normally, speakers will be limited to  5  minutes with a total allotted time for public participation of  30  minutes. However, the board president may modify this time limit, if deemed appropriate or necessary. Public comment is a time set aside for community input, but the board will not discuss or take any action on any matter during public comment.

Public comment shall be limited to regular board meetings and will not be routinely held during special board meetings.

### **Petitions to Place a Topic on the Agenda**

Individuals who wish for an item to be placed on the board agenda may submit a valid petition to the board. For a petition to be valid, it must be signed by at least 500 eligible electors of the district, or ten percent of the individuals who voted in the last school election, whichever number is lower.

Upon receiving a valid petition to the board to place a proposal on the next board agenda for public hearing, the board will place the proposal identified in the petition on the agenda of the next regular meeting, or a special meeting held within 30 days of receipt of the petition. The board will provide a sign-up sheet for all individuals who wish to speak on the proposal, and individuals will be called to speak in order of sign-up. The sign-up sheet will require each individual to list their legal name and mailing address. Each speaker will be limited to an amount of time established by the board president that is reasonable and necessary based on the number of speakers signed up. The same time limit will apply to all speakers on the proposal. Each individual will be limited to one opportunity to speak. The board maintains absolute discretion on whether or not to discuss or act on the public comments made on the proposal. If a petition is related to curriculum, the district maintains discretion to determine whether to stop teaching that curriculum until the board holds the public hearing to discuss the curriculum.

The board has a significant interest in maintaining the decorum of its meetings, and it is expected that members of the public and the board will address each other with civility. The orderly process of the board meeting will not be interfered with or disrupted by public comment. Only individuals recognized



by the board president will be allowed to speak. Comments by others are out of order. If disruptive, the individual causing disruption may be asked to leave the board meeting. Defamatory comments may be subject to legal action.

#### Cross References

<b>Code</b>	<b>Description</b>
205	Board Member Liability
210.08	Board Meeting Agenda
210.08	Board Meeting Agenda
210.08	Board Meeting Agenda
213.01	Public Complaints
214	Public Hearings
401.04	Employee Complaints
502.04	Student Complaints and Grievances
605.03	Objection to Instructional and Library Materials
605.03	Objection to Instructional and Library Materials
605.03	Objection to Instructional and Library Materials
605.03	Objection to Instructional and Library Materials
605.03	Objection to Instructional and Library Materials
605.03	Objection to Instructional and Library Materials
605.03	Objection to Instructional and Library Materials

PUBLIC COMPLAINTS

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.

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 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.
- (c) Unsettled matters 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 for consideration. To bring a concern, the individual shall notify the board president or board secretary in writing, who may bring it to the attention of the entire board.

Parents, guardians and community members of the district who have concerns about the district or the board may refer to the student handbook for additional guidance from the Iowa Department of Education.

It is within the discretion of the board to address complaints from the members of the school district community, and the board will only consider whether to address complaints if they are in writing, signed, and the complainant has complied with this policy. The board is not obligated to address a complaint and may defer to the decision of the superintendent. If the board elects not to address a complaint, the decision of the superintendent shall be final. If the board does elect to address a complaint, its decision shall be final.

Legal Reference: Iowa Code § 279.8

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

Approved Nov. 2019

Reviewed July 2021

Revised July 2021

## 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.

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

Approved April, 1995 Reviewed July 2021 Revised \_\_\_\_\_

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.

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

Approved April, 1995 Reviewed July 2021 Revised August, 2001

### 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.

BOARD MEETING MINUTES

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.
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.

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

Approved April, 1995 Reviewed July 2021 Revised \_\_\_\_\_

PATON-CHURDAN POLICY MANUAL



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 Boardmanship 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.

Cross Reference: 216.1 Association Membership

Approved April, 1995 Reviewed July 2021 Revised \_\_\_\_\_

PATON-CHURDAN POLICY MANUAL

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.

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

Approved April, 1995 Reviewed July 2021 Revised \_\_\_\_\_

## 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;

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

Approved April, 1995 Reviewed July 2021 Revised \_\_\_\_\_

## 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
- 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.

### GIFTS TO BOARD OF DIRECTORS

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.