

# DURANT COMMUNITY SCHOOL DISTRICT POLICY MANUAL

## INTRODUCTION

This policy manual contains the policies of the board of directors of the Durant 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.

### How To Use This Policy Manual

The Durant 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

Subclassifications under each numeric Series are based on a logical sequence and coded by the subclassification numeric code.

These index pages serve as a table of contents for each Series.

# DURANT 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 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<br>Reference | This sign indicates the legal references. They tell the user where the user may find the statutes, case law, attorney general opinions, or administrative rules that give authority to a policy. |
| Cross<br>Reference | Many policies in the manual relate to other policies in the manual. Cross references are provided to assist the user in finding all of the related policies.                                     |

Inquires about the policies included in this manual may be directed to the board members or to the superintendent by telephone at (563) 785-4432 or by writing the school district at Durant Community School District; 408 7<sup>th</sup> St., Durant, IA 52747.

## SCHOOL DISTRICT

### Series 100

- 100 Legal Status of the School District
- 101 Educational Philosophy of the School District
- 102 School District Instructional Organization
- 103 Equal Educational Opportunity
  - 103.E1 Annual Notice of Nondiscrimination
  - 103.E2 Continuous Notice of Nondiscrimination
  - 103.E3 Notice of Section 504 Student and Parental Rights
  - 103.E4 Complaint Form (Discrimination, Anti-Bullying and Anti-Harassment)
  - 103.E5 Witness Disclosure Form
  - 103.E6 Disposition of Complaint Form
  - 103.R1 Grievance Procedure
- 104 The People and Their School District
- 105 Long-Range Needs Assessment
  - 105.R1 Long Range Needs Assessment Regulation
- 106 Anti-Bullying/Harassment
  - 106.E1 Complaint Form (Discrimination, Anti-Bullying and Anti-Harassment)
  - 106.E2 Witness Disclosure Form
  - 106.E3 Disposition of Complaint Form
  - 106.R1 Anti-Bullying/Harassment Investigation Procedures

## LEGAL STATUS OF THE SCHOOL DISTRICT

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

This school corporation is located in the counties of Cedar, Scott and Muscatine, and its affairs are conducted by elected school officials, the Durant Community School District Board of Directors. This school corporation has exclusive jurisdiction over school matters in the territory of the school district.

Legal Reference: Iowa Code §§ 274.1, .2, .6, .7; 278.1(9); 279.8; 594A (2007).

Cross Reference: 200 Legal Status of the Board of Directors

Approved September, 2007

Reviewed 01/14/2019

Revised \_\_\_\_\_

## EDUCATIONAL PHILOSOPHY OF THE SCHOOL DISTRICT

As a school corporation of Iowa, the Durant 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.

Legal Reference: Iowa Code §§ 256.11, .11A (2007).

Cross Reference:	103	Equal Educational Opportunity
	105	Long-Range Needs Assessment
	210	Board of Directors' Management Procedures
	600	Goals and Objectives of the Education Program
	602	Curriculum Development

Approved September, 2007

Reviewed 01/14/2019

Revised \_\_\_\_\_

## SCHOOL DISTRICT INSTRUCTIONAL ORGANIZATION

The Durant Community School District offers an education program for grades pre-kindergarten through twelve. The levels of instruction are organized by the following:

Grades pre-kindergarten through twelve shall attend school at 408 – 7<sup>th</sup> Street location.

The school building will have a principal responsible for the administration and management of the school building, the school building employees and the education program. The principals shall work closely with the superintendent, who shall oversee the administration and management of the school district.

Legal Reference: Iowa Code §§ 256.11, .11A; 275.1; 279.11; 280.14 (2007).  
281 I.A.C. 12.1; .3(11); .5.

Cross Reference: 501 Student Attendance

Approved September, 2007 Reviewed 01/14/2019 Revised December 10, 2012

## EQUAL EDUCATIONAL OPPORTUNITY

It is the policy of the Durant Community School District not to discriminate on the basis of race, color, national origin, sex, disability, religion, creed, age (for employment), marital status (for programs), sexual orientation, gender identity and socioeconomic status (for programs) in its educational programs and its employment practices. There is a grievance procedure for processing complaints of discrimination. If you have questions or a grievance related to this policy please contact **Superintendent**, Durant Community School District, 408 7<sup>th</sup> St., Durant, IA 52747, 563-785-4432.

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.

***NOTE: A school district may have a different coordinator for each law or consolidate the responsibilities under one employee. The Iowa Department of Education encourages districts to have no more than two (2) coordinators: one for employment and one for programs. If the district has more than one coordinator, publications of this policy and notifications must include the name, contact address, contact phone number and email address for each coordinator.***

***NOTE: The language utilized above is consistent with Iowa Department of Education guidance released in the School Leader Update on September 1, 2015. The classes listed are all mandatory.***

***NOTE: Some conduct that falls under a school's equal educational opportunity policy also may trigger responsibilities under the state's anti-bullying/anti-harassment laws. By limiting the response to a specific application of its equal educational opportunity policy and the accompanying grievance procedures, a school may fail to properly consider whether the alleged conduct also results in bullying and/or harassment.***

Legal Reference: 20 U.S.C. §§ 1221 *et seq.*

20 U.S.C. §§ 1681 *et seq.*

20 U.S.C. §§ 1701 *et seq.*

29 U.S.C. § 206 *et seq.*

29 U.S.C. § 794

42 U.S.C. §§ 2000d and 2000e.

42 U.S.C. §§ 12101 *et seq.*

34 C.F.R. Pt. 100.

34 C.F.R. Pt. 104.

Iowa Code §§ 216.6; 216.9; 256.11; 280.3.

281 I.A.C. 12.

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

Approved September, 2007 Reviewed 01/14/2019 Revised Jan 11, 2016

## ANNUAL NOTICE OF NONDISCRIMINATION

The Durant Community School District offers career and technical programs in the following areas of study:

Family and Consumer Science  
Industrial Technology  
Vocational Agriculture  
Vocational Business

It is the policy of the Durant Community School District not to discriminate on the basis of race, color, national origin, sex, disability, religion, creed, age (for employment), marital status (for programs), sexual orientation, gender identity and socioeconomic status (for programs) in its educational programs and its employment practices. There is a grievance procedure for processing complaints of discrimination. If you have questions or a grievance related to this policy please contact **Superintendent**, Durant Community School District, 408 7<sup>th</sup> St., Durant, IA 52747, 563-785-4432.

***NOTE: A school district may have a different coordinator for each law or consolidate the responsibilities under one employee. The Iowa Department of Education encourages districts to have no more than two (2) coordinators: one for employment and one for programs. If the district has more than one coordinator, publications of this policy and notifications must include the name, contact address, contact phone number and email address for each coordinator.***

## CONTINUOUS NOTICE OF NONDISCRIMINATION

It is the policy of the Durant Community School District not to discriminate on the basis of race, color, national origin, sex, disability, religion, creed, age (for employment), marital status (for programs), sexual orientation, gender identity and socioeconomic status (for programs) in its educational programs and its employment practices. There is a grievance procedure for processing complaints of discrimination. If you have questions or a grievance related to this policy please contact **Superintendent**, Durant Community School District, 408 7th St., Durant, IA 52747, 563-785-4432.

***NOTE: A school district may have a different coordinator for each law or consolidate the responsibilities under one employee. The Iowa Department of Education encourages districts to have no more than two (2) coordinators: one for employment and one for programs. If the district has more than one coordinator, publications of this policy and notifications must include the name, contact address, contact phone number and email address for each coordinator.***

## NOTICE OF SECTION 504 STUDENT AND PARENTAL RIGHTS

The Durant 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; and
- 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.

It is the policy of the Durant Community School District not to discriminate on the basis of race, color, national origin, sex, disability, religion, creed, age (for employment), marital status (for programs), sexual orientation, gender identity and socioeconomic status (for programs) in its educational programs and its employment practices. There is a grievance procedure for processing complaints of discrimination. If you have questions or a grievance related to this policy please contact **Superintendent**, Durant Community School District, 408 7<sup>th</sup> St., Durant, IA 52747, 563-785-4432.

**COMPLAINT FORM**  
(Discrimination, Anti-Bullying, and Anti-Harassment)

Date of complaint: \_\_\_\_\_

Name of Complainant: \_\_\_\_\_

Are you filling out this form for yourself or someone else (please identify the individual if you are submitting on behalf of someone else): \_\_\_\_\_

Who or what entity do you believe discriminated against, harassed, or bullied you (or someone else)? \_\_\_\_\_

Date and place of alleged incident(s): \_\_\_\_\_

Names of any witnesses (if any): \_\_\_\_\_

Nature of discrimination, harassment, or bullying 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"/>	Physical/Mental Ability	<input type="checkbox"/>	Sexual Orientation
<input type="checkbox"/>	Familial Status	<input type="checkbox"/>	Political Belief	<input type="checkbox"/>	Socio-economic Background
<input type="checkbox"/>	Gender Identity	<input type="checkbox"/>	Political Party Preference	<input type="checkbox"/>	Other – Please Specify:
<input type="checkbox"/>	Marital Status	<input type="checkbox"/>	Race/Color		
<input type="checkbox"/>	National Origin/Ethnic Background/Ancestry	<input type="checkbox"/>	Religion/Creed		

In the space below, please describe what happened and why you believe that you or someone else has been discriminated against, harassed, or bullied. Please be as specific as possible and attach additional pages if necessary.

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

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

## WITNESS DISCLOSURE FORM

Name of Witness: \_\_\_\_\_

Date of interview: \_\_\_\_\_

Date of initial complaint: \_\_\_\_\_

Name of Complainant (include whether the Complainant is a student or employee): \_\_\_\_\_

Date and place of alleged incident(s): \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Nature of discrimination, harassment, or bullying 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"/>	Physical/Mental Ability	<input type="checkbox"/>	Sexual Orientation
<input type="checkbox"/>	Familial Status	<input type="checkbox"/>	Political Belief	<input type="checkbox"/>	Socio-economic Background
<input type="checkbox"/>	Gender Identity	<input type="checkbox"/>	Political Party Preference	<input type="checkbox"/>	Other – Please Specify:
<input type="checkbox"/>	Marital Status	<input type="checkbox"/>	Race/Color		
<input type="checkbox"/>	National Origin/Ethnic Background/Ancestry	<input type="checkbox"/>	Religion/Creed		

Description of incident witnessed:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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\_\_\_\_\_

\_\_\_\_\_

Additional information:

\_\_\_\_\_

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

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

## DISPOSITION OF COMPLAINT FORM

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

Date of initial complaint: \_\_\_\_\_

Name of Complainant (include whether the Complainant is a student or employee): \_\_\_\_\_

Date and place of alleged incident(s): \_\_\_\_\_

Name of Respondent (include whether the Respondent is a student or employee): \_\_\_\_\_

Nature of discrimination, harassment, or bullying 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"/>	Physical/Mental Ability	<input type="checkbox"/>	Sexual Orientation
<input type="checkbox"/>	Familial Status	<input type="checkbox"/>	Political Belief	<input type="checkbox"/>	Socio-economic Background
<input type="checkbox"/>	Gender Identity	<input type="checkbox"/>	Political Party Preference	<input type="checkbox"/>	Other – Please Specify:
<input type="checkbox"/>	Marital Status	<input type="checkbox"/>	Race/Color	<input type="checkbox"/>	
<input type="checkbox"/>	National Origin/Ethnic Background/Ancestry	<input type="checkbox"/>	Religion/Creed	<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: \_\_\_\_\_

## GRIEVANCE PROCEDURE

It is the policy of the Durant Community School District not to discriminate on the basis of race, color, national origin, sex, disability, religion, creed, age (for employment), marital status (for programs), sexual orientation, gender identity and socioeconomic status (for programs) in its educational programs and its employment practices. There is a grievance procedure for processing complaints of discrimination. If you have questions or a grievance related to this policy please contact **Superintendent**, Durant Community School District, 408 7<sup>th</sup> St., Durant, IA 52747, 563-785-4432.

Students, parents of students, employees, and applicants for employment in the school district have the right to file a formal complaint alleging discrimination. The district has policies and procedures in place to identify and investigate complaints alleging discrimination. If appropriate, the district will take steps to prevent the recurrence of discrimination and to correct its discriminatory effects on the Complainant and others.

A Complainant may attempt to resolve the problem informally by discussing the matter with a building principal or a direct supervisor. However, the Complainant has the right to end the informal process at any time and pursue the formal grievance procedures outlined below. Use of the informal or formal grievance procedure is not a prerequisite to the pursuit of other remedies. Please note that informal processes and procedures are not to be used in certain circumstances (e.g., sexual harassment and sexual assault).

### **Filing a Complaint**

A Complainant who wishes to avail himself/herself of this grievance procedure may do so by filing a complaint with the equity coordinator(s). An alternate will be designated in the event it is claimed that the equity coordinator or superintendent committed the alleged discrimination or some other conflict of interest exists. Complaints shall be filed within 30 days 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 equity coordinator(s) shall assist the Complainant as needed.

### **Investigation**

Within 15 working days, the equity coordinator will begin the investigation of the complaint or appoint a qualified person to undertake the investigation (hereinafter "equity coordinator"). If the Complainant is under 18 years of age, the equity coordinator shall notify his or her parent(s)/guardian(s) that they may attend investigatory meetings in which the Complainant is involved. 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. The investigation may include, but is not limited to the following:

- A request for the Complainant to provide a written statement regarding the nature of the complaint;
- A request for the individual named in the complaint to provide a written statement;
- A request for witnesses identified during the course of the investigation to provide a written statement;
- Interviews of the Complainant, Respondent, or witnesses;
- An opportunity to present witnesses or other relevant information; and
- Review and collection of documentation or information deemed relevant to the investigation.
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Within 60 working days, the equity coordinator shall complete the investigation and issue a report with respect to the findings.

The equity coordinator shall notify the Complainant and Respondent of the decision within 5 working days of completing the written report. Notification shall be by U.S. mail, first class.

### **Decision and Appeal**

The complaint is closed after the equity coordinator has issued the report, unless within 10 working days after receiving the decision, either party appeals the decision to the superintendent by making a written request detailing why he/she believes the decision should be reconsidered. The equity coordinator shall promptly forward all materials relative to the complaint and appeal to the superintendent. Within 30 working days, the superintendent shall affirm, reverse, amend the decision, or direct the equity coordinator to gather additional information. The superintendent shall notify the Complainant, Respondent, and the equity coordinator of the decision within 5 working days of the decision. Notification shall be by U.S. mail, first class.

The decision of the superintendent shall be final.

The decision of the superintendent in no way prejudices a party from seeking redress through state or federal agencies as provided by in law.

This policy and procedures are to be used for complaints of discrimination, in lieu of any other general complaint policies or procedures that may be available.

If any of the stated timeframes cannot be met by the district, the district will notify the parties and pursue completion as promptly as possible.

Retaliation against any person, because the person has filed a complaint or assisted or participated in an investigation, is prohibited. Persons found to have engaged in retaliation shall be subject to discipline by appropriate measures.

***NOTE: A school district may have a different coordinator for each law or consolidate the responsibilities under one employee. The Iowa Department of Education encourages districts to have no more than two (2) coordinators: one for employment and one for programs. If the district has more than one coordinator, publications of this policy and notifications must include the name, contact address, contact phone number and email address for each coordinator.***

***NOTE: The sample grievance procedures include an appeal process that ends with the superintendent. If the board chooses to have a different practice that involves the board in these grievance procedures, the procedures should be updated to reflect this practice.***

***NOTE: The Office for Civil Rights requires that the procedures must designate reasonably prompt time frames for the major stages of the complaint process. The number listed in the italic brackets for each stage includes suggested time frames based on guidance from both the United States Office for Civil Rights and the Iowa Department of Education. Districts should ensure that the time frames selected are reasonable for the individual district.***

***NOTE: Some conduct that falls under a school's equal educational opportunity policy also may trigger responsibilities under the state's anti-bullying/anti-harassment laws. By limiting the response to a specific application of its equal educational opportunity policy and the accompanying grievance procedures, a school may fail to properly consider whether the alleged conduct also results in bullying and/or harassment.***

## THE PEOPLE AND THEIR SCHOOL DISTRICT

The board recognizes the value of interaction and participation of the citizens of the school district community with the school district. The board will cooperate and participate, whenever possible, in the school district community while carrying out its elected responsibilities.

It shall be the responsibility of the superintendent to keep the board apprised of opportunities for involvement with the school district community.

Legal Reference: Iowa Code § 279.8 (2007).

Cross Reference:     209     Committees of the Board of Directors  
                          215     Public Participation in Board Meetings  
                          703.1   Budget Planning  
                          901     Public Communications  
                          904     Public Participation in the School District

Approved September, 2007                      Reviewed 01/14/2019                      Revised December 10, 2012

## LONG-RANGE NEEDS ASSESSMENT

Long-range needs assessment enables the school district to analyze assessment data, get feedback from the community about its expectations of students and determine how well students are meeting student learning goals. The board shall 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 as responsible citizens and successful wage earners.

In conjunction with the in-depth needs assessment of the school district, the board shall 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.

The Durant Board of Education believes open communication must exist between the community and the school district. The board of education encourages members of the community to attend board meetings and to participate in discussion of items on the agenda of which the member wishes to share his or her opinion. Through various forms of communication, the board encourages faculty members to keep the members of the community and parents informed of the activities of the school, a particular group or class and individual students. Promotion of the many positive aspects of the district, staff and students is in the best interest of the school, the students and the community.

It shall be the responsibility of the superintendent to ensure the school district community is informed of students' progress on state and locally determined indicators. The superintendent shall 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 shall determine major educational needs and rank them in priority order; develop long-range goals and plans to meet the educational needs; establish and implement short-range and intermediate-range plans to meet the goals and to attain the desired levels of student performance; evaluate progress toward meeting the goals and maintain a record of progress under the plan that includes reports of student performance and results of school improvement projects; and annually report the school district's progress made under the plan to the committee, community and Iowa Department of Education.

Legal Reference: Iowa Code §§ 21; 256.7; 280.12, .18 (2007).  
281 I.A.C. 12.8(1)(b).

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

## LONG-RANGE NEEDS ASSESSMENT REGULATION

School districts also need to develop a process for long-range needs assessment. The process needs to include three 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.

The long-range needs assessment process is mandatory but it does not need to be an administrative regulation supporting the long-range needs assessment policy. It is, however, recommended that it become an administrative regulation to support the policy to ensure completeness and consistency.

## ANTI-BULLYING/ANTI-HARASSMENT POLICY

The Durant Community School District is committed to providing all students with a safe and civil school environment in which all members of the school community are treated with dignity and respect. Bullying and/or harassment of or by students, staff, and volunteers is against federal, state, and local policy and is not tolerated by the board. 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. Therefore, it is the policy of the state and the school district that school employees, volunteers, and students shall not engage in bullying or harassing behavior in school, on school property, or at any school function or school-sponsored activity.

### **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” shall mean any electronic, written, verbal, or physical act or conduct toward a student based on the individual’s actual or perceived 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, and which creates an objectively hostile school environment that meets one or more of the following conditions:
  - (1) Places the student in reasonable fear of harm to the student’s person or property.
  - (2) Has a substantial detrimental effect on the student’s physical or mental health.
  - (3) Has the effect of substantially interfering with a student’s academic performance.
  - (4) Has the effect of substantially interfering with the student’s ability to participate in or benefit from the services, activities, or privileges provided by a school.
- “Trait or characteristic of the student” 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.

### **Filing a Complaint**

A Complainant who wishes to avail himself/herself of this procedure may do so by filing a complaint with the superintendent or superintendent’s designee. An alternate will be designated in the event it is claimed that the superintendent or superintendent’s designee committed the alleged discrimination or some other conflict of interest exists. Complaints shall be filed within 30 days 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.

School employees, volunteers, and students shall not engage in reprisal, retaliation, or false accusation against a victim, witness, or an individual who has reliable information about an act of bullying or harassment.

### **Investigation**

The school district will promptly and reasonably investigate allegations of bullying or harassment. The superintendent or the principal (hereinafter “Investigator”) will be responsible for handling all complaints alleging bullying or harassment. The Investigator shall consider the totality of circumstances presented in determining whether conduct objectively constitutes bullying or harassment. The superintendent or the superintendent’s designee shall also be responsible for developing procedures regarding this policy.

### **Decision**

If, after an investigation, a student is found to be in violation of this policy, the student shall be disciplined by appropriate measures, which may include suspension 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.

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 policy adopted pursuant to this section, 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.

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, 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.

### **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,
- (other) \_\_\_\_\_

***NOTE: School districts are required to integrate the anti-bullying and anti-harassment policy into the comprehensive school improvement plan and shall collect and report data regarding instances of bullying and harassment as required by law.***

***NOTE: Some conduct that falls under a school’s anti-bullying/anti-harassment policy also may trigger responsibilities under one or more of the federal and state antidiscrimination laws. By limiting the response to a specific application of its anti-bullying/anti-harassment disciplinary policy and the accompanying procedures, a school may fail to properly consider whether the alleged conduct also results in discriminatory bullying and/or harassment.***

Legal References:      20 U.S.C. §§ 1221-1234i.  
                                 29 U.S.C. § 794.  
                                 42 U.S.C. §§ 2000d-2000d-7.  
                                 42 U.S.C. §§ 12101 *et. seq.*  
                                 Iowa Code §§ 216.9; 280.28; 280.3.

281 I.A.C. 12.3(6).  
*Morse v. Frederick*, 551 U.S. 393 (2007)

Cross References:	102	Equal Educational Opportunity
	502	Student Rights and Responsibilities
	503	Student Discipline
	506	Student Records

Approved September, 2007

Reviewed: 01/14/2019 Revised January 11, 2016

COMPLAINT FORM  
(Discrimination, Anti-Bullying, and Anti-Harassment)

Date of complaint: \_\_\_\_\_

Name of Complainant: \_\_\_\_\_

Are you filling out this form for yourself or someone else (please identify the individual if you are submitting on behalf of someone else):  
\_\_\_\_\_  
\_\_\_\_\_

Who or what entity do you believe discriminated against, harassed, or bullied you (or someone else)?  
\_\_\_\_\_  
\_\_\_\_\_

Date and place of alleged incident(s):  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Names of any witnesses (if any): \_\_\_\_\_

Nature of discrimination, harassment, or bullying 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"/>	Physical/Mental Ability	<input type="checkbox"/>	Sexual Orientation
<input type="checkbox"/>	Familial Status	<input type="checkbox"/>	Political Belief	<input type="checkbox"/>	Socio-economic Background
<input type="checkbox"/>	Gender Identity	<input type="checkbox"/>	Political Party Preference	<input type="checkbox"/>	Other – Please Specify:
<input type="checkbox"/>	Marital Status	<input type="checkbox"/>	Race/Color		
<input type="checkbox"/>	National Origin/Ethnic Background/Ancestry	<input type="checkbox"/>	Religion/Creed		

In the space below, please describe what happened and why you believe that you or someone else has been discriminated against, harassed, or bullied. Please be as specific as possible and attach additional pages if necessary.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

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

WITNESS DISCLOSURE FORM

Name of Witness: \_\_\_\_\_

Date of interview: \_\_\_\_\_

Date of initial complaint: \_\_\_\_\_

Name of Complainant (include whether the Complainant is a student or employee): \_\_\_\_\_

Date and place of alleged incident(s): \_\_\_\_\_

Nature of discrimination, harassment, or bullying 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"/>	Physical/Mental Ability	<input type="checkbox"/>	Sexual Orientation
<input type="checkbox"/>	Familial Status	<input type="checkbox"/>	Political Belief	<input type="checkbox"/>	Socio-economic Background
<input type="checkbox"/>	Gender Identity	<input type="checkbox"/>	Political Party Preference	<input type="checkbox"/>	Other – Please Specify:
<input type="checkbox"/>	Marital Status	<input type="checkbox"/>	Race/Color		
<input type="checkbox"/>	National Origin/Ethnic Background/Ancestry	<input type="checkbox"/>	Religion/Creed		

Description of incident witnessed:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Additional 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 COMPLAINT FORM

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

Date of initial complaint: \_\_\_\_\_

Name of Complainant (include whether the Complainant is a student or employee): \_\_\_\_\_

Date and place of alleged incident(s): \_\_\_\_\_

Name of Respondent (include whether the Respondent is a student or employee): \_\_\_\_\_

Nature of discrimination, harassment, or bullying 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"/>	Physical/Mental Ability	<input type="checkbox"/>	Sexual Orientation
<input type="checkbox"/>	Familial Status	<input type="checkbox"/>	Political Belief	<input type="checkbox"/>	Socio-economic Background
<input type="checkbox"/>	Gender Identity	<input type="checkbox"/>	Political Party Preference	<input type="checkbox"/>	Other – Please Specify:
<input type="checkbox"/>	Marital Status	<input type="checkbox"/>	Race/Color	<input type="checkbox"/>	
<input type="checkbox"/>	National Origin/Ethnic Background/Ancestry	<input type="checkbox"/>	Religion/Creed	<input type="checkbox"/>	

Summary of Investigation: \_\_\_\_\_

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

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

## ANTI-BULLYING/ANTI-HARASSMENT INVESTIGATION PROCEDURES

The Durant Community School District is committed to providing all students with a safe and civil school environment in which all members of the school community are treated with dignity and respect. Bullying and/or harassment of or by students, staff, and volunteers is against federal, state, and local policy and is not tolerated by the board. 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. Therefore, it is the policy of the state and the school district that school employees, volunteers, and students shall not engage in bullying or harassing behavior in school, on school property, or at any school function or school-sponsored activity.

### **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” shall mean any electronic, written, verbal, or physical act or conduct toward a student based on the individual’s actual or perceived 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, and which creates an objectively hostile school environment that meets one or more of the following conditions:
  - (1) Places the student in reasonable fear of harm to the student’s person or property.
  - (2) Has a substantial detrimental effect on the student’s physical or mental health.
  - (3) Has the effect of substantially interfering with a student’s academic performance.
  - (4) Has the effect of substantially interfering with the student’s ability to participate in or benefit from the services, activities, or privileges provided by a school.
- “Trait or characteristic of the student” 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.

### **Filing a Complaint**

A Complainant who wishes to avail himself/herself of this procedure may do so by filing a complaint with the superintendent or superintendent’s designee. An alternate will be designated in the event it is claimed that the superintendent or superintendent’s designee committed the alleged discrimination or some other conflict of interest exists. Complaints shall be filed within 30 days 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.

School employees, volunteers, and students shall not engage in reprisal, retaliation, or false accusation against a victim, witness, or an individual who has reliable information about an act of bullying or harassment.

**Investigation**

The school district will promptly and reasonably investigate allegations of bullying or harassment. The superintendent or the principal (hereinafter “Investigator”) will be responsible for handling all complaints alleging bullying or harassment.

If the Complainant is under 18 years of age, the Investigator shall notify his or her parent(s)/guardian(s) that they may attend investigatory meetings in which the Complainant is involved. 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. The investigation may include, but is not limited to the following:

- A request for the Complainant to provide a written statement regarding the nature of the complaint;
- A request for the individual named in the complaint (hereinafter “Respondent”) to provide a written statement;
- 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. Upon completion of the investigation, the Investigator shall issue a report with respect to the findings.

Additional suggestions for administrative procedures regarding this policy include:

- Organizing training programs for students, school employees, and volunteers regarding how to recognize bullying and harassing behavior and what to do if this behavior is witnessed; and
- Developing a process for evaluating the effectiveness of this policy in reducing bullying and harassing behavior.

**Decision**

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.

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 policy adopted pursuant to this section, 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.

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.

***NOTE: School districts must include a number of requirements in the district anti-bullying/anti-harassment policy. This regulation builds on the requirements addressed in IASB sample policy 104 by more specifically detailing sample investigation procedures. Districts should ensure that the district's practice is reflective of the policy and regulations that the district's leadership team has established. Please remember that the procedures outlined here should be consistent with the policy.***

***NOTE: Some conduct that falls under a school's anti-bullying/anti-harassment policy also may trigger responsibilities under one or more of the federal and state antidiscrimination laws. By limiting the response to a specific application of its anti-bullying/anti-harassment disciplinary policy and the accompanying procedures, a school may fail to properly consider whether the alleged conduct also results in discriminatory bullying and/or harassment.***

## BOARD OF DIRECTORS

### Series 200

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## ROLE OF THE BOARD OF DIRECTORS

In this series of the board policy manual, the board defines its role in the governance of the school district and how it will carry out that role in the school district.

The ultimate goal of the board is to achieve the educational philosophy of the school district. As school officials elected by the members of the school district community, the board shall strive to represent the needs and wishes of the members of the school district community in its deliberations and actions.

While the board shall be aware of the desires of the school district community, the needs of the students in the Durant Community School District shall be considered above others. The board strives to meet the needs of the students through evaluation of the financial and educational benefits of the various alternatives available to the board and the school district.

Legal Reference: Iowa Code §§ 256.11, .11A; 279.8; 280.12 (2007).  
281 I.A.C. 12.1(2), 12.3(3).

Cross Reference: 101 Educational Philosophy of the School District  
105 Long-Range Needs Assessment  
210 Board of Directors' Management Procedures

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## ORGANIZATION OF THE BOARD OF DIRECTORS

The Durant Community School District board is authorized and derives its organization from Iowa law. The board will consist of 5 board members. Board members are elected at-large.

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

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

Legal Reference: Iowa Code §§ 274.2; 275.23A; 277.23, .28, .31; 279.1, .5, .7, .8, .33 (2011).  
281 I.A.C 12.3(2).

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

Approved September, 2007 Reviewed 02/09/2015 Revised Nov 12, 2012

## ORGANIZATIONAL MEETING PROCEDURES

The board will hold its organizational meeting in odd-numbered years at the first regular meeting following the canvass of votes. Notice of the meeting's place and time will be given by the board secretary to each member, member-elect and the public.

The purpose of the meeting is to transfer material and responsibility from the outgoing board to the new board. At the meeting, the board will elect a president and a vice president who will hold office for one year. Once elected, the president and vice president will be entitled to vote on all matters before the board.

### Meeting Procedure

The organizational meeting of the board will be held in two parts: the final meeting of the outgoing board and the organizational meeting of the new board.

#### 1. Final Meeting of the Retiring Board

- (1) Call to order.
- (2) Roll call.
- (3) Approval of minutes of previous meeting(s).
- (4) Visitors.
- (5) Unfinished business.
  - (a) Current claims and accounts (for the retiring board to authorize).
- (6) Examine and settle the books for the previous year.
- (7) Review of election results. The board secretary will present the county auditor's official report on the latest elections. Official results are recorded in the minutes.
- (8) Adjournment of the retiring board.

#### 2. Organizational Meeting of the New Board

- (1) Board Secretary as president pro-tem, will preside over the meeting until a new board president is elected.
- (2) Call to order.
- (3) Roll call.
- (4) Oath of office. The superintendent will administer the oath to new members.

Approved 3-13-17

Reviewed 02/11/2019

Revised 02/11/2019

## ORGANIZATIONAL MEETING PROCEDURES

Other items of business at the organizational meeting may include:

- (5) Board resolution of appreciation recognizing the public service rendered by retiring board members.
- (6) Determination of dates, times, and places for regular meetings of the board.
- (7) Board resolution to define the operating rules and practices that will be followed by the new board.
- (8) Board resolution to authorize the interim payment of bills pursuant to policy 705.3.
- (9) Visitors.
- (10) Superintendent's report.
- (11) Adjournment.

***NOTE: Board members elected at a regular school election must take the oath of office at or before the organization meeting. Failure to do so results in a vacancy.***

***NOTE: The board president and vice president are each elected to a one year term at the organizational meeting in odd-numbered years and at the annual meeting in even-numbered years.***

Legal Reference: Iowa Code §§ 274.2; 275.23A; 277  
281 I.A.C 12.3.

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

## POWERS OF THE BOARD OF DIRECTORS

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

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

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

Legal Reference:      Board of Directors of Ind. School Dist. of Waterloo v. Green, 259 Iowa 1260, 147 N.W.2d 854 (1967).  
Iowa Code §§ 28E; 274.1-.2; 279.8 (2007).  
281 I.A.C. 12.1(2).  
1990 Op. Att'y Gen. 66.

Cross Reference:      210      Board of Directors' Management Procedures

Approved September, 2007

Reviewed 02/11/2-019

Revised \_\_\_\_\_

## 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 and goals for the school district.

Legal Reference: Iowa Code §§ 274.1; 279.1, .8, .20; 280.12 (2007).  
281 I.A.C. 12.3(2).

Cross Reference: 101 Educational Philosophy of the School District  
105 Long-Range Needs Assessment  
210 Board of Directors' Management Procedures  
600 Goals and Objectives of the Education Program

Approved September, 2007

Reviewed 02/11/2019

Revised \_\_\_\_\_

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

**NOTE:** *This policy states the legal requirements for school board elections and the filling of vacancies.*

Legal Reference: Iowa Code §§ 39; 47; 63, 69; 274.7; 277; 278.1, 279.7 (2011).

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

Approved September, 2007

Reviewed 02/11/2019

Revised 07/09/2018

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

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

Legal Reference: Iowa Code §§ 63; 68B; 277.4, .27; 279.7A (2007).

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

Approved September, 2007

Reviewed 02/11/2019

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 bi-annual school election at or before the organizational meeting of the board. In the event of an appointment or special election to fill a vacancy, the new board member shall take the oath of office within ten days of the appointment or election.

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

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

"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 the Durant Community School District as now and hereafter required by law?"

Legal Reference: Iowa Code §§ 277.28; 279.1, .6 (2007).

Cross Reference: 200.2 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 September, 2007

Reviewed 02/11/2019

Revised April 11, 2011

## 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 **a successor is elected and qualified at the next regular school election, unless there is an intervening special election for the school district, in which event a successor shall be elected at the intervening special election.** A board member elected to fill a vacancy will serve out the unexpired term.

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

Legal Reference: Iowa Code §§ 69.12; 274.7; 279.6-.7 (2007).

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

Approved September, 2007

Reviewed 02/11/2019

Revised 07/09/2018

## 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; or
- a court order.

If a vacancy occurs prior to the expiration of a term of office, the vacancy shall be filled by board appointment within 30 days of the vacancy. The newly-appointed board member shall hold the position until the next scheduled school election.

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

Legal Reference:     Good v. Crouch, 397 N.W.2d 757 (Iowa 1986).  
                          Board of Directors of Grimes Independent School Dist. v. County Board of Public Instruction of Polk Co., 257 Iowa 106, 131 N.W.2d 802 (1965).  
                          Board of Directors of Menlo Consol. School Dist. v. Blakesburg, 240 Iowa 910, 36 N.W.2d 751 (1949).  
                          Iowa Code §§ 21.6(3)(d); 69; 277.29-.30; 279.6-.7 (2011).  
                          1944 Op. Att'y Gen. 39.

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

Approved September, 2007                      Reviewed 2/11/2019                      Revised Nov 12, 2012

## INDIVIDUAL AUTHORITY

School districts are governed by an elected board of directors of the school corporation. The board operates as a corporate body, and only the board may make decisions regarding the education program and operations of the school district and take action affecting the school district.

Individual board members exercise their authority as a board member when they vote to take action at a board meeting. Individual board members, alone, have no authority to make decisions or take action to affect the management of the school district. Without the consent of the board, an individual board member has no authority to act on behalf of the district or the board.

It shall be the responsibility of each board member and the superintendent to educate the public, the employees and the students of the limits of the board member's authority.

Legal Reference:     School Dist. of Soldier Tp., Crawford Co. v. Moeller, 247 Iowa 239, 73 N.W.2d 43 (1955).  
                          Beers v. Lasher, 209 Iowa 1158, 229 N.W. 821 (1930).  
                          Andrew v. Stuart Savings Bank, 204 Iowa 570, 215 N.W. 807 (1927).  
                          Iowa Code §§ 274.7; 279.8 (2007).  
                          281 I.A.C. 12.1(2).

Cross Reference:     204     Code of Ethics

Approved September, 2007                      Reviewed 02/11/2019                      Revised \_\_\_\_\_

## 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 \$6,000 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 money 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.

Approved September 2007

Reviewed: 07/08/2019

Revised: August 15, 2019

## BOARD OF DIRECTORS' CONFLICT OF INTEREST

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

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

When procurement is supported by Federal Child Nutrition funds, employees will not participate in the selection, award, or administration of a contract if there is a real or apparent conflict of interest in the contract. Contract, for purposes of this paragraph, includes a contract where the employee, employee's immediate family, partner, or a non-school district employer of these individuals is a party to the contract.

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

Legal Reference: 22 C.F.R. § 518.42  
Iowa Code §§ 68B, 71.1; 277.27; 279.7A; 301.28.

Cross Reference: 201 Board of Directors' Elections  
202.1 Qualifications  
204 Code of Ethics  
216.3 Board of Directors' Member Compensation and Expenses  
221 Gifts to Board of Directors  
401.4 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.

## 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, evaluative, 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.

### 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.

## CODE OF ETHICS

3. I will not recommend an employee for a position in another school district unless I would employ the employee under similar circumstances.
4. I will answer all inquiries about the standing and ability of an employee to the best of my knowledge and judgment, with complete frankness.
5. I will associate myself with board members of other school districts for the purpose of discussing school district issues and cooperating in the improvement of the education program.

Legal Reference: Iowa Code §§ 21.6(3)(d); 68B; 69; 277.28; 279.7A, 279.8, 301.28 (2013).

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

Approved Sept 2007

Reviewed 03/11/2019

Revised 5/14/2018

## BOARD SECURITY AND PROTECTION

Public bodies must feel free to meet in the public setting as required by law without concern of risk of personal injury. The board shall take whatever action is necessary to maintain an orderly board meeting, free from interference or interruption by spectators, and to keep the board members safe while complying with the open meetings law.

Individuals who threaten the board with violence or who are continuously disruptive may be asked to leave the meeting. If the individuals do not leave, the board may have law enforcement officials escort the individuals from the board meeting. The board may hire a security officer if the board members' concern for safety or actions by spectators warrants it.

Legal Reference: Iowa Code §§ 21.7; 279.8; 716.7 (2007).

Cross Reference: 215 Public Participation in Board Meetings  
904.3 Public Conduct on School Premises

Approved September, 2007

Reviewed 03/11/2019

Revised \_\_\_\_\_

## 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 the act constitutes a willful or wanton act or omission. However, the school district shall not save harmless or indemnify board members for punitive damages.

Legal Reference:     Wood v. Strickland, 420 U.S. 308 (1975).  
                              42 U.S.C. §§ 1983, 1985 (2004).  
                              Iowa Code ch. 670 (2007).

Cross Reference:     709     Insurance

Approved September, 2007

Reviewed 03/11/2019

Revised \_\_\_\_\_

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

The 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 a motion 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 shall 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.

Legal Reference: Iowa Code §§ 279.1-.2; 291.1 (2011).

Cross Reference: 200.2 Organization of the Board of Directors  
202.2 Oath of Office  
206.2 Vice President

Approved September, 2007

Reviewed 03/11/2019

Revised Nov 18, 2012

## VICE PRESIDENT

If the board president is unable or unwilling to carry out the duties required, it shall be 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 is elected by a majority vote at the organizational meeting, in odd-numbered years, or at the annual meeting, in even-numbered years, to serve a one-year term of office.

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

Legal Reference: Iowa Code § 279.5 (2011).

Cross Reference: 200.2 Organization of the Board of Directors  
202.2 Oath of Office  
206.1 President

Approved September, 2007

Reviewed 03/11/2019

Revised Nov 12, 2012

## SECRETARY

A board secretary may be appointed from employees, other than a position requiring a teaching certificate, or from the public. To finalize the appointment, the board secretary will take the oath of office during the meeting at which the individual was appointed or no later than ten days thereafter. It is the responsibility of the superintendent to evaluate the board secretary annually.

It is the responsibility of the board secretary, 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 will also be responsible for filing the required reports with the Iowa Department of Education.

In the event the board secretary is unable to fulfill the responsibilities set out by the board and the law, the superintendent will assume those duties until the board secretary is able to resume the responsibility or a new board secretary is appointed. The board secretary will give bond in an amount set by the board. The cost of the bond will be paid by the school district.

Legal Reference: Iowa Code §§ 64; 279.3, .5, .7, .32, .33, .35; 291.2-.4, .6-.8, .10-.11; 299.10, .16 (2007).  
281 I.A.C. 12.3(1).

Cross Reference: 202.2 Oath of Office  
206.4 Treasurer  
210.1 Annual Meeting  
215 Board of Directors' Records  
501.9 Truancy - Unexcused Absences  
707.1 Secretary's Reports  
708 Care, Maintenance and Disposal of School District Records

Approved September, 2007

Reviewed 03/11/2019

Revised \_\_\_\_\_

## TREASURER

It shall be the responsibility of the board to appoint a treasurer. The board may appoint a treasurer from its employees, other than a position requiring a teaching certificate, or from the public. To finalize the appointment, the treasurer shall take the oath of office at the meeting or no later than ten days thereafter.

It shall be the responsibility of the 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 treasurer to work with the secretary to coordinate the financial records, the financial reports, the cash flow needs and the investment portfolio of the school district.

If the treasurer is unable or unwilling to carry out the duties required, it shall be the responsibility of the board secretary to carry out the duties of the treasurer.

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

Legal Reference: Iowa Code §§ 12B.10; 12C; 279.3, .31-.33; 291.2-.4, .8, .11-.14 (2007).  
281 I.A.C. 12.3(1).  
1978 Op. Att'y Gen. 328.

Cross Reference: 202.2 Oath of Office  
206.3 Secretary  
211.1 Annual Meeting  
218 Board of Directors' Records  
704.3 Investments  
707 Fiscal Reports

Approved September, 2007

Reviewed 03/11/2019

Revised \_\_\_\_\_

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

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

Legal Reference: Bishop v. Iowa State Board of Public Instruction, 395 N.W.2d 888 (Iowa 1986).  
Iowa Code § 279.37 (2007).

Cross Reference: 200 Legal Status of the Board of Directors

Approved September, 2007 Reviewed 03/11/2019 Revised \_\_\_\_\_

## BOARD OF DIRECTORS' SELF-EVALUATION

Annually, the board shall conduct an evaluation of itself. The goal of the self-evaluation is not to criticize fellow board members but rather to point out strengths as well as weaknesses of the board.

The evaluation will focus on board policies, board meetings, education program, financial management, board members' personal qualities, and the board's relationship with the superintendent, employees, school district community, and students.

It shall be the responsibility of the board president to develop a board evaluation program. The board may employ an outside facilitator if the board determines the facilitator is necessary.

Legal Reference: Iowa Code § 279.8 (2007).

Cross Reference: 105 Long-Range Needs Assessment

Approved September, 2007

Reviewed 03/11/2019

Revised \_\_\_\_\_

## AD HOC COMMITTEES

Whenever the board deems it necessary, the board may appoint a committee composed of citizens, employees or students to assist the board. Committees formed by the board are 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 may be subject to the open meetings law.

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

Legal Reference: Iowa Code §§ 21; 279.8; 280.12(2) (2007).  
281 I.A.C. 12.3(3), .3(8); .5(8).  
O.A.G., Nov. 18, 1993

Cross Reference: 104 The People and Their School District  
105 Long-Range Needs Assessment  
212 Open Meetings  
213 Closed Sessions  
218 Board of Directors' Records  
605.1 Instructional Materials Selection  
900 Principles and Objectives for Community Relations

Approved September, 2007

Reviewed 02/09/2015

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.

Legal Reference: Iowa Code §§ 274.1-.2; 279.8 (2007).  
281 I.A.C. 12.3(2).  
1970 Op. Att'y Gen. 287.

Cross Reference: 101 Educational Philosophy of the School District  
200.1 Role of the Board of Directors  
200.3 Powers of the Board of Directors  
200.4 Responsibilities of the Board of Directors  
210 Board of Directors' Management Procedures

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## ADOPTION OF POLICY

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

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

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

Legal Reference: Iowa Code § 279.8 (2007).  
281 I.A.C. 12.3(2).  
1970 Op. Att'y Gen. 287.

Cross Reference: 200.1 Role of the Board of Directors  
200.3 Powers of the Board of Directors  
200.4 Responsibilities of the Board of Directors  
210 Board of Directors' Management Procedures

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## DISSEMINATION OF POLICY

A board policy manual shall be in the central administration office. The board policy manual will also be available electronically. 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 prior to or at the next regular board meeting following the policy's adoption. Copies of changes in board policy shall also be included in or attached to the minutes of the meetings in which the final action was taken to adopt the new or changed policy.

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

Legal Reference: Iowa Code §§ 277.31; 279.8 (2007).  
281 I.A.C. 12.3(2).

Cross Reference: 200.4 Responsibilities of the Board of Directors  
210 Board of Directors' Management Procedures

Approved September, 2007 Reviewed 02/09/2015 Revised \_\_\_\_\_

## SUSPENSION OF POLICY

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

Legal Reference: Iowa Code § 279.8 (2007).  
281 I.A.C. 12.3(2).

Cross Reference: 200.4 Responsibilities of the Board of Directors  
210 Board of Directors' Management Procedures

Approved September, 2007 Reviewed 02/09/2015 Revised \_\_\_\_\_

## ADMINISTRATION IN THE ABSENCE OF POLICY

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

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

Legal Reference: Iowa Code § 279.8 (2007).  
281 I.A.C. 12.3(2).

Cross Reference: 200.4 Responsibilities of the Board of Directors  
210 Board of Directors' Management Procedures  
303.4 Superintendent Duties  
306 Policy Implementation

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## REVIEW AND REVISION OF POLICY

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

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

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

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

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

Legal Reference: Iowa Code § 279.8 (2007).  
281 I.A.C. 12.3(2).

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

Approved September, 2007 Reviewed 02/09/2015 Revised \_\_\_\_\_

## 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 adopted by the board prior to their use in the school district.

The administrative regulations will be available prior to or at the next regular board meeting after the adoption of the board policy unless the board directs otherwise.

Legal Reference: Iowa Code §§ 279.8, .20 (2007).

Cross Reference: 200.4 Responsibilities of the Board of Directors  
210 Board of Directors' Management Procedures

Approved September, 2007 Reviewed 02/09/2015 Revised \_\_\_\_\_

## RULES OF ORDER REGULATION

The following rules of procedure have been adopted by the board at the annual or organizational meeting:

1. Board members need not rise to gain the recognition of the board president.
2. All motions will be made as a positive action.
3. A motion will be adopted or carried if it receives an affirmative vote from more than half of the votes cast. Only “yes” and “no” votes are counted in this calculation. It should be noted that some motions require larger numbers of affirmative votes, such as to move into a closed session.
4. All motion shall receive a second, prior to opening the issue for discussion of the board. If a motion does not receive a second, the board president may declare the motion dead for lack of a second.
5. The board president may decide the order in which board members will be recognized to address an issue. An attempt should be made to alternate between pro and con positions.
6. The board president shall rule on all motions that come before the board.
7. The board president may rule on points of order brought before the board.
8. The board president shall have complete authority to recognize a member of the audience regarding a request to participate in the board meeting. Members of the public who wish to participate shall follow board policy.
9. The board president has the authority to declare a recess at any time for the purpose of restoring decorum to the meeting.
10. The board president has the same authority and responsibility as each board member to vote on all issues.

## 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 will 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 will present affidavits from depository banks. The board may also appoint the board's legal counsel.

Legal Reference: Iowa Code §§ 279.1, .3, .33 (2011).

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

Approved September, 2007

Reviewed 05/13.2019

Revised Nov 12, 2012

## REGULAR MEETING

The regular meeting time and date shall be set by the board at its organizational meeting in odd-numbered years, or at the annual meeting in even-numbered years.

The regular meetings of the board will be held on the second Monday of each month. Meetings shall begin promptly at 6:00 p.m. in the district office board room. The board shall adhere to this meeting date and time unless the board requires additional meetings or, due to circumstances beyond the board's control, the meeting cannot be held on the regular meeting date, and the meeting will be re-scheduled at the board's convenience. Public notice of the meetings shall be given.

Legal Reference: Iowa Code §§ 21.3, .4; 279.1

Cross Reference: 200.2 Organization of the Board of Directors  
211 Board of Directors' Meetings

Approved September, 2007

Reviewed 05/13/2019

Revised March 13, 2017

## SPECIAL MEETING

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

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

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

Legal Reference: Iowa Code §§ 21.3, .4; 279.2 (2007).  
1980 Op. Att'y Gen. 148.

Cross Reference: 200.2 Organization of the Board of Directors  
211 Board of Directors' Meetings

Approved September, 2007

Reviewed 05/13/2019

Revised \_\_\_\_\_

## 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. No board action will take place at the work session.

Legal Reference: Iowa Code §§ 21; 279.8 (2007).  
1982 Op. Att'y Gen. 162.  
1980 Op. Att'y Gen. 167.  
1976 Op. Att'y Gen. 384, 514, 765.  
1972 Op. Att'y Gen. 158.  
1970 Op. Att'y Gen. 287.

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

Approved September, 2007

Reviewed 05/13/2019

Revised \_\_\_\_\_

## MEETING NOTICE

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

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

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

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

Legal Reference: Dobrovolny v. Reinhardt, 173 N.W.2d 837 (Iowa 1970).  
Iowa Code §§ 21.2-.4; 279.1, .2 (2007).  
1952 Op. Att'y Gen. 133.

Cross Reference: 211 Board of Directors' Meetings  
214 Board of Directors' Meeting Agenda

Approved September, 2007

Reviewed 05/13/2019

Revised April 11, 2011

## 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, three members shall constitute a quorum and are a sufficient number to transact business of the school corporation. The adjournment of a meeting may be executed without a quorum.

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

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

Legal Reference: Iowa Code §§ 21.5(1); 279.4 (2007).

Cross Reference: 211 Board of Directors' Meetings

Approved September, 2007 Reviewed 05/13/2019 Revised \_\_\_\_\_

## 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 ensure members of the board, concentrating on the substantive issues at hand, have the necessary information to make decisions, and to ensure adequate discussion of decisions to be made; and,
- To ensure meetings and actions of the board are conducted so as to be informative to the staff and the public, and to produce a clear record of actions taken and decisions made.

Legal Reference: Iowa Code §§ 21.2, .7; 279.8 (2007).

Cross Reference: 211 Board of Directors' Meetings  
214.2 Order of the Regular Board of Directors' Meeting

Approved September, 2007

Reviewed 05/13/2019

Revised Sept 2010

## RULES OF ORDER REGULATION

The following rules of procedure have been adopted by the board at the annual or organizational meeting:

1. Board members need not rise to gain the recognition of the board president.
2. All motions will be made as a positive action.
3. A motion will be adopted or carried if it receives an affirmative vote from more than half of the votes cast. Only "yes" and "no" votes are counted in this calculation. It should be noted that some motions require larger numbers of affirmative votes, such as to move into a closed session.
4. All motions shall receive a second, prior to opening the issue for discussion of the board. If a motion does not receive a second, the board president may declare the motion dead for lack of a second.
5. The board president may decide the order in which board members will be recognized to address an issue. An attempt should be made to alternate between pro and con positions.
6. The board president shall rule on all motions that come before the board.
7. The board president may rule on points of order brought before the board.
8. The board president shall have complete authority to recognize a member of the audience regarding a request to participate in the board meeting. Members of the public who wish to participate shall follow board policy.
9. The board president has the authority to declare a recess at any time for the purpose of restoring decorum to the meeting.
10. The board president has the same authority and responsibility as each board member to vote on all issues.

Approved September, 2007

Reviewed 05/13/2019

Revised April 11, 2011

## METHOD OF VOTING

In keeping with the public nature of the meeting, votes by the board, except those required by law to be roll call, shall be by voice vote unless a board member requests a roll call vote. An affirmative vote of the majority of votes cast, excluding abstentions, is sufficient to adopt a motion unless a higher percentage of affirmative votes is required by law or board policy.

It shall be the responsibility of the board secretary or board president to publicly announce the vote and record the vote of each board member in the minutes of the board meetings. The minutes should be written so that a reader can determine how each board member present at the meeting voted on each issue.

Legal Reference: Iowa Code §§ 21.3, .5(1); 279.8 (2007).

Cross Reference: 211 Board of Directors' Meetings

Approved September, 2007

Reviewed 05/13/2019

Revised April 11, 2011

## OPEN MEETINGS

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

Legal Reference: Iowa Code §§ 21, 279.1-.2 (2007).  
1982 Op. Att'y Gen. 162.  
1980 Op. Att'y Gen. 167.

Cross Reference: 209 Committees of the Board of Directors  
209.1 Ad Hoc Committees  
211 Board of Directors' Meetings  
213 Closed Sessions  
214 Board of Directors' Meeting Agenda

Approved September, 2007

Reviewed 05/13/2019

Revised \_\_\_\_\_

## CLOSED SESSIONS

Generally, board meetings shall be open meetings, unless a closed session or exempt meeting is provided for by law. The board will 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, will 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 will 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 will 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 available to board members, or opened upon court order in an action to enforce the requirements of the open meetings law. The board has complete discretion as to whom may be present at a closed session.

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

1. To review or discuss records which are required or authorized by state or federal law to be kept confidential or to be kept confidential as a condition for the board's possession or receipt of federal funds.
2. To discuss strategy with legal counsel in matters presently in litigation, or where litigation is imminent, if disclosure would be likely to prejudice or disadvantage the board.
3. To discuss whether to conduct a hearing, or 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 or sale 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, or in case of a sale reduce the price the board could receive for the property.

Approved September, 2007

Reviewed 05/13/2019

Revised Nov 12, 2012

## CLOSED SESSIONS

### 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. The private hearing, however, in the teacher's contract termination shall be recorded verbatim by a court reporter; and
4. to conduct a private hearing relating to the termination of a probationary administrator's contract or to review the proposed decision of the administrative law judge regarding the termination of an administrator's contract.

Legal Reference: Iowa Code §§ 20.17; 21; 22.7; 279.15, .16, .24 (2011).  
1982 Op. Att'y Gen. 162.  
1980 Op. Att'y Gen. 167.  
1976 Op. Att'y Gen. 384, 514, 765.  
1972 Op. Att'y Gen. 158.  
1970 Op. Att'y Gen. 287.

Cross Reference: 209.1 Committees of the Board of Directors  
212 Open Meetings  
222 Negotiations

Approved September, 2007

Reviewed 05/13/2019

Revised April 11, 2011

## 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 one working day prior to the scheduled board meeting. These documents are the private property of the board member. Persons wishing to view the tentative agenda and supporting documents may do so at the central administration office.

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

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

Legal Reference: Iowa Code §§ 21; 279.8 (2007).  
1980 Op. Att'y Gen. 269.

Cross Reference: 211 Board of Directors' Meetings  
212 Open Meetings  
214.2 Order of the Regular Board of Directors' Meeting  
215 Public Participation in Board Meetings  
218 Board of Directors' Records  
402.5 Public Complaints About Employees  
502.6 Student Complaints and Grievances

Approved September, 2007

Reviewed 06/10/2019

Revised \_\_\_\_\_

## ORDER OF THE REGULAR BOARD OF DIRECTORS' MEETING

The board shall conduct an orderly board meeting. The board will, at all regular board meetings, follow an agenda order similar to:

1. Call to Order / Pledge
2. Roll Call
3. Proof of Publication
4. Consent Agenda(s)
5. Administration Reports
6. New Business
7. Public Recognitions
8. Adjourn

Legal Reference: Iowa Code §§ 21; 279.8 (2007).

Cross Reference: 211 Board of Directors' Meetings  
214.1 Board Meeting Agenda

Approved September, 2007 Reviewed 06/10/2019 Revised \_\_\_\_\_

## CONSENT AGENDAS

Very often the board must consider agenda items which are noncontroversial 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 noncontroversial items or items of a similar nature.

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

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

Legal Reference: Iowa Code §§ 21; 279.8 (2007).

Cross Reference: 211 Board of Directors' Meetings  
214.2 Order of the Regular Board of Directors' Meeting

Approved September, 2007 Reviewed 06/10/2019 Revised \_\_\_\_\_

## PUBLIC PARTICIPATION IN BOARD MEETINGS

The board recognizes the importance of citizen participation in school district matters. In order to assure citizens are heard and board meetings are conducted efficiently and in an organized manner, the board shall set time aside for citizen participation, either at a specific time during the meeting or during the discussion of agenda items. Citizens wishing to address the board on a certain agenda item must notify the superintendent by noon on the day of the board meeting. Citizens wishing to present petitions to the board may 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.

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

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

Legal Reference: Iowa Code §§ 21; 22; 279.8 (2007).

Cross Reference: 104 The People and Their School District  
205.1 Board Security and Protection  
214 Board of Directors' Meeting Agenda  
216 Public Hearings  
402.5 Public Complaints About Employees

Approved September, 2007

Reviewed 06/13/2019

Revised 7/23/2018

## GENERAL COMPLAINTS BY CITIZENS

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

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

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

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

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

Approved September, 2007

Reviewed 06/10/2019

Revised \_\_\_\_\_

## BOARD MEETING MINUTES

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

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

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

## BOARD MEETING MINUTES

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

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

26. Appointment of a temporary chairperson if not specified in policy.
27. Oath of office administered to newly elected board members.
28. Nominations taken for the office of president and vice-president.
29. Election of the president and vice-president, the votes and the oath of office administered to the president and vice-president.
30. The resolution to pay bills when the board is not in session.
31. A resolution to automatically disburse payroll along with a roster of all employees under contract.
32. A resolution naming depositories along with the maximum deposit for each depository.
33. Resolution authorizing the use of a check protector and signer and the copper 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.

Approved September, 2007

Reviewed 06/10/2019

Revised \_\_\_\_\_

## BOARD OF DIRECTORS AND SUPERINTENDENT

The superintendent is hired by the board as the chief executive officer of the board to manage the day-to-day operations of the school district. The board shall set policy to guide the superintendent and shall not be involved in the day-to-day operations of the school district.

The superintendent shall work closely with the board, particularly the board president, to carry out and implement the policies of the board, to advise the board, to provide information to the board, to offer alternative solutions to the board in the form of a recommendation, and to perform other duties as the board assigns.

The superintendent shall attend each board meeting unless excused by the board president.

Legal Reference: Iowa Code §§ 279.8, .20 (2007).

Cross Reference: 302.1 Administration and Board of Directors  
303 Superintendent

Approved September, 2007

Reviewed 06/10/2019

Revised \_\_\_\_\_

## BOARD OF DIRECTORS AND EMPLOYEES

School employees will be utilized for their expertise to provide information to the board and to take part on advisory committees when necessary.

The board must remain objective about each employee. Employees who have concerns should have their initial contact with the building principal or immediate supervisor. If the employee's concerns are unsatisfied, the next step is the building principal or superintendent. The board may become involved with employee issues when the board is acting on a recommendation of the superintendent or when the board is acting as a hearing panel to discuss the termination of an employee.

Legal Reference: Iowa Code §§ 20; 279.8, .12-.18 (2007).

Cross Reference: 401.5 Employee Complaints  
401.7 Employee Relations to the Administration and to the Board  
401.8 Employee Involvement in Decision Making

Approved September, 2007

Reviewed 06/10/2019

Revised \_\_\_\_\_

BOARD OF DIRECTORS AND ADJOINING DISTRICT BOARD OF DIRECTORS

The board may work with adjoining school district boards to provide additional opportunities in the school district's education programs as well as to operate the school district more economically and efficiently. As part of this joint effort, the board shall pay particular attention to opportunities to share students, programs and employees.

Legal Reference: Iowa Code §§ 28E; 273.8(2); 279.8; 280.13A, .15 (2007).

Cross Reference: 410.2 Shared Licensed Employees  
606.1 Shared Students

Approved September, 2007 Reviewed 06/10/2019 Revised \_\_\_\_\_

BOARD OF DIRECTORS AND AREA EDUCATION AGENCY

The board shall utilize the resources of the Mississippi Bend Area Education Agency (AEA). Resources may include, but not be limited to, school psychologists, speech therapists, nurses, social workers, general and special education consultants, and educational materials.

The board may also utilize the AEA to work with other school districts in the region for program offerings or for purchase of supplies.

Legal Reference: Iowa Code §§ 28E; 273; 279.8 (2007).  
1978 Op. Att'y Gen. 224.

Cross Reference: 302.4 Administration and Area Education Agency  
603.3 Special Education  
605.4 Technology and Instructional Materials

Approved September, 2007

Reviewed 06/10/2019

Revised \_\_\_\_\_

## BOARD OF DIRECTORS AND ELECTED OFFICIALS

Being aware of, and expressing their opinion on, proposed law revisions and new laws is essential to maintaining and creating an education program to meet the needs of the school district community.

It shall be the responsibility of the board to maintain contact with the elected official representing the school district. It shall be the responsibility of the superintendent to assist the board in keeping up-to-date on proposed laws and in contacting the elected officials who represent the school district.

Legal Reference: Iowa Code §§ 39.11, 68B; 279.8 (2007).

Cross Reference: 221 Gifts to Board of Directors

Approved September, 2007 Reviewed 06/10/2019 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.

Legal Reference: Iowa Code §§ 21; 22; 279.8, .35, .36; 291.6, .7; 618.3 (2007).  
 281 I.A.C. 12.3(1).  
 1982 Op. Att'y Gen. 215.  
 1974 Op. Att'y Gen. 403.  
 1952 Op. Att'y Gen. 133.

Cross Reference: 206.3 Secretary  
 206.4 Treasurer  
 209 Committees of the Board of Directors  
 214 Board of Directors' Meeting Agenda  
 708 Care, Maintenance and Disposal of School District Records  
 901.1 Public Examination of School District Records

Approved September, 2007

Reviewed 02/09/2015

Revised Sept 2010

## BOARD MEETING MINUTES

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

## ASSOCIATION MEMBERSHIP

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

Legal Reference: Iowa Code § 279.38 (2007).

Cross Reference: 219.2 Board of Directors' Member Development and Training  
219.4 New Board of Directors' Member Orientation

Approved September, 2007 Reviewed 02/09/2015 Revised \_\_\_\_\_

## BOARD OF DIRECTORS' MEMBER DEVELOPMENT AND TRAINING

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

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

Legal Reference: Iowa Code §§ 279.8, .38 (2007).

Cross Reference: 219.1 Association Membership  
219.4 New Board of Directors' Member Orientation

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## 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. Failure to provide a detailed receipt shall make the expense non-reimbursable. Personal expenses shall be reimbursed by the board member to the school district no later than ten working days following the date of the expense. In exceptional circumstances, the board may allow a claim without proper receipt. Written documentation explaining the exceptional circumstances shall be maintained as part of the school district's record of the claim.

It shall be the responsibility of the board secretary to compile the expenses of board members and bring them to the board for audit and approval in the same manner as other claims of the school district. It shall be the responsibility of the board to determine through the audit and approval process of the board whether the expenses incurred by a board member are actual and necessary expenses incurred in the performance of their official duties.

Legal Reference: Iowa Code §§ 68B; 277.27; 279.7A, .8, .32 (2007).

Cross Reference: 203 Board of Directors' Conflict of Interest  
401.12 Employee Travel Compensation  
401.16 Credit Cards

Approved September, 2007 Reviewed 02/09/2015 Revised \_\_\_\_\_

## NEW BOARD OF DIRECTORS' MEMBER ORIENTATION

It is the responsibility of the board to educate new board members of the duties of their position. To acquaint new board members with the duties and role of the board of directors, each new board member may meet with the superintendent and the board secretary to become familiar with the responsibilities and the role of being a board member. New board members will have an opportunity to attend the IASB Academy of Board Learning Experiences Program.

It shall be the responsibility of the superintendent to ensure that new board members have an opportunity to attend an orientation conference and meet with the superintendent. It shall also be the responsibility of the superintendent to ensure that each new board member has necessary documents and board materials including a current board policy manual.

Legal Reference: Iowa Code § 279.8 (2007).

Cross Reference: 219.1 Association Membership  
219.2 Board of Directors' Member Development and Training

Approved September, 2007 Reviewed 02/09/2015 Revised \_\_\_\_\_

## ACTIVITY PASSES FOR BOARD MEMBERS

In recognition of the great amount of time, energy, and talent as well as the interest of board members in the school district, present board members and their guest shall receive activity passes to school-sponsored activities.

It shall be the responsibility of the superintendent to ensure board members and their guest receives activity passes.

Legal Reference: Iowa Code § 279.8 (2007).

Cross Reference: 219 Board of Directors' Member Services  
401.13 Employee Activity Passes

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## SCHOOL VISITATION BY BOARD OF DIRECTORS

Board members are always welcome to visit the school building to observe the operations of the school district. It is recommended that board members notify the building office when they are in the building for board-related business.

It shall be the responsibility of each board member to check in with the building office when they are in the building.

Legal Reference: Iowa Code § 279.8 (2007).

Cross Reference: 904.2 Visitors to School District Buildings and Sites

Approved September, 2007 Reviewed 02/09/2015 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;
- 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;
- 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;
- 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;

## GIFTS TO BOARD OF DIRECTORS

- 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;
- 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.

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 nonmonetary gift or series of nonmonetary gifts donated within thirty days to a public body, an educational or charitable organization or the department of general services; or
- A payment made to a board member for services rendered as part of a private business, trade or profession in which the board member is engaged if the payment is commensurate with the actual services rendered and is not being made because of the person's status as a board member but, rather, because of some special expertise or other qualification.

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

Legal References: Iowa Code ch. 68B (2007).  
1972 Op. Att'y Gen. 276.  
1970 Op. Att'y Gen. 319.

Cross References: 203 Board of Directors' Conflict of Interest  
217.5 Board of Directors and Elected Officials  
402.4 Gifts to Employees  
704.4 Gifts - Grants - Bequests

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## NEGOTIATIONS

The board shall select a chief spokesperson who shall have the authority to represent the board in the phases of collective bargaining including, but not limited to, reaching a tentative agreement. Only the board has the authority to ratify master labor agreements.

Upon appointment of the chief spokesperson, negotiations between the certified bargaining unit and its members shall be directed to the board's chief spokesperson. Individual board members shall not be contacted directly by members of or representatives for, the bargaining unit concerning issues relating to the negotiation process.

The board, in conjunction with its chief spokesperson, shall determine the composition of the board's bargaining team.

The board shall set the parameters and goals for the negotiations. Periodic strategy sessions shall be considered with the entire board to maintain open communications between the board and its chief spokesperson. Strategy sessions are exempt from the open meetings law.

Legal Reference: Burlington Durant Community School District v. PERB, 268 N.W.2d 517 (Iowa 1978).  
Iowa Code §§ 20.17; 21.9 (2007).  
621 I.A.C. 6.  
1982 Op. Att'y Gen. 162.

Cross Reference: 213 Closed Sessions  
400 Role of and Guiding Principles for Employees

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## ADMINISTRATION

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## ROLE OF SCHOOL DISTRICT ADMINISTRATION

In this series of the board policy manual, the board defines the role and the employment of school district administrators. Policies in the 400 Series, "Employees," also apply to administrators unless a more specific policy exists in the 300 Series, "Administration."

School district administrators have been given a great opportunity and responsibility to manage the school district, to provide educational leadership, and to implement the educational philosophy of the school district. They are responsible for the day-to-day operations of the school district. In carrying out these operations, the administrators are guided by board policies, the law, the needs of the students, and the wishes of the citizens in the school district community.

It shall be the responsibility of the administrators to implement and enforce the policies of the board, to oversee employees, to monitor educational issues confronting the school district, and to inform the board about school district operations.

While the board holds the superintendent ultimately responsible for these duties, the principals are more directly responsible for educational results, for the administration of the school facilities and for the employees.

The board and the administration will work together to share information and decisions under the management team concept.

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Revised \_\_\_\_\_

## MANAGEMENT

The board and the administrators shall work together in making decisions and setting goals for the school district. This effort is designed to obtain, share, and use information to solve problems, make decisions, and formulate school district policies and regulations.

It shall be the responsibility of each administrator to fully participate in the management of the school district by investigating, analyzing, and expressing their views on issues. Those board members or administrators with special expertise or knowledge of an issue may be called upon to provide information. Each board member and administrator shall support the decisions reached on the issues confronting the school district.

The board shall be responsible for making the final decision in matters pertaining to the school district.

It shall be the responsibility of the superintendent to develop guidelines for cooperative decision-making.

Legal Reference: Iowa Code § 279.8 (2007).

Cross Reference: 301 Administrative Structure

Approved September, 2007 Reviewed 02/09/2015 Revised \_\_\_\_\_

## ADMINISTRATION AND BOARD OF DIRECTORS

The superintendent, as the chief executive officer of the board, shall work with the board, particularly the board president, to keep the board informed of school district operations. The board shall maintain contact with other administrators through the superintendent.

The administrators and other administrative employees shall work with the board through the superintendent. The administrators, in working with the board, shall assist the board by gathering information, informing the board of school district operations, implementing board policy, making recommendations and answering requests of the board.

The superintendent, unless excused by the board president, and the principals, unless excused by the superintendent, shall attend each board meeting.

Legal Reference: Iowa Code §§ 279.8, .20, .21 (2007).  
281 I.A.C. 12.4(4).

Cross Reference: 217 Board of Directors' Relationships  
301 Administrative Structure  
302 Administration Relationships

Approved September, 2007

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Revised December 10, 2012

## ADMINISTRATION AND EMPLOYEES

As managers of the school district, the administrators shall make employment recommendations, supervise employees, and evaluate employees' performance. Concerns or requests by employees shall first be reported to their direct supervisor for resolution. It shall be the responsibility of the administrators to resolve complaints and handle requests.

It shall be the responsibility of the administration to foster a positive attitude and to promote a cooperative effort among employees. It shall also be the responsibility of the administration to prevent misunderstandings within the school district and the community. It shall be the responsibility of each administrator to provide leadership to employees, and it shall be the responsibility of each school district employee to work cooperatively with the administrators to accomplish the educational philosophy of the school district.

Legal Reference: Iowa Code §§ 279.8, .20, .21, .23, .24 (2007).  
281 I.A.C. 12.4.

Cross Reference: 301 Administrative Structure  
302 Administration Relationships  
401.8 Employee Involvement in Decision Making

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## ADMINISTRATION AND ADJOINING DISTRICT ADMINISTRATION

Efficiency and economics may be achieved by working with adjoining school districts in offering education programs, offering in-service activities or programs and sharing employees or students. The administration shall consider and explore opportunities to work with adjoining school districts to expand the opportunities for the students and employees in the school district.

Legal Reference: Iowa Code §§ 28E; 257.11; 279.8; 280.13A, .15 (2007).

Cross Reference: 301 Administrative Structure  
302 Administration Relationships  
410.2 Shared Licensed Employees  
606.1 Shared Students

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Revised \_\_\_\_\_

## ADMINISTRATION AND AREA EDUCATION AGENCY

The administration shall utilize the resources of the Mississippi Bend Area Education Agency (AEA) by choosing to participate in programs which meet the needs of the school district. This includes utilizing educational materials and staff resources.

The administration may also utilize the AEA to facilitate regional programming and cooperation as well as to purchase supplies.

It shall be the responsibility of the superintendent to coordinate activities with the AEA.

Legal Reference: Iowa Code §§ 28E; 273; 279.8 (2007).

Cross Reference: 217.4 Board of Directors and Area Education Agency

Approved September, 2007 Reviewed 02/09/2015 Revised \_\_\_\_\_

## SUPERINTENDENT QUALIFICATIONS, RECRUITMENT, APPOINTMENT

The board will employ a superintendent to serve as the chief executive officer of the board, to conduct the daily operations of the school district, and to implement board policy with the power and duties prescribed by the board and the law.

The board will consider applicants that meet or exceed the standards set by the Iowa Department of Education and the qualifications established in the job description for the superintendent position. In employing a superintendent, the board will consider the qualifications, credentials and records of the applicants without regard to race, color, religion, sex, national origin, age, sexual orientation, gender identity or disability. In keeping with the law, however, the board will consider the veteran status of the applicants. The board will look closely at the training, experience, skill and demonstrated competence of qualified applicants in making its final decision.

In choosing a superintendent, the board will also consider the school district's educational philosophy, financial situation, organizational structure, education programs, and other factors deemed relevant by the board.

The board may contract for assistance in the search for a superintendent.

Legal Reference: 29 U.S.C. §§ 621-634 (2004).  
 42 U.S.C. §§ 2000e *et seq.* (2004).  
 Iowa Code §§ 21.5(1)(i); 35C; 216; 279.8, .20 (2007).  
 1 I.A.C. 12.4(4).  
 80 Op. Att'y Gen. 367.

Cross Reference: 200.3 Powers of the Board of Directors  
 200.4 Responsibilities of the Board of Directors  
 301 Administrative Structure  
 303 Superintendent

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## SUPERINTENDENT CONTRACT AND CONTRACT NONRENEWAL

The length of the contract for employment between the superintendent and the board is determined by the board. The contract will begin on July 1 and end on June 30. The contract will state the terms of employment and shall not exceed three years.

The first three consecutive years of a contract issued to a newly employed superintendent is considered a probationary period. The probationary period may be extended for an additional year upon the consent of the superintendent. In the event of termination of a probationary or nonprobationary contract, the board will afford the superintendent appropriate due process, as required by law. The superintendent and board may mutually agree to terminate the superintendent's contract at any time.

It is the responsibility of the board to provide the contract for the superintendent. The board may issue a temporary and nonrenewable contract in accordance with law.

If the superintendent wishes to resign, to be released from a contract, or to retire, the superintendent must comply with applicable law and board policies.

Legal Reference: *Martin v. Waterloo Community School District*, 518 N.W. 2d 381 (Iowa 1994).  
*Cook v Plainfield Community School District*, 301 N.W.2d 771 (Iowa App. 1980).  
*Board of Education of Fort Madison Community School District v. Youel*, 282 N.W.2d 677 (Iowa 1979).  
*Briggs v Board of Directors of Hinton Community School District*, 282 N.W.2d 740 (Iowa 1979).  
*Luse v. Waco Community School District of Henry Co.*, 258 Iowa 1087, 141 N.W.2d 607 (1966).  
 Iowa Code § 279.  
 281 I.A.C. 12.4.

Cross Reference: 303 Superintendent

Approved Sept 2007

Reviewed 5/2/2018

Revised 5/14/2018

## SUPERINTENDENT SALARY AND OTHER COMPENSATION

The board has complete discretion to set the salary of the superintendent. It is the responsibility of the board to set the salary and benefits of the superintendent at a level that will include consideration of, but not be limited to, the economic condition of the school district and the training, experience, skill, and demonstrated competence of the superintendent. The salary is set at the beginning of each contract term.

In addition to the salary and benefits, the superintendent's actual and necessary expenses are paid by the school district when the superintendent is performing work-related duties. It is within the discretion of the board to pay dues to professional organizations for the superintendent.

The board may approve the payment of dues and other benefits or compensation over and above the superintendent's contract. Approval of dues and other benefits or compensation will be included in the records of the board in accordance with board policy.

Legal Reference: Iowa Code §§ 279.8, .20 (2007).  
1984 Op. Att'y Gen. 47.

Cross Reference: 303 Superintendent

Approved September, 2007 Reviewed 02/09/2015 Revised \_\_\_\_\_

## SUPERINTENDENT DUTIES

The board employs a superintendent of schools to serve as the chief executive officer of the board. The board delegates to the superintendent the authority to implement board policy and to execute decisions made by the board concerning the internal operations of the school district, unless specifically stated otherwise.

The superintendent shall be responsible for the implementation and execution of board policy and the observance of board policy by employees and students. The superintendent is responsible for overall supervision and discipline of employees and the education program.

In executing the above-stated duties, the superintendent shall consider the financial situation of the school district as well as the needs of the students. Specifically, the superintendent:

- Interprets and implements all board policies and all state and federal laws relevant to education;
- Supervises, either directly or through delegation, all activities of the school system according to, and consistent with, the policies of the board;
- Represents the board as a liaison between the school district and the community;
- Establishes and maintains a program of public relations to keep the public well-informed of the activities and needs of the school district, effecting a wholesome and cooperative working relationship between the school district and the community;
- Attends and participates in all meetings of the board, except when the superintendent's employment or salary is under consideration when the superintendent has been excused, and makes recommendations affecting the school district;
- Reports to the board on such matters as deemed material to the understanding and proper management of the school district or as the board may request;
- Assumes responsibility for the overall financial planning of the district and for the preparation of the annual budget, and submits it to the board for review and approval;
- Establishes and maintains efficient procedures and effective controls for all expenditures of school district funds in accordance with the adopted budget, subject to the direction and approval of the board;
- Files, or causes to be filed, all reports required by law;
- Makes recommendations to the board for the selection of employees for the school district;
- Makes and records assignments and transfers of all employees pursuant to their qualifications;
- Employs such employees as may be necessary, within the limits of budgetary provisions and subject to the board's approval;
- Recommends to the board, for final action, the promotion, salary change, demotion, or dismissal of any employee;
- Prescribes rules for the classification and advancement of students, and for the transfer of students from one building to another in accordance with board policies;
- Summons employees of the school district to attend such regular and occasional meetings as are necessary to carry out the education program of the school district;

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## SUPERINTENDENT DUTIES

- Supervises methods of teaching, supervision, and administration in effect in the schools;
- Attends such conventions and conferences as are necessary to keep informed of the latest educational trends;
- Accepts responsibility for the general efficiency of the school system, for the development of the employees, and for the educational growth and welfare of the students;
- Defines educational needs and formulates policies and plans for recommendation to the board;
- Makes administrative decisions necessary for the proper functioning of the school district;
- Responsible for scheduling the use of buildings and grounds by all groups and/or organizations;
- Acts as the purchasing agent for the board, and establishes procedures for the purchase of books, materials and supplies;
- Approves vacation schedules for employees;
- Conducts periodic district administration meetings;
- Performs other duties as may be assigned by the board.
- Supervises the establishment or modification of the boundaries of school attendance and transportation areas subject to approval of the board.; and
- Directs studies of buildings and sites, taking into consideration population trends and the educational and cultural needs of the district in order to ensure timely decisions by the board and the electorate regarding construction and renovation projects.

This list of duties shall not act to limit the board's authority and responsibility over the superintendent. In executing these duties and others the board may delegate, the superintendent shall consider the school district's financial condition as well as the needs of the students in the school district.

Legal Reference: Iowa Code §§ 279.8, .20, 23A (2007).  
281 I.A.C. 12.4(4).

Cross Reference: 209 Board of Directors' Management Procedures  
301 Administrative Structure  
303 Superintendent

## SUPERINTENDENT EVALUATION

The board will conduct an ongoing evaluation of the superintendent's skills, abilities, and competence. At a minimum, the board will formally evaluate the superintendent on an annual basis. The goal of the superintendent's formal evaluation is to ensure the education program for the students is carried out, promote growth in effective administrative leadership, clarify the superintendent's role, clarify the immediate priorities of the board, and develop a working relationship between the board and the superintendent.

The superintendent will be an educational leader who promotes the success of all students by:

- Facilitating the development, articulation, implementation, and stewardship of a vision of learning that is shared and supported by the school community.
- Advocating, nurturing and sustaining a school culture and instructional program conducive to student learning and staff professional development.
- Ensuring management of the organization, operations and resources for a safe, efficient and effective learning environment.
- Collaborating with families and community members, responding to diverse community interests and needs and mobilizing community resources.
- Acting with integrity, fairness and in an ethical manner.
- Understanding the profile of the community, and responding to and influencing the larger political, social, economic, legal and cultural context.

The formal evaluation will be based upon the following principles:

- The evaluation criteria will be in writing, clearly stated and mutually agreed upon by the board and the superintendent. The criteria will be related to the job description and the school district's goals;
- At a minimum, the evaluation process will be conducted annually at a time agreed upon;
- Each board member will have an opportunity to individually evaluate the superintendent, and these individual evaluations will be compiled into an overall evaluation by the entire board;
- The superintendent will conduct a self-evaluation prior to discussing the board's evaluation, and the board as a whole will discuss its evaluation with the superintendent;
- The board may discuss its evaluation of the superintendent in closed session upon a request from the superintendent and if the board determines its discussion in open session will needlessly and irreparably injure the superintendent's reputation; and,
- The individual evaluation by each board member, if individual board members so desire, will not be reviewed by the superintendent. Board members are encouraged to communicate their criticisms and concerns to the superintendent in the closed session. The board president will develop a written summary of the individual evaluations, including both the strengths and the weaknesses of the superintendent, and place it in the superintendent's personnel file to be incorporated into the next cycle of evaluations.

This policy supports and does not preclude the ongoing, informal evaluation of the superintendent's skills, abilities and competence.

Legal Reference:        Wedergren v. Board of Directors, 307 N.W.2d 12 (Iowa 1981).  
                                  Iowa Code §§ 279.8, .20, .23, .23A (2007).  
                                  281 I.A.C. Ch 83; 12.3(4).

Cross Reference:        212    Closed Sessions  
                                  303    Superintendent

## SUPERINTENDENT PROFESSIONAL DEVELOPMENT

The board encourages the superintendent to continue professional growth by being involved in professional organizations, attending conferences, continuing education, and participating in other professional activities.

It shall be the responsibility of the superintendent to arrange the superintendent's schedule in order to enable attendance at various conferences and events. If a conference or event requires the superintendent to be absent from the office for more than three days, requires overnight travel, or involves unusual expense the superintendent shall bring it to the attention of the board president prior to attending the event.

The superintendent will report to the board after an event.

Legal Reference: Iowa Code § 279.8 (2007).  
281 I.A.C. 12.7.

Cross Reference: 304.7 Administrator Professional Development  
401.7 Employee Travel Compensation

Approved September, 2007Reviewed 02/09/2015

Revised \_\_\_\_\_

## SUPERINTENDENT CIVIC ACTIVITIES

The board encourages the superintendent to be involved in the school district community by belonging to school district community organizations and attending and participating in school district community activities.

It is the responsibility of the superintendent to become involved in school district community activities and events. The board may include a lump sum amount as part of the superintendent's compensation to be used specifically for paying the annual fees of the superintendent for school district community activities and events if, in the board's judgment, the superintendent's participation will further the public purpose of promoting and deriving support for the school district and public education in general. It is within the discretion of the board to pay annual fees for professional organizations and activities.

Legal Reference: Iowa Code § 279.8 (2007).  
1990 Op. Att'y Gen. 79.

Cross Reference: 303.3 Superintendent Salary and Other Compensation  
304.8 Administrator Civic Activities

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## SUPERINTENDENT CONSULTING/OUTSIDE EMPLOYMENT

The superintendent is considered full-time employee. The board expects the superintendent to give the responsibilities of the position precedence over other employment. The superintendent may accept consulting or outside employment for pay as long as, in the judgment of the board, the work is conducted on the superintendent's personal time and it does not interfere with the performance of the superintendent's duties.

The board reserves the right, however, to request that the superintendent cease the outside employment as a condition of continued employment. The board will give the superintendent thirty days notice to cease outside employment.

Legal Reference: Iowa Code §§ 279.8, .20 (2007).

Cross Reference: 303.2 Superintendent Contract and Contract Nonrenewal  
303.4 Superintendent Duties

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## ADMINISTRATIVE POSITIONS

The school district will have, in addition to the superintendent, other administrative positions; high school principal and elementary/middle school principal.

These administrators will work closely with the superintendent in the day-to-day operations of the school district.

It is the responsibility of these administrators to uphold board policy, to instill a positive, cooperative environment with employees, and to share their expertise with each other and the board under the management team concept.

Legal Reference: Iowa Code §§ 279.8, .20, .21, .23-.24 (2007).  
281 I.A.C. 12.4.

Cross Reference: 301 Administrative Structure  
304 Administrative Employees

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## ADMINISTRATOR QUALIFICATIONS, RECRUITMENT, APPOINTMENT

The board will employ building principals and other administrators, in addition to the superintendent, to assist in the daily operations of the school district.

The board will consider applicants who meet or exceed the standards set by the Iowa Department of Education and the qualifications established in the job description for the position. In employing an administrator, the board will consider the qualifications, credentials and records of the applicants without regard to race, color, religion, sex, national origin, age, sexual orientation, gender identity, or disability. In keeping with the law, however, the board will consider the veteran status of the applicants. The board will look closely at the training, experience, skill and demonstrated competence of qualified applicants in making its final decision.

In choosing an administrator, the board will also consider the school district's educational philosophy, financial condition, organizational structure, education programs, and other factors deemed relevant by the board.

It is the responsibility of the superintendent to make a recommendation to the board for filling an administrative position, based on the requirements stated in this policy. The board will act only on the superintendent's recommendation.

The board may contract for assistance in the search for administrators.

Legal Reference: Iowa Code §§ 279.8, .21 (2007).  
281 I.A.C. 12.4.  
1980 Op. Att'y Gen. 367.

Cross Reference: 304 Administrative Employees

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## ADMINISTRATOR CONTRACT AND CONTRACT NONRENEWAL

The length of the contract for employment between an administrator and the board will be determined by the board and stated in the contract. The contract will also state the terms of the employment.

The first three consecutive years of a contract issued to a newly employed administrator will be considered a probationary period. The probationary period may be extended for an additional year upon the consent of the administrator. In the event of termination of a probationary or nonprobationary contract, the board will afford the administrator appropriate due process, as required by law. The administrator and board may mutually agree to terminate the administrator's contract.

It is the responsibility of the superintendent to create a contract for each administrative position. The board may issue temporary and nonrenewable contracts in accordance with law.

Administrators who wish to resign, to be released from a contract, or to retire, must comply with applicable law and board policies.

Legal Reference: *Martin v. Waterloo Community School District*, 518 N.W. 2d 381 (Iowa 1994).  
*Cook v Plainfield Community School District*, 301 N.W. 2d 771 (Iowa App. 1980).  
*Board of Education of Fort Madison Community School District v Youel*, 282 N.W. 2d 677 (Iowa 1979).  
*Briggs v Board of Education of Hinton Community School District*, 282 N.W. 2d 740 (Iowa 1979).  
 Iowa Code § 279.  
 281 I.A.C. 12.4.

Cross Reference: 304 Administrative Employees

Approved Sept 2007

Reviewed 05/2/2018

Revised 5/14/2018

## ADMINISTRATOR SALARY AND OTHER COMPENSATION

The board has complete discretion to set the salary of the administrators. It shall be the responsibility of the board to set the salary and benefits of the administrators at a level that will include consideration of, but not be limited to, the economic condition of the school district and the training, experience, skill, and demonstrated competence of the administrators. The salary shall be set at the beginning of each contract period.

In addition to the salary and benefits agreed upon, the administrator's actual and necessary expenses shall be paid by the school district when the administrator is performing work-related duties. The board shall approve the payment of other benefits or compensation over and above the administrator's contract. Approval of other benefits or items of an administrator's compensation shall be included in the records of the board in accordance with board policy.

Legal Reference: Iowa Code § 279.21 (2007).  
1984 Op. Att'y Gen. 47.

Cross Reference: 304 Administrative Employees

Approved September, 2007 Reviewed 02/09/2015 Revised \_\_\_\_\_

## ADMINISTRATOR DUTIES

Administrators shall be hired by the board to assist the superintendent in the day-to-day operations of their assigned attendance center.

Each attendance center shall have a building administrator responsible for the administration and operation of the attendance center. Each building principal, as chief administrator of their assigned attendance center, they shall be responsible for the building and grounds, for the students and employees assigned to their attendance center, responsible for school activities at their assigned attendance center, responsible for the education program offered in their assigned attendance center, and responsible for the budget for their assigned attendance center. The administrators shall be considered the professional advisors to the superintendent in matters pertaining to the administrators' attendance center supervised by the administrator. Although the administrators serve under the direction of the superintendent, duties of the administrators may include, but not be limited to the following:

- Cooperate in the general organization and plan of procedure in the attendance center under the administrators' supervision;
- Supervision of the teachers in the administrators' attendance centers;
- Maintain the necessary records for carrying out assigned delegated duties;
- Assist the superintendent in rating, recommending and selecting supervised employees whenever possible;
- Cooperate with the superintendent in determining the education program to be offered and in arranging their assigned attendance center schedules. As much of the schedule as possible should be made before school closes for summer vacation. In the matter of courses offered, the final approval rests with the superintendent who is in turn responsible to the board;
- The attendance center administrator will ensure that proper care is taken of all school books, supplies, materials, equipment, furniture and facilities;
- The attendance center administrator will instruct teachers to make a complete annual inventory of all school property contained in their individual rooms. The teacher will sign the completed inventory. This completed inventory shall be reviewed and initialed by the attendance center administrator and the district's superintendent prior to being filed with the board secretary;
- The attendance center administrator will investigate excessive cases of absence or tardiness of students and notify the parents or guardians of unexcused absence or tardiness. All such cases should be reported to the superintendent;
- Make such reports from time to time as the superintendent may require;
- Attendance center administrators will maintain the regular schedule of school hours established by the board and attendance center administrators will make no temporary changes in the schedule without the consent of the superintendent;
- Attendance center administrators will promptly notify the superintendent whenever ventilation, sanitation or heating of the building is unsatisfactory;
- Attendance center administrators will assist the district superintendent and contribute to the formation and implementation of general policies and procedures of the school;
- Attendance center administrators will perform any other such duties as may be assigned by the superintendent of schools.

This list of duties shall not act to limit the board's authority and responsibility over the position of the administrators. In executing these duties and others the board may delegate, the administrators shall consider the school district's financial condition as well as the needs of the students in the school district.

Legal Reference: Iowa Code §§ 279.8, .21, .23A (2007).  
281 I.A.C. 12.4(5), .4(6), .4(7).

Cross Reference: 301 Administrative Structure  
303 Administrative Employees

Approved September, 2007

Reviewed 02/09/2015

Revised December 10, 2012

## ADMINISTRATOR EVALUATION

The Superintendent will conduct an ongoing process of evaluating the administrators on their skills, abilities, and competence. At a minimum, the Superintendent will formally evaluate the administrators annually. The goal of the formal evaluation process is to ensure that the educational program for the students is carried out, ensure student learning goals of the school district are met, promote growth in effective administrative leadership for the school district, clarify the administrator's role as defined by the board and the superintendent, ascertain areas in need of improvement, clarify the immediate priorities of the responsibilities listed in the job description, and develop a working relationship between the superintendent and the administrator.

The superintendent is responsible for designing an administrator evaluation instrument. The formal evaluation will include written criteria related to the job description. The superintendent, after receiving input from the administrators, will present the formal evaluation instrument to the board for approval.

The formal evaluation will also include an opportunity for the administrator and the superintendent to discuss the written criteria, the past year's performance and the future areas of growth. The evaluation is completed by the superintendent, signed by the administrator and filed in the administrator's personnel file.

The principal will be an educational leader who promotes the success of all students by:

- Facilitating the development, articulation, implementation, and stewardship of a vision of learning that is shared and supported by the school community.
- Advocating, nurturing and sustaining a school culture and instructional program conducive to student learning and staff professional development.
- Ensuring management of the organization, operations and resources for a safe, efficient and effective learning environment.
- Collaborating with families and community members, responding to diverse community interests and needs and mobilizing community resources.
- Acting with integrity, fairness and in an ethical manner.
- Understanding the profile of the community, and responding to and influencing the larger political, social, economic, legal and cultural context.

It is the responsibility of the superintendent to conduct a formal evaluation of the probationary administrators and non-probationary administrators prior to May 15.

This policy supports and does not preclude the ongoing informal evaluation of the administrator's skills, abilities and competence.

Legal Reference: Iowa Code §§ 279.8, .21-.23A (2007).  
281 I.A.C. Ch 83; 12.3(4).

Cross Reference: 303 Administrative Employees

Approved September, 2007 Reviewed February 9, 2015

Revised March 9, 2015

## ADMINISTRATOR PROFESSIONAL DEVELOPMENT

The board encourages the administrators to continue their professional growth by becoming involved in professional organizations, attending conferences, continuing their education, and participating in other professional activities.

It shall be the responsibility of the administrators to arrange their schedules in order to attend various conferences and events in which they are involved. Prior to attendance at an event, the administrator must receive approval from the superintendent. In the case where overnight travel or unusual expense is involved, the superintendent shall bring it to the attention of the board prior to the administrator attending the event.

The administrator shall report to the superintendent after an event.

Legal Reference: Iowa Code § 279.8 (2007).  
281 I.A.C. 12.7.

Cross Reference: 302.6 Superintendent Professional Development  
401.7 Employee Travel Compensation

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## ADMINISTRATOR CIVIC ACTIVITIES

The board encourages the administrators to be involved in the school district community by belonging to community organization, and by attending and participating in school district community activities.

It is be the responsibility of the administrators to become involved in school district community activities and events. The board may include a lump sum amount as part of the administrator's compensation to be used specifically for paying the annual fees of the administrator for school district community activities and events if, in the board's judgment, the administrator's participation will further the public purpose of promoting and deriving support for the school district and public education in general. It shall be within the discretion of the board to pay annual fees for professional organizations and activities.

Legal Reference: Iowa Code § 279.8 (2007).  
1990 Op. Att'y Gen. 79.

Cross Reference: 302.7 Superintendent Civic Activities

Approved September, 2007 Reviewed 02/09/2015 Revised \_\_\_\_\_

## ADMINISTRATOR CONSULTING/OUTSIDE EMPLOYMENT

An administrative position is considered full-time employment. The board expects administrators to give the responsibilities of their positions in the school district precedence over other employment. An administrator may accept consulting or outside employment for pay as long as, in the judgment of the board and the superintendent, the work is conducted on the administrator's personal time and it does not interfere with the performance of the administrative duties contracted by the board.

The board reserves the right, however, to request the administrator cease the outside employment as a condition of continued employment. The board shall give the administrator thirty days notice to cease outside employment.

Legal Reference: Iowa Code §§ 279.8, .21 (2007).

Cross Reference: 303.3 Administrator Contract and Contract Nonrenewal  
303.5 Administrator Duties

Approved September, 2007 Reviewed 02/09/2015 Revised \_\_\_\_\_

## REDUCTION IN ADMINISTRATIVE POSITIONS

The board shall have the discretion to determine the appropriate number of administrators.

When considering a reduction in administrative positions, the board shall consider the number of students to be enrolled, the financial condition of the school district, the reassignment of duties among other administrators, and other factors deemed relevant by the board.

The board shall consider the relative skills, ability, competence, experience, effectiveness, and qualifications of the administrators to do the available work, as well as other factors deemed relevant by the board in making reductions in administrative positions.

Legal Reference:     In re: Waterloo Community School District, 338 N.W.2d 153 (Iowa 1983).  
                          Olds v Board of Education, Nashua Community School District, 334 N.W.2d 765 (Iowa  
                          App. 1983).  
                          Iowa Code §§ 279.8, .21, .23, .24 (2007).

Cross Reference:     303     Superintendent  
                          304     Administrative Employees

Approved September, 2007                      Reviewed 02/09/2015                      Revised \_\_\_\_\_

## DEVELOPMENT AND ENFORCEMENT OF ADMINISTRATIVE REGULATIONS

Administrative regulations may be necessary to implement board policy. It is the responsibility of the superintendent to develop administrative regulations.

In developing the administrative regulations, the superintendent should consult with administrators or others likely to be affected by the regulations. Once the regulations are developed, employees, students and other members of the school district community will be informed in a manner determined by the superintendent.

The board will be kept informed of the administrative regulations utilized and their revisions. The board may review and recommend change of administrative regulations prior to their use in the school district if they are contrary to the intent of board policy.

It shall be the responsibility of the superintendent to enforce administrative regulations.

Legal Reference: Iowa Code § 279.8 (2007).

Cross Reference: 209 Board of Directors' Management Procedures  
304.2 Monitoring of Administrative Regulations

Approved September, 2007 Reviewed 02/09/2015 Revised \_\_\_\_\_

## MONITORING OF ADMINISTRATIVE REGULATIONS

The administrative regulations shall be monitored and revised when necessary. It is the responsibility of the superintendent to monitor and revise the administrative regulations.

The superintendent may rely on the board, administrators, employees, students, and other members of the school district community to inform the superintendent about the effect of and possible changes in the administrative regulations.

Legal Reference: Iowa Code §§ 279.8, .20 (2007).

Cross Reference: 209 Board of Directors' Management Procedures  
304.1 Development and Enforcement of Administrative Regulations

Approved September, 2007 Reviewed 02/09/2015 Revised \_\_\_\_\_

## ADMINISTRATOR CODE OF ETHICS

Administrators, as part of the educational leadership in the school district community, represent the views of the school district. Their actions, verbal and nonverbal, reflect the attitude and the beliefs of the school district. Therefore, administrators shall conduct themselves professionally and in a manner fitting to their position.

Each administrator shall follow the code of ethics stated in this policy. Failure to act in accordance with this code of ethics or in a professional manner, in the judgment of the board, shall be grounds for discipline up to, and including, discharge.

The professional school administrator:

- Makes the education and well-being of students the fundamental value of all decision making.
- Fulfills all professional duties with honesty and integrity and always acts in a trustworthy and responsible manner.
- Supports the principle of due process and protects the civil and human rights of all individuals.
- Implements local, state and national laws.
- Advises the school board and implements the board's policies and administrative rules and regulations.
- Pursues appropriate measures to correct those laws, policies, and regulations that are not consistent with sound educational goals or that are not in the best interest of children.
- Avoids using his/her position for personal gain through political, social, religious, economic or other influences.
- Accepts academic degrees or professional certification only from accredited institutions.
- Maintains the standards and seeks to improve the effectiveness of the profession through research and continuing professional development.
- Honors all contracts until fulfillment, release or dissolution mutually agreed upon by all parties.
- Accepts responsibility and accountability for one's own actions and behaviors.
- Commits to serving others above self.

Legal Reference: Iowa Code § 279.8 (2007).  
282 I.A.C. 13.

Cross Reference: 404 Employee Conduct and Appearance

Approved September, 2007 Reviewed 02/09/2015 Revised \_\_\_\_\_

## SUCCESSION OF AUTHORITY TO THE SUPERINTENDENT

In the absence of the superintendent, it shall be the responsibility of the other administrators to assume the superintendent's duties. The succession of authority to the superintendent shall be in this order: designated principal, next designated principal, and business manager.

If the absence of the superintendent is temporary, the successor shall assume only those duties and responsibilities of the superintendent that require immediate action. If the board determines the absence of the superintendent will be a lengthy one, the board shall appoint an acting superintendent to assume the responsibilities of the superintendent. The successor shall assume the duties when the successor learns of the superintendent's absence or when assigned by the superintendent or the board.

References to "superintendent" in this policy manual shall mean the "superintendent or the superintendent's designee" unless otherwise stated in the board policy.

Legal Reference: Iowa Code § 279.8 (2007).  
281 I.A.C. 12.4(4).

Cross Reference: 302 Superintendent

Approved September, 2007 Reviewed 02/09/2015 Revised \_\_\_\_\_

## COMMUNICATION CHANNELS

Questions and problems are resolved at the lowest organizational level nearest to the complaint. School employees are responsible for conferring with their immediate supervisor on questions and concerns. Students and other members of the school district community will confer with a licensed employee and then with the principal on questions and concerns.

If resolution is not possible by any of the above, individuals may bring it to the attention of the superintendent within five school days of their discussion with the principal. If there is no resolution or plan for resolution by the superintendent within five school days of the individual's discussion with the superintendent, the individual may ask to have the question or problem placed on the board agenda. It is within the board's discretion whether to hear the concern. The action of the board will be final.

It will first be the responsibility of the administrators to resolve questions and problems raised by the employees and the students they supervise and by other members of the school district community.

Legal Reference: Iowa Code § 279.8 (2007).

Cross Reference: 213 Public Participation in Board Meetings  
401.4 Employee Complaints  
502.4 Student Complaints and Grievances  
504.3 Student Publications

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

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## ROLE OF AND GUIDING PRINCIPLES FOR EMPLOYEES

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

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

Board policies in this series relating to general employees will apply to employees regardless of their position as a licensed employee, classified employee, substitute or administrator. Board policies relating to licensed employees will apply to positions that require a teaching license or administrator's certificate or other professional license, certificate or endorsement, unless administrative positions are specifically excluded from the policy or a more specific policy is in the 300 series, Administration. Classified employees' policies included in this series will apply to positions that do not fall within the definition of licensed employee.

Approved September, 2007Reviewed 07/10/2017Revised 08/14/2017

## EMPLOYEE ORIENTATION

Employees must know their role and duties. New employees may be required to participate in an orientation program for new employees. The employee's immediate supervisor should provide the new employee with a review of the employee's responsibilities and duties. Payroll procedures and employee benefit programs and accompanying forms will be explained to the employee by the business manager. Regular employees ineligible for the school district's group health plan will be given information regarding where they can obtain health care or health care insurance.

Legal Reference: Iowa Code §§ 20; 279.8 (2007).  
191 I.A.C. 74.

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

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## EQUAL EMPLOYMENT OPPORTUNITY

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

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

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

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

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

Inquiries by employees or applicants for employment regarding compliance with equal employment opportunity and affirmative action laws and policies, including but not limited to complaints of discrimination, will be directed to the Affirmative Action Coordinator by writing to the Affirmative Action Coordinator, Durant Community School District, 408 – 7<sup>th</sup> Street, Durant, Iowa; or by telephoning (563) 785-4432.

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

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

Approved: Sept. 2007 Reviewed: 02/09/2015 Revised: Dec 10, 2012

## EQUAL EMPLOYMENT OPPORTUNITY

Legal Reference: 29 U.S.C. §§ 621-634 (2004).  
42 U.S.C. §§ 2000e *et seq.* (2004).  
42 U.S.C. §§ 12101 *et seq.* (2004).  
Iowa Code §§ 19B; 20; 35C; 73; 216; 279.8; 692.2; 692.2A; 692.2C(5); 235A.15;  
235A.6e(9) (2007).  
281 I.A.C. 12.4; 95.  
28 I.A.C. 14.1; 2000.

Cross Reference: 103 Equal Educational Opportunity  
106 Anti-Bullying/Harassment  
405.2 Licensed Employee Qualifications, Recruitment, Selection  
411.2 Classified Employee Qualifications, Recruitment, Selection

## EMPLOYEE CONFLICT OF INTEREST

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

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

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

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

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

Approved September 2007

Reviewed 02/09/2015

Revised December 12, 2011

## EMPLOYEE CONFLICT OF INTEREST

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

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

When procurement is supported by Federal Child Nutrition funds, employees will not participate in the selection, award, or administration of a contract if there is a real or apparent conflict of interest in the contract. Contract, for purposes of this paragraph, includes a contract where the employee, employee's immediate family, partner, or a non-school district employer of these individuals is a party to the contract.

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

Legal Reference: 7 C.F.R. 3016.36(3)  
Iowa Code §§ 20.7; 68B; 279.8; 301.28 (2011).

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

## NEPOTISM

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

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

Legal Reference: Iowa Code §§ 20; 71; 277.27; 279.8 (2007).

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

Approved September, 2007 Reviewed 02/09/2015 Revised \_\_\_\_\_

## EMPLOYEE COMPLAINTS

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

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

Legal Reference: Iowa Code §§ 20.7, .9; 279.8 (2007).

Cross Reference: 217.2 Board of Directors and Employees  
309 Communication Channels

Approved September, 2007 Reviewed 02/09/2015 Revised \_\_\_\_\_

## EMPLOYEE RECORDS

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

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

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

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

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

Legal Reference: Iowa Code chs. 20; 21; 22; 91B (2007).  
Clymer v. City of Cedar Rapids, No. 209/97-1705 (Iowa 1999).  
Des Moines Independent Community School District v. Des Moines Register and Tribune Company, 487 N.W. 2d 666 (Iowa 1992).  
City of Dubuque v. Telegraph Herald, Inc., 297 N.W. 2d 523 (Iowa 1980).

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

Approved September, 2007

Reviewed 02/09/2015

Revised October 10, 2011

## EMPLOYEE RECORDS REGULATION

### Employee Personnel Records Content

1. Employee personnel records may contain the following information:
  - Personal information including, but not limited to, name, address, telephone number, emergency numbers, birth date and spouse.
  - Individual employment contract.
  - Evaluations.
  - Application, resume and references.
  - Salary information.
  - Copy of the employee's license or certificate, if needed for the position.
  - Educational transcripts.
  - Assignment.
  - Records of disciplinary matters.
2. Employee health and medical records shall be kept in a file separate from the employee's personnel records. Health and medical records may contain, but are not limited to:
  - Medical professional signed physical form.
  - Sick or long-term disability leave days.
  - Worker's compensation claims.
  - Reasonable accommodation made by the school district to accommodate the employee's disability.
  - Employee's medical history.
  - Employee emergency names and numbers.
  - Family and medical leave request forms.
3. The following are considered public personnel records available for inspection:
  - The name and compensation of the individual, including any written agreement establishing compensation or any other terms of employment, except for that information that is otherwise protected. "Compensation" includes the value of benefits conferred including, but not limited to: casualty, disability, life or health insurance, other health or wellness benefits, vacation, holiday and sick leave, severance payments, retirement benefits and deferred compensation;
  - The dates the individual was employed by the government body;
  - The positions the individual holds or has held with the government body;
  - The educational institutions attended by the individual, including any diplomas and degrees earned, and the names of the individual's previous employers, positions previously held and dates of previous employment;
  - The fact that the individual was discharged as the result of a final disciplinary action upon the exhaustion of all applicable contractual, legal and statutory remedies; and,
  - Personal information in confidential personnel records of government bodies relating to student employees shall only be released pursuant to the Family Educational Privacy Rights Act (FERPA.)

### Applicant File Records Content

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

- Application for employment.
- Resume.
- References.

## EMPLOYEE RECORDS REGULATION

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

### Record Access

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

### Employee Record Retention

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

Approved September, 2007      Reviewed 02/09/2015      Revised \_\_\_\_\_

## LIMITATIONS TO EMPLOYMENT REFERENCES

The district believes in taking appropriate measures to promote the health and welfare of all students. Any school employee, contractor, or agent shall not assist another school employee, contractor, or agent in obtaining a new job, apart from the routine transmission of administrative personnel files, if the individual or agency knows, or has probable cause to believe, that such school employee, contractor, or agent engaged in sexual misconduct regarding a minor or student in violation of the law.

This limitation does not apply if the matter has been properly reported to law enforcement and any other regulatory authorities required by law, and either:

- the matter has been officially closed by the law enforcement agency;
- the individual is acquitted or otherwise exonerated of the alleged misconduct; or
- more than four years has passed since the case was opened, and no charges or indictment have been filed.

***Note: This is a mandatory policy. The language stated in the policy reflects the standards established for schools receiving funding under the Every Student Succeeds Act.***

Legal References: 20 U.S.C. §7926  
281 I.A.C. 12.3(14)

Cross References: 401.5 Employee Records  
402.2 Child Abuse Reporting  
402.3 Abuse of Students by School District Employees  
405.2 Licensed Employee Qualifications, Recruitment, Selection  
411.2 Classified Employee Qualifications, Recruitment, Selection

Approved 04/08/2019

Reviewed 03/11/2019

Revised \_\_\_\_\_

## EMPLOYEE RELATIONS TO THE ADMINISTRATION AND TO THE BOARD

Employees are encouraged to attend school board meetings. Upon request by the board or administration, employees shall be available to provide information and assist in providing recommendations to the board. Employees shall keep the board informed, through the administration, about educational trends and issues. It shall be the responsibility of the employees to keep the administration informed about the day-to-day occurrences in their work areas.

It shall be the responsibility of the superintendent to develop avenues for communication between the board and employees. These avenues of communication will not be construed as denying the right of any employee to appeal an action or decision of the superintendent to the board.

Legal Reference: Iowa Code §§ 20; 279.8 (2007).

Cross Reference: 217.2 Board of Directors and Employees  
401.5 Employee Complaints  
401.8 Employee Involvement in Decision Making

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## EMPLOYEE INVOLVEMENT IN DECISION MAKING

Input from employees regarding students, the education program or other school district operations will be considered by the administration and the board. Employees may be requested to make a presentation to the board. The administration, in its discretion, may consult with employees about proposed changes in the education program and operations of the school district.

Employees having suggestions for changes or improvements in administrative procedure or policy should take such suggestions directly to the principal or superintendent. The principal or superintendent will discuss the suggestion with the employee. After a final decision is made on any policy or procedure, employees will be expected to accept and support the decision in their subsequent actions, discussions and relations.

Legal Reference: Iowa Code § 279.8 (2007).

Cross Reference: 302.2 Administration and Employees  
401.7 Employee Relations to the Administration and to the Board

Approved September, 2007 Reviewed 02/09/2015 Revised \_\_\_\_\_

## USE OF SCHOOL DISTRICT FACILITIES &amp; EQUIPMENT BY EMPLOYEES

The primary purpose of the school district facilities and equipment is to deliver a quality education program. Resources for school district equipment are limited; therefore each user must operate the equipment with the utmost care. Employees may use school district equipment for any school purpose or activity held during the school day or for a school-sponsored event.

Employees may use the school district facilities for nonschool-sponsored events, when it does not interfere with the delivery of the education program, with the permission of the principal. An employee's request will not supersede a prior request. The employee will be responsible for ensuring the building and equipment are in the condition they were found. For non-educational business, the employee will be responsible to meet the requirements set out by the principal when the request is granted.

Legal Reference: Iowa Code §§ 256.12; 279.8; 297.9 (2007).

Cross Reference: 401.10 Use of School District Materials for Internal Communications  
906 Use of School District Facilities & Equipment

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## USE OF SCHOOL DISTRICT MATERIALS FOR INTERNAL COMMUNICATIONS

School district materials are purchased and used for the delivery of the education program. Employees may use school district materials and equipment for internal communication among themselves when the communication is directly related to the education program.

When the communication will involve unusual expense or use of materials, the employee must first have permission of the principal.

Legal Reference: Iowa Code § 279.8 (2007).

Cross Reference: 401.9 Use of School District Facilities & Equipment by Employees

Approved September, 2007 Reviewed 02/09/2015 Revised \_\_\_\_\_

## TRANSPORTING OF STUDENTS BY EMPLOYEES

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

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

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

Legal Reference: Iowa Code chs. 285; 321 (2007).

Cross Reference: 401.12 Employee Travel Compensation  
711 Transportation  
905.1 Transporting Students in Private Vehicles

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## EMPLOYEE TRAVEL COMPENSATION

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

### Travel Outside the School District

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

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

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

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

Pre-approved expenses for transportation within five-hundred miles round trip of the school district administrative office shall be by school district vehicle. If a school district vehicle is not available, the employee upon pre-approval will be reimbursed at 55.5 cents per mile for mileage up to 500 miles round trip. Pre-approved expenses for transportation outside of five-hundred miles of the school district administrative office may be by public carrier. Reimbursement for air travel shall be at the tourist class fares. Should an employee choose to travel by automobile, reimbursement shall be limited to the public carrier amount. Pre-approved expenses for transportation in a rental car are limited to the cost of a Class "C" rental car at a medium priced agency unless the number of people traveling on behalf of the school district warrants a larger vehicle.

Pre-approved expense for lodging within the state is limited to \$150.00 per night. Pre-approved expense for lodging outside the state is limited to the rate of a medium priced hotel in the area. Lodging may be pre-approved for a larger amount if special circumstances require the employee to stay at a particular hotel. Pre-approved expenses for meals within the state are limited to \$10 for breakfast, \$15 for lunch and \$25 for dinner. Pre-approved expenses for meals outside the state are limited to \$10 for breakfast, \$15 for lunch and \$25 for dinner. Meals may be pre-approved for a larger amount by the board.

Approved September, 2007

Reviewed 02/09/2015

Revised September 10, 2012

## EMPLOYEE TRAVEL COMPENSATION

### Travel Within the School District

Employees required to travel in their personal vehicle between school district buildings to carry out the duties of their position may be reimbursed at current IRS rate per mile. It shall be the responsibility of the superintendent to approve travel within the school district by employees. It shall be the responsibility of the board to review the travel within the school district by the superintendent through the board's audit and approval process.

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

Legal Reference: Iowa Constitution, Art. III, § 31.  
Iowa Code §§ 70A.9-.11 (2007).  
1980 Op. Att'y Gen. 512.

Cross Reference: 219.3 Board of Directors' Member Compensation and Expenses  
401.11 Transporting of Students by Employees  
401.16 Credit Cards  
905.1 Transporting Students in Private Vehicles

## EMPLOYEE ACTIVITY PASSES

Employee passes to school-sponsored activities may be made available to certain employees as approved by the superintendent. It shall be the responsibility of the employee to obtain the school activity pass.

Legal Reference: Iowa Code § 279.8 (2007).

Cross Reference: 219.5 Activity Passes for Board Members

Approved September, 2007 Reviewed 02/09/2015 Revised \_\_\_\_\_

## RECOGNITION FOR SERVICE OF EMPLOYEES

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

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

Legal Reference: Iowa Const. Art. III, § 31.  
Iowa Code § 279.8 (2007).  
1980 Op. Att'y Gen. 102.

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

Approved September, 2007 Reviewed 02/09/2015 Revised \_\_\_\_\_

## EMPLOYEE POLITICAL ACTIVITY

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

Violation of this policy may be grounds for disciplinary action.

Legal Reference: Iowa Code §§ 55; 279.8 (2007).

Cross Reference: 402.9 Solicitations from Outside  
409.6 Licensed Employee Political Leave  
414.6 Classified Employee Political Leave

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## CREDIT CARDS

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

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

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

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

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

Legal Reference: Iowa Constitution, Art. III, § 31.  
Iowa Code §§ 279.8, .29, .30 (2007).  
281 I.A.C. 12.3(1).

Cross Reference: 219.3 Board of Directors' Member Compensation and Expenses  
401.12 Employee Travel Compensation

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## RELEASE OF CREDIT INFORMATION

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

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

Legal Reference: Iowa Code §§ 22.7; 279.8 (2007).

Cross Reference: 401.6 Employee Records

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## CHILD ABUSE REPORTING

In compliance with state law and to provide protection to victims of child abuse, the board believes incidents of alleged child abuse should be reported to the proper authorities. All licensed school employees, teachers, coaches and paraeducators are mandatory reporters as provided by law and are to report alleged incidents of child abuse they become aware of within the scope of their professional duties.

When a mandatory reporter suspects a student is the victim of child abuse, the mandatory reporter shall make an oral report of the suspected child abuse to the Iowa Department of Human Services within 24 hours of becoming aware of the abusive incident and shall make a written report to the Iowa Department of Human Services within 48 hours following the oral report. If the mandatory reporter believes the child is in immediate danger, the local law enforcement agency shall also be notified.

Within six months of their initial employment, mandatory reporters shall take a two-hour training course involving the identification and reporting of child abuse, or submit evidence they've taken the course within the previous five years. The course shall be re-taken at least every five years.

Legal Reference: Iowa Code §§ 232.67-.77; 232A; 235A; 280.17 (2013).  
441 I.A.C. 9.2; 155; 175.  
1982 Op. Att'y Gen. 390, 417.  
1980 Op. Att'y Gen. 275.

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

Approved September, 2007

Reviewed 01/09/17

Revised 02/13/17

## CHILD ABUSE REPORTING REGULATION

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

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

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

### Child Abuse Defined

"Child abuse" is defined as:

- Any nonaccidental physical injury, or injury which is at variance with the history given of it, suffered by a child as the result of the acts or omissions of a person responsible for the care of the child.
- The commission of a sexual offense with or to a child . . . as a result of the acts or omissions of the person responsible for the child. . . . Sexual offense includes sexual abuse, incest, and sexual exploitation of a minor.
- The failure on the part of a person responsible for the care of a child to provide for the adequate food, shelter, clothing or other care necessary for the child's welfare when financially able to do so, or when offered financial or other reasonable means to do so. A parent or guardian legitimately practicing religious beliefs who does not provide specified medical treatment for a child for that reason alone shall not be considered abusing the child.
- The acts or omissions of a person responsible for the care of a child which allow, permit or encourage the child to engage in acts prohibited pursuant to *Iowa Code*, §725.1 which deals with prostitution.
- Any mental injury to a child's intellectual or psychological capacities evidenced by an observable and substantial impairment in the child's ability to function within the child's normal range of performance and behavior as the result of the acts or omissions of a person responsible for the care of the child, if the impairment is diagnosed by a licensed physician or qualified mental health professional.
- An illegal drug is present in a child's body as a direct and foreseeable consequence of the acts of omissions of the person responsible for the care of the child.
- The person responsible for the care of a child has, in the presence of the child, as defined in section 232.2, subsection 6, paragraph "p", manufactured a dangerous substance, as defined in section 232, subsection 6, paragraph "p", or in the presence of the child possesses a product containing ephedrine, its salts, optical isomers, salts of optical isomers, pseudoephedrine or its salts, with the intent to use the product as a precursor or an intermediary to a dangerous substance.
- The commission of bestiality in the presence of a minor under section 717C.1 by a person who resides in a home with a child, as a result of the acts of omissions of a person responsible for the care of the child.

Teachers in public schools are not "persons responsible for the care of the child" under this definition.

## CHILD ABUSE REPORTING REGULATION

### Reporting Procedures

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

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

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

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

## ABUSE OF STUDENTS BY SCHOOL DISTRICT EMPLOYEES

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

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

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

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

Sample regulations and forms can be found at

[http://iowa.gov/educate/content/view/860/1501/index.php?option=com\\_content&task=view&id=860](http://iowa.gov/educate/content/view/860/1501/index.php?option=com_content&task=view&id=860).

Legal Reference: Iowa Code §§ 232.67, .70, .73, .75; 235A; 272A; 280.17; 709; 728.12(1) (2007).  
281 I.A.C. 12.3(6), 102; 103.  
441 I.A.C. 155; 175.  
1980 Op. Att'y Gen. 275.

Cross Reference: 106 Anti-Bullying/Harassment  
402.2 Child Abuse Reporting  
503.5 Corporal Punishment

Approved September, 2007

Reviewed February 9, 2015

Revised March 9, 2015

ABUSE OF STUDENTS BY SCHOOL DISTRICT EMPLOYEES

COMPLAINT OF INJURY TO OR ABUSE OF A STUDENT BY A SCHOOL DISTRICT EMPLOYEE

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

Student's name and address: \_\_\_\_\_  
\_\_\_\_\_

Student's telephone no.: \_\_\_\_\_

Student's school: \_\_\_\_\_

Accused employee's place of employment: \_\_\_\_\_  
\_\_\_\_\_

Allegation is of \_\_\_\_\_ physical abuse \_\_\_\_\_ sexual abuse\*

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Were there any witnesses to the incident or are there students or persons who may have information about this incident? \_\_\_\_\_yes \_\_\_\_\_no

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

\_\_\_\_\_

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

\_\_\_\_\_ Yes \_\_\_\_\_ No Telephone Number \_\_\_\_\_

ABUSE OF STUDENTS BY SCHOOL DISTRICT EMPLOYEES

COMPLAINT OF INJURY TO OR ABUSE OF A STUDENT BY A SCHOOL DISTRICT EMPLOYEE

Has any professional person examined or treated the student as a result of the incident? \_\_\_\_yes \_\_\_\_no  
\_\_\_\_unknown

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

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Has anyone contacted law enforcement about this incident? \_\_\_\_yes \_\_\_\_no

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

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Your name, address and telephone number:

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Relationship to student: \_\_\_\_\_

\_\_\_\_\_  
Complainant Signature

\_\_\_\_\_  
Witness Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Witness Name (please print)

\_\_\_\_\_  
Witness Address

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

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

ABUSE OF STUDENTS BY SCHOOL DISTRICT EMPLOYEES

REPORT OF LEVEL I INVESTIGATION

Student's name: \_\_\_\_\_

Student's age: \_\_\_\_\_ Student's grade: \_\_\_\_\_

Student's address: \_\_\_\_\_

Student's school: \_\_\_\_\_

Name of accused school employee: \_\_\_\_\_ Building: \_\_\_\_\_

Name and address of person filing report: \_\_\_\_\_

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

Date report of abuse was filed: \_\_\_\_\_

Allegation is of \_\_\_\_\_ physical abuse \_\_\_\_\_ sexual abuse\*

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

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

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

\_\_\_\_ Yes \_\_\_\_ No      Was the right exercised? \_\_\_\_ Yes \_\_\_\_ No

ABUSE OF STUDENTS BY SCHOOL DISTRICT EMPLOYEES

LEVEL I INVESTIGATOR'S REPORT FORM

Were audiotapes made of any interviews? \_\_\_\_yes \_\_\_\_no

Were videotapes made of any interviews? \_\_\_\_yes \_\_\_\_no

Was any action taken to protect the student during or as a result of the investigation? \_\_\_\_yes \_\_\_\_no

If yes, describe:

\_\_\_\_ student excused from school

\_\_\_\_ school employee placed on leave

\_\_\_\_ student assigned to different class

\_\_\_\_ other (please specify)

Level I investigator's conclusions:

\_\_\_\_ **The complaint is being dismissed for lack of jurisdiction.**

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

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

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

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

\_\_\_\_ Alleged school employee is not currently employed by this school district.

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

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

\_\_\_\_ Complaint was withdrawn.

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

ABUSE OF STUDENTS BY SCHOOL DISTRICT EMPLOYEES

LEVEL I INVESTIGATOR'S REPORT FORM

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

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

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

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

Current status of investigation:

\_\_\_\_\_ Closed. No further investigation is warranted.

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

\_\_\_\_\_ Deferred to law enforcement officials.

\_\_\_\_\_ Turned over to Level II investigator.

Other comments: \_\_\_\_\_

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

\_\_\_\_\_  
Name of investigator (please print)

\_\_\_\_\_  
Investigator's place of employment

\_\_\_\_\_  
Signature of investigator

\_\_\_\_\_  
Date

## ABUSE OF STUDENTS BY SCHOOL DISTRICT EMPLOYEES REGULATION

An individual who has knowledge an employee has physically or sexually abused a student may immediately report it to high school principal or K-8 guidance counselor, who are the school district's Level I investigators. The dean of students is the alternate Level I investigator. "Employee" means one who works for pay or as a volunteer under the direction and control of the school district. The report shall be written, signed and witnessed by a person of majority age. The witness may be the Level I investigator. The reporter is the individual filing the report. The report shall contain the following:

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

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

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

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

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

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

## ABUSE OF STUDENTS BY SCHOOL DISTRICT EMPLOYEES REGULATION

### Physical Abuse Allegations

When physical abuse is reported, the Level I investigator shall make copies of the report and give a copy to the person filing the report, the students' parents and the immediate supervisor of the employee named in the report.

The employee named in the report shall not receive a copy of the report until the employee is initially interviewed.

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

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

The written investigative report shall include:

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

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

## ABUSE OF STUDENTS BY SCHOOL DISTRICT EMPLOYEES REGULATION

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

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

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

- a. Using reasonable and necessary force, not designed or intended to cause pain:
  - (1) To quell a disturbance or prevent an act that threatens physical harm to any person.
  - (2) To obtain possession of a weapon or other dangerous object within a pupil's control.
  - (3) For the purposes of self-defense or defense of others as provided for in *Iowa Code* § 704.3.
  - (4) For the protection of property as provided for in *Iowa Code* §§ 704.4, .5.
  - (5) To remove a disruptive pupil from class, or any area of school premises or from school-sponsored activities off school premises.
  - (6) To prevent a student from the self-infliction of harm.
  - (7) To protect the safety of others.
- b. Using incidental, minor, or reasonable physical contact to maintain order and control.

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

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

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

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

## ABUSE OF STUDENTS BY SCHOOL DISTRICT EMPLOYEES REGULATION

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

### Sexual Abuse

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

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

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

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

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

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

If the Level I investigator determines an incident occurred, while not an illegal sex act with a student or sexual exploitation of a student, but where the employee engaged in inappropriate, intentional sexual behavior, further investigation is warranted.

## ABUSE OF STUDENTS BY SCHOOL DISTRICT EMPLOYEES REGULATION

If further investigation is warranted, the Level I investigator may proceed to interview the employee and other individuals who may have knowledge of the circumstances contained in the report. Prior to interviewing other individuals who may have knowledge of the circumstance contained in the report, the Level I investigator shall provide notice of the impending interview of student witnesses or the student who is in pre-kindergarten through grade six, to their parent, guardian, or legal custodian, and may provide notice to the parent or guardian of older students, prior to interviewing those students. The Level I investigator shall, if founded, arrange for the Level II investigator to further investigate the allegations.

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

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

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

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

## ABUSE OF STUDENTS BY SCHOOL DISTRICT EMPLOYEES REGULATION

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

In cases involving founded physical or sexual abuse by a licensed employee, the board shall notify the Iowa Board of Educational Examiners. Information of unfounded abuse at Level I or Level II shall not be kept in the employee's personnel file. If the Level I investigative report is founded but Level II is unfounded, then the Level I report shall be removed from the employee's permanent file. Notes, tapes memorandums and related materials compiled in the investigations must be kept for two years.

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

## GIFTS TO EMPLOYEES

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

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

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

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

- Contributions to a candidate or a candidate's committee;
- Information material relevant to an employee's official function, such as books, pamphlets, reports, documents, periodicals or other information that is recorded in a written, audio or visual format;
- Anything received from a person related within the fourth degree by kinship or marriage, unless the donor is acting as an agent or intermediary for another person not so related;
- An inheritance;
- Anything available or distributed to the general public free of charge without regard to the official status of the employee;
- Items received from a charitable, professional, educational or business organization to which the employee belongs as a dues paying member if the items are given to all members of the organization without regard to an individual member's status or positions held outside of the organization and if the dues paid are not inconsequential when compared to the items received;
- Actual expenses of an employee for food, beverages, travel and lodging for a meeting, which is given in return for participation in a panel or speaking engagement at the meeting when the expenses relate directly to the day or days on which the employee has participation or presentation responsibilities;
- Plaques or items of negligible resale value given as recognition for public service;
- Nonmonetary items with a value of less than three dollars that are received from any one donor during one calendar day;
- Items or services solicited or given to a state, national or regional organization in which the state of Iowa or a school district is a member for purposes of a business or educational conference, seminar or other meeting or solicited by or given for the same purposes to state, national or regional government organizations whose memberships and officers are primarily composed of state or local government officials or employees for purposes of a business or educational conference, seminar or other meeting;

## GIFTS TO EMPLOYEES

- Items or services received by members or representatives of members as part of a regularly scheduled event that is part of a business or educational conference, seminar or other meeting that is sponsored and directed by any state, national or regional government organization in which the state of Iowa or a political subdivision of the state of Iowa is a member or received at such an event by members or representatives of members of state, national or regional government organizations whose memberships and officers are primarily composed of state or local government officials or employees;
- Funeral flowers or memorials to a church or nonprofit organization;
- Gifts which are given to an employee for the employee's wedding or twenty-fifth or fiftieth wedding anniversary;
- Payment of salary or expenses by the school district for the cost of attending a meeting of a subunit of an agency when the employee whose expenses are being paid serves on a board, commission, committee, council or other subunit of the agency and the employee is not entitled to receive compensation or reimbursement of expenses from the school district for attending the meeting; or
- Gifts other than food, beverages, travel and lodging received by an employee which are received from a person who is a citizen of a country other than the United States and is given during a ceremonial presentation or as a result of a custom of the other country and is of personal value only to the employee.
- Actual registration costs for informational meetings or sessions which assist a public official or public employee in the performance of the person's official functions. The costs of food, drink, lodging and travel are not "registration costs" under this paragraph. Meetings or sessions which a public official or public employee attends for personal or professional licensing purposes are not "informational meetings or sessions which assist a public official or public employee in the performance of the person's official functions" under this paragraph.

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

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

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

Legal References: Iowa Code ch. 68B (2007).  
1972 Op. Att'y Gen. 276.  
1970 Op. Att'y Gen. 319.

Cross References: 221 Gifts to Board of Directors  
401.3 Employee Conflict of Interest  
704.4 Gifts-Grants-Bequests

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## PUBLIC COMPLAINTS ABOUT EMPLOYEES

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

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

- (a) Matters 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 for licensed employees and the superintendent for classified employees.
- (c) Unsettled matters regarding licensed employees from (b) above or problems and questions concerning the school district should be directed to the superintendent.
- (d) If a matter cannot be settled satisfactorily by the superintendent, it may then be brought to the board. To bring a concern regarding an employee, the individual may notify the board president in writing, who may bring it to the attention of the entire board, or the item may be placed on the board agenda of a regularly scheduled board meeting in accordance with board policy 214.1.

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

Legal Reference: Iowa Code § 279.8 (2007).

Cross Reference: 214.1 Board Meeting Agenda  
215 Public Participation in Board Meetings

Approved September, 2007 Reviewed 02/09/2015 Revised \_\_\_\_\_

## EMPLOYEE RELATIONS TO THE PUBLIC

Members of the school district community shall be treated with respect by employees. The board encourages active participation by employees in community activities and events.

It shall be the responsibility of employees as they participate in various community groups and events, to make a conscientious effort to make the school district and its events a real part of the community. Employees shall take advantage of their participation in the community to look for opportunities in which the community and school district can join forces for the betterment of the school district and the community.

Legal Reference: Iowa Code § 279.8 (2007).

Cross Reference: 303.7 Superintendent Civic Activities  
304.8 Administrator Civic Activities  
904 Public Participation in the School District

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## EMPLOYEE OUTSIDE EMPLOYMENT

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

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

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

Legal Reference: Iowa Code §§ 20.7; 279.8 (2007).

Cross Reference: 401.3 Employee Conflict of Interest  
408.3 Licensed Employee Tutoring

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## EMPLOYEE TELEPHONE CALLS

The board recognizes the need of employees to receive and make telephone calls during working hours. Telephone calls related to education program business shall be made in the classroom and will be paid by the school district.

Employees may receive and make personal telephone calls during lunches, breaks, or preparation periods. Employees may receive an emergency telephone call at any time.

The telephone in the classroom is available for personal telephone calls. This telephone may only be used for local personal telephone calls; all other calls must be paid for by the employee. It shall be the responsibility of the employee to exercise discretion in making and receiving telephone calls during working hours.

Legal Reference: Iowa Code §§ 20.9; 279.8 (2007).

Cross Reference: 401.9 Use of School District Facilities & Equipment by Employees

Approved September, 2007 Reviewed 02/09/2015 Revised \_\_\_\_\_

## SOLICITATIONS FROM OUTSIDE

Generally, employees should be free from solicitations at their place of employment. No organization or individuals, including employees, may solicit or distribute flyers or other materials within school district facilities or on school district grounds without the approval of the superintendent.

No employee shall be made responsible, or assume responsibility, for the collection of money or the distribution of fund drive literature within the school district unless such activity is voluntary and has been approved by the superintendent.

Legal Reference: Iowa Code § 279.8 (2007).

Cross Reference: 401.15 Employee Political Activity  
504.6 Student Fund-Raising  
905 Community Activities Involving Students

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## EMPLOYEE PHYSICAL EXAMINATIONS

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

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

The cost of the initial examination will be paid by the school district up to \$15. The form indicating the employee is able to perform the duties for which the employee was hired must be returned prior to payment of salary. The cost of bus driver renewal physicals will be paid by the school district up to a maximum of \$60. The school district will provide the standard examination form to be completed by the personal physician of the employee. Employees identified as having reasonably anticipated contact with blood or infectious materials will receive the Hepatitis B vaccine or sign a written waiver stating that they will not take the vaccine.

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

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

Legal Reference: 29 C.F.R. Pt. 1910.1030 (2004).  
Iowa Code §§ 20.9; 279.8, 321.376 (2007).  
281 I.A.C. 12.4(14); 43.15 -.20.

Cross Reference: 403 Employees' Health and Well-Being

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## EMPLOYEE INJURY ON THE JOB

When an employee becomes seriously injured on the job, the employee's supervisor will attempt to notify a member of the family, or an individual of close relationship, as soon as the employee's supervisor becomes aware of the injury.

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

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

It shall be the responsibility of the board secretary to file worker's comp claims.

Legal Reference: Iowa Code §§ 85; 279.40; 613.17 (2007).  
1972 Op. Att'y Gen. 177.

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

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Revised \_\_\_\_\_

## COMMUNICABLE DISEASES - EMPLOYEES

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

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

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

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

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

Legal Reference:     School Board of Nassau County v. Arline, 480 U.S. 273 (1987).  
                               29 U.S.C. §§ 794, 1910 (2004).  
                               42 U.S.C. §§ 12101 *et seq.* (2004).  
                               45 C.F.R. Pt. 84.3 (2004).  
                               Iowa Code chs. 139; 141 (2007).  
                               641 I.A.C. 1.2-.7.

Cross Reference:     401.6   Employee Records  
                               403.1   Employee Physical Examinations  
                               507.3   Communicable Diseases - Students

Approved September, 2007

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## HEPATITIS B VACCINE INFORMATION AND RECORD

### The Disease

Hepatitis B is a viral infection caused by the Hepatitis B virus (HBV) which causes death in 1-2% of those infected. Most people with HBV recover completely, but approximately 5-10% becomes chronic carriers of the virus. Most of these people have no symptoms, but can continue to transmit the disease to others. Some may develop chronic active hepatitis and cirrhosis. HBV may be a causative factor in the development of liver cancer. Immunization against HBV can prevent acute hepatitis and its complications.

### The Vaccine

The HBV vaccine is produced from yeast cells. It has been extensively tested for safety and effectiveness in large scale clinical trials.

Approximately 90 percent of healthy people who receive two doses of the vaccine and a third dose as a booster achieve high levels of surface antibody (anti-HBs) and protection against the virus. The HBV vaccine is recommended for workers with potential for contact with blood or body fluids. Full immunization requires three doses of the vaccine over a six-month period, although some persons may not develop immunity even after three doses.

There is no evidence that the vaccine has ever caused Hepatitis B. However, persons who have been infected with HBV prior to receiving the vaccine may go on to develop clinical hepatitis in spite of immunization.

### Dosage and Administration

The vaccine is given in three intramuscular doses in the deltoid muscle. Two initial doses are given one month apart and the third dose is given six months after the first.

### Possible Vaccine Side Effects

The incidence of side effects is very low. No serious side effects have been reported with the vaccine. Ten to 20 percent of persons experience tenderness and redness at the site of injection and low grade fever. Rash, nausea, joint pain, and mild fatigue have also been reported. The possibility exists that other side effects may be identified with more extensive use.

## HEPATITIS B VACCINE INFORMATION AND RECORD

### Consent Of Hepatitis B Vaccination

I have knowledge of Hepatitis B and the Hepatitis B vaccination. I have had an opportunity to ask questions of a qualified nurse or physician and understand the benefits and risks of Hepatitis B vaccination. I understand that I must have three doses of the vaccine to obtain immunity. However, as with all medical treatment, there is no guarantee that I will become immune or that I will not experience side effects from the vaccine. I give my consent to be vaccinated for Hepatitis B.

\_\_\_\_\_  
Signature of Employee (consent for Hepatitis B vaccination)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Witness

\_\_\_\_\_  
Date

### Refusal of Hepatitis B Vaccination

I understand that due to my occupational exposure to blood or other potentially infectious materials I may be at risk of acquiring the Hepatitis B virus infection. I have been given the opportunity to be vaccinated with Hepatitis B vaccine at no charge to myself. However, I decline the Hepatitis B vaccination at this time. I understand that by declining this vaccine, I continue to be at risk of acquiring Hepatitis B, a serious disease. If in the future I continue to have occupational exposure to blood or other potentially infectious materials and I want to be vaccinated with the Hepatitis B vaccine, I can receive the vaccination series at no charge to me.

\_\_\_\_\_  
Signature of Employee (refusal for Hepatitis B vaccination)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Witness

\_\_\_\_\_  
Date

I refuse because I believe I have (check one)

\_\_\_\_\_ started the series

\_\_\_\_\_ completed the series

## HEPATITIS B VACCINE INFORMATION AND RECORD

### Release for Hepatitis B Medical Information

I hereby authorize \_\_\_\_\_ (individual or organization holding Hepatitis B records and address) to release to the Durant Community School District, my Hepatitis B vaccination records for required employee records.

I hereby authorize release of my Hepatitis B status to a health care provider, in the event of an exposure incident.

\_\_\_\_\_  
Signature of Employee

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Witness

\_\_\_\_\_  
Date

## HEPATITIS B VACCINE INFORMATION AND RECORD

### Confidential Record

\_\_\_\_\_  
Employee Name (last, first, middle)

\_\_\_\_\_  
Social Security No.

Job Title: \_\_\_\_\_

	Hepatitis B Vaccination Date	Lot Number	Site	Administered by
1	_____	_____	_____	_____
2	_____	_____	_____	_____
3	_____	_____	_____	_____

Additional Hepatitis B status information:

\_\_\_\_\_

\_\_\_\_\_

Post-exposure incident: (Date, time, circumstances, route under which exposure occurred)

\_\_\_\_\_

\_\_\_\_\_

Identification and documentation of source individual:

\_\_\_\_\_

Source blood testing consent:

\_\_\_\_\_

Description of employee's duties as related to the exposure incident:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Copy of information provided to health care professional evaluating an employee after an exposure incident:

\_\_\_\_\_

\_\_\_\_\_

Attach a copy of all results of examinations, medical testing, follow-up procedures, and health care professional's written opinion.

Training Record: (date, time, instructor, location of training summary)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

## UNIVERSAL PRECAUTIONS REGULATION

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

### Hand Washing

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

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

### Barriers

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

### Disposal of Waste

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

## UNIVERSAL PRECAUTIONS REGULATION

### Clean up

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

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

### Laundry

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

### Exposure

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

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

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

## HAZARDOUS CHEMICAL DISCLOSURE

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

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

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

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

Legal Reference: 29 C.F.R. Pt. 1910; 1200 *et seq.* (2004).  
Iowa Code chs. 88; 89B (2007).  
347 I.A.C. 120.

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

Approved September, 2007

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Revised \_\_\_\_\_

## SUBSTANCE-FREE WORKPLACE

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

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

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

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

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

Legal Reference: 41 U.S.C. §§ 701-707 (2004).  
 42 U.S.C. §§ 12101 *et seq.* (2004).  
 34 C.F.R. Pt. 85 (2004).  
 Iowa Code §§ 123.46; 124; 279.8 (2007).

Cross Reference: 404 Employee Conduct and Appearance

Approved September, 2007 Reviewed 02/09/2015 Revised \_\_\_\_\_

## SUBSTANCE-FREE WORKPLACE NOTICE TO EMPLOYEES

EMPLOYEES ARE HEREBY NOTIFIED it is a violation of the Substance-Free Workplace policy for an employee to unlawfully manufacture, distribute, dispense, possess, use, or be under the influence of in the workplace any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana or any other controlled substance or alcohol, as defined in Schedules I through V of section 202 of the Controlled Substances Act (21 U.S.C. 812) and as further defined by regulation at 21 C.F.R. 1300.11 through 1300.15 and *Iowa Code* Chapter 204.

"Workplace" is defined as the site for the performance of work done in the capacity as a employee. This includes school district facilities, other school premises or school district vehicles. Workplace also includes nonschool property if the employee is at any school-sponsored, school-approved or school-related activity, event or function, such as field trips or athletic events where students are under the control of the school district or where the employee is engaged in school business.

Employees who violate the terms of the Substance-Free Workplace policy may be required to successfully participate in a substance abuse treatment program approved by the board. The superintendent retains the discretion to discipline an employee for violation of the Substance-Free Workplace policy. If the employee fails to successfully participate in such a program the employee shall be subject to discipline up to and including termination.

EMPLOYEES ARE FURTHER NOTIFIED it is a condition of their continued employment that they comply with the above policy of the school district and will notify their supervisor of their conviction of any criminal drug statute for a violation committed in the workplace, no later than five days after the conviction.

## SUBSTANCE-FREE WORKPLACE ACKNOWLEDGMENT FORM

I, \_\_\_\_\_, have read and understand the Substance-Free Workplace policy. I understand that if I violate the Substance-Free Workplace policy, I may be subject to discipline up to and including termination or I may be required to participate in a substance abuse treatment program. If I fail to successfully participate in a substance abuse treatment program, I understand I may be subject to discipline up to and including termination. I understand that if I am required to participate in a substance abuse treatment program and I refuse to participate, I may be subject to discipline up to and including termination. I also understand that if I am convicted of a criminal drug offense committed in the workplace, I must report that conviction to my supervisor within five days of the conviction.

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 (Signature of Employee)

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 (Date)

## SUBSTANCE-FREE WORKPLACE REGULATION

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

1. **Identification** - the superintendent shall document the evidence the superintendent has which leads the superintendent to conclude the employee has violated the Substance-Free Workplace policy. After the superintendent has determined there has been a violation of the Substance-Free Workplace policy, the superintendent shall discuss the problem with the employee.
2. **Discipline** - if, after the discussion with the employee, the superintendent determines there has been a violation of the Substance-Free Workplace policy, the superintendent may recommend discipline up to and including termination or may recommend the employee seek substance abuse treatment. Participation in a substance abuse treatment program is voluntary.
3. **Failure to participate in referral** – if the employee refuses to participate in a substance abuse treatment program or if the employee does not successfully complete a substance abuse treatment program, the employee may be subject to discipline up to and including termination.
4. **Conviction** - if an employee is convicted of a criminal drug offense committed in the workplace, the employee must notify the employer of the conviction within five days of the conviction.

## DRUG AND ALCOHOL TESTING PROGRAM

Employees who operate school vehicles classified as “commercial motor vehicles” by the U.S. Department of Transportation, and are required to possess a commercial driver’s license (CDL) to operate those vehicles, are subject to drug and alcohol testing. A “commercial motor vehicle” is a vehicle that transports sixteen or more persons including the driver or has a gross vehicle weight rating (GVWR) of 26,001 pounds or more. For purposes of the drug and alcohol testing program, the term "employees" includes applicants who have been offered a position to operate a commercial motor vehicle owned by the school.

Employees or employee applicants that will operate a school vehicle as described above are subject to pre-employment drug testing prior to being allowed to perform a safety sensitive function using the school vehicle. In addition, employees will be subject to random, reasonable suspicion and post-accident drug and alcohol testing. Employees operating school vehicles will not perform a safety-sensitive function within four hours of using alcohol. Employees governed by this policy are subject to the drug and alcohol testing program beginning the first day they operate or are offered a position to operate school vehicles and continue to be subject to the drug and alcohol testing program as long as they may be required to perform a safety-sensitive function as it is defined in the administrative regulations. Employees with questions about the drug and alcohol testing program may contact the school district contact person; superintendent at Durant Community School District, 408 – 7<sup>th</sup> Street, Durant Iowa 52747.

Employees who violate the terms of this policy are subject to discipline, up to and, including termination.

It is the responsibility of the superintendent to develop administrative regulations to implement this policy in compliance with the law. The superintendent will inform applicants of the requirement for drug and alcohol testing in notices or advertisements for employment.

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

Compliance with the regulations is the responsibility of the school district even if the school district uses a service provider. Boards need to determine who will be responsible for administering the drug and alcohol testing program in the second paragraph and make that determination throughout the policies and regulations.

Legal Reference: American Trucking Association, Inc., v. Federal Highway Administration, 51 Fed. 3<sup>rd</sup> 405 (4<sup>th</sup> Cir. 1995).  
 49 U.S.C. §§ 5331 et seq. (2004).  
 42 U.S.C. §§ 12101 (2004).  
 41 U.S.C. §§ 701-707 (2004).  
 49 C.F.R. Pt. 40; 382; 391.81-123 (2004).  
 34 C.F.R. Pt. 85 (2004).  
 Local 301, Int'l Assoc. of Fire Fighters, AFL-CIO, and City of Burlington, PERB No. 3876 (3-26-91).  
 Iowa Code §§ 124; 279.8; 321.375(2); 730.5 (2007).

Cross Reference: 403.5 Substance-Free Workplace  
 409.2 Licensed Employee Personal Illness Leave  
 414.2 Classified Employee Personal Illness Leave

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Revised \_\_\_\_\_

## DRUG AND ALCOHOL TESTING PROGRAM NOTICE TO EMPLOYEES

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

Employees who operate school vehicles classified as “commercial motor vehicles” by the U.S. Department of Transportation are subject to drug and alcohol testing. A “commercial motor vehicle” is a vehicle that transports sixteen or more persons including the driver or has a gross vehicle weight rating (GVWR) of 26,001 pounds or more. For purposes of the drug and alcohol-testing program, "employees" also includes applicants who have been offered a position to operate a commercial motor vehicle owned by the school. Employees that will operate a school-owned commercial motor vehicle are subject to the drug and alcohol testing program regulations beginning the first day they are offered a position to operate a school vehicle and continue to be subject to the drug and alcohol testing program until such time employment is terminated or the employee will no longer operate, at any time, a commercial motor vehicle for the school.

It is the responsibility of the superintendent to inform employees of the drug and alcohol testing program requirements. Employees with questions regarding the drug and alcohol testing requirements will contact the school district's contact person.

EMPLOYEES GOVERNED BY THE DRUG AND ALCOHOL TESTING POLICY ARE FURTHER NOTIFIED that employees violating this policy, its supporting documents or regulations will be subject to discipline up to and including termination.

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

DRUG & ALCOHOL PROGRAM AND PRE-EMPLOYMENT TESTING  
ACKNOWLEDGMENT FORM

I, ( *Name of Employee* ), have received a copy, read and understand the Drug and Alcohol Testing Program policy of the Durant Community School District and its supporting documents.

I understand that if I violate the Drug and Alcohol Testing Program policy, its supporting documents or the law, I may be subject to discipline up to and including termination.

I also understand that I must inform my supervisor of any prescription medication I use.

In addition, I have received a copy of the U.S. DOT publication, "What Employees Need to Know about DOT Drug & Alcohol Testing," and have read and understand its contents.

Furthermore, I know and understand that I am required to submit to a controlled substance (drug) test, the results of which must be received by this employer before being employed by the school district and before being allowed to perform a safety-sensitive function. I also understand that if the results of the pre-employment test are positive, that I will not be considered further for employment with the school district.

I further understand that drug and alcohol testing records and information about me are confidential, and may be released at my request or in accordance with the district's drug and alcohol testing program policy, its supporting documents or the law.

---

(Signature of Employee)

---

(Date)

## EMPLOYEE CONDUCT AND APPEARANCE

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

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

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

Legal Reference: Iowa Code § 279.8 (2007).  
282 I.A.C. 13.

Cross Reference: 307 Administrator Code of Ethics  
401.1 Employee Orientation  
106 Anti-Bullying/Harassment  
403.5 Substance-Free Workplace  
407 Licensed Employee Termination of Employment  
413 Classified Employee Termination of Employment

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## CODE OF PROFESSIONAL CONDUCT AND ETHICS REGULATION

Chapter 25**282—25.1(272) Scope of standards.**

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

**282—25.2(272) Definitions.**

Except where otherwise specifically defined by law:

*“Administrative and supervisory personnel”* means any licensed employee such as superintendent, associate superintendent, assistant superintendent, principal, associate principal, assistant principal, or other person who does not have as a primary duty the instruction of pupils in the schools.

*“Board”* means the Iowa board of educational examiners.

*“Discipline”* means the process of sanctioning a license, certificate or authorization issued by the board.

*“Ethics”* means a set of principles governing the conduct of all persons governed by these rules.

*“Fraud”* means knowingly providing false information or representations on an application for licensure or employment, or knowingly providing false information or representations made in connection with the discharge of duties.

*“License”* means any license, certificate, or authorization granted by the board.

*“Licensee”* means any person holding a license, certificate, or authorization granted by the board.

*“Practitioner”* means an administrator, teacher, or other school personnel, who provides educational assistance to students and who holds a license, certificate, or other authorization issued by the board.

*“Responsibility”* means a duty for which a person is accountable by virtue of licensure.

*“Right”* means a power, privilege, or immunity secured to a person by law.

*“Student”* means a person, regardless of age, enrolled in a pre-kindergarten through grade 12 school, who is receiving direct or indirect assistance from a person licensed by the board.

*“Teacher”* means any person engaged in the instructional program for pre-kindergarten through grade 12 children, including a person engaged in teaching, administration, and supervision, and who is required by law to be licensed for the position held.

**282—25.3(272) Standards of professional conduct and ethics.**

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

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

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

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

## CODE OF PROFESSIONAL CONDUCT AND ETHICS REGULATION

1. Any of the following forcible felonies included in *Iowa Code* § 702.11: child endangerment, assault, murder, sexual abuse, or kidnapping;
  2. Any of the following criminal sexual offenses, as provided in *Iowa Code* Ch. 709, involving a child:
    - First-, second- or third-degree sexual abuse committed on or with a person who is under the age of 18;
    - Lascivious acts with a child;
    - Detention in a brothel;
    - Assault with intent to commit sexual abuse;
    - Indecent contact with a child;
    - Sexual exploitation by a counselor;
    - Lascivious conduct with a minor; or
    - Sexual exploitation by a school employee;
  3. Incest involving a child as prohibited by *Iowa Code* § 726.2;
  4. Dissemination and exhibition of obscene material to minors as prohibited by *Iowa Code* § 728.2; or
  5. Telephone dissemination of obscene material to minors as prohibited by *Iowa Code* § 728.15.
- (2) Other criminal convictions and founded child abuse. In determining whether a person should be denied a license or whether a licensee should be disciplined based upon any other criminal conviction, including a conviction for an offense listed in 25.3(1) “b”(1) which occurred before July 1, 2002, or a founded report of abuse of a child, the board shall consider:
1. The nature and seriousness of the crime or founded abuse in relation to the position sought;
  2. The time elapsed since the crime or founded abuse was committed;
  3. The degree of rehabilitation which has taken place since the crime or founded abuse was committed;
  4. The likelihood that the person will commit the same crime or abuse again;
  5. The number of criminal convictions or founded abuses committed; and
  6. Such additional factors may, as in a particular case demonstrate mitigating circumstances or heightened risk to public safety.
- c. *Sexual involvement or indecent contact with a student.* Sexual involvement includes, but is not limited to, the following acts, whether consensual or nonconsensual: fondling or touching the inner thigh, groin, buttocks, anus or breasts of a student; permitting or causing to fondle or touch the practitioner’s inner thigh, groin, buttocks, anus, or breasts; or the commission of any sex act as defined in *Iowa Code* § 702.17.
- d. *Sexual exploitation of a minor.* The commission of or any conviction for an offense prohibited by *Iowa Code* § 728.12, *Iowa Code* Ch. 709 or 18 U.S.C. § 2252A(a)(5)(B).
- e. *Student abuse.* Licensees shall maintain professional relationships with all students, both inside and outside the classroom. The following acts or behavior constitutes unethical conduct without regard to the existence of a criminal charge or conviction:
- (1) Committing any act of physical abuse of a student;
  - (2) Committing any act of dependent adult abuse on a dependent adult student;
  - (3) Committing or soliciting any sexual or otherwise indecent act with a student or any minor;
  - (4) Soliciting, encouraging, or consummating a romantic or otherwise inappropriate relationship with a student;
  - (5) Furnishing alcohol or illegal or unauthorized drugs or drug paraphernalia to any student or knowingly allowing a student to consume alcohol or illegal or unauthorized drugs in the presence of the licensee; or
  - (6) Failing to report any suspected act of child or dependent adult abuse as required by state law.

CODE OF PROFESSIONAL CONDUCT AND ETHICS REGULATION

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

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

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

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

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

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

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

- a. Violation of this standard includes:
  - (1) Signing a written professional employment contract while under contract with another school, school district, or area education agency.
  - (2) Asking a practitioner to sign a written professional employment contract before the practitioner has been unconditionally released from a current contract. An administrator shall make a good faith effort to determine whether the practitioner has been released from the current contract.
  - (3) Abandoning a written professional employment contract without prior unconditional release by the employer.
  - (4) As an employer, executing a written professional employment contract with a practitioner, which requires the performance of duties that the practitioner is not legally qualified to perform.
  - (5) As a practitioner, executing a written professional employment contract, which requires the performance of duties that the practitioner is not legally qualified to perform.
- b. In addressing complaints based upon contractual obligations, the board shall consider factors beyond the practitioner's control. For purposes of enforcement of this standard, a practitioner will not be found to have abandoned an existing contract if:
  - (1) The practitioner obtained a release from the employing board before discontinuing services under the contract; or

CODE OF PROFESSIONAL CONDUCT AND ETHICS REGULATION

- (2) The practitioner provided notice to the employing board no later than the latest of the following dates:
1. The practitioner's last work day of the school year;
  2. The date set for return of the contract as specified in statute; or
  3. June 30.

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

- a. Denying the student, without just cause, access to varying points of view.
- b. Deliberately suppressing or distorting subject matter for which the educator bears responsibility.
- c. Failing to make reasonable effort to protect the health and safety of the student or creating conditions harmful to student learning.
- d. Conducting professional business in such a way that the practitioner repeatedly exposes students or other practitioners to unnecessary embarrassment or disparagement.
- e. Engaging in any act of illegal discrimination, or otherwise denying a student or practitioner participation in the benefits of any program on the grounds of race, color, religion, age, sex, disability, marital status, national origin, or membership in a definable minority.
- f. Soliciting students or parents of students to purchase equipment, supplies, or services from the practitioner for the practitioner's personal advantage.
- g. Accepting gifts from vendors or potential vendors where there may be the appearance of or an actual conflict of interest.
- h. Intentionally disclosing confidential information including, but not limited to, unauthorized sharing of information concerning student academic or disciplinary records, health and medical information, assessment or testing results, or family income. Licensees shall comply with state and federal laws and local school board policies relating to the confidentiality of student records, unless disclosure is required or permitted by law.
- i. Refusing to participate in a professional inquiry when requested by the board.
- j. Aiding, assisting, or abetting an unlicensed person in the completion of acts for which licensure is required.
- k. Failing to self-report to the board within 60 days any founded child abuse report, or any conviction for a criminal offense listed in 25.3(1) "b"(1) which requires revocation of the practitioner's license.
- l. Delegating tasks to unqualified personnel.
- m. Failing to comply with federal, state, and local laws applicable to the fulfillment of professional obligations.
- n. Allowing another person to use one's practitioner license for any purpose.
- o. Performing services beyond the authorized scope of practice for which the individual is licensed or prepared.

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

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

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

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

These rules are intended to implement *Iowa Code* § 272.2(1) "a

## CODE OF RIGHTS AND RESPONSIBILITIES REGULATION

## Chapter 26

**282—26.1(272) Purpose.** The code of professional conduct and ethics in 282—Chapter 25 defines unprofessional and unethical conduct justifying disciplinary sanction. The board acknowledges that the discharge of professional obligations should occur in recognition of certain fundamental rights and responsibilities. Accordingly, the board recognizes the following rights and responsibilities of all educators licensed under *Iowa Code Ch. 272* and agrees that the exercise of these rights and responsibilities may present mitigating facts and circumstances in the board's evaluation of allegations of unprofessional or unethical conduct.

**282—26.2(272) Rights.** Educators licensed under *Iowa Code Ch. 272* have the following rights:

1. The educator has a right to be licensed and endorsed under professional standards established and enforced by the board.
2. The educator has a right to refuse assignments for which the educator is not legally authorized, in terms of holding a valid Iowa license with the appropriate endorsement(s) or approval(s).
3. The educator has a right, subject to board and administrator authority, to exercise professional judgment in the evaluation, selection, and use of teaching methods and instructional materials appropriate to the needs, abilities, and background of each student.

**282—26.3(272) Responsibilities.** Educators licensed under *Iowa Code Ch. 272* have the following responsibilities:

1. The educator has a responsibility to maintain and improve the educator's professional competence.
2. The educator has a responsibility to accept only those assignments for which the educator is legally authorized.
3. The educator has a responsibility to provide conditions that are conducive to teaching and student learning.
4. The educator shall protect students from conditions harmful to learning or to health or safety.
5. The educator shall not, without just cause, restrain a student from independent action in the pursuit of learning and shall not, without just cause, deny a student access to varying points of view.
6. The educator shall not use professional relationships with students for personal advantage.
7. The educator shall not discriminate against any student on the grounds of national or ethnic origin, religion, age, sex, disability, membership in a definable minority, or marital status, nor grant any discriminatory consideration or advantage.
8. The educator shall accord just and equitable treatment to all members of the profession.
9. The educator shall keep in confidence personally identifiable information regarding a student or the student's family members that has been obtained in the course of professional service, unless disclosure is required by law or is necessary for the personal safety of the student or others.
10. The educator who has reasonable basis to believe that a student has been abused, as defined by law, shall make all reports required by law and the *Iowa Administrative Code* and which are necessary to ensure the safety and well-being of the student.
11. In the administration of discipline, the educator shall treat all students with respect and in compliance with all policies of the school district served by the educator.
12. The educator shall provide accurate, truthful, and complete information to the board and to the local education system concerning all licensure transactions.
13. The educator shall not refuse to participate in a professional inquiry, when requested by the board.
14. The educator shall not require or direct another educator to violate any provisions of the code of professional conduct and ethics or any rights of a student, parent, educator or citizen.
15. The educator shall not delegate assigned tasks to unqualified personnel.

These rules are intended to implement *Iowa Code § 272.2(1)“a.*

## LICENSED EMPLOYEE DEFINED

Licensed employees, including administrators, are those employees required to hold an appropriate license from the Iowa Department of Education for their position as required by the Iowa Board of Educational Examiners or others with professional licenses. Licenses required for a position will be considered met if the employee meets the requirements established by the Iowa Department of Education.

It shall be the responsibility of the superintendent to establish job specifications and job descriptions for licensed employees' positions, other than the position of the superintendent. Job descriptions may be approved by the board.

Licensed employees must present evidence of current license to the board secretary prior to payment of salary each year.

Legal Reference: Clay v. Independent School District of Cedar Falls, 187 Iowa 89, 174 N.W. 47 (1919).  
Iowa Code §§ 256.7(3); 272.6; 272A; 279.8; 294.1 (2007).  
282 I.A.C. 14.  
281 I.A.C. 12.4; 41.25.  
1940 Op. Att'y Gen. 375.

Cross Reference: 405.2 Licensed Employee Qualifications, Recruitment Selection  
410.1 Substitute Teachers  
411.1 Classified Employee Defined

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## LICENSED EMPLOYEE QUALIFICATIONS, RECRUITMENT, SELECTION

Persons interested in a licensed position, other than administrative positions which will be employed in accordance with board policies in Series 300, "Administration," will have an opportunity to apply and qualify for licensed positions in the school district in accordance with applicable laws and school district policies regarding equal employment. Job applicants for licensed positions will be considered on the basis of the following:

- Training, experience, and skill;
- Nature of the occupation;
- Demonstrated competence; and
- Possession of, or ability to obtain, state license if required for the position.

All job openings shall be submitted to the Iowa Department of Education for posting on TeachIowa, the online state job posting system. Additional announcements of the position may occur in a manner which the superintendent believes will inform potential applicants about the position. Whenever possible, the preliminary screening of applicants will be conducted by the administrator who will be directly supervising and overseeing the person being hired.

The board will employ licensed employees after receiving a recommendation from the superintendent. The superintendent, however, will have the authority to employ a licensed employee on a temporary basis until a recommendation can be made and action can be taken by the board on the position.

Legal Reference: 29 U.S.C. §§ 621-634  
 42 U.S.C. §§ 2000e, 12101 *et seq.*  
 Iowa Code §§ 20; 35C; 216; 279.13.  
 281 I.A.C. 12.  
 282 I.A.C. 14.  
 1980 Op. Att'y Gen. 367.

Cross Reference: 401.1 Equal Employment Opportunity  
 405 Licensed Employees - General  
 410.1 Substitute Teachers

Approved September, 2007

Reviewed 07/10/2017

Revised 08/14/2017

## LICENSED EMPLOYEE INDIVIDUAL CONTRACTS

The board will enter into a written contract with licensed employees, other than administrators, employed on a regular basis. The superintendent may approve contracts. Each contract will be for a period of one year.

Legal Reference: Harris v. Manning Independent School District of Manning, 245 Iowa 1295, 66 N.W.2d 438 (1954).  
Shackelford v. District Township of Beaver, Polk County, 203 Iowa 243, 212 N.W. 467 (1927).  
Burkhead v. Independent School District of Independence, 107 Iowa 29, 77 N.W. 491 (1898).  
Iowa Code chs. 20; 279 (2007).

Cross Reference: 405.2 Licensed Employee Qualifications, Recruitment, Selection  
405.4 Licensed Employee Continuing Contracts  
407 Licensed Employee Termination of Employment

Approved September, 2007

Reviewed 07/09/2018

Revised 07/23/2018

## LICENSED EMPLOYEE CONTINUING CONTRACTS

Contracts entered into with licensed employees, other than an administrator, will continue from year to year except as modified or terminated as provided by law. The board may issue temporary and nonrenewable contracts in accordance with law.

Licensed employees whose contracts will be recommended for termination by the board will receive due process as required by law. The superintendent shall make a recommendation to the board for the termination of the licensed employee's contract.

Licensed employees who wish to resign, to be released from a contract, or to retire must comply with applicable law and board policies.

Legal Reference:     Ar-We-Va Community School District v. Long and Henkenius, 292 N.W.2d 402 (Iowa 1980).  
                               Bruton v. Ames Community School District, 291 N.W.2d 351 (Iowa 1980).  
                               Hartman v. Merged Area VI Community College, 270 N.W.2d 822 (Iowa 1978).  
                               Keith v. Community School District of Wilton in the Counties of Cedar and Muscatine,  
                               262 N.W.2d 249 (Iowa 1978).  
                               Iowa Code §272; 279.

Cross Reference:     405.3   Licensed Employee Individual Contracts  
                               405.9   Licensed Employee Probationary Status  
                               407     Licensed Employee Termination of Employment

Approved September, 2007

Reviewed 5/14/2018

Revised 09/18/2017

## LICENSED EMPLOYEE WORK DAY

The work day for licensed employees shall begin each day of the school year at a time established by the superintendent. Licensed employees who are employed only during the academic year shall have the same work day as other licensed employees. "Day" is defined as one work day regardless of full-time or part-time status of an employee.

Licensed employees are to be in their assigned school building during the work day. Advance approval to be absent from the school building must be obtained from the principal whenever the licensed employees must leave the school building during the work day.

The building principal is authorized to make changes in the work day in order to facilitate the education program. These changes shall be reported to the superintendent.

The work day outlined in this policy is a minimum work day. Nothing in this policy prohibits licensed employees from working additional hours outside the work day.

The requirements stated in the master contract between employees in that certified collective bargaining unit and the board regarding work day of such employees shall be followed.

Legal Reference: Iowa Code §§ 20; 279.8 (2007).

Cross Reference: 200.3 Powers of the Board of Directors

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## LICENSED EMPLOYEE ASSIGNMENT

Determining the assignment of each licensed employee is the responsibility of and within the sole discretion of the board. In making such assignments the board will consider the qualifications of each licensed employee and the needs of the school district.

It is the responsibility of the superintendent to make recommendations to the board regarding the assignment of licensed employees.

Legal Reference: Iowa Code §§ 279.8

Cross Reference: 200.2 Powers of the Board of Directors

Approved September, 2007

Reviewed 07/10/2017

Revised 08/14/2017

## LICENSED EMPLOYEE TRANSFERS

Determining the location where an employee's assignment will be carried out is the responsibility and within the sole discretion of the board. In making such assignments the board will consider the qualifications of each licensed employee and the needs of the school district.

A transfer may be initiated by the employee, the principal, or the superintendent.

It is the responsibility of the superintendent to make recommendations to the board regarding the transfer of licensed employees.

Legal Reference: Iowa Code §§ 216.14; 279.8.

Cross Reference: 405.2 Licensed Employee Qualifications, Recruitment, Selection  
405.6 Licensed Employee Assignment

Approved September, 2007

Reviewed 07/10/2017

Revised 08/14/2017

## LICENSED EMPLOYEE EVALUATION

Evaluation of licensed employees on their skills, abilities, and competence is an ongoing process supervised by the building principals and conducted by approved evaluators. The goal of the formal evaluation of licensed employees, other than administrators, but including extracurricular employees, is to improve the education program, to maintain licensed employees who meet or exceed the board's standards of performance, to clarify the licensed employee's role, to ascertain the areas in need of improvement, to clarify the immediate priorities of the board, and to develop a working relationship between the administrators and other employees.

The formal evaluation criteria is in writing and approved by the board. The formal evaluation will provide an opportunity for the evaluator and the licensed employee to discuss performance and the future areas of growth. The formal evaluation is completed by the evaluator, signed by the licensed employee and filed in the licensed employee's personnel file. This policy supports, and does not preclude, the ongoing informal evaluation of the licensed employee's skills, abilities and competence.

Licensed employees will be required to:

- Demonstrate the ability to enhance academic performance and support for and implementation of the school district's student achievement goals.
- Demonstrate competency in content knowledge appropriate to the teaching position.
- Demonstrate competency in planning and preparation for instruction.
- Use strategies to deliver instruction that meets the multiple learning needs of students.
- Use a variety of methods to monitor student learning.
- Demonstrate competence in classroom management.
- Engage in professional growth.
- Fulfill professional responsibilities established by the school district.

It is the responsibility of the superintendent to ensure licensed employees are evaluated. New and probationary licensed employees are evaluated at least twice each year.

Legal Reference: Iowa Code §§ 20.9; 279, 284, 294.  
 Aplington Community School District v. PERB, 392 N.W.2d 495 (Iowa 1986).  
 Saydel Education Association v. PERB, 333 N.W.2d 486 (Iowa 1983).  
 281 I.A.C. 83; 12.3

Cross Reference: 405.2 Licensed Employee Qualifications, Recruitment, Selection  
 405.9 Licensed Employee Probationary Status

Approved Sept 2007 Reviewed 07/10/2017 Revised 08/14/2017

## LICENSED EMPLOYEE PROBATIONARY STATUS

The first three years of a new licensed employee's contract shall be a probationary period unless the employee has already successfully completed the probationary period in an Iowa school district. New employees who have successfully completed a probationary period in a previous Iowa school district will serve a two year probationary period. For purposes of this policy, an employee will have met the requirements for successfully completing a probationary period in another Iowa school district if, at the teacher's most recent performance evaluation, the teacher received at least a satisfactory or better evaluation and the individual has not engaged in conduct which would disqualify the teacher for a continuing contract.

Only the board, in its discretion, may waive the probationary period. The board may extend the probationary period for one additional year with the consent of the licensed employee. The board will make the decision to extend or waive a licensed employee's probationary status based upon the superintendent's recommendation. During this probationary period the board may terminate the licensed employee's contract at year-end without cause or immediately discharge the employee consistent with applicable law and board policies.

Legal Reference: Iowa Code § 279.

Cross Reference: 405.4 Licensed Employee Continuing Contracts  
405.8 Licensed Employee Evaluation

Approved September, 2007

Reviewed 5/14/2018

Revised 9/18/2017

## LICENSED EMPLOYEE ORGANIZATION AFFILIATION

Licensed employees who qualify may join the Durant Education Association and participate in its activities as long as the participation does not, in any way, interfere with the delivery of and the provision of the education program and school district operations.

The superintendent shall have sole discretion to determine whether association activities interfere with the education program and school district operations. Association members must follow the board policy on public use of school property.

The board shall not interfere with the rights of an employee to organize or form, join or assist any employee organization.

Legal Reference: Iowa Code §§ 20.1, .8, .10; 279.8 (2007).

Cross Reference: 408 Licensed Employee Professional Growth

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## LICENSED EMPLOYEE SALARY SCHEDULE

The board shall establish salary schedules for licensed employees' positions keeping in mind the financial condition of the school district, the education and experience of the licensed employee, the educational philosophy of the school district, and other factors deemed relevant by the board.

It shall be the responsibility of the superintendent to make a recommendation to the board annually regarding the salary schedule. The salary schedule shall be subject to review and modification through the collective bargaining process.

The requirements stated in the master contract between employees in that certified collective bargaining unit and the board regarding wages and salaries of such employees shall be followed.

Legal Reference: Iowa Code §§ 20.1, .4, .7, .9; 279.8 (2007).

Cross Reference: 405 Licensed Employees - General  
406.2 Licensed Employee Salary Schedule Advancement

Approved September, 2007 Reviewed 02/09/2015 Revised \_\_\_\_\_

## LICENSED EMPLOYEE SALARY SCHEDULE ADVANCEMENT

The board shall determine which licensed employees will advance on the salary schedule for the licensed employees' positions, keeping in mind the financial condition of the school district, the education and experience of the licensed employee, the educational philosophy of the school district, and other considerations as determined by the board.

It shall be the responsibility of the superintendent to make a recommendation to the board for the advancement of licensed employees on the salary schedule.

The requirements stated in the master contract between employees in that certified collective bargaining unit and the board regarding salary schedule advancement of such employees shall be followed.

Legal Reference: Iowa Code §§ 20.1, .4, .7, .9; 279.8 (2007).

Cross Reference: 405 Licensed Employees - General  
406 Licensed Employee Compensation and Benefits

Approved September, 2007 Reviewed 02/09/2015 Revised \_\_\_\_\_

## LICENSED EMPLOYEE CONTINUED EDUCATION CREDIT

Continued education on the part of licensed employees may entitle them to advancement on the salary schedule. Licensed employees who have completed additional hours will be considered for advancement on the salary schedule. The board shall determine which licensed employees will advance on the salary schedule for continued education keeping in mind the financial condition of the school district, the education and experience of the licensed employee, the educational philosophy of the school district, and any other items deemed relevant by the board.

Licensed employees who wish to obtain additional education for advancement on the salary schedule must notify their supervisor with written proof from the university by September 1 of the actual year when advancement occurs. This additional education must be in the same area as the education that was required of the employee to hold the employee's current position with the school district. For purposes of illustration only, a math teacher would advance on the salary schedule only if the additional education was in math courses. The superintendent has the discretion to approve credit outside the employee's area of endorsement or responsibility.

It shall be the responsibility of the superintendent to make a recommendation to the board for the advancement of a licensed employee on the salary schedule.

The requirements stated in the master contract between licensed employees in a certified collective bargaining unit and the board regarding continued education credit of such employees shall be followed.

Legal Reference: Iowa Code §§ 20.1, .4, .7, .9; 279.8 (2007).

Cross Reference: 405 Licensed Employees - General  
406 Licensed Employee Compensation and Benefits

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## LICENSED EMPLOYEE COMPENSATION FOR EXTRA DUTY

A licensed employee may volunteer or be required to take on extra duty, with the extra duty being secondary to the major responsibility of the licensed employee. The board shall establish a salary schedule for extra duty licensed employee positions, keeping in mind the financial condition of the school district, the education and experience of the licensed employee, the educational philosophy of the school district, and other considerations as determined by the board.

Vacant extra duty positions, for which extra compensation will be earned, will be posted to allow qualified licensed employees to volunteer for the extra duty. If no licensed employee volunteers for extra duty, the superintendent shall assign the extra duty positions to qualified licensed employees. The licensed employee shall receive compensation for the extra duty required to be performed.

It shall be the responsibility of the superintendent to make a recommendation to the board annually as to which licensed employees shall have the extra duty, and the salary schedule for extra duty, for the board's review.

The requirements stated in the master contract between employees in that certified collective bargaining unit and the board regarding the compensation for extra duties of such employees shall be followed.

Legal Reference: Iowa Code §§ 20.1, .4, .7, .9; 279.8, .13-.15, .19A-B (2007).

Cross Reference: 405 Licensed Employees - General  
406 Licensed Employee Compensation and Benefits

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## LICENSED EMPLOYEE GROUP INSURANCE BENEFITS

Licensed employees may be eligible for group benefits as determined by the board and required by law. The board will select the group benefit program(s) and the insurance company or third party administrator which will provide or administer the program.

In accordance with the Patient Protection and Affordable Care Act (ACA), the board will offer licensed employees who work an average of at least thirty (30) hours per week or one hundred thirty (130) hours per month, based on the measurement method adopted by the board, with minimum essential coverage that is both affordable and provides minimum value. The board will have the authority and right to change or eliminate group benefit programs, other than the group health plan, for its licensed employees.

Licensed employees who work an average of at least thirty (30) hours per week or one hundred thirty (130) hours per month, based on the measurement method adopted by the board, are eligible to participate in the group health plan. Licensed employees who work 30 hours per week are eligible to participate in dental, vision, life and long term disability group insurance plans. Employers should maintain documents regarding eligible employees acceptance and rejection of coverage.

Regular part-time employees who work less than 30 hours per week for benefits other than health) who wish to purchase coverage may participate in group benefit programs by meeting the requirements of the applicable plan. Full-time and regular part-time licensed employees who wish to purchase coverage for their spouse or dependents may do so by meeting the requirements of the applicable plan.

Licensed employees and their spouse and dependents may be allowed to continue coverage of the school district's group health program if they cease employment with the school district by meeting the requirements of the plan.

Legal Reference: Iowa Code §§ 20.9; 85; 85B; 279.12, .27; 509; 509A; 509B.  
Internal Revenue Code § 4980H(c)(4); Treas. Reg. § 54.4980H-1(a)(21)(ii).  
Shared Responsibility for Employers Regarding Health Coverage, 26 CFR Parts 1, 54 and 301, 78 Fed. Reg. 217, (Jan 2, 2013).  
Shared Responsibility for Employers Regarding Health Coverage, 26 CFR Parts 1, 54 and 301, 79 Fed. Reg. 8543 (Feb. 12, 2014).

Cross Reference: 405.1 Licensed Employee Defined  
706.2 Payroll Deductions

Approved September, 2007

Reviewed 09/18/2017

Revised 10/9/2017

## LICENSED EMPLOYEE TAX SHELTER PROGRAMS

The board authorizes the administration to make a payroll deduction for licensed employees' tax sheltered annuity premiums purchased from a company or program chosen by the board and collective bargaining unit.

Licensed employees wishing to have payroll deductions for tax sheltered annuities shall make a written request to the superintendent.

The requirements stated in the master contract between employees in that certified collective bargaining unit and the board regarding the tax sheltered annuities of such employees shall be followed.

Legal Reference:      Small Business Job Protection Act of 1996, Section 1450(a), repealing portions of IRS REG § 1.403(b)-1(b)(3).  
Iowa Code §§ 20.9; 260C; 273; 294.16 (2007).  
1988 Op. Att'y Gen. 38.  
1976 Op. Att'y Gen. 462, 602.  
1966 Op. Att'y Gen. 211, 220.

Cross Reference:      706      Payroll Procedures

Approved September, 2007

Reviewed 02/09/2015

Revised Jan. 2009

## LICENSED EMPLOYEE RESIGNATION

A licensed employee who wishes to resign must notify the superintendent in writing within the time period set by the board for return of the contract. This applies to regular contracts for the licensed employee's regular duties and for an extracurricular contract for extra duty. Resignations of this nature will be accepted by the board.

The board may require an individual who has resigned from an extracurricular contract to accept the resigned position for only the subsequent school year when the board has made a good faith effort to find a replacement and the licensed employee is continuing to be employed by the school district.

Legal Reference: Iowa Code §§ 91A.2, .3, .5; 279.13, .19A (2007).

Cross Reference: 405.3 Licensed Employee Individual Contracts  
405.4 Licensed Employee Continuing Contracts  
407 Licensed Employee Termination of Employment

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## LICENSED EMPLOYEE CONTRACT RELEASE

Licensed employees who wish to be released from an executed contract must give at least twenty-one days notice to the superintendent. Licensed employees may be released at the discretion of the board. Only in unusual and extreme circumstances will the board release a licensed employee from a contract. The board may have sole discretion to determine what constitutes unusual and extreme circumstances.

Release from a contract shall be contingent upon finding a suitable replacement. Licensed employees requesting release from a contract after it has been signed and before it expires may be required to pay the board the cost of advertising incurred to locate and hire a suitable replacement. Upon written mutual agreement between the employee and the superintendent, the costs may be deducted from the employee's salary. Payment of these costs shall be a condition for release from the contract at the discretion of the board. Failure of the licensed employee to pay these expenses may result in a cause of action being filed in small claims court.

The superintendent is required to file a complaint with the Iowa Board of Educational Examiners against a licensed employee who leaves without proper release from the board.

Legal Reference: Iowa Code §§ 216; 272; 279.13, .19A, .46 (2007).  
1978 Op. Att'y Gen. 247.  
1974 Op. Att'y Gen. 11, 322.

Cross Reference: 405.3 Licensed Employee Individual Contracts  
405.4 Licensed Employee Continuing Contracts  
407.3 Licensed Employee Retirement

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## LICENSED EMPLOYEE RETIREMENT

Licensed employees who will complete their current contract with the board may apply for retirement. No licensed employee will be required to retire at a specific age.

Application for retirement will be considered made when the licensed employee states in writing to the superintendent, no later than the date set by the board for the return of the employee's contract to the board, the intent of the employee to retire. The letter must state the employee's desire to retire and be witnessed by another party other than the principal or the superintendent. Applications made after the date set by the board for the return of the employee's contract to the board may be considered by the board if special circumstances exist. It shall be within the discretion of the board to determine whether special circumstances exist.

Board action to approve a licensed employee's application for retirement shall be final and such action constitutes nonrenewal of the employee's contract for the next school year.

Licensed employees who retire under this policy may qualify for retirement benefits through the Iowa Public Employees Retirement System.

Licensed employees and their spouse and dependents shall be allowed to continue coverage in the school district's group health insurance program at their own expense by meeting the requirements of the insurer.

Legal Reference: Iowa Code §§ 97B; 216; 279.46 (2007).  
581 I.A.C. 21.  
1978 Op. Att'y Gen. 247.  
1974 Op. Att'y Gen. 11, 322.

Cross Reference: 401.14 Recognition for Service of Employees

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## LICENSED EMPLOYEE SUSPENSION

Licensed employees shall perform their assigned job, respect and follow board policy and obey the law. The superintendent is authorized to suspend a licensed employee pending board action on a discharge, for investigation of charges against the employee, and for disciplinary purposes. It shall be within the discretion of the superintendent to suspend a licensed employee with or without pay.

In the event of a suspension, appropriate due process shall be followed.

Legal Reference: Northeast Community Education Association v. Northeast Community School District, 402 N.W.2d 765 (Iowa 1987).  
McFarland v. Board of Education of Norwalk Community School District, 277 N.W.2d 901 (Iowa 1979).  
Iowa Code §§ 20.7, .24; 279.13, .15-.19, .27 (2007).

Cross Reference: 404 Employee Conduct and Appearance  
407 Licensed Employee Termination of Employment

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## LICENSED EMPLOYEE REDUCTION IN FORCE

The board has the exclusive authority to determine the appropriate number of licensed employees. A reduction of licensed employees may occur as a result of, but not be limited to, changes in the education program, staff realignment, changes in the size or nature of the student population, financial situation considerations, and other reasons deemed relevant by the board.

The reduction in licensed employees, other than administrators, will be done through normal attrition if possible. If normal attrition does not meet the necessary reduction in force required, the board may terminate licensed employees.

It is the responsibility of the superintendent to make a recommendation for termination to the board. The process for reduction in force shall be as follows:

The superintendent shall consider the following criteria in making the recommendations:

- Endorsements and educational preparation within the grade level and subject areas in which the employee is now performing;
- Relative skills, ability and demonstrated performance;
- Qualifications for co-curricular programs; and

Due process for terminations due to a reduction in force will be followed.

Legal Reference: Iowa Code §§ 279

Cross Reference: 407.4 Licensed Employee Suspension  
413.5 Classified Employee Reduction in Force  
703 Budget

Approved September, 2007

Reviewed 07/10/2017

Revised 08/14/2017

## EARLY RETIREMENT – CERTIFIED PERSONNEL

IOWA CODE §279.46 allows a local school district to adopt a program for payment from the general operating and management funds a monetary bonus, continuation of health or medical insurance coverage, or other incentives for encouraging its employees to retire before the normal retirement date as defined in Chapter 97B and also provides that a local district may levy for the costs of the program available to employees age 55 to 65.

Therefore, the Durant Community School District Board of Education hereby establishes the following provisions for implementing an Early Retirement Policy for those employees eligible and submitting an application to the Durant Board of Education Secretary by the last ***Friday in January*** of the year the employee wishes to retire:

**Section I:****A. Salary Portion**

Employees eligible to retire in accordance with provisions of existing board policies and the following criteria will receive a cash benefit of \$12,000.

**B. Sick Leave/Personal Leave Portion**

The employee will be compensated for unused sick leave days and unused personal leave days at a rate of \$50 per day.

**C. Employees must further meet the following criteria to be eligible for early retirement:**

Must be at least 55 years of age before September 1 of the year early retirement is to take place.

1. The employee must have served the school district for at least fifteen (15) years.
2. The employee must submit a written letter of resignation with the effective date to be the end of the contract year in which the early retirement application is submitted.

**D. Benefit Distribution Options***Option One*

The employee may take the retirement benefit in cash distributed in two equal installments in a two-year period. The payments will be in consecutive Januarys following the acceptance of the early retirement application.

*Option Two*

The employee may apply his or her retirement benefits to the payment of the cost of health insurance premiums as part of the school district's health insurance program, until the benefits have been depleted. If the employee reaches age sixty-five before all benefits are depleted the balance will be distributed in one payment.

**E. Beneficiary**

The employee is to designate a beneficiary to collect undistributed retirement benefits in the case of the employee's death.

## EARLY RETIREMENT – CERTIFIED PERSONNEL

### F. Certified Personnel

Teachers, counselors, nurses and other school certified personnel included under the collective bargaining guidelines are eligible.

### Section II: Additional Provisions and Exclusions

An employee, eligible to retire under this policy, waives all future rights to apply for employment with the Durant Community School District with the exception of substitute services.

If an employee, otherwise eligible, is receiving benefits under long-term disability insurance coverage, said employee shall not be eligible for benefits under this policy.

Early retirement is not available to any employee who is under consideration for contract termination or has received a notice of staff reduction prior to submitting the request for acceptance of resignation.

Under IOWA CODE §509.A.13 a school district employee who retires is allowed to pay for and participate in the District's group health plan at group rates until he/she reaches age 65 by meeting the requirements of the insurer.

Nothing herein shall limit the school district's ability to change the terms of its existing health and major medical insurance coverage. This includes the right of the board of Directors to modify the plan benefits, to change the insurance carrier, and the right to change the benefit administrator. This resolution in no way guarantees a participating employee any certain level of benefits during the terms of the employee's participation in the insurance benefits portion of the early retirement program. Retirees and applicable dependents are subject to the rules of the school districts insurance carrier and are required to obtain Medicare coverage if available.

### Section III Board Policy Approval

All other provisions of the early retirement policy offered to Durant Community School District employees shall be in accordance with said rights and privileges of such employees under applicable law, policies, and provisions of the District.

Legal Reference: 29 U.S.C. §§ 621 et seq. (2004).  
Senate File 2366, 77th General Assembly, 2nd Reg. Sess. (1998).  
Iowa Code §§ 97B; 216; 279.46; 509A.13 (2007).  
581 I.A.C. 21.  
1978 Op. Att'y Gen. 247.  
1974 Op. Att'y Gen. 11, 322.

Cross Reference: 401.14 Recognition for Service of Employees  
407.3 Licensed Employee Retirement  
413.2 Classified Employee Retirement

Approved 01/08/2001  
Rescinded: 5-12-2008

Reviewed 02/09/2015

Revised 9/17/2007

## LICENSED EMPLOYEE PROFESSIONAL DEVELOPMENT

The board encourages licensed employees to attend and participate in professional development activities to maintain, develop, and extend their skills. The board will maintain and support an in-service program for licensed employees.

Requests for attendance or participation in a development program, other than those development programs sponsored by the school district, is made to the superintendent. Approval of the superintendent must be obtained prior to attendance by a licensed employee in a professional development program when the attendance would result in the licensed employee being excused from their duties or when the school district pays the expenses for the program.

The superintendent will have sole discretion to allow or disallow licensed employees to attend or participate in the requested event. When making this determination, the superintendent will consider the value of the program for the licensed employee and the school district, the effect of the licensed employee's absence on the education program and school district operations and the school district's financial situation as well as other factors deemed relevant in the judgment of the superintendent. Requests that involve unusual expenses or overnight travel must also be approved by the board.

Legal Reference: Iowa Code § 279.8.  
281 I.A.C. 12.7; 83.6

Cross Reference: 414.9 Classified Employee Professional Purposes Leave

Approved September, 2007

Reviewed 07/10/2017

Revised 08/14/2017

## LICENSED EMPLOYEE PUBLICATION OR CREATION OF MATERIALS

Materials created by licensed employees and the financial gain therefrom shall be the property of the employees if school materials and time were used in their creation and/or such materials were created in the scope of the licensed employee's employment. The licensed employee must seek prior written approval of the superintendent concerning such activities.

Legal Reference: Iowa Code § 279.8 (2007).

Cross Reference: 401.3 Employee Conflict of Interest  
606.6 Student Production of Materials and Services

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## LICENSED EMPLOYEE TUTORING

Every effort will be made by the licensed employees to help students with learning problems before recommending that the parents engage a tutor. Since there are exceptional cases when tutoring will help students overcome learning deficiencies, tutoring by licensed employees may be approved by the superintendent.

Licensed employees may only tutor students other than those for whom the teacher is currently exercising teaching, administrative or supervisory responsibility unless approved by the superintendent.

Tutoring for a fee may not take place within school facilities or during regular school hours unless approved by the superintendent.

Legal Reference: Iowa Code §§ 20.7; 279.8 (2007).

Cross Reference: 401.3 Employee Conflict of Interest  
402.7 Employee Outside Employment

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## LICENSED EMPLOYEE VACATION - HOLIDAYS - PERSONAL LEAVE

The board shall determine the amount of vacation, holidays, and personal leave that will be allowed on an annual basis for licensed employees.

It shall be the responsibility of the superintendent to make a recommendation to the board annually on vacations, holidays, and personal leave for licensed employees.

The requirements stated in the master contract between employees in that certified collective bargaining unit and the board regarding the vacations, holidays and personal leave of such employees shall be followed.

Legal Reference: Iowa Code §§ 1C.1-.2; 4.1(34); 20.9 (2007).

Cross Reference: 414.1 Classified Employee Vacations - Holidays - Personal Leave  
601.1 School Calendar

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## LICENSED EMPLOYEE PERSONAL ILLNESS LEAVE

Licensed employees shall be granted ten days of sick leave in their first year of employment. Each year thereafter, one additional day of sick leave will be granted to the licensed employees up to a maximum of fifteen days. "Day" is defined as one work day regardless of full-time or part-time status of the employee. A new employee shall report for work at least one full work day prior to receiving sick leave benefits. A returning employee will be granted the appropriate number of days at the beginning of each fiscal year.

Sick leave may be accumulated up to a maximum of 120 days for licensed employees.

Should the personal illness occur after or extend beyond the sick leave accumulated allowance, the employee may apply for disability benefits under the group insurance plan. If the employee does not qualify for disability benefits, the employee may request a leave of absence without pay.

Evidence may be required regarding the mental or physical health of the employee when the administration has a concern about the employee's health. Evidence may also be required to confirm the employee's illness, the need for the illness leave, the employee's ability to return to work, and the employee's capability to perform the duties of the employee's position. It shall be within the discretion of the board or the superintendent to determine the type and amount of evidence necessary. When an illness leave will be greater than three consecutive days, the employee shall comply with the board policy regarding family and medical leave.

The requirements stated in the master contract between employees in that certified collective bargaining unit and the board regarding the personal illness leave of such employees shall be followed.

Legal Reference: Whitney v. Rural Ind. School District, 232 Iowa 61, 4 N.W.2d 394 (1942).  
 26 U.S.C. §§ 2601 *et seq.* (2004)  
 29 C.F.R. Pt. 825 (2004).  
 Iowa Code §§ 20; 85.33, .34, .38(3); 216; 279.40 (2007).  
 1980 Op. Att'y Gen. 605.  
 1972 Op. Att'y Gen. 177, 353.  
 1952 Op. Att'y Gen. 91.

Cross Reference: 403.2 Employee Injury on the Job  
 409.3 Licensed Employee Family and Medical Leave  
 409.9 Licensed Employee Unpaid Leave

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## LICENSED EMPLOYEE FAMILY AND MEDICAL LEAVE

Unpaid family and medical leave will be granted up to 12 weeks per year to assist employees in balancing family and work life. For purposes of this policy, year is defined as January 1 to December 31. Requests for family and medical leave will be made to the superintendent.

Employees may be allowed to substitute paid leave for unpaid family and medical leave by meeting the requirements set out in the family and medical leave administrative rules. Employees eligible for family and medical leave must comply with the family and medical leave administrative rules prior to starting family and medical leave. It is the responsibility of the superintendent to develop administrative rules to implement this policy.

The requirements stated in the Master Contract between employees in the certified collective bargaining unit and the board regarding family and medical leave of such employees will be followed.

Links: [WH-380-E Certification of Health Care Provider for Employee's Serious Health Condition \(PDF\)](#)  
[WH-380-F Certification of Health Care Provider for Family Member's Serious Health Condition \(PDF\)](#)  
[WH-381 Notice of Eligibility and Rights & Responsibilities \(PDF\)](#)  
[WH-382 Designation Notice \(PDF\)](#)  
[WH-384 Certification of Qualifying Exigency For Military Family Leave \(PDF\)](#)  
[WH-385 Certification for Serious Injury or Illness of Covered Servicemember -- for Military Family Leave \(PDF\)](#)

Legal Reference: Whitney v. Rural Ind. School. District, 232 Iowa 61, 4 N.W.2d 394 (1942).  
 26 U.S.C. §§ 2601 *et seq.* (2006)  
 29 C.F.R. Pt. 825 (2006).  
 Iowa Code §§ 20; 85.33, .34, .38(3); 216; 279.40 (2009).  
 1980 Op. Att'y Gen. 605.  
 1972 Op. Att'y Gen. 177, 353.  
 1952 Op. Att'y Gen. 91.

Cross Reference:	409.2      Licensed Employee Personal Illness Leave
	409.8      Licensed Employee Unpaid Leave
	414.3      Classified Employee Family and Medical Leave

Approved Sept. 2007Reviewed 02/09/2015Revised Sept. 2009

## LICENSED EMPLOYEE FAMILY AND MEDICAL LEAVE NOTICE TO EMPLOYEES

# YOUR RIGHTS UNDER THE FAMILY AND MEDICAL LEAVE ACT OF 1993

FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:

- For incapacity due to pregnancy, prenatal medical care or child birth;
- To care for the employee's child after birth, or placement for adoption or foster care;
- To care for the employee's spouse, son or daughter, or parent, who has a serious health condition; or
- For a serious health condition that makes the employee unable to perform the employee's job.

### MILITARY FAMILY LEAVE ENTITLEMENTS

Eligible employees with a spouse, son, daughter, or parent on active duty or call to active duty status in the National Guard or Reserves in support of a contingency operation may use their 12-week leave entitlement to address certain qualifying exigencies.

Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered servicemember during a single 12-month period. A covered servicemember is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the servicemember medically unfit to perform his or her duties for which the servicemember is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list.

### BENEFITS AND PROTECTION

During FMLA leave, the employer must maintain the employee's health coverage under any "group health plan" on the same terms as if the employee had continued to work. Upon return from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.

Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

### JOB ELIGIBILITY REQUIREMENTS

Employees are eligible if they have worked for a covered employer for at least one year, for 1,250 hours over the previous 12 months, and if at least 50 employees are employed by the employer within 75 miles.

### DEFINITION OF SERIOUS HEALTH CONDITION

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

### USE OF LEAVE

An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule

## LICENSED EMPLOYEE FAMILY AND MEDICAL LEAVE NOTICE TO EMPLOYEES

when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the employer's operations. Leave due to qualifying exigencies may also be taken.

### **SUBSTITUTION OF PAID LEAVE FOR UNPAID LEAVE**

Employees may choose or employers may require use of accrued paid leave while taking FMLA leave. In order to use paid leave for FMLA leave, employees must comply with the employer's normal paid leave policies.

### **EMPLOYEE RESPONSIBILITIES**

Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days notice is not possible, the employee must provide notice as soon as practicable and generally must comply with an employer's normal call-in procedures.

Employees must provide sufficient information for the employer to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the employer if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees also may be required to provide a certification and periodic recertification supporting the need for leave.

### **EMPLOYER RESPONSIBILITIES**

Covered employers must inform employees requesting leave whether they are eligible under FMLA. If they are, the notice must specify any additional information required as well as the employees' rights and responsibilities. If they are not eligible, the employer must provide a reason for the ineligibility.

Covered employers must inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If the employer determines that the leave is not FMLA-protected, the employer must notify the employee.

### **UNLAWFUL ACTS BY EMPLOYERS**

FMLA makes it unlawful for any employer to:

- Interfere with, restrain, or deny the exercise of any right provided under FMLA;
- Discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

### **ENFORCEMENT**

An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer.

FMLA does not affect any Federal or State law prohibiting discrimination, or supersede any State or local law or collective bargaining agreement which provides greater family or medical leave rights.

**NOTE: FMLA section 109 (29 U.S.C. § 2619) requires FMLA covered employers to post the text of this notice. Regulations 29 C.F.R. § 825.300(a) may require additional disclosures.**

If you have access to the Internet visit FLMA's website: <http://www.dol.gov/esa/whd/fmla>.

To locate your nearest Wage-Hour Office, phone our toll-free information at 1-866-487-9243 or to the Web site at: <http://www.wagehour.dol.gov>.

For a listing of records that must be kept by employers to comply with FMLA visit the U.S. Dept. of Labor's website:  
[http://www.dol.gov/dol/allcfr/ESA/Title\\_29/Part\\_825/29CFR825.500.htm](http://www.dol.gov/dol/allcfr/ESA/Title_29/Part_825/29CFR825.500.htm)

*US Dept. of Labor – Revised July, 2009*

## LICENSED EMPLOYEE FAMILY AND MEDICAL LEAVE REQUEST FORM

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

I, \_\_\_\_\_, request family and medical leave for the following reason:

(check all that apply)

- ☐ for the birth of my child;  
☐ for the placement of a child for adoption or foster care;  
☐ to care for my child who has a serious health condition;  
☐ to care for my parent who has a serious health condition;  
☐ to care for my spouse who has a serious health condition; or  
☐ because I am seriously ill and unable to perform the essential functions of my position.  
☐ because of a qualifying exigency arising out of the fact that my \_\_\_ spouse; \_\_\_ son or daughter; \_\_\_ parent is on active duty or call to active duty status in support of a contingency operation as a member of the National Guard or Reserves.  
☐ because I am the \_\_\_ spouse; \_\_\_ son or daughter; \_\_\_ parent; \_\_\_ next of kin of a covered service member with a serious injury or illness.

I acknowledge my obligation to provide medical certification of my serious health condition or that of a family member in order to be eligible for family and medical leave within 15 days of the request for certification.

I acknowledge receipt of information regarding my obligations under the family and medical leave policy of the school district.

I request that my family and medical leave begin on \_\_\_\_\_ and I request leave as follows:  
(check one)

☐ continuous

I anticipate that I will be able to return to work on \_\_\_\_\_.

☐ intermittent leave for the:

- ☐ birth of my child or adoption or foster care placement subject to agreement by the district;  
☐ serious health condition of myself, parent, or child when medically necessary;  
☐ because of a qualifying exigency arising out of the fact that my \_\_\_ spouse; \_\_\_ son or daughter; \_\_\_ parent is on active duty or call to active duty status in support of a contingency operation as a member of the National Guard or Reserves.  
☐ because I am the \_\_\_ spouse; \_\_\_ son or daughter; \_\_\_ parent; \_\_\_ next of kin of a covered service member with a serious injury or illness.

Details of the needed intermittent leave:

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I anticipate returning to work at my regular schedule on \_\_\_\_\_.

## LICENSED EMPLOYEE FAMILY AND MEDICAL LEAVE REQUEST FORM

\_\_\_\_\_ reduced work schedule for the:

- \_\_\_\_\_ birth of my child or adoption or foster care placement subject to agreement by the district;
- \_\_\_\_\_ serious health condition of myself, parent, or child when medically necessary;
- \_\_\_\_\_ because of a qualifying exigency arising out of the fact that my \_\_\_\_\_ spouse; \_\_\_\_\_ son or daughter; \_\_\_\_\_ parent is on active duty or call to active duty status in support of a contingency operation as a member of the National Guard or Reserves.
- \_\_\_\_\_ because I am the \_\_\_\_\_ spouse; \_\_\_\_\_ son or daughter; \_\_\_\_\_ parent; \_\_\_\_\_ next of kin of a covered service member with a serious injury or illness.

Details of needed reduction in work schedule as follows:

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I anticipate returning to work at my regular schedule on \_\_\_\_\_.

I realize I may be moved to an alternative position during the period of the family and medical intermittent or reduced work schedule leave. I also realize that with foreseeable intermittent or reduced work schedule leave, subject to the requirements of my health care provider, I may be required to schedule the leave to minimize interruptions to school district operations.

While on family and medical leave, I agree to pay my regular contributions to employer sponsored benefit plans. My contributions will be deducted from moneys owed me during the leave period. If no monies are owed me, I will reimburse the school district by personal check or cash for my contributions. I understand that I may be dropped from the employer-sponsored benefit plans for failure to pay my contribution.

I agree to reimburse the school district for any payment of my contributions with deductions from future monies owed to me or the school district may seek reimbursement of payments of my contributions in court.

I acknowledge that the above information is true to the best of my knowledge.

Signed \_\_\_\_\_

Date \_\_\_\_\_

## LICENSED EMPLOYEE FAMILY AND MEDICAL LEAVE REGULATION

## A. School district notice.

1. The school district will post the notice in Exhibit 409.3E1 regarding family and medical leave.
2. Information on the Family and Medical Leave Act and the board policy on family and medical leave, including leave provisions and employee obligations will be provided annually. The information will be in the [*employee handbook*].
3. When an employee requests family and medical leave, the school district will provide the employee with information listing the employee's obligations and requirements. Such information will include:
  - a. a statement clarifying whether the leave qualifies as family and medical leave and will, therefore, be credited to the employee's annual 12-week entitlement or 26 week entitlement depending on the purpose of the leave;
  - b. a reminder that employees requesting family and medical leave for their serious health condition or for that of an immediate family member must furnish medical certification of the serious health condition and the consequences for failing to do so or proof of call to active duty in the case of military family and medical leave;
  - c. an explanation of the employee's right to substitute paid leave for family and medical leave including a description of when the school district requires substitution of paid leave and the conditions related to the substitution; and
  - d. a statement notifying employees that they must pay and must make arrangements for paying any premium or other payments to maintain health or other benefits.

B. Eligible employees. (*choose one*)Option I:

Employees are eligible for family and medical leave if three criteria are met.

1. The school district has more than 50 employees on the payroll at the time leave is requested;
2. The employee has worked for the school district for at least twelve months or 52 weeks (the months and weeks need not be consecutive); and
3. The employee has worked at least 1,250 hours within the previous year. Full-time professional employees who are exempt from the wage and hour law may be presumed to have worked the minimum hour requirement.

Option II:

[School district inserts its own definition which must be broader than the definition under Option I.]

Option III:

The definition in the collective bargaining agreement is incorporated by reference.

If the employee requesting leave is unable to meet the above criteria, the employee is not eligible for family and medical leave.

## LICENSED EMPLOYEE FAMILY AND MEDICAL LEAVE REGULATION

- C. Employee requesting leave -- two types of leave.
1. Foreseeable family and medical leave.
    - a. Definition - leave is foreseeable for the birth or placement of an adopted or foster child with the employee or for planned medical treatment.
    - b. Employee must give at least thirty days notice for foreseeable leave. Failure to give the notice may result in the leave beginning thirty days after notice was received. For those taking leave due to military family and medical leave, notice should be given as soon as possible.
    - c. Employees must consult with the school district prior to scheduling planned medical treatment leave to minimize disruption to the school district. The scheduling is subject to the approval of the health care provider.
    - d. *[Boards who adopt other requirements or additional collective bargaining provisions can add them here.]*
  2. Unforeseeable family and medical leave.
    - a. Definition - leave is unforeseeable in such situations as emergency medical treatment or premature birth.
    - b. Employee must give notice as soon as possible but no later than one to two work days after learning that leave will be necessary.
    - c. A spouse or family member may give the notice if the employee is unable to personally give notice.
- D. Eligible family and medical leave determination. The school district may require the employee giving notice of the need for leave to provide reasonable documentation or a statement of family relationship.
1. Six purposes.
    - a. The birth of a son or daughter of the employee and in order to care for that son or daughter prior to the first anniversary of the child's birth;
    - b. The placement of a son or daughter with the employee for adoption or foster care and in order to care for that son or daughter prior to the first anniversary of the child's placement;
    - c. To care for the spouse, son, daughter or parent of the employee if the spouse, son, daughter or parent has a serious health condition; or
    - d. Employee's serious health condition that makes the employee unable to perform the essential functions of the employee's position.
    - e. because of a qualifying exigency arising out of the fact that an employee's \_\_\_ spouse; \_\_\_ son or daughter; \_\_\_ parent is on active duty or call to active duty status in support of a contingency operation as a member of the National Guard or Reserves.
    - f. because the employee is the spouse; \_\_\_ son or daughter; \_\_\_ parent; \_\_\_ next of kin of a covered service member with a serious injury or illness.
    - g. *[Boards who adopt other purposes for which family and medical leave may be taken should add them here.]*

## LICENSED EMPLOYEE FAMILY AND MEDICAL LEAVE REGULATION

## 2. Medical certification.

## a. When required:

- (1) Employees *[may/shall]* be required to present medical certification of the employee's serious health condition and inability to perform the essential functions of the job.
- (2) Employees *[may/shall]* be required to present medical certification of the family member's serious health condition and that it is medically necessary for the employee to take leave to care for the family member.
- (3) Employees *[may/shall]* be required to present certification of the call to active duty when taking military family and medical leave.

## b. Employee's medical certification responsibilities:

- (1) The employee must obtain the certification from the health care provider who is treating the individual with the serious health condition.
- (2) The school district may require the employee to obtain a second certification by a health care provider chosen by and paid for by the school district if the school district has reason to doubt the validity of the certification an employee submits. The second health care provider cannot, however, be employed by the school district on a regular basis.
- (3) If the second health care provider disagrees with the first health care provider, then the school district may require a third health care provider to certify the serious health condition. This health care provider must be mutually agreed upon by the employee and the school district and paid for by the school district. This certification or lack of certification is binding upon both the employee and the school district.

## c. Medical certification will be required fifteen days after family and medical leave begins unless it is impracticable to do so. The school district may request recertification every thirty days. Recertification must be submitted within fifteen days of the school district's request.

## d. Employees taking military caregiver family and medical leave to care for a family service member cannot be required to obtain a second opinion or to provide recertification.

e. *[Boards who adopt other requirements or have collective bargaining agreements with provisions regarding certification should add them here.]*

Family and medical leave requested for the serious health condition of the employee or to care for a family member with a serious health condition which is not supported by medical certification will be denied until such certification is provided.

## E. Entitlement.

1. Employees are entitled to twelve weeks unpaid family and medical leave per year. Employees taking military caregiver family and medical leave to care for a family service member are entitled to 26 weeks of unpaid family and medical leave but only in a single 12 month period.

2. Year is defined as: *(choose one)*

Option I - Fiscal year

Option II - Calendar year

Option III - School year

Option IV - Rolling: measured forward from the first day leave is used, or measured backward from the date leave is used.

Option V - Collective bargaining agreement contract year.

## LICENSED EMPLOYEE FAMILY AND MEDICAL LEAVE REGULATION

3. If insufficient leave is available, the school district may:
    - a. Deny the leave if entitlement is exhausted
    - b. Award leave available
    - c. *[Award leave in accordance with other provisions of board policy or the collective bargaining agreement.]*
- F. Type of Leave Requested.
1. Continuous - employee will not report to work for set number of days or weeks.
  2. Intermittent - employee requests family and medical leave for separate periods of time.
    - a. Intermittent leave is available for:
      - \_\_\_\_\_ birth of my child or adoption or foster care placement subject to agreement by the district;
      - \_\_\_\_\_ serious health condition of myself, parent, or child when medically necessary;
      - \_\_\_\_\_ because of a qualifying exigency arising out of the fact that my \_\_\_\_\_ spouse; \_\_\_\_\_ son or daughter; \_\_\_\_\_ parent is on active duty or call to active duty status in support of a contingency operation as a member of the National Guard or Reserves;
      - \_\_\_\_\_ because I am the \_\_\_\_\_ spouse; \_\_\_\_\_ son or daughter; \_\_\_\_\_ parent; \_\_\_\_\_ next of kin of a covered service member with a serious injury or illness.
    - b. In the case of foreseeable intermittent leave, the employee must schedule the leave to minimize disruption to the school district operation.
    - c. During the period of foreseeable intermittent leave, the school district may move the employee to an alternative position with equivalent pay and benefits. *(For instructional employees, see G below.)*
  3. Reduced work schedule - employee requests a reduction in the employee's regular work schedule.
    - a. Reduced work schedule family and medical leave is available for:
      - \_\_\_\_\_ birth of my child or adoption or foster care placement subject to agreement by the district;
      - \_\_\_\_\_ serious health condition of myself, parent, or child when medically necessary;
      - \_\_\_\_\_ because of a qualifying exigency arising out of the fact that my \_\_\_\_\_ spouse; \_\_\_\_\_ son or daughter; \_\_\_\_\_ parent is on active duty or call to active duty status in support of a contingency operation as a member of the National Guard or Reserves;
      - \_\_\_\_\_ because I am the \_\_\_\_\_ spouse; \_\_\_\_\_ son or daughter; \_\_\_\_\_ parent; \_\_\_\_\_ next of kin of a covered service member with a serious injury or illness.
    - b. In the case of foreseeable reduced work schedule leave, the employee must schedule the leave to minimize disruption to the school district operation.
    - c. During the period of foreseeable reduced work schedule leave, the school district may move the employee to an alternative position with equivalent pay and benefits. *(For instructional employees, see G below.)*

## G. Special Rules for Instructional Employees.

## LICENSED EMPLOYEE FAMILY AND MEDICAL LEAVE REGULATION

1. Definition - an instructional employee is one whose principal function is to teach and instruct students in a class, a small group or an individual setting. This includes, but is not limited to, teachers, coaches, driver's education instructors and special education assistants.
2. Instructional employees who request foreseeable medically necessary intermittent or reduced work schedule family and medical leave greater than twenty percent of the work days in the leave period may be required to:
  - a. Take leave for the entire period or periods of the planned medical treatment; or
  - b. Move to an available alternative position, with equivalent pay and benefits, but not necessarily equivalent duties, for which the employee is qualified.
3. Instructional employees who request continuous family and medical leave near the end of a semester may be required to extend the family and medical leave through the end of the semester. The number of weeks remaining before the end of a semester does not include scheduled school breaks, such as summer, winter or spring break.
  - a. If an instructional employee begins family and medical leave for any purpose more than five weeks before the end of a semester, the school district may require that the leave be continued until the end of the semester if the leave will last at least three weeks and the employee would return to work during the last three weeks of the semester if the leave was not continued.
  - b. If the employee begins family and medical leave for a purpose other than the employee's own serious health condition during the last five weeks of a semester, the school district may require that the leave be continued until the end of the semester if the leave will last more than two weeks and the employee would return to work during the last two weeks of the semester.
  - c. If the employee begins family and medical leave for a purpose other than the employee's own serious health condition during the last three weeks of the semester and the leave will last more than five working days, the school district may require the employee to continue taking leave until the end of the semester.
4. The entire period of leave taken under the special rules is credited as family and medical leave. The school district will continue to fulfill the school district's family and medical leave responsibilities and obligations, including the obligation to continue the employee's health insurance and other benefits, if an instructional employee's family and medical leave entitlement ends before the involuntary leave period expires.

### H. Employee responsibilities while on family and medical leave.

1. Employee must continue to pay health care benefit contributions or other benefit contributions regularly paid by the employee unless employee elects not to continue the benefits.
2. The employee contribution payments will be deducted from any money owed to the employee or the employee will reimburse the school district at a time set by the superintendent.
3. An employee who fails to make the health care contribution payments within thirty days after they are due will be notified that their coverage may be canceled if payment is not received within an additional 15 days.

## LICENSED EMPLOYEE FAMILY AND MEDICAL LEAVE REGULATION

4. An employee may be asked to re-certify the medical necessity of family and medical leave for the serious medical condition of an employee or family member once every thirty days and return the certification within fifteen days of the request.
5. The employee must notify the school district of the employee's intent to return to work at least once each month during their leave and at least two weeks prior to the conclusion of the family and medical leave.
6. If an employee intends not to return to work, the employee must immediately notify the school district, in writing, of the employee's intent not to return. The school district will cease benefits upon receipt of this notification.

### I. Use of paid leave for family and medical leave.

#### Option I:

An employee may substitute unpaid family and medical leave with appropriate paid leave available to the employee under board policy, individual contracts or the collective bargaining agreement. Paid leave includes, but is not limited to, sick leave, family illness leave, vacation, personal leave, bereavement leave and professional leave. When the school district determines that paid leave is being taken for an FMLA reason, the school district will notify the employee within two business days that the paid leave will be counted as FMLA leave.

#### Option II:

1. An employee may substitute unpaid family and medical leave for the serious health condition of the employee with paid sick, vacation and personal leave. Upon the expiration of paid leave, the family and medical leave for the serious health condition of the employee is unpaid.
2. An employee may substitute unpaid family and medical leave for the serious health condition of an employee's family member or to care for a family service member with paid sick, vacation and personal leave. Upon the expiration of paid leave, the family and medical leave for the serious health condition of an employee's family member is unpaid.
3. An employee may substitute unpaid family and medical leave for the birth of a child of the employee and in order to care for that child prior to the first anniversary of the child's birth with sick, vacation and personal leave. Upon the expiration of paid leave, the family and medical leave for the birth of a child of the employee and in order to care for that child prior to the first anniversary of the child's birth is unpaid.
4. An employee may substitute unpaid family and medical leave for the placement of a child with the employee for adoption or foster care and in order to care for that child prior to the first anniversary of the child's placement or adoption with sick, vacation and personal leave. Upon the expiration of paid leave, the family and medical leave for the placement of a child with the employee for adoption or foster care and in order to care for the child prior to the first anniversary of the child's placement or adoption is unpaid.

## LICENSED EMPLOYEE FAMILY AND MEDICAL LEAVE REGULATION

5. An employee may substitute unpaid family and medical leave when a family service member is called to active duty or on call to active duty with sick, vacation and personal leave. Upon expiration of the paid leave, the leave is unpaid.
6. When the school district determines that paid leave is being taken for an FMLA reason, the school district will notify the employee within two business days that the paid leave will be counted as FMLA leave.

Option III:

1. An employee may substitute unpaid family and medical leave for the serious health condition of the employee with paid sick leave. Upon the expiration of paid leave, the family and medical leave for the serious health condition of the employee is unpaid.
2. An employee may substitute unpaid family and medical leave for the serious health condition of an employee's family member with paid sick leave or to care for a family service member. Upon the expiration of paid leave, the family and medical leave for the serious health condition of an employee's family member is unpaid.
3. An employee may substitute unpaid family and medical leave for the birth of a child of the employee and in order to care for that child prior to the first anniversary of the child's birth with sick and vacation leave. Upon the expiration of paid leave, the family and medical leave for the birth of a child of the employee and in order to care for that child prior to the first anniversary of the child's birth is unpaid.
4. An employee may substitute unpaid family and medical leave for the placement of a child with the employee for adoption or foster care and in order to care for that child prior to the first anniversary of the child's placement or adoption with sick and vacation leave. Upon the expiration of paid leave, the family and medical leave for prior to the first anniversary of the placement of a child with the employee for adoption or foster care is unpaid.
5. An employee may substitute unpaid family and medical leave when a family service member is called to active duty or on call to active duty with sick and vacation leave. Upon expiration of the paid leave, the leave is unpaid.
6. When the school district determines that paid leave is being taken for an FMLA reason, the school district will notify the employee within two business days that the paid leave will be counted as FMLA leave.

Option IV:

1. Family and medical leave is unpaid.

## LICENSED EMPLOYEE FAMILY AND MEDICAL LEAVE DEFINITIONS

Active Duty - duty under a call or order to active duty under a provision of law referring to in section 101(a)(13) of title 10, U.S. Code.

Common Law Marriage - according to Iowa law, common law marriages exist when there is a present intent by the two parties to be married, continuous cohabitation, and a public declaration that the parties are husband and wife. There is no time factor that needs to be met in order for there to be a common law marriage.

Contingency Operation - has the same meaning given such term in section 101(a)(13) of title 10, U.S. Code.

Continuing Treatment - a serious health condition involving continuing treatment by a health care provider includes any one or more of the following:

- A period of incapacity (i.e., inability to work, attend school or perform other regular daily activities due to the serious health condition, treatment for or recovery from) of more than three consecutive calendar days and any subsequent treatment or period of incapacity relating to the same condition that also involves:
  - treatment two or more times by a health care provider, by a nurse or physician's assistant under direct supervision of a health care provider, or by a provider of health care services (e.g., physical therapist) under orders of, or in referral by, a health care provider; or
  - treatment by a health care provider on at least one occasion which results in a regimen of continuing treatment under the supervision of a the health care provider.
- Any period of incapacity due to pregnancy or for prenatal care.
- Any period of incapacity or treatment for such incapacity due to a chronic serious health condition. A chronic serious health condition is one which:
  - requires periodic visits for treatment by a health care provider or by a nurse or physician's assistant under direct supervision of a health care provider;
  - Continues over an extended period of time (including recurring episodes of a single underlying condition); and
  - May cause episodic rather than a continuing period of incapacity (e.g., asthma, diabetes, epilepsy, etc.).
- Any period of incapacity which is permanent or long-term due to a condition for which treatment may not be effective. The employee or family member must be under the continuing supervision of, but need not be receiving active treatment by, a health care provider. Examples include Alzheimer's, a severe stroke or the terminal stages of a disease.
- Any period of absence to receive multiple treatments (including any period of recovery from) by a health care provider or by a provider of health care services under orders of, or on referral by, a health care provider, either for restorative surgery after an accident or other injury, or for a condition that would likely result in a period of incapacity of more than three consecutive calendar days in the absence of medical intervention or treatment, such as cancer (chemotherapy, radiation, etc.), severe arthritis (physical therapy), kidney disease (dialysis).

Covered Service member - a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness.

Eligible Employee - the district has more than 50 employees on the payroll at the time leave is requested. The employee has worked for the district for at least twelve months and has worked at least 1250 hours within the previous year.

## LICENSED EMPLOYEE FAMILY AND MEDICAL LEAVE DEFINITIONS

Essential Functions of the Job - those functions which are fundamental to the performance of the job. It does not include marginal functions.

Employment Benefits - all benefits provided or made available to employees by an employer, including group life insurance, health insurance, disability insurance, sick leave, annual leave, educational benefits, and pensions, regardless of whether such benefits are provided by a practice or written policy of an employer or through an "employee benefit plan."

Family Member - individuals who meet the definition of son, daughter, spouse or parent.

Group Health Plan - any plan of, or contributed to by, an employer (including a self-insured plan) to provide health care (directly or otherwise) to the employer's employees, former employees, or the families of such employees or former employees.

Health Care Provider-

- A doctor of medicine or osteopathy who is authorized to practice medicine or surgery by the state in which the doctor practices; or
- Podiatrists, dentists, clinical psychologists, optometrists, and chiropractors (limited to treatment consisting of manual manipulation of the spine to correct a subluxation as demonstrated by X ray to exist) authorized to practice in the state and performing within the scope of their practice as defined under state law; and
- Nurse practitioners and nurse-midwives, and clinical social workers who are authorized to practice under state law and who are performing within the scope of their practice as defined under state law; and
- Christian Science practitioners listed with the First Church of Christ Scientist in Boston, Massachusetts;
- Any health care provider from whom an employer or a group health plan's benefits manager will accept certification of the existence of a serious health condition to substantiate a claim for benefits;
- A health care provider as defined above who practices in a country other than the United States who is licensed to practice in accordance with the laws and regulations of that country.

In Loco Parentis - individuals who had or have day-to-day responsibilities for the care and financial support of a child not their biological child or who had the responsibility for an employee when the employee was a child.

Incapable of Self-Care - that the individual requires active assistance or supervision to provide daily self-care in several of the "activities of daily living" or "ADLs." Activities of daily living include adaptive activities such as caring appropriately for one's grooming and hygiene, bathing, dressing, eating, cooking, cleaning, shopping, taking public transportation, paying bills, maintaining a residence, using telephones and directories, using a post office, etc.

Instructional Employee - an employee employed principally in an instructional capacity by an educational agency or school whose principal function is to teach and instruct students in a class, a small group, or an individual setting, and includes athletic coaches, driving instructors, and special education assistants such as signers for the hearing impaired. The term does not include teacher assistants or aides who do not have as their principal function actual teaching or instructing, nor auxiliary personnel such as counselors, psychologists, curriculum specialists, cafeteria workers, maintenance workers, bus drivers, or other primarily noninstructional employees.

Intermittent Leave - leave taken in separate periods of time due to a single illness or injury, rather than for one continuous period of time, and may include leave or periods from an hour or more to several weeks.

Medically Necessary - certification for medical necessity is the same as certification for serious health condition.

"Needed to Care For" - the medical certification that an employee is "needed to care for" a family member encompasses both physical and psychological care. For example, where, because of a serious health condition, the family member is unable to care for his or her own basic medical, hygienic or nutritional needs or safety or is unable to transport himself or herself to medical treatment. It also includes situations where the employee may be needed to fill in for others who are caring for the family member or to make arrangements for changes in care.

Next of Kin - an individual's nearest blood relative

Outpatient Status - the status of a member of the Armed Forces assigned to –

- either a military medical treatment facility as an outpatient; or,
- a unit established for the purpose of providing command and control of members of the Armed Forces receiving medical care as outpatients.

Parent - a biological parent or an individual who stands in loco parentis to a child or stood in loco parentis to an employee when the employee was a child. Parent does not include parent-in-law.

Physical or Mental Disability - a physical or mental impairment that substantially limits one or more of the major life activities of an individual.

Reduced Leave Schedule - a leave schedule that reduces the usual number of hours per workweek, or hours per workday, of an employee.

Serious Health Condition -

- An illness, injury, impairment, or physical or mental condition that involves:
- Inpatient care (i.e. an overnight stay) in a hospital, hospice or residential medical care facility including any period of incapacity (for purposes of this section, defined to mean inability to work, attend school or perform other regular daily activities due to the serious health condition, treatment for or recovery from), or any subsequent treatment in connection with such inpatient care; or
- Continuing treatment by a health care provider. A serious health condition involving continuing treatment by a health care provider includes:
  - A period of incapacity (i.e., inability to work, attend school or perform other regular daily activities due to the serious health condition, treatment for or recovery from) of more than three consecutive calendar days, including any subsequent treatment or period of incapacity relating to the same condition, that also involves:
    - Treatment two or more times by a health care provider, by a nurse or physician's assistant under direct supervision of a health care provider, or by a provider of health care services (e.g., physical therapist) under orders or, or on referral by, a health care provider; or
    - Treatment by a health care provider on at least one occasion which results in a regimen of continuing treatment under the supervision of the health care provider.
  - Any period of incapacity due to pregnancy or for prenatal care.
  - Any period of incapacity or treatment for such incapacity due to a chronic serious health condition. A chronic serious health condition is one which:
    - Requires periodic visits for treatment by a health care provider or by a nurse or physician's assistant under direct supervision of a health care provider;
    - Continues over an extended period of time (including recurring episodes of a single underlying condition); and,
    - May cause episodic rather than a continuing period of incapacity (e.g., asthma, diabetes, epilepsy, etc.).

## LICENSED EMPLOYEE FAMILY AND MEDICAL LEAVE DEFINITIONS

--A period of incapacity which is permanent or long-term due to a condition for which treatment may not be effective. The employee or family member must be under the continuing supervision of, but need not be receiving active treatment by, a health care provider. Examples include Alzheimer's a severe stroke or the terminal stages of a disease.

--Any period of absence to receive multiple treatments (including any period of recovery from) by a health care provider or by a provider of health care services under orders of, or on referral by, a health care provider, either for restorative surgery after an accident or other injury, or for a condition that would likely result in a period of incapacity of more than three consecutive calendar days in the absence of medical intervention or treatment, such as cancer (chemotherapy, radiation, etc.), severe arthritis (physical therapy), kidney disease (dialysis).

- Treatment for purposes of this definition includes, but is not limited to, examinations to determine if a serious health condition exists and evaluation of the condition. Treatment does not include routine physical examinations, eye examinations or dental examinations. Under this definition, a regimen of continuing treatment includes, for example, a course of prescription medication (e.g., an antibiotic) or therapy requiring special equipment to resolve or alleviate the health condition (e.g., oxygen). A regimen of continuing treatment that includes the taking of over-the-counter medications such as aspirin, antihistamines, or salves; or bed rest, drinking fluids, exercise and other similar activities that can be initiated without a visit to a health care provider, is not, by itself, sufficient to constitute a regimen of continuing treatment for purposes of FMLA leave.
- Conditions for which cosmetic treatments are administered (such as most treatments for acne or plastic surgery) are not "serious health conditions" unless inpatient hospital care is required or unless complications develop. Ordinarily, unless complications arise, the common cold, the flu, ear aches, upset stomach, ulcers, headaches other than migraine, routine dental or orthodontia problems, periodontal disease, etc., are examples of conditions that do not meet the definition of a serious health condition and do not qualify for FMLA leave. Restorative dental or plastic surgery after an injury or removal of cancerous growths are serious health conditions provided all the other conditions of this regulation are met. Mental illness resulting from stress or allergies may be serious health conditions, but only if all the conditions of this section are met.
- Substance abuse may be a serious health condition if the conditions of this section are met. However, FMLA leave may only be taken for treatment for substance abuse by a health care provider or by a provider of health care on referral by a health care provider. On the other hand, absence because of the employee's use of the substance, rather than for treatment, does not qualify for FMLA leave.
- Absence attributable to incapacity under this definition qualify for FMLA leave even though the employee or the immediate family member does not receive treatment from a health care provider during the absence, and even if the absence does not last more than three days. For example, an employee with asthma may be unable to report for work due to the onset of an asthma attack or because the employee's health care provider has advised the employee to stay home when the pollen count exceeds a certain level. An employee who is pregnant may be unable to report to work because of severe morning sickness.

Serious Injury or Illness - an injury or illness incurred by a member of the Armed forces, including the National Guard or Reserves in the line of duty on active duty in the Armed Forces that may render the member medically unfit to perform the duties of the member's office, grade, rank, or rating.

Son or daughter - a biological child, adopted child, foster child, stepchild, legal ward, or a child of a person standing in loco parentis. The child must be under age 18 or, if over 18, incapable of self-care because of a mental or physical disability.

Spouse - a husband or wife recognized by Iowa law including common law marriages.

## LICENSED EMPLOYEE DISCRETIONARY LEAVE

The board realizes an emergency may arise which would necessitate a licensed employee's absence from work which is not covered by another form of leave of absence. Such leave shall be called emergency leave.

Emergency leave must be unforeseen and beyond the control of the employee. There is no set number of days that may be taken. The leave is dependent upon the need and request of the person needing to take the leave. This leave is not deducted from sick leave. The request shall be made in writing and a written record will be maintained. The superintendent shall have the discretion to grant emergency leave. The superintendent shall determine whether such leave shall be paid leave or unpaid leave.

The requirements stated in the master contract between the employees in that certified collective bargaining unit and the board regarding the emergency leave of such employees shall be followed.

Legal Reference: Iowa Code §§ 20.9; 279.8 (2007).

Cross Reference: 409 Licensed Employee Vacations and Leaves of Absence  
414.4 Classified Employee Emergency Leave

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## LICENSED EMPLOYEE BEREAVEMENT LEAVE

In the event of a death of a member of a licensed employee's immediate family, bereavement leave may be granted. Bereavement leave may be granted to a licensed employee for no more than 5 days, with "day" being defined as one work day regardless of full-time or part-time status of the employee, per occurrence, for the death of a member of the immediate family. The immediate family includes spouse of employee, child of employee, father of employee, mother of employee, grandfather of employee, grandmother of employee, step child, sister, brother, father of spouse, mother of spouse, grandchild, son-in-law and daughter-in-law.

Bereavement leave may be granted to a licensed employee for no more than 5 days, with "day" being defined as one work day regardless of full-time or part-time status of the employee, per occurrence, for the death of a grandfather of spouse, grandmother of spouse, brother-in-law, sister-in-law, niece, nephew, aunt and uncle.

It is within the discretion of the superintendent to determine the number of bereavement leave days to be granted.

Legal Reference: Iowa Code §§ 279.8.

Cross Reference: 409 Licensed Employee Vacations and Leaves of Absence

Approved September, 2007

Reviewed 7/10/2017

Revised 8/14/2017

## LICENSED EMPLOYEE POLITICAL LEAVE

The board will provide a leave of absence to licensed employees to run for elective public office. The superintendent shall grant a licensed employee a leave of absence to campaign as a candidate for an elective public office as unpaid leave.

The licensed employee will be entitled to one period of leave to run for the elective public office, and the leave may commence within thirty days of a contested primary, special, or general election and continue until the day following the election.

The request for leave must be in writing to the superintendent of schools at least thirty days prior to the starting date of the requested leave.

Legal Reference: Iowa Code ch. 55 (2007).

Cross Reference: 401.15 Employee Political Activity  
409 Licensed Employee Vacations and Leaves of Absence

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## LICENSED EMPLOYEE JURY DUTY LEAVE

The board will allow licensed employees to be excused for jury duty unless extraordinary circumstances exist. The superintendent has the discretion to determine when extraordinary circumstances exist.

Employees who are called for jury service shall notify the direct supervisor within twenty-four hours after notice of call to jury duty and suitable proof of jury service pay must be presented to the school district. The employee will report to work within one hour on any day when the employee is excused from jury duty during regular working hours.

Licensed employees will receive their regular salary. Any payment for jury duty shall be paid to the school district.

Legal Reference: Iowa Code §§ 20.9; 607A (2007).

Cross Reference: 409 Licensed Employee Vacations and Leaves of Absence

Approved September, 2007 Reviewed 02/09/2015 Revised \_\_\_\_\_

## LICENSED EMPLOYEE MILITARY SERVICE LEAVE

The board recognizes licensed employees may be called to participate in the armed forces, including the national guard. If a licensed employee is called to serve in the armed forces, the employee shall have a leave of absence for military service until the military service is completed.

The leave shall be without loss of status or efficiency rating, and without loss of pay during the first thirty calendar days of the leave.

Legal Reference:       Bewley v. Villisca Community School District, 299 N.W. 2d 904 (Iowa 1980).  
Iowa Code §§ 20; 29A.28 (2007).

Cross Reference:       409     Licensed Employee Vacations and Leaves of Absence

Approved September, 2007                      Reviewed 02/09/2015                      Revised \_\_\_\_\_

## LICENSED EMPLOYEE UNPAID LEAVE

Unpaid leave may be used to excuse an involuntary absence not provided for in other leave policies of the board. Unpaid leave for licensed employees must be authorized by the superintendent.

The superintendent will have complete discretion to grant or deny the requested unpaid leave. In making this determination, the superintendent will consider the effect of the employee's absence on the education program and school district operations, length of service, previous record of absence, the financial condition of the school district, the reason for the requested absence and other factors the superintendent believes are relevant to making this determination.

If unpaid leave is granted, the duration of the leave period will be coordinated with the scheduling of the education program whenever possible to minimize the disruption of the education program and school district operations.

Whenever possible, licensed employees will make a written request for unpaid leave 2 days prior to the beginning date of the requested leave. If the leave is granted, the deductions in salary are made unless they are waived specifically by the superintendent.

Legal Reference: Iowa Code §§ 20; 85; 85A; 85B; 279.12; 509; 509A; 509B.

Cross Reference: 409 Licensed Employee Vacations and Leaves of Absence

Approved September, 2007

Reviewed 07/10/2017

Revised 08/14/2017

## SUBSTITUTE TEACHERS

The board recognizes the need for substitute teachers. Substitute teachers shall be licensed to teach in Iowa.

It shall be the responsibility of the building principal to maintain a list of substitute teachers who may be called upon to replace regular contract licensed employees. Individuals whose names do not appear on this list will not be employed as a substitute without specific approval of the superintendent. It shall be the responsibility of the building principal to fill absences with substitute teachers immediately.

Substitutes employed for 10 or more consecutive days in the same position shall receive compensation based upon column 1 step 1 , of the adopted salary schedule. Substitute licensed employees are expected to perform the same duties as the licensed employees.

Legal Reference: Iowa Association of School Boards v. PERB, 400 N.W.2d 571 (Iowa 1987).  
Iowa Code §§ 20.1, .4(5), .9 (2007).  
281 I.A.C. 12.4.

Cross Reference: 405.1 Licensed Employee Defined  
405.2 Licensed Employee Qualifications, Recruitment, Selection

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## SHARED LICENSED EMPLOYEES

The board may make arrangements for sharing employees with neighboring school districts in order to expand the opportunities available in the education program and the operation of the school district. It shall be within the discretion of the board to determine when and with which school district sharing agreements will be made.

It shall be the responsibility of the superintendent to bring to the board's attention opportunities for sharing employees with neighboring school districts.

Legal Reference: Iowa Code §§ 28E; 256.11-.12; 257.11; 280.15; 282.7(1) (2007).

Cross Reference: 217.3 Board of Directors and Adjoining District Board of Directors  
302.3 Administration and Adjoining District Administration  
606.1 Shared Students

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## SUMMER SCHOOL LICENSED EMPLOYEES

The Durant Community School District shall offer summer school options in accordance with law and may, in its discretion offer additional programming during the summer recess. Licensed employees who volunteer or who are appointed to deliver the summer education program are compensated in addition to their regular duties during the school academic year, unless such arrangements are made prior to determining the employee's compensation for the year.

Licensed employees will be given the opportunity to volunteer for the positions available. If the board determines a course must be offered and no licensed employee volunteers for the position, the board will make the necessary arrangements to fill the position. The board will consider applications from volunteers of current licensed employees in conjunction with other applications.

It is the responsibility of the superintendent to make a recommendation to the board regarding the need for and the delivery of the summer education program.

Legal Reference: Iowa Code §§ 279.8, .68; 280.14 (2015).

Cross Reference:	603.2	Summer School Instruction
	505.3	Student Promotion – Retention – Acceleration

Approved <u>September, 2007</u>	Reviewed <u>8/14/2017</u>	Revised <u>January 11, 2016</u>
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## STUDENT TEACHERS - INTERNSHIPS

The board will cooperate with post-secondary educational institutions to assist in the practical preparation of teachers and other licensed employee positions. Student teachers and other student interns may be assigned duties in the school district.

Licensed employees shall not be required to utilize student teachers or student interns. Experienced teachers and teachers in good standing may be allowed to have student teachers or student interns.

It shall be the responsibility of the superintendent to make arrangements with the post-secondary educational institutions for student teachers and student internships. Such arrangements shall safeguard the interest of the student teachers and student interns, the post-secondary educational institution and the school district.

It shall be the responsibility of the post-secondary educational institution to provide sufficient supervision over the work of these student teachers to make their presence profitable.

Legal Reference: Iowa Code § 272.27 (2007).  
281 I.A.C. 77.  
1974 Op. Att'y Gen. 6.  
1936 Op. Att'y Gen. 462.

Cross Reference: 904 Public Participation in the School District

Approved September, 2007 Reviewed 02/09/2015 Revised \_\_\_\_\_

## EDUCATION ASSOCIATE

The board may employ education associates or other instructional support personnel to assist licensed personnel in nonteaching duties, including, but not limited to:

- managing and maintaining records, materials and equipment;
- attending to the physical needs of children; and
- performing other limited services to support teaching duties when such duties are determined and directed by the teacher.

Education associates who hold a teaching certificate shall be compensated at the rate of pay established for their position as an education aide. It shall be the responsibility of the principal to supervise education associates.

Legal Reference: Iowa Code §§ 279.8; 280.3, .14 (2007).  
281 I.A.C. 12.4(9); .5(9).

Cross Reference: 411.2 Classified Employee Qualifications, Recruitment, Selection

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## CLASSIFIED EMPLOYEE DEFINED

Classified employees are employees who are not administrators or employees in positions which require a teaching license issued by the Iowa Board of Educational Examiners and who are employed to fulfill the duties listed on their job description on a monthly or hourly basis. Classified employees will include, but not be limited to, teacher and classroom aides, custodial and maintenance employees, clerical employees, food service employees, bus drivers, and temporary help for summer or other maintenance. The position may be full-time or part-time.

It is the responsibility of the superintendent to establish job specifications and job descriptions for classified employee positions. Job descriptions may be approved by the board.

Classified employees required to hold a license for their position must present evidence of their current license to the board secretary prior to payment of wages each year.

Legal Reference: Iowa Code §§ 20; 279.8.

Cross Reference: 405.1 Licensed Employee Defined  
411.2 Classified Employee Qualifications, Recruitment, Selection  
412.3 Classified Employee Group Insurance Benefits

Approved September, 2007

Reviewed 07/10/2017

Revised 08/14/2017

## CLASSIFIED EMPLOYEE - QUALIFICATIONS, RECRUITMENT, SELECTION

Persons interested in a classified employee position will have an opportunity to apply and qualify for classified employee positions in the school district without regard to age, race, creed, color, sex, national origin, religion, sexual orientation, gender identity or disability. Job applicants for classified employee positions will be considered on the basis of the following:

- Training, experience, and skill;
- Nature of the occupation;
- Demonstrated competence; and
- Possession of, or ability to obtain, state or other license or certificate, if required, for the position.

All job openings shall be submitted to the Iowa Department of Education for posting on TeachIowa, the online state job posting system. Additional announcements of the position may occur through means the superintendent believes will inform potential applicants about the position. Whenever possible, the preliminary screening of applicants will be conducted by the administrator who directly supervises and oversees the position.

The superintendent will approve employment of classified employees.

Legal Reference: 29 U.S.C. §§ 621-634  
 42 U.S.C. §§ 2000e *et seq.*  
 42 U.S.C. §§ 12101 *et seq.*  
 Iowa Code §§ 20; 35C; 216; 256.27; 279.8; 279.20; 281 I.A.C. 12

Cross Reference: 401.2 Equal Employment Opportunity  
 411 Classified Employees - General

Approved September, 2007

Reviewed 07/09/2018

Revised 07/23/2018

## CLASSIFIED EMPLOYEE CONTRACTS

The district may enter into written contracts with classified employees employed on a regular basis. The contract will state the terms of employment.

Each contract will include a 14-day cancellation clause. Either the employee or the district must give notice of the intent to cancel the contract at the end of 14 days. This notice will not be required when the employee is terminated during a probationary period or for cause.

Classified employees will receive a job description stating the specific performance responsibilities of their position.

It is the responsibility of the superintendent to draw up, process, and approve the classified employee contracts. The contracts, after being signed by the superintendent, are filed with the board secretary.

The requirements stated in the contract between classified employees and the district regarding contracts of such employees will be followed.

Legal Reference: Iowa Code §§ 20; 279.7A; 285.5(9) (2007).

Cross Reference: 411 Classified Employees - General  
412.1 Classified Employee Compensation  
412.2 Classified Employee Wage and Overtime Compensation  
413 Classified Employee Termination of Employment

Approved September, 2007

Reviewed 07/09/2018

Revised 07/23/2018

## CLASSIFIED EMPLOYEE LICENSING/CERTIFICATION

Classified employees who require a special license or other certification will keep them current at their own expense. Licensing requirements needed for a position will be considered met if the employee meets the requirements established by law for the position.

Legal Reference: Iowa Code §§ 285.5(9); 272; 279.8.  
281 I.A.C. 12.4(10); 36; 43.

Cross Reference: 411.2 Classified Employee Qualifications, Recruitment, Selection

Approved September, 2007

Reviewed 07/10/2017

Revised 08/10/2017

## CLASSIFIED EMPLOYEE ASSIGNMENT

Determining the assignment of each classified employee is the responsibility of the superintendent and within the sole discretion of the board. In making such assignments each year the superintendent shall consider the qualifications of each classified employee and the needs of the school district.

It shall be the responsibility of the superintendent to assign classified employees and report such assignments to the board.

Legal Reference: Iowa Code §§ 20; 279.8 (2007).

Cross Reference: 200.3 Powers of the Board of Directors  
411.6 Classified Employee Transfers

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## CLASSIFIED EMPLOYEE TRANSFERS

Determining the location where a classified employee's assignment will be performed is the responsibility of the superintendent and within the sole discretion of the board. In making such assignments each year the superintendent shall consider the qualifications of each classified employee and the needs of the school district.

A transfer may be initiated by the employee, the principal or the superintendent.

It shall be the responsibility of the superintendent to transfer classified employees and report such transfers to the board.

Legal Reference: 29 U.S.C. §§ 621-634 (2004).  
42 U.S.C. §§ 2000e *et seq.* (2004)  
42 U.S.C. §§ 12101 *et seq.* (2004).  
Iowa Code §§ 20.9; 35C; 216; 279.8; 294.1 (2007).

Cross Reference: 411.2 Classified Employee Qualifications, Recruitment, Selection  
411.5 Classified Employment Assignment

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## CLASSIFIED EMPLOYEE EVALUATION

Evaluation of classified employees on their skills, abilities, and competence is an ongoing process supervised by the superintendent. The goal of the formal evaluation of classified employees is to maintain classified employees who meet or exceed the board's standards of performance, to clarify each classified employee's role, to ascertain the areas in need of improvement, to clarify the immediate priorities of the board, and to develop a working relationship between the administrators and other employees.

It is the responsibility of the superintendent to ensure classified employees are formally evaluated annually. New and probationary classified employees are formally evaluated at least twice a year.

Legal Reference: Aplington Community School District v. PERB, 392 N.W.2d 495 (Iowa 1986).

Saydel Education Association v. PERB, 333 N.W.2d 486 (Iowa 1983).

Iowa Code §§ 20.9; 279.14 (2007).

281 I.A.C. Ch 83; 12.3(4).

Cross Reference:	411.2	Classified Employee Qualifications, Recruitment, Selection
	411.8	Classified Employee Probationary Status

Approved Sept 2007

Reviewed 02/09/2015

Revised December 10, 2012

## CLASSIFIED EMPLOYEE PROBATIONARY STATUS

The first 90 days of a newly employed classified employee's contract shall be a probationary period. "Day" shall be defined as one work day regardless of full-time or part-time status of the employee. New employees, regardless of experience, shall be subject to this probationary period.

"New" employees includes individuals who are being hired for the first time by the school district and those who may have been employed by the school district in the past, but have not been employed by the board during the school year prior to the one for which contracts are being issued.

Only the board, in its discretion, may waive the probationary period.

Legal Reference: Iowa Code §§ 20; 279.8 (2007).

Cross Reference: 411.3 Classified Employee Contracts  
411.7 Classified Employee Evaluation

Approved September, 2007 Reviewed 02/09/2015 Revised \_\_\_\_\_

## CLASSIFIED EMPLOYEE COMPENSATION

The board shall determine the compensation to be paid for the classified employees' positions, keeping in mind the education and experience of the classified employee, the educational philosophy of the school district, the financial condition of the school district and any other considerations as deemed relevant by the board.

It shall be the responsibility of the superintendent to make a recommendation to the board annually regarding the compensation of classified employees.

Legal Reference: Iowa Code §§ 20.1, .4, .7, .9; 279.8 (2007).

Cross Reference: 411.3 Classified Employee Contracts  
412.2 Classified Employee Wage and Overtime Compensation

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## CLASSIFIED EMPLOYEE WAGE AND OVERTIME COMPENSATION

Each non-exempt employee compensated on an hour-by-hour basis, whether full-or part-time, permanent or temporary, will be paid no less than the prevailing minimum wage. Whenever a non-exempt employee must work more than forty hours in a given work week, the employee shall be compensated at one and one-half times their regular hourly wage rate. This compensation shall be in the form of overtime pay. Overtime will not be permitted without prior authorization of the superintendent.

Each non-exempt employee paid on an hour-by-hour basis must complete, sign, and turn in a daily time record showing the actual number of hours worked. Failure of the employee to maintain, or falsification of, a daily time record will be grounds for disciplinary action.

It is the responsibility of the board secretary to maintain wage records.

Legal Reference: Garcia v. San Antonio Metropolitan Transit Authority, 469 U.S. 528 (1985).  
29 U.S.C. §§ 206 *et seq.* (2004).  
29 C.F.R. Pt. 511-800 (2004).

Cross Reference: 411.3 Classified Employee Contracts  
412.1 Classified Employee Compensation

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## CLASSIFIED EMPLOYEE GROUP INSURANCE BENEFITS

Classified employees may be eligible for group insurance benefits as determined by the board and required by law. The board shall select the group insurance program and the insurance company which will provide the program.

This policy statement does not guarantee a certain level of benefits. The board shall have the authority and right to change or eliminate group insurance programs for its classified employees.

Legal Reference: Iowa Code §§ 20.9; 85; 85B; 279.12; 509; 509A; 509B (2007).

Cross Reference: 411.1 Classified Employee Defined

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## CLASSIFIED EMPLOYEE TAX SHELTER PROGRAMS

The board authorizes the administration to make a payroll deduction for classified employees' tax sheltered annuity premiums purchased from a company or program chosen by the board and collective bargaining unit.

Classified employees wishing to have payroll deductions for tax sheltered annuities shall make a written request to the superintendent.

Legal Reference: Small Business Job Protection Act of 1996, Section 1450(a), repealing portions of IRS REG § 1.403(b)-1(b)(3).  
Iowa Code §§ 20.9; 260C; 273; 294.16 (2007).  
1988 Op. Att'y Gen. 38.  
1976 Op. Att'y Gen. 462, 602.  
1966 Op. Att'y Gen. 211, 220.

Cross Reference: 706 Payroll Procedures

Approved September, 2007

Reviewed 02/09/2015

Revised Jan. 2009

## CLASSIFIED EMPLOYEE RESIGNATION

Classified employees who wish to resign during the school year shall give the board notice of their intent to resign and final date of employment and cancel their contract 14 days prior to their last working day.

Notice of the intent to resign shall be in writing to the superintendent.

Legal Reference: Iowa Code §§ 91A.2, .3, .5; 279.19A; 285.5(9) (2007).

Cross Reference: 411.3 Classified Employee Contracts  
413 Classified Employee Termination of Employment

Approved September, 2007 Reviewed 02/09/2015 Revised \_\_\_\_\_

## CLASSIFIED EMPLOYEE RETIREMENT

Classified employees who will complete their current contract with the board may apply for retirement. No classified employee will be required to retire at any specific age.

Application for retirement will be considered made when the classified employee states in writing to the superintendent, no later than the date set by the board for the return of the employee's contract to the board if applicable, the employee's intent to retire. The letter must state the employee's desire to retire and be witnessed by another party other than the principal or the superintendent.

Board action to approve a classified employee's application for retirement shall be final, and such action constitutes termination of the employee's contract effective the day of the employee's retirement.

Classified employees and their spouse and dependents who have group insurance coverage through the school district may be allowed to continue coverage of the school district's group health insurance program, at their own expense, by meeting the requirements of the insurer.

Legal Reference: 29 U.S.C. §§ 621 *et seq.* (20044).  
Iowa Code §§ 91A.2, .3, .5; 97B; 216; 279.19A, .46 (2007).  
581 I.A.C. 21.  
1978 Op. Att'y Gen. 247.  
1974 Op. Att'y Gen. 11, 322.

Cross Reference: 401.14 Recognition for Service of Employees

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## CLASSIFIED EMPLOYEE SUSPENSION

Classified employees shall perform their assigned job, respect and follow board policy and obey the law. The superintendent is authorized to suspend a classified employee with or without pay pending board action on a discharge or during investigation of charges against the employee or for disciplinary purposes. It shall be within the discretion of the superintendent to suspend a classified employee with or without pay.

In the event of a suspension, due process will be followed.

Legal Reference: Northeast Community Education Association v. Northeast Community School District, 402 N.W.2d 765 (Iowa 1987).  
McFarland v. Board of Education of Norwalk Community School District, 277 N.W.2d 901 (Iowa 1979).  
Iowa Code §§ 20.7, .24 (2007).

Cross Reference: 404 Employee Conduct and Appearance  
413 Classified Employee Termination of Employment

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## CLASSIFIED EMPLOYEE REDUCTION IN FORCE

It is the exclusive power of the board to determine when a reduction in classified employees is necessary. Employees who are terminated due to a reduction in force shall be given thirty days notice. Due process will be followed for terminations due to a reduction in force.

It shall be the responsibility of the superintendent to make a recommendation for termination to the board. The superintendent will consider the relative qualifications, skills, ability and demonstrated performance through evaluation procedures in making the recommendations.

Legal Reference: Iowa Code §§ 20.7, .24 (2007).

Cross Reference: 407.5 Licensed Employee Reduction in Force  
413.3 Classified Employee Suspension  
413.4 Classified Employee Dismissal  
703 Budget

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## CLASSIFIED EMPLOYEE VACATIONS - HOLIDAYS - PERSONAL LEAVE

The board will determine the amount of vacation, holidays and personal leave that will be allowed on an annual basis for classified employees.

Classified employees will be paid only for the hours they would have been scheduled for the day. Vacation will not be accrued from year to year without a prior arrangement with the superintendent.

It is the responsibility of the superintendent to make a recommendation to the board annually on vacation and personal leave for classified employees.

Legal Reference: Iowa Code §§ 1C.1-.2; 4.1(34); 20.9 (2007).

Cross Reference: 409.1 Licensed Employee Vacations - Holidays - Personal Leave  
601.1 School Calendar

Approved September, 2007 Reviewed 02/09/2015 Revised \_\_\_\_\_

## CLASSIFIED EMPLOYEE PERSONAL ILLNESS LEAVE

Classified employees shall be granted ten days of sick leave in their first year of employment. Each year thereafter, one additional day of sick leave will be granted to the employees up to a maximum of fifteen days. "Day" is defined as one work day regardless of full-time or part-time status of the employee. A new employee shall report for work at least one full work day prior to receiving sick leave benefits. A returning employee will be granted the appropriate number of days at the beginning of each fiscal year. Sick leave may be accumulated up to a maximum of 90-120 days for classified employees depending on their position.

Should the personal illness occur after or extend beyond the accumulated sick leave, the employee may apply for disability benefits under the group insurance plan. If the employee does not qualify for disability benefits, the employee may request a leave of absence without pay.

Evidence may be required regarding the mental or physical health of the employee including, but not limited to, confirmation of the following: the employee's illness, the need for the illness leave, the employee's ability to return to work, and the employee's capability to perform the duties of the employee's position. It shall be within the discretion of the board and the superintendent to determine the type and amount of evidence necessary. When an illness leave will be greater than three consecutive days, the employee shall comply with board policy regarding family and medical leave.

If an employee is eligible to receive workers' compensation benefits, the employee shall contact the board secretary to implement these benefits.

Legal Reference: Whitney v. Rural Ind. School District, 232 Iowa 61, 4 N.W.2d 394 (1942).  
 26 U.S.C. §§ 2601 *et seq.* (2004)  
 29 C.F.R. Pt. 825 (2004).  
 Iowa Code §§ 20; 85.33, .34, .38(3); 279.40 (2007).  
 1980 Op. Att'y Gen. 605.  
 1972 Op. Att'y Gen. 177, 353.  
 1952 Op. Att'y Gen. 91.

Cross Reference: 403.2 Employee Injury on the Job  
 414.3 Classified Employee Family and Medical Leave  
 414.9 Classified Employee Unpaid Leave

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## CLASSIFIED EMPLOYEE FAMILY AND MEDICAL LEAVE

Unpaid family and medical leave will be granted up to 12 weeks per year to assist employees in balancing family and work life. For purposes of this policy, year is defined as January 1 to December 31. Requests for family and medical leave will be made to the superintendent.

Employees may be allowed to substitute paid leave for unpaid family and medical leave by meeting the requirements set out in the family and medical leave administrative rules. Employees eligible for family and medical leave must comply with the family and medical leave administrative rules prior to starting family and medical leave. It is the responsibility of the superintendent to develop administrative rules to implement this policy.

The requirements stated in the Master Contract between employees in the certified collective bargaining unit and the board regarding family and medical leave of such employees will be followed.

***NOTE: This policy is consistent with federal law regarding family and medical leave. The links below are to applicable forms on the U.S. Department of Labor Web site.***

Links: [WH-380-E Certification of Health Care Provider for Employee's Serious Health Condition \(PDF\)](#)  
[WH-380-F Certification of Health Care Provider for Family Member's Serious Health Condition \(PDF\)](#)  
[WH-381 Notice of Eligibility and Rights & Responsibilities \(PDF\)](#)  
[WH-382 Designation Notice \(PDF\)](#)  
[WH-384 Certification of Qualifying Exigency For Military Family Leave \(PDF\)](#)  
[WH-385 Certification for Serious Injury or Illness of Covered Servicemember -- for Military Family Leave \(PDF\)](#)

Legal Reference: Whitney v. Rural Ind. School. District, 232 Iowa 61, 4 N.W.2d 394 (1942).

26 U.S.C. §§ 2601 *et seq.* (2006)

29 C.F.R. Pt. 825 (2006).

Iowa Code §§ 20; 85.33, .34, .38(3); 216; 279.40 (2009).

1980 Op. Att'y Gen. 605.

1972 Op. Att'y Gen. 177, 353.

1952 Op. Att'y Gen. 91.

Cross Reference:	409.3	Licensed Employee Family and Medical Leave
	414.2	Classified Employee Personal Illness Leave
	414.8	Classified Employee Unpaid Leave

Approved \_\_\_\_\_

Reviewed 02/09/2015

Revised Sept. 2009

## CLASSIFIED EMPLOYEE FAMILY AND MEDICAL LEAVE NOTICE TO EMPLOYEES

## YOUR RIGHTS UNDER THE FAMILY AND MEDICAL LEAVE ACT OF 1993

FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:

- For incapacity due to pregnancy, prenatal medical care or child birth;
- To care for the employee's child after birth, or placement for adoption or foster care;
- To care for the employee's spouse, son or daughter, or parent, who has a serious health condition; or
- For a serious health condition that makes the employee unable to perform the employee's job.

### **MILITARY FAMILY LEAVE ENTITLEMENTS**

Eligible employees with a spouse, son, daughter, or parent on active duty or call to active duty status in the National Guard or Reserves in support of a contingency operation may use their 12-week leave entitlement to address certain qualifying exigencies.

Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered servicemember during a single 12-month period. A covered servicemember is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the servicemember medically unfit to perform his or her duties for which the servicemember is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list.

### **BENEFITS AND PROTECTION**

During FMLA leave, the employer must maintain the employee's health coverage under any "group health plan" on the same terms as if the employee had continued to work. Upon return from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.

Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

### **JOB ELIGIBILITY REQUIREMENTS**

Employees are eligible if they have worked for a covered employer for at least one year, for 1,250 hours over the previous 12 months, and if at least 50 employees are employed by the employer within 75 miles.

### **DEFINITION OF SERIOUS HEALTH CONDITION**

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

### **USE OF LEAVE**

An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule

## CLASSIFIED EMPLOYEE FAMILY AND MEDICAL LEAVE NOTICE TO EMPLOYEES

when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the employer's operations. Leave due to qualifying exigencies may also be taken.

**SUBSTITUTION OF PAID LEAVE FOR UNPAID LEAVE**

Employees may choose or employers may require use of accrued paid leave while taking FMLA leave. In order to use paid leave for FMLA leave, employees must comply with the employer's normal paid leave policies.

**EMPLOYEE RESPONSIBILITIES**

Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days notice is not possible, the employee must provide notice as soon as practicable and generally must comply with an employer's normal call-in procedures.

Employees must provide sufficient information for the employer to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the employer if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees also may be required to provide a certification and periodic recertification supporting the need for leave.

**EMPLOYER RESPONSIBILITIES**

Covered employers must inform employees requesting leave whether they are eligible under FMLA. If they are, the notice must specify any additional information required as well as the employees' rights and responsibilities. If they are not eligible, the employer must provide a reason for the ineligibility. Covered employers must inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If the employer determines that the leave

is not FMLA-protected, the employer must notify the employee.

**UNLAWFUL ACTS BY EMPLOYERS**

FMLA makes it unlawful for any employer to:

- Interfere with, restrain, or deny the exercise of any right provided under FMLA;
- Discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

**ENFORCEMENT**

An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer.

FMLA does not affect any Federal or State law prohibiting discrimination, or supersede any State or local law or collective bargaining agreement which provides greater family or medical leave rights.

**NOTE: FMLA section 109 (29 U.S.C. § 2619) requires FMLA covered employers to post the text of this notice. Regulations 29 C.F.R. § 825.300(a) may require additional disclosures.**

If you have access to the Internet visit FLMA's website: <http://www.dol.gov/esa/whd/fmla>.

To locate your nearest Wage-Hour Office, phone our toll-free information at 1-866-487-9243 or to the Web site at: <http://www.wagehour.dol.gov>.

For a listing of records that must be kept by employers to comply with FMLA visit the U.S. Dept. of Labor's website: [http://www.dol.gov/dol/allcfr/ESA/Title\\_29/Part\\_825/29CFR825.500.htm](http://www.dol.gov/dol/allcfr/ESA/Title_29/Part_825/29CFR825.500.htm)

*US Dept. of Labor – Revised July, 2009*

## CLASSIFIED EMPLOYEE FAMILY AND MEDICAL LEAVE REQUEST FORM

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

I, \_\_\_\_\_, request family and medical leave for the following reason:

(check all that apply)

- ☐ for the birth of my child;  
☐ for the placement of a child for adoption or foster care;  
☐ to care for my child who has a serious health condition;  
☐ to care for my parent who has a serious health condition;  
☐ to care for my spouse who has a serious health condition; or  
☐ because I am seriously ill and unable to perform the essential functions of my position.  
☐ because of a qualifying exigency arising out of the fact that my \_\_\_ spouse; \_\_\_ son or daughter; \_\_\_ parent is on active duty or call to active duty status in support of a contingency operation as a member of the National Guard or Reserves.  
☐ because I am the \_\_\_ spouse; \_\_\_ son or daughter; \_\_\_ parent; \_\_\_ next of kin of a covered service member with a serious injury or illness.

I acknowledge my obligation to provide medical certification of my serious health condition or that of a family member in order to be eligible for family and medical leave within 15 days of the request for certification.

I acknowledge receipt of information regarding my obligations under the family and medical leave policy of the school district.

I request that my family and medical leave begin on \_\_\_\_\_ and I request leave as follows:  
(check one)

☐ continuous

I anticipate that I will be able to return to work on \_\_\_\_\_.

☐ intermittent leave for the:

- ☐ birth of my child or adoption or foster care placement subject to agreement by the district;  
☐ serious health condition of myself, parent, or child when medically necessary;  
☐ because of a qualifying exigency arising out of the fact that my \_\_\_ spouse; \_\_\_ son or daughter; \_\_\_ parent is on active duty or call to active duty status in support of a contingency operation as a member of the National Guard or Reserves.  
☐ because I am the \_\_\_ spouse; \_\_\_ son or daughter; \_\_\_ parent; \_\_\_ next of kin of a covered service member with a serious injury or illness.

Details of the needed intermittent leave:

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## CLASSIFIED EMPLOYEE FAMILY AND MEDICAL LEAVE REQUEST FORM

I anticipate returning to work at my regular schedule on \_\_\_\_\_.

\_\_\_\_\_ reduced work schedule for the:

- \_\_\_\_\_ birth of my child or adoption or foster care placement subject to agreement by the district;
- \_\_\_\_\_ serious health condition of myself, parent, or child when medically necessary;
- \_\_\_\_\_ because of a qualifying exigency arising out of the fact that my \_\_\_ spouse; \_\_\_ son or daughter; \_\_\_ parent is on active duty or call to active duty status in support of a contingency operation as a member of the National Guard or Reserves.
- \_\_\_\_\_ because I am the \_\_\_ spouse; \_\_\_ son or daughter; \_\_\_ parent; \_\_\_ next of kin of a covered service member with a serious injury or illness.

Details of needed reduction in work schedule as follows:

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I anticipate returning to work at my regular schedule on \_\_\_\_\_.

I realize I may be moved to an alternative position during the period of the family and medical intermittent or reduced work schedule leave. I also realize that with foreseeable intermittent or reduced work schedule leave, subject to the requirements of my health care provider, I may be required to schedule the leave to minimize interruptions to school district operations.

While on family and medical leave, I agree to pay my regular contributions to employer sponsored benefit plans. My contributions will be deducted from moneys owed me during the leave period. If no monies are owed me, I will reimburse the school district by personal check or cash for my contributions. I understand that I may be dropped from the employer-sponsored benefit plans for failure to pay my contribution.

I agree to reimburse the school district for any payment of my contributions with deductions from future monies owed to me or the school district may seek reimbursement of payments of my contributions in court.

I acknowledge that the above information is true to the best of my knowledge.

Signed \_\_\_\_\_

Date \_\_\_\_\_

## CLASSIFIED EMPLOYEE FAMILY AND MEDICAL LEAVE REGULATION

### A. School district notice.

1. The school district will post the notice in Exhibit 409.3E1 regarding family and medical leave.
2. Information on the Family and Medical Leave Act and the board policy on family and medical leave, including leave provisions and employee obligations will be provided annually. The information will be in the *[employee handbook]*.
3. When an employee requests family and medical leave, the school district will provide the employee with information listing the employee's obligations and requirements. Such information will include:
  - a. a statement clarifying whether the leave qualifies as family and medical leave and will, therefore, be credited to the employee's annual 12-week entitlement or 26 week entitlement depending on the purpose of the leave;
  - b. a reminder that employees requesting family and medical leave for their serious health condition or for that of an immediate family member must furnish medical certification of the serious health condition and the consequences for failing to do so or proof of call to active duty in the case of military family and medical leave;
  - c. an explanation of the employee's right to substitute paid leave for family and medical leave including a description of when the school district requires substitution of paid leave and the conditions related to the substitution; and
  - d. a statement notifying employees that they must pay and must make arrangements for paying any premium or other payments to maintain health or other benefits.

### B. Eligible employees. (*choose one*)

#### Option I:

Employees are eligible for family and medical leave if three criteria are met.

1. The school district has more than 50 employees on the payroll at the time leave is requested;
2. The employee has worked for the school district for at least twelve months or 52 weeks (the months and weeks need not be consecutive); and
3. The employee has worked at least 1,250 hours within the previous year. Full-time professional employees who are exempt from the wage and hour law may be presumed to have worked the minimum hour requirement.

#### Option II:

*[School district inserts its own definition which must be broader than the definition under Option I.]*

#### Option III:

The definition in the collective bargaining agreement is incorporated by reference.

If the employee requesting leave is unable to meet the above criteria, the employee is not eligible for family and medical leave.

## CLASSIFIED EMPLOYEE FAMILY AND MEDICAL LEAVE REGULATION

## C. Employee requesting leave -- two types of leave.

## 1. Foreseeable family and medical leave.

- a. Definition - leave is foreseeable for the birth or placement of an adopted or foster child with the employee or for planned medical treatment.
- b. Employee must give at least thirty days notice for foreseeable leave. Failure to give the notice may result in the leave beginning thirty days after notice was received. For those taking leave due to military family and medical leave, notice should be given as soon as possible.
- c. Employees must consult with the school district prior to scheduling planned medical treatment leave to minimize disruption to the school district. The scheduling is subject to the approval of the health care provider.
- d. *[Boards who adopt other requirements or additional collective bargaining provisions can add them here.]*

## 2. Unforeseeable family and medical leave.

- a. Definition - leave is unforeseeable in such situations as emergency medical treatment or premature birth.
- b. Employee must give notice as soon as possible but no later than one to two work days after learning that leave will be necessary.
- c. A spouse or family member may give the notice if the employee is unable to personally give notice.

## D. Eligible family and medical leave determination. The school district may require the employee giving notice of the need for leave to provide reasonable documentation or a statement of family relationship.

1. ~~Four~~ Six purposes.

- a. The birth of a son or daughter of the employee and in order to care for that son or daughter prior to the first anniversary of the child's birth;
- b. The placement of a son or daughter with the employee for adoption or foster care and in order to care for that son or daughter prior to the first anniversary of the child's placement;
- c. To care for the spouse, son, daughter or parent of the employee if the spouse, son, daughter or parent has a serious health condition; or
- d. Employee's serious health condition that makes the employee unable to perform the essential functions of the employee's position.
- e. because of a qualifying exigency arising out of the fact that an employee's \_\_\_ spouse; \_\_\_ son or daughter; \_\_\_ parent is on active duty or call to active duty status in support of a contingency operation as a member of the National Guard or Reserves.
- f. because the employee is the spouse; \_\_\_ son or daughter; \_\_\_ parent; \_\_\_ next of kin of a covered service member with a serious injury or illness.
- g. *[Boards who adopt other purposes for which family and medical leave may be taken should add them here.]*

## CLASSIFIED EMPLOYEE FAMILY AND MEDICAL LEAVE REGULATION

## 2. Medical certification.

- a. When required:
  - (1) Employees *[may/shall]* be required to present medical certification of the employee's serious health condition and inability to perform the essential functions of the job.
  - (2) Employees *[may/shall]* be required to present medical certification of the family member's serious health condition and that it is medically necessary for the employee to take leave to care for the family member.
  - (3) Employees *[may/shall]* be required to present certification of the call to active duty when taking military family and medical leave.
- b. Employee's medical certification responsibilities:
  - (1) The employee must obtain the certification from the health care provider who is treating the individual with the serious health condition.
  - (2) The school district may require the employee to obtain a second certification by a health care provider chosen by and paid for by the school district if the school district has reason to doubt the validity of the certification an employee submits. The second health care provider cannot, however, be employed by the school district on a regular basis.
  - (3) If the second health care provider disagrees with the first health care provider, then the school district may require a third health care provider to certify the serious health condition. This health care provider must be mutually agreed upon by the employee and the school district and paid for by the school district. This certification or lack of certification is binding upon both the employee and the school district.
- c. Medical certification will be required fifteen days after family and medical leave begins unless it is impracticable to do so. The school district may request recertification every thirty days. Recertification must be submitted within fifteen days of the school district's request.
- d. Employees taking military caregiver family and medical leave to care for a family service member cannot be required to obtain a second opinion or to provide recertification.
- e. *[Boards who adopt other requirements or have collective bargaining agreements with provisions regarding certification should add them here.]*

Family and medical leave requested for the serious health condition of the employee or to care for a family member with a serious health condition which is not supported by medical certification will be denied until such certification is provided.

## E. Entitlement.

- 1. Employees are entitled to twelve weeks unpaid family and medical leave per year. Employees taking military caregiver family and medical leave to care for a family service member are entitled to 26 weeks of unpaid family and medical leave but only in a single 12 month period.
- 2. Year is defined as: *(choose one)*
  - Option I - Fiscal year
  - Option II - Calendar year
  - Option III - School year

## CLASSIFIED EMPLOYEE FAMILY AND MEDICAL LEAVE REGULATION

Option IV - Rolling: measured forward from the first day leave is used, or measured backward from the date leave is used.

Option V - Collective bargaining agreement contract year

3. If insufficient leave is available, the school district may:
  - a. Deny the leave if entitlement is exhausted
  - b. Award leave available
  - c. *[Award leave in accordance with other provisions of board policy or the collective bargaining agreement.]*

### F. Type of Leave Requested.

1. Continuous - employee will not report to work for set number of days or weeks.
2. Intermittent - employee requests family and medical leave for separate periods of time.
  - a. Intermittent leave is available for:
    - \_\_\_\_\_ birth of my child or adoption or foster care placement subject to agreement by the district;
    - \_\_\_\_\_ serious health condition of myself, parent, or child when medically necessary;
    - \_\_\_\_\_ because of a qualifying exigency arising out of the fact that my \_\_\_ spouse; \_\_\_ son or daughter; \_\_\_ parent is on active duty or call to active duty status in support of a contingency operation as a member of the National Guard or Reserves;
    - \_\_\_\_\_ because I am the \_\_\_ spouse; \_\_\_ son or daughter; \_\_\_ parent; \_\_\_ next of kin of a covered service member with a serious injury or illness.
  - b. In the case of foreseeable intermittent leave, the employee must schedule the leave to minimize disruption to the school district operation.
  - c. During the period of foreseeable intermittent leave, the school district may move the employee to an alternative position with equivalent pay and benefits. *(For instructional employees, see G below.)*
3. Reduced work schedule - employee requests a reduction in the employee's regular work schedule.
  - a. Reduced work schedule family and medical leave is available for:
    - \_\_\_\_\_ birth of my child or adoption or foster care placement subject to agreement by the district;
    - \_\_\_\_\_ serious health condition of myself, parent, or child when medically necessary;
    - \_\_\_\_\_ because of a qualifying exigency arising out of the fact that my \_\_\_ spouse; \_\_\_ son or daughter; \_\_\_ parent is on active duty or call to active duty status in support of a contingency operation as a member of the National Guard or Reserves;
    - \_\_\_\_\_ because I am the \_\_\_ spouse; \_\_\_ son or daughter; \_\_\_ parent; \_\_\_ next of kin of a covered service member with a serious injury or illness.
  - b. In the case of foreseeable reduced work schedule leave, the employee must schedule the leave to minimize disruption to the school district operation.

## CLASSIFIED EMPLOYEE FAMILY AND MEDICAL LEAVE REGULATION

- c. During the period of foreseeable reduced work schedule leave, the school district may move the employee to an alternative position with equivalent pay and benefits. *(For instructional employees, see G below.)*

### G. Special Rules for Instructional Employees.

1. Definition - an instructional employee is one whose principal function is to teach and instruct students in a class, a small group or an individual setting. This includes, but is not limited to, teachers, coaches, driver's education instructors and special education assistants.
2. Instructional employees who request foreseeable medically necessary intermittent or reduced work schedule family and medical leave greater than twenty percent of the work days in the leave period may be required to:
  - a. Take leave for the entire period or periods of the planned medical treatment; or
  - b. Move to an available alternative position, with equivalent pay and benefits, but not necessarily equivalent duties, for which the employee is qualified.
3. Instructional employees who request continuous family and medical leave near the end of a semester may be required to extend the family and medical leave through the end of the semester. The number of weeks remaining before the end of a semester does not include scheduled school breaks, such as summer, winter or spring break.
  - a. If an instructional employee begins family and medical leave for any purpose more than five weeks before the end of a semester, the school district may require that the leave be continued until the end of the semester if the leave will last at least three weeks and the employee would return to work during the last three weeks of the semester if the leave was not continued.
  - b. If the employee begins family and medical leave for a purpose other than the employee's own serious health condition during the last five weeks of a semester, the school district may require that the leave be continued until the end of the semester if the leave will last more than two weeks and the employee would return to work during the last two weeks of the semester.
  - c. If the employee begins family and medical leave for a purpose other than the employee's own serious health condition during the last three weeks of the semester and the leave will last more than five working days, the school district may require the employee to continue taking leave until the end of the semester.
4. The entire period of leave taken under the special rules is credited as family and medical leave. The school district will continue to fulfill the school district's family and medical leave responsibilities and obligations, including the obligation to continue the employee's health insurance and other benefits, if an instructional employee's family and medical leave entitlement ends before the involuntary leave period expires.

### H. Employee responsibilities while on family and medical leave.

## CLASSIFIED EMPLOYEE FAMILY AND MEDICAL LEAVE REGULATION

1. Employee must continue to pay health care benefit contributions or other benefit contributions regularly paid by the employee unless employee elects not to continue the benefits.
  2. The employee contribution payments will be deducted from any money owed to the employee or the employee will reimburse the school district at a time set by the superintendent.
  3. An employee who fails to make the health care contribution payments within thirty days after they are due will be notified that their coverage may be canceled if payment is not received within an additional 15 days.
  4. An employee may be asked to re-certify the medical necessity of family and medical leave for the serious medical condition of an employee or family member once every thirty days and return the certification within fifteen days of the request.
  5. The employee must notify the school district of the employee's intent to return to work at least once each month during their leave and at least two weeks prior to the conclusion of the family and medical leave.
  6. If an employee intends not to return to work, the employee must immediately notify the school district, in writing, of the employee's intent not to return. The school district will cease benefits upon receipt of this notification.
- I. Use of paid leave for family and medical leave.

### Option I:

An employee may substitute unpaid family and medical leave with appropriate paid leave available to the employee under board policy, individual contracts or the collective bargaining agreement. Paid leave includes, but is not limited to, sick leave, family illness leave, vacation, personal leave, bereavement leave and professional leave. When the school district determines that paid leave is being taken for an FMLA reason, the school district will notify the employee within two business days that the paid leave will be counted as FMLA leave.

### Option II:

1. An employee may substitute unpaid family and medical leave for the serious health condition of the employee with paid sick, vacation and personal leave. Upon the expiration of paid leave, the family and medical leave for the serious health condition of the employee is unpaid.
2. An employee may substitute unpaid family and medical leave for the serious health condition of an employee's family member or to care for a family service member with paid sick, vacation and personal leave. Upon the expiration of paid leave, the family and medical leave for the serious health condition of an employee's family member is unpaid.
3. An employee may substitute unpaid family and medical leave for the birth of a child of the employee and in order to care for that child prior to the first anniversary of the child's birth with sick, vacation and personal leave. Upon the expiration of paid leave, the family and medical

## CLASSIFIED EMPLOYEE FAMILY AND MEDICAL LEAVE REGULATION

leave for the birth of a child of the employee and in order to care for that child prior to the first anniversary of the child's birth is unpaid.

4. An employee may substitute unpaid family and medical leave for the placement of a child with the employee for adoption or foster care and in order to care for that child prior to the first anniversary of the child's placement or adoption with sick, vacation and personal leave. Upon the expiration of paid leave, the family and medical leave for the placement of a child with the employee for adoption or foster care and in order to care for the child prior to the first anniversary of the child's placement or adoption is unpaid.
5. An employee may substitute unpaid family and medical leave when a family service member is called to active duty or on call to active duty with sick, vacation and personal leave. Upon expiration of the paid leave, the leave is unpaid.
6. When the school district determines that paid leave is being taken for an FMLA reason, the school district will notify the employee within two business days that the paid leave will be counted as FMLA leave.

Option III:

1. An employee may substitute unpaid family and medical leave for the serious health condition of the employee with paid sick leave. Upon the expiration of paid leave, the family and medical leave for the serious health condition of the employee is unpaid.
2. An employee may substitute unpaid family and medical leave for the serious health condition of an employee's family member with paid sick leave or to care for a family service member. Upon the expiration of paid leave, the family and medical leave for the serious health condition of an employee's family member is unpaid.
3. An employee may substitute unpaid family and medical leave for the birth of a child of the employee and in order to care for that child prior to the first anniversary of the child's birth with sick and vacation leave. Upon the expiration of paid leave, the family and medical leave for the birth of a child of the employee and in order to care for that child prior to the first anniversary of the child's birth is unpaid.
4. An employee may substitute unpaid family and medical leave for the placement of a child with the employee for adoption or foster care and in order to care for that child prior to the first anniversary of the child's placement or adoption with sick and vacation leave. Upon the expiration of paid leave, the family and medical leave for prior to the first anniversary of the placement of a child with the employee for adoption or foster care is unpaid.
5. An employee may substitute unpaid family and medical leave when a family service member is called to active duty or on call to active duty with sick and vacation leave. Upon expiration of the paid leave, the leave is unpaid.
7. When the school district determines that paid leave is being taken for an FMLA reason, the school district will notify the employee within two business days that the paid leave will be counted as FMLA leave.
- 8.

CLASSIFIED EMPLOYEE FAMILY AND MEDICAL LEAVE REGULATION

Option IV:

1. Family and medical leave is unpaid.

## CLASSIFIED EMPLOYEE FAMILY AND MEDICAL LEAVE DEFINITIONS

Active Duty - duty under a call or order to active duty under a provision of law referring to in section 101(a)(13) of title 10, U.S. Code.

Common Law Marriage - according to Iowa law, common law marriages exist when there is a present intent by the two parties to be married, continuous cohabitation, and a public declaration that the parties are husband and wife. There is no time factor that needs to be met in order for there to be a common law marriage.

Contingency Operation - has the same meaning given such term in section 101(a)(13) of title 10, U.S. Code.

Continuing Treatment - a serious health condition involving continuing treatment by a health care provider includes any one or more of the following:

- A period of incapacity (i.e., inability to work, attend school or perform other regular daily activities due to the serious health condition, treatment for or recovery from) of more than three consecutive calendar days and any subsequent treatment or period of incapacity relating to the same condition that also involves:
  - treatment two or more times by a health care provider, by a nurse or physician's assistant under direct supervision of a health care provider, or by a provider of health care services (e.g., physical therapist) under orders of, or in referral by, a health care provider; or
  - treatment by a health care provider on at least one occasion which results in a regimen of continuing treatment under the supervision of a the health care provider.
- Any period of incapacity due to pregnancy or for prenatal care.
- Any period of incapacity or treatment for such incapacity due to a chronic serious health condition. A chronic serious health condition is one which:
  - requires periodic visits for treatment by a health care provider or by a nurse or physician's assistant under direct supervision of a health care provider;
  - Continues over an extended period of time (including recurring episodes of a single underlying condition); and
  - May cause episodic rather than a continuing period of incapacity (e.g., asthma, diabetes, epilepsy, etc.).
- Any period of incapacity which is permanent or long-term due to a condition for which treatment may not be effective. The employee or family member must be under the continuing supervision of, but need not be receiving active treatment by, a health care provider. Examples include Alzheimer's, a severe stroke or the terminal stages of a disease.
- Any period of absence to receive multiple treatments (including any period of recovery from) by a health care provider or by a provider of health care services under orders of, or on referral by, a health care provider, either for restorative surgery after an accident or other injury, or for a condition that would likely result in a period of incapacity of more than three consecutive calendar days in the absence of medical intervention or treatment, such as cancer (chemotherapy, radiation, etc.), severe arthritis (physical therapy), kidney disease (dialysis).

Covered Servicemember - a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness.

## CLASSIFIED EMPLOYEE FAMILY AND MEDICAL LEAVE DEFINITIONS

Eligible Employee - the district has more than 50 employees on the payroll at the time leave is requested. The employee has worked for the district for at least twelve months and has worked at least 1250 hours within the previous year.

Essential Functions of the Job - those functions which are fundamental to the performance of the job. It does not include marginal functions.

Employment Benefits - all benefits provided or made available to employees by an employer, including group life insurance, health insurance, disability insurance, sick leave, annual leave, educational benefits, and pensions, regardless of whether such benefits are provided by a practice or written policy of an employer or through an "employee benefit plan."

Family Member - individuals who meet the definition of son, daughter, spouse or parent.

Group Health Plan - any plan of, or contributed to by, an employer (including a self-insured plan) to provide health care (directly or otherwise) to the employer's employees, former employees, or the families of such employees or former employees.

### Health Care Provider-

- A doctor of medicine or osteopathy who is authorized to practice medicine or surgery by the state in which the doctor practices; or
- Podiatrists, dentists, clinical psychologists, optometrists, and chiropractors (limited to treatment consisting of manual manipulation of the spine to correct a subluxation as demonstrated by X ray to exist) authorized to practice in the state and performing within the scope of their practice as defined under state law; and
- Nurse practitioners and nurse-midwives, and clinical social workers who are authorized to practice under state law and who are performing within the scope of their practice as defined under state law; and
- Christian Science practitioners listed with the First Church of Christ Scientist in Boston, Massachusetts;
- Any health care provider from whom an employer or a group health plan's benefits manager will accept certification of the existence of a serious health condition to substantiate a claim for benefits;
- A health care provider as defined above who practices in a country other than the United States who is licensed to practice in accordance with the laws and regulations of that country.

In Loco Parentis - individuals who had or have day-to-day responsibilities for the care and financial support of a child not their biological child or who had the responsibility for an employee when the employee was a child.

Incapable of Self-Care - that the individual requires active assistance or supervision to provide daily self-care in several of the "activities of daily living" or "ADLs." Activities of daily living include adaptive activities such as caring appropriately for one's grooming and hygiene, bathing, dressing, eating, cooking, cleaning, shopping, taking public transportation, paying bills, maintaining a residence, using telephones and directories, using a post office, etc.

Instructional Employee - an employee employed principally in an instructional capacity by an educational agency or school whose principal function is to teach and instruct students in a class, a small group, or an individual setting, and includes athletic coaches, driving instructors, and special education assistants such as signers for the hearing impaired. The term does not include teacher assistants or aides who do not have as their principal function actual teaching or instructing, nor auxiliary personnel such as counselors, psychologists, curriculum specialists, cafeteria workers, maintenance workers, bus drivers, or other primarily non-instructional employees.

## CLASSIFIED EMPLOYEE FAMILY AND MEDICAL LEAVE DEFINITIONS

Intermittent Leave - leave taken in separate periods of time due to a single illness or injury, rather than for one continuous period of time, and may include leave or periods from an hour or more to several weeks.

Medically Necessary - certification for medical necessity is the same as certification for serious health condition.

"Needed to Care For" - the medical certification that an employee is "needed to care for" a family member encompasses both physical and psychological care. For example, where, because of a serious health condition, the family member is unable to care for his or her own basic medical, hygienic or nutritional needs or safety or is unable to transport himself or herself to medical treatment. It also includes situations where the employee may be needed to fill in for others who are caring for the family member or to make arrangements for changes in care.

Next of Kin - an individual's nearest blood relative

Outpatient Status - the status of a member of the Armed Forces assigned to –

- either a military medical treatment facility as an outpatient; or,
- a unit established for the purpose of providing command and control of members of the Armed Forces receiving medical care as outpatients.

Parent - a biological parent or an individual who stands in loco parentis to a child or stood in loco parentis to an employee when the employee was a child. Parent does not include parent-in-law.

Physical or Mental Disability - a physical or mental impairment that substantially limits one or more of the major life activities of an individual.

Reduced Leave Schedule - a leave schedule that reduces the usual number of hours per workweek, or hours per workday, of an employee.

Serious Health Condition -

- An illness, injury, impairment, or physical or mental condition that involves:
- Inpatient care (i.e. an overnight stay) in a hospital, hospice or residential medical care facility including any period of incapacity (for purposes of this section, defined to mean inability to work, attend school or perform other regular daily activities due to the serious health condition, treatment for or recovery from), or any subsequent treatment in connection with such inpatient care; or
- Continuing treatment by a health care provider. A serious health condition involving continuing treatment by a health care provider includes:
  - A period of incapacity (i.e., inability to work, attend school or perform other regular daily activities due to the serious health condition, treatment for or recovery from) of more than three consecutive calendar days, including any subsequent treatment or period of incapacity relating to the same condition, that also involves:
    - Treatment two or more times by a health care provider, by a nurse or physician's assistant under direct supervision of a health care provider, or by a provider of health care services (e.g., physical therapist) under orders or, or on referral by, a health care provider; or
    - Treatment by a health care provider on at least one occasion which results in a regimen of continuing treatment under the supervision of the health care provider.
  - Any period of incapacity due to pregnancy or for prenatal care.

## CLASSIFIED EMPLOYEE FAMILY AND MEDICAL LEAVE DEFINITIONS

- Any period of incapacity or treatment for such incapacity due to a chronic serious health condition. A chronic serious health condition is one which:
  - Requires periodic visits for treatment by a health care provider or by a nurse or physician's assistant under direct supervision of a health care provider;
  - Continues over an extended period of time (including recurring episodes of a single underlying condition); and,
  - May cause episodic rather than a continuing period of incapacity (e.g., asthma, diabetes, epilepsy, etc.).
- A period of incapacity which is permanent or long-term due to a condition for which treatment may not be effective. The employee or family member must be under the continuing supervision of, but need not be receiving active treatment by, a health care provider. Examples include Alzheimer's, a severe stroke or the terminal stages of a disease.
- Any period of absence to receive multiple treatments (including any period of recovery from) by a health care provider or by a provider of health care services under orders of, or on referral by, a health care provider, either for restorative surgery after an accident or other injury, or for a condition that would likely result in a period of incapacity of more than three consecutive calendar days in the absence of medical intervention or treatment, such as cancer (chemotherapy, radiation, etc.), severe arthritis (physical therapy), kidney disease (dialysis).
- Treatment for purposes of this definition includes, but is not limited to, examinations to determine if a serious health condition exists and evaluation of the condition. Treatment does not include routine physical examinations, eye examinations or dental examinations. Under this definition, a regimen of continuing treatment includes, for example, a course of prescription medication (e.g., an antibiotic) or therapy requiring special equipment to resolve or alleviate the health condition (e.g., oxygen). A regimen of continuing treatment that includes the taking of over-the-counter medications such as aspirin, antihistamines, or salves; or bed rest, drinking fluids, exercise and other similar activities that can be initiated without a visit to a health care provider, is not, by itself, sufficient to constitute a regimen of continuing treatment for purposes of FMLA leave.
- Conditions for which cosmetic treatments are administered (such as most treatments for acne or plastic surgery) are not "serious health conditions" unless inpatient hospital care is required or unless complications develop. Ordinarily, unless complications arise, the common cold, the flu, ear aches, upset stomach, ulcers, headaches other than migraine, routine dental or orthodontia problems, periodontal disease, etc., are examples of conditions that do not meet the definition of a serious health condition and do not qualify for FMLA leave. Restorative dental or plastic surgery after an injury or removal of cancerous growths are serious health conditions provided all the other conditions of this regulation are met. Mental illness resulting from stress or allergies may be serious health conditions, but only if all the conditions of this section are met.
- Substance abuse may be a serious health condition if the conditions of this section are met. However, FMLA leave may only be taken for treatment for substance abuse by a health care provider or by a provider of health care on referral by a health care provider. On the other hand, absence because of the employee's use of the substance, rather than for treatment, does not qualify for FMLA leave.
- Absence attributable to incapacity under this definition qualify for FMLA leave even though the employee or the immediate family member does not receive treatment from a health care provider during the absence, and even if the absence does not last more than three days. For example, an employee with asthma may be unable to report for work due to the onset of an asthma attack or because the employee's health care provider has advised the employee to stay home when the pollen count exceeds a certain level. An employee who is pregnant may be unable to report to work because of severe morning sickness.

## CLASSIFIED EMPLOYEE FAMILY AND MEDICAL LEAVE DEFINITIONS

Serious Injury or Illness - an injury or illness incurred by a member of the Armed forces, including the National Guard or Reserves in the line of duty on active duty in the Armed Forces that may render the member medically unfit to perform the duties of the member's office, grade, rank, or rating.

Son or daughter - a biological child, adopted child, foster child, stepchild, legal ward, or a child of a person standing in loco parentis. The child must be under age 18 or, if over 18, incapable of self-care because of a mental or physical disability.

Spouse - a husband or wife recognized by Iowa law including common law marriages.

## CLASSIFIED EMPLOYEE EMERGENCY LEAVE

The board realizes an emergency may arise which would necessitate a classified employee's absence from work which is not covered by another form of leave of absence. Such leave shall be called emergency leave.

Emergency leave must be unforeseen and beyond the control of the employee. The superintendent shall have the discretion to grant emergency leave. The superintendent shall determine whether such leave shall be paid leave or unpaid leave.

Legal Reference: Iowa Code §§ 20.9; 279.8 (2007).

Cross Reference: 409.4 Classified Employee Emergency Leave  
414 Classified Employee Vacations and Leaves of Absence

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## CLASSIFIED EMPLOYEE BEREAVEMENT LEAVE

In the event of a death of a member of a classified employee's immediate family, bereavement leave may be granted. Bereavement leave granted may be for a maximum of five days, with "day" being defined as one work day regardless of full-time or part-time status of the employee, per occurrence, for the death of a member of the immediate family. The immediate family includes child, spouse, parent, brother, sister, mother-in-law, father-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, grandchildren or grandparent of the employee.

It shall be within the discretion of the superintendent to determine the number of bereavement leave days to be granted.

Legal Reference: Iowa Code §§ 20.9; 279.8.

Cross Reference: 414 Classified Employee Vacations and Leaves of Absence

Approved September, 2007

Reviewed 07/10/2017

Revised 08/14/2017

## CLASSIFIED EMPLOYEE POLITICAL LEAVE

The board will provide a leave of absence to classified employees to run for elective public office. The superintendent shall grant a classified employee a leave of absence to campaign as a candidate for an elective public office as unpaid leave.

The classified employee will be entitled to one period of leave to run for the elective public office, and the leave may commence any time within thirty days of a contested primary, special, or general election and continue until the day following the election.

The request for leave must be in writing to the superintendent at least thirty days prior to the starting date of the requested leave.

Legal Reference: Iowa Code ch. 55 (2007).

Cross Reference: 401.15 Employee Political Activity  
414 Classified Employee Vacations and Leaves of Absence

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## CLASSIFIED EMPLOYEE JURY DUTY LEAVE

The board will allow classified employees to be excused for jury duty unless extraordinary circumstances exist. The superintendent has the discretion to determine when extraordinary circumstances exist.

Employees who are called for jury service shall notify the direct supervisor within twenty-four hours after notice of call to jury duty and suitable proof of jury service pay must be presented to the school district. The employee will report to work within one hour on any day when the employee is excused from jury duty during regular working hours.

Classified employees will receive their regular salary. Any payment for jury duty shall be turned over to the school district.

Legal Reference: Iowa Code §§ 20.9; 607A (2007).

Cross Reference: 414 Classified Employee Vacations and Leaves of Absence

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## CLASSIFIED EMPLOYEE MILITARY SERVICE LEAVE

The board recognizes classified employees may be called to participate in the armed forces, including the national guard. If a classified employee is called to serve in the armed forces, the employee shall have a leave of absence for military service until the military service is completed.

The leave shall be without loss of status or efficiency rating, and without loss of pay during the first thirty calendar days of the leave.

Legal Reference:        Bewley v. Villisca Community School District, 299 N.W. 2d 904 (Iowa 1980).  
Iowa Code §§ 20; 29A.28 (2007).

Cross Reference:        414        Classified Employee Vacations and Leaves of Absence

Approved September, 2007        Reviewed 02/09/2015        Revised \_\_\_\_\_

## CLASSIFIED EMPLOYEE UNPAID LEAVE

Unpaid leave may be used to excuse an involuntary absence not provided for in other leave policies. Unpaid leave for classified employees must be authorized by the superintendent. Whenever possible, classified employees shall make a written request for unpaid leave five days prior to the beginning date of the requested leave. If the leave is granted, the deductions in salary shall be made unless they are waived specifically by the superintendent.

The superintendent shall have complete discretion to grant or deny the requested unpaid leave. In making this determination, the superintendent shall consider the effect of the employee's absence on the education program and school district operations, the financial condition of the school district, length of service, previous record of absence, the reason for the requested absence and other factors the superintendent believes are relevant in making this determination.

If unpaid leave is granted, the duration of the leave period shall be coordinated with the scheduling of the education program whenever possible, to minimize the disruption of the education program and school district operations.

Legal Reference: Iowa Code §§ 20.9; 279.8 (2007).

Cross Reference: 414 Classified Employee Vacations and Leaves of Absence

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## CLASSIFIED EMPLOYEE PROFESSIONAL PURPOSES LEAVE

Professional purposes leave may be granted to classified employees for the purpose of attending meetings and conferences directly related to their assignments. Application for the leave must be presented to the superintendent 14 days prior to the meeting or conference.

It shall be within the discretion of the superintendent to grant professional purposes leave. The leave may be denied on the day before or after a vacation or holiday, on special days when services are needed, when it would cause undue interruption of the education program and school district operations, or for other reasons deemed relevant by the superintendent.

Legal Reference: Iowa Code § 279.8 (2007).  
281 I.A.C. 12.7.

Cross Reference: 411 Classified Employees - General  
408.1 Classified Employee Professional Development

Approved September, 2007 Reviewed 02/09/2015 Revised \_\_\_\_\_

## CLASSIFIED EMPLOYEE SUBSTITUTES

The superintendent shall employ substitute and temporary classified employees. Such employment shall be subject to the board's approval at its next meeting, when the superintendent shall present the names and salaries of the substitute or temporary employees to the board.

Legal Reference: Iowa Code §§ 20.9; 279.8 (2007).

Cross Reference: 411 Classified Employees - General

Approved September, 2007 Reviewed 02/09/2015 Revised \_\_\_\_\_

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## OBJECTIVES FOR EQUAL EDUCATIONAL OPPORTUNITIES FOR STUDENTS

This series of the board policy manual is devoted to the board's goals and objectives for assisting the students of the school district in obtaining an education. Each student will have an opportunity to obtain an education in compliance with the policies in this series.

It is the goal of the board to develop a healthy social, intellectual, emotional, and physical self-concept in the students enrolled in the school district. Each student attending school will have the opportunity to use it and its education program and services as a means for self-improvement and individual growth. In so doing, the students are expected to conduct themselves in a manner that assures each student the same opportunity.

The board supports the delivery of the education program and services to students free of discrimination on the basis of race, color, sex, marital status, national origin, religion, sexual orientation, socio-economic status, gender identity or disability. This concept of equal educational opportunity serves as a guide for the board and employees in making decisions relating to school district facilities, employment, selection of educational materials, equipment, curriculum, and regulations affecting students.

In the delivery of the education program, students will treat the employees with respect and students will receive the same in return. Employees have the best interests of the students in mind and will assist them in school-related or personal matters if they are able to do so. Students should feel free to discuss problems, whether school-related or personal, with the guidance counselor or other employees.

Board policies, rules and regulations affect students while they are on school district property or on property within the jurisdiction of the school district; while on school owned and/or operated school or chartered vehicles; while attending or engaged in school activities; and while away from school grounds if misconduct will directly affect the good order, efficient management and welfare of the school district.

Board policy refers to the term "parents" in many of the policies. The term parents for purposes of this policy manual means the legal parents, the legal guardian or custodian of a student.

Inquiries by students regarding compliance with equal educational opportunity and affirmative action laws and policies, including but not limited to complaints of discrimination, are directed to the Affirmative Action Coordinator by writing to the Affirmative Action Coordinator (superintendent), Durant Community School District, 408 – 7<sup>th</sup> St., Durant, Iowa 52747; or by telephoning (563) 785-4432.

Inquiries by students regarding compliance with equal educational opportunity and affirmative action laws and policies, including but not limited to complaints of discrimination, may also be directed in writing to the Director of the Region VII office of Civil Rights, U.S. Department of Education 8930 Ward Parkway, Suite 2037, Kansas City, MO. 64114 (816) 268-0550 or Iowa Dept. of Education, Grimes State Office Bldg., Des Moines, IA. (515) 281-5294. This inquiry or complaint to the federal or state office may be done instead of, or in addition to, an inquiry or complaint at the local level.

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

Approved September, 2007

Reviewed 02/09/2015

Revised December 10, 2012

## RESIDENT STUDENTS

Children who are residents of the school district community will attend the school district without paying tuition.

The residence of a student means the place, abode, or dwelling of the student. Generally, the legal dwelling of minors is the same as their parents. However, a student may establish a dwelling with someone other than the parents and attend public school in the school district without paying tuition if the primary purpose for residing in the school district is not for the purpose of obtaining a free public education. Further, students who have reached the age of majority and who are still eligible to attend an Iowa secondary school may declare their residence independent of the residence of the parents.

Each case involving the bona fide residence of a student will be decided upon its individual merits by the superintendent.

Legal Reference: Lakota Cons. Ind. School v. Buffalo Center-Rake Comm. School, 334 N.W.2d 704 (Iowa 1983).  
Mt. Hope School Dist. v. Hendrickson, 197 N.W. 47 (Iowa 1924).  
Oshel v. Creston Comm. School Dist., DPI Admin. Doc. 570 (1981).  
 33 D.P.I. Dec. Rule 80 (1984).  
 Iowa Code §§ 257.6; 282.2, .6, .7; 285.4 (2007).  
 1956 Op. Att'y Gen. 185.  
 1946 Op. Att'y Gen. 197.  
 1938 Op. Att'y Gen. 69.  
 1930 Op. Att'y Gen. 147.

Cross Reference: 102 School District Instructional Organization  
 501 Student Attendance

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## NONRESIDENT STUDENTS

Students who are eligible to attend an Iowa public school but who are not legal residents of the school district may be admitted into the school district at the discretion of the superintendent upon application and payment of tuition. The tuition rate shall be the current per-pupil cost of the school district as computed by the board secretary and as authorized by the Iowa Department of Education.

Resident students whose families move from the school district after the start of a semester and who wish to complete the semester in the school district may be permitted to attend without the payment of tuition at the discretion of the superintendent and approval of the board. Students who plan to open enroll to the nonresident district may complete the school year without approval of the superintendent or board. These students, other than students in grades eleven and twelve, must have the recommendation of the principal.

Students in grades eleven or twelve who are no longer residents of the school district, but were residents in the preceding school year, may continue to attend school until they graduate without the payment of tuition. These students may be required to identify an adult, who resides in the school district, identified for purposes of administration.

Nonresident students who are eligible to attend an Iowa public school and who have evidence they will become legal residents of the school district prior to the third Friday in September may be allowed to attend without the payment of tuition.

Legal Reference: Lakota Cons. Ind. School v. Buffalo Center-Rake Comm. School, 334 N.W.2d 704 (Iowa 1983).  
Mt. Hope School Dist. v. Hendrickson, 197 N.W. 47 (Iowa 1924).  
Oshel v. Creston Comm. School Dist., DPI Admin. Doc. 570 (1981).  
 Iowa Code §§ 257.6; 282.1, .2, .6, .7, .24 (2007).

Cross Reference: 501 Student Attendance

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## COMPULSORY ATTENDANCE

Parents within the school district who have children over age six and under age sixteen by September 15, in proper physical and mental condition to attend school, shall have the children attend the school district at the attendance center designated by the board. Students shall attend school the number of days school is in session in accordance with the school calendar. Students of compulsory attendance age shall attend school a minimum of 175 days. Students not attending the minimum days must be exempted by this policy as listed below or, referred to the county attorney. Exceptions to this policy include children who:

- have completed the requirements for graduation in an accredited school or have obtained a high school equivalency diploma;
- are attending religious services or receiving religious instruction;
- are attending an approved or probationally approved private college preparatory school;
- are attending an accredited nonpublic school; or,
- are receiving competent private instruction.

It is the responsibility of the parent of a child to provide evidence of the child's mental and physical inability to attend school or of the child's qualifications for one of the exceptions listed above.

The principal or dean of students shall investigate the cause for a student's truancy. If the principal or dean of students is unable to secure the truant student's attendance, the principal or dean of students should discuss the next step with the school board. If after school board action, the student is still truant, the principal or dean of students shall refer the matter over to the county attorney.

The school will participate in mediation if requested by the county attorney. The superintendent shall represent the school district in mediation. The school district will monitor the student's compliance with the mediation agreement and will report violations of the mediation agreement to the county attorney.

Legal Reference: Iowa Code §§ 239.5B; 259A; 279.10-.11; ch. 299; 299A (2007).  
441 I.A.C. 41.25(8).  
1978 Op. Att'y. Gen. 379.

Cross Reference: 501 Student Attendance  
601.1 School Calendar  
604.1 Competent Private Instruction

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## ENTRANCE - ADMISSIONS

Children in the school district community will be allowed to enroll in the school district's regular education program beginning at age five. The child must be age five on or prior to September 15 to participate in the school district's pre-kindergarten program. The child must be age six on or prior to September 15 to begin the first grade of the education program.

The board shall require evidence of age and residency in the form of a birth certificate or other evidence before the student may enroll in the school district's education program. It shall be within the discretion of the superintendent to determine what is satisfactory evidence for proof of age.

Prior to enrollment, the child must provide the administration with their health and immunization certificate. Failure to provide this information within the time period set by the superintendent shall be reason for suspension, expulsion or denying admission to the student.

Legal Reference: Iowa Code §§ 139.9; 282.1, .3, .6 (2007).  
1980 Op. Att'y Gen. 258.

Cross Reference: 501 Student Attendance  
507.1 Student Health and Immunization Certificates

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## STUDENT TRANSFERS IN

Students who transfer into the school district must meet the immunization and age requirements set out for students who initially enroll in the school district.

The school district shall request the student's cumulative records from the previous school district. If the student cannot offer proof of grade level, the superintendent will make the grade level determination. The superintendent may require testing or other information to determine the grade level. Students expelled or suspended from their previous school district will only be enrolled after approval of the board.

The superintendent shall determine the amount of credits to be transferred. If the student has not previously attended an accredited school, it is within the superintendent's discretion to accept or reject credits or grades.

The board may deny admission if the student is not willing to provide the board with the necessary information.

Legal Reference: 20 U.S.C. § 1232g (2004).  
Iowa Code §§ 139.9; 282.1, .3, .4; 299A (2007).

Cross Reference: 501 Student Attendance  
505.4 Student Honors and Awards  
507 Student Health and Well-Being  
604.1 Competent Private Instruction

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## STUDENT TRANSFERS OUT OR WITHDRAWALS

If the student's parents wish to withdraw or transfer the student from school prior to completing and graduating from the education program, they should notify the superintendent in writing as soon as possible of the decision to withdraw or transfer the student from the education program. The student or parent should present this written notice at the office and receive instructions regarding the return of textbooks, library books, locker equipment, hot lunch tickets, etc.

The notice should state the student's final day of attendance. If the student is not enrolling in another school district, the school district will maintain the student's records in the same manner as the records of students who have graduated from the school district.

If the parents wish to have the student's cumulative record sent to the new school district, the parents must notify the superintendent in writing. This notice will include the name of the school district and the person at the new school district to whom the student's cumulative records should be sent. If the new school district requests the student's cumulative records, the school district will forward the cumulative records and notify the parents the records have been sent. The notice will inform the parents of their right to review the records sent.

If the student is of compulsory education age and not transferring to another public school district or an accredited nonpublic school, the parents will notify the superintendent that the student is receiving competent private instruction and file the necessary competent private instruction reports.

Legal Reference: 20 U.S.C. § 1232g (2004).  
Iowa Code §§ 274.1; 299.1-.1A (2007).

Cross Reference: 501 Student Attendance  
506 Student Records  
604.1 Competent Private Instruction

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## STUDENT ATTENDANCE RECORDS

As part of the school district's records, the daily attendance of each student shall be recorded and maintained on file with the permanent records of the board secretary.

It shall be the responsibility of the principals to ensure that such reports are filed with the board secretary, the custodian of school records.

Legal Reference: Iowa Code §§ 294.4; 299 (2007).  
281 I.A.C. 12.2(4).

Cross Reference: 501 Student Attendance  
506 Student Records

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## STUDENT ABSENCES - EXCUSED

Regular attendance by students is essential for students to obtain the maximum opportunities from the education program. Parents and students alike are encouraged to ensure an absence from school is a necessary absence. Students shall attend school unless excused by the principal of their attendance center.

Student absences approved by the principal shall be excused absences. Excused absences shall count as days in attendance for purposes of the truancy law. These absences include, but are not limited to, illness, family emergencies, recognized religious observances, appointments that cannot be scheduled outside the school day and school-sponsored or approved activities.

Students whose absences are approved shall make up the work missed and receive full credit for the missed school work. It shall be the responsibility of the student to initiate a procedure with the student's teacher to complete the work missed.

It shall be the responsibility of the parent to notify the student's attendance center as soon as the parent knows the student will not be attending school on that day. The principal may request evidence or written verification of the student's reason for absence.

It shall be the responsibility of the superintendent, in conjunction with the principal, to develop administrative regulations regarding this policy.

Legal Reference: Iowa Code §§ 294.4; 299 (2007).  
281 I.A.C. 12.2(4).

Cross Reference: 501 Student Attendance  
503 Student Discipline  
504 Student Activities  
506 Student Records

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## TRUANCY - UNEXCUSED ABSENCES

Regular attendance by the students at school is essential for students to obtain the maximum opportunities from the education program. Parents and students alike are encouraged to ensure an absence from school is a necessary absence. Students shall attend school unless excused by the principal of their attendance center.

Truancy is the failure to attend school for the minimum number of days established in the school calendar by the board. Truancy is the act of being absent without a reasonable excuse. These absences shall include, but not be limited to, tardiness, shopping, hunting, concerts, preparation or participation in parties and other celebrations and employment. Truancy will not be tolerated by the board.

Students are subject to disciplinary action for truancy including suspension and expulsion. It shall be within the discretion of the principal to determine, in light of the circumstances, whether a student may make up work missed because of truancy.

It shall be the responsibility of the superintendent, in conjunction with the principal, to develop administrative regulations regarding this policy. The administrative regulations shall indicate the disciplinary action to be taken for truancy.

Legal Reference: Iowa Code §§ 294.4; 299 (2007).  
281 I.A.C. 12.2(4).

Cross Reference: 206.3 Secretary  
501 Student Attendance  
503 Student Discipline  
504 Student Activities  
506 Student Records

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## TRUANCY - UNEXCUSED ABSENCES REGULATION

Daily, punctual attendance is an integral part of the learning experience and is required of all students to receive the maximum benefit of the educational program. The habit of good attendance established early is one which helps a person be successful throughout his or her lifetime. More and more, employers, colleges and vocational schools expect good attendance and are checking attendance records for absences and tardies. They are aware that good and prompt attendance indicates dependability in a student.

The education that goes on in the classroom builds from day to day and as a result, absences always cause some disruption in the educational progress of the absent student. Students who are absent may not understand what the teacher is currently presenting, and may also become discouraged with the double burden of keeping current and making up missed work. In order to maintain interest and understanding in the instructional program, students should not expect to be absent any more than is absolutely necessary. Irregular attendance or tardiness by students not only limits their own studies, but also interferes with the progress of those students who are regular and prompt in attendance. Attendance is a shared responsibility that requires cooperation and communication among students, parents and school.

Students who are absent without a reasonable excuse, as determined by the principal/dean of students, will receive a conduct referral. Consequences will be determined by the student handbook. Reasonable excuses include illness, family emergencies, recognized religious observances and school sponsored or approved activities. Reasonable excuses may also include family trips or vacations if the student's work is finished prior to the trip or vacation.

Parents are expected to notify the school office to report a student's absence prior to 9:00 a.m. on the day of the absence. Students with unexcused absences may also be referred to the at-risk coordinator/counselor.

Students will receive no credit for daily work missed when unexcused; tests/projects will need to be made up the day the student returns to schools from the unexcused absence. Tests/projects can be made up for reduced credit (NOT TO EXCEED 60% OF TOTAL), as deemed reasonable by the classroom teacher, and may be an alternate form of the test/project. Any student who accumulates five unexcused absences for a course may be administratively withdrawn and receive no credit for the course.

## STUDENT RELEASE DURING SCHOOL HOURS

Students will be allowed to leave the school district facilities during school hours only with prior authorization from their parents, unless the parent appears personally at the student's attendance center to arrange for the release of the student during school hours, or with the permission of the principal.

Approved reasons for release of a student during the school day shall include, but not be limited to, illness, family emergencies, medical appointments, religious instruction, classes outside the student's attendance center, employment for which the student has been issued a work permit and other reasons determined appropriate by the principal.

It shall be the responsibility of the superintendent, in conjunction with the principal, to develop administrative regulations regarding this policy.

Legal Reference: Iowa Code § 294.4 (2007).  
281 I.A.C. 12.2(4).

Cross Reference: 501 Student Attendance  
503 Student Discipline  
504 Student Activities  
506 Student Records

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## PREGNANT STUDENTS

The board encourages pregnant students to continue to attend the education program as long as they are physically able to do so. The pregnant student may notify the principal or the guidance counselor as soon as she is aware of the pregnancy. The school may require that a pregnant student provide the principal with a written note from her doctor relative to special conditions that might exist and specific suggestions as to how long the student may continue to attend classes. If the student is unable to attend school because of her pregnancy, the student may be excused and arrangements made to continue her studies during her absence. The student shall resume classes upon the recommendation of her physician.

Legal Reference: Iowa Code §§ 216; 279.8; 280.3 (2007).

Cross Reference: 501 Student Attendance  
604.2 Individualized Instruction

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## MARRIED STUDENTS

The board encourages married students to continue attending the education program in order to graduate.

Married students may attend without paying tuition as long as they are eligible to attend an Iowa public school and are a resident of the school district.

If requested, a married student with family responsibilities may have classes scheduled in blocks so as much time as possible can be spent fulfilling family responsibilities. Husbands and wives will not necessarily be scheduled in the same class sections.

Legal Reference: Iowa Code §§ 257.6; 280.3; 282.2, .6, .7 (2007).

Cross Reference: 501 Student Attendance

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## STUDENTS OF LEGAL AGE

Students who have attained legal age may continue the education program without payment of tuition as long as they are eligible to attend an Iowa public school and are residents of the school district.

Parents will be allowed to access and view the student's records without written permission from the student if the student is still a dependent for tax purposes. In most cases, with the discretion of the principal or the superintendent, the student will be able to make decisions and sign documents rather than requiring parental permission or signature.

Legal Reference: 20 U.S.C. § 1232g (2004).  
Iowa Code §§ 22; 282.2, .6, .7; 285.4; 599.1; 622.10 (2007).  
281 I.A.C. 12.3(6).

Cross Reference: 501 Student Attendance  
506 Student Records

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## OPEN ENROLLMENT TRANSFERS - PROCEDURES AS A SENDING DISTRICT

The school district will participate in open enrollment as a sending district. As a sending district, the board will allow resident students who meet the requirements to open enroll to another public school district.

Parents requesting open enrollment out of the school district for their student will notify the sending and receiving school district no later than March 1 in the school year preceding the first year desired for open enrollment. The notice is made on forms provided by the Department of Education. The forms are available at the central administration office.

Parents of children who will begin pre-kindergarten in the school district are exempt from the open enrollment March 1 deadline. Parents of children who will begin pre-kindergarten will file in the same manner set forth above by September 1. Parents who have good cause as defined by law for failing to meet the March 1 deadline may make an open enrollment request by September 1 unless another deadline applies.

The receiving district will approve open enrollment requests according to the timelines established by law. The parents may withdraw the open enrollment request prior to the start of the school year. The receiving district's superintendent will notify the parents and sending school district by mail within five days of the school district's action to approve or deny the open enrollment request.

The board will not approve a student's request to allow the receiving district to enter the school district for the purposes of transportation.

An open enrollment request out of the school district from parents of a special education student is reviewed on a case-by-case basis. The determining factor for approval of such an open enrollment request will be whether the special education program available in the receiving school district is appropriate for the student's needs. The area education agency director of special education serving the receiving district will determine whether the program is appropriate. The special education student will remain in the school district until the final determination is made.

It is the responsibility of the superintendent to maintain open enrollment request applications and notice forms. It will also be the responsibility of the superintendent to develop appropriate office procedures and administrative regulations necessary for open enrollment requests.

Legal Reference: Iowa Code §§ 139.9; 274.1; 279.11; 282.1, .3, .8, .18; 299.1 (2007).  
281 I.A.C. 17.  
1990 Op. Att'y Gen. 75.

Cross Reference: 501 Student Attendance  
506 Student Records

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## OPEN ENROLLMENT TRANSFERS - PROCEDURES AS A RECEIVING DISTRICT

The school district will participate in open enrollment as a receiving district. As a receiving district, the board will allow nonresident students, who meet the legal requirements, to open enroll into the school district. The board will have complete discretion to determine the attendance center of the students attending the school district under open enrollment.

The superintendent will approve all timely filed applications by March 1; incoming pre-kindergarten applications; good cause application; or continuation of an educational program application filed by the third Thursday of the following September.

The superintendent will notify the sending school district and parents within five days of the school district's action to approve or deny the open enrollment request

Open enrollment requests into the school district will not be approved if insufficient classroom space exists. Open enrollment requests into the school district will also not be approved for students who have been suspended or expelled by the administration or the board of the school district the student is or was attending until the student has been reinstated into the school district from which the student was suspended or expelled. Once the student is reinstated, the student's open enrollment request will be considered in the same manner as other open enrollment requests provided the required timelines are met.

Open enrollment requests into the school district that, if denied, would result in students from the same nuclear family being enrolled in different school districts, will be given highest priority. The board, in its discretion, may waive the insufficient classroom space reason for denial for students of the same nuclear family to prevent the division of a nuclear family between two school districts. Other open enrollment requests into the school district are considered in the order received by the school district with the first open enrollment request given a higher priority than the second open enrollment request and so forth.

Generally, students in grades nine through twelve open enrolling into the school district will not be eligible for participation in interscholastic athletics, at the varsity level, during the first ninety days of open enrollment into the school district.

Parents of students whose open enrollment requests are approved by the superintendent are responsible for providing transportation to and from the receiving school district without reimbursement. The board will not approve transportation into the sending district.

An open enrollment request into the school district from parents of a special education student is reviewed on a case-by-case basis. The determining factors for approval of such an open enrollment request will be whether the special education program available in the school district is appropriate for the student's needs and whether the enrollment of the special education student will cause the class size to exceed the maximum allowed. The area education agency director of special education serving the school district will determine whether the program is appropriate. The special education student will remain in the sending district until the final determination is made.

## OPEN ENROLLMENT TRANSFERS - PROCEDURES AS A RECEIVING DISTRICT

The policies of the school district will apply to students attending the school district under open enrollment.

It is the responsibility of the superintendent to develop appropriate office procedures and administrative regulations necessary for open enrollment requests.

Legal Reference: Iowa Code §§ 139.9; 274.1; 279.11; 282.1, .3, .8, .18; 299.1 (2007).  
281 I.A.C. 17.  
1990 Op. Att'y Gen. 75.

Cross Reference: 501.5 Student Transfers In  
501.6 Student Transfers Out or Withdrawals  
501.14 Open Enrollment Transfers - Procedures as a Sending District  
506 Student Records  
507 Student Health and Well-Being  
606.9 Insufficient Classroom Space

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## HOMELESS CHILDREN AND YOUTH

The Durant Community School District believes all students should have access to a free, appropriate public education. The district will ensure that homeless children and youth have equal access to the same free, appropriate public education as other children and youth.

The term “homeless children and youth” means individuals who lack a fixed, regular, and adequate nighttime residence. The term includes:

- Children and youth who are:
  - Sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason (sometimes referred to as “doubled up”);
  - Living in motels, hotels, trailer parks, or camping grounds due to lack of alternative adequate accommodations;
  - Living in emergency or transitional shelters; or
  - Abandoned in hospitals.
- Children and youth who have a primary nighttime residence that is a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings;
- Children and youth who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and
- Migratory children who qualify as homeless because they are living in circumstances described above.

To help ensure that homeless children and youth have a full opportunity to enroll, attend, and succeed at school, the board shall:

- Designate the At Risk Coordinator as the local homeless children and youth liaison;
- Provide training opportunities for staff so staff may help identify and meet the needs of homeless children and youth;
- Remove barriers, including those associated with fees, fines, and absences, to the identification, enrollment, retention, attendance and/or success in school for homeless children and youth;
- Ensure collaboration and coordination with other service providers;
- Ensure transportation is provided in accordance with legal requirements;
- Provide school stability in school assignment according to the child’s best interests;
- Ensure the privacy of student records, as provided by applicable law, including information about a homeless child or youth’s living situation;
- Engage in the dispute resolution process for decisions relating to the educational placement of homeless children and youth as provided by applicable law; and
- Prohibit the segregation of a homeless child or youth from other students enrolled in the district.

The superintendent may develop an administrative process or procedures to implement this policy.

Legal Reference:        20 U.S.C. § 6301.  
                                  42 U.S.C. § 11302.  
                                  42 U.S.C. §§ 11431 *et seq.*  
                                  281 I.A.C. 33.

## HOMELESS CHILDREN AND YOUTH

Cross Reference:      501      Student Attendance  
                             503.3      Fines – Fees – Charges  
                             506      Student Records  
                             507.1      Student Health and Immunization Certificates  
                             603.3      Special Education  
                             711.1      Student School Transportation Eligibility

Approved September 2007      Reviewed 01/09/2017      Revised 02/14/2017

## STUDENT WORK PERMITS

The superintendent may, when requested, issue age and work permits to students in accordance with provisions of the state and federal child labor laws.

Legal Reference: Iowa Code §§ 92; 279.8 (2007).

Cross Reference: 501 Student Attendance

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## STUDENT APPEARANCE

The board believes inappropriate student appearance causes material and substantial disruption to the school environment or presents a threat to the health and safety of students, employees and visitors.

Students are expected to adhere to standards of cleanliness and dress that are compatible with the requirements of a good learning environment. The standards will be those generally acceptable to the community as appropriate in a school setting.

The board expects students to be clean and well-groomed and wear clothes in good repair and appropriate for the time, place and occasion. Clothing or other apparel promoting products illegal for use by minors and clothing displaying obscene material, profanity, or reference to prohibited conduct are disallowed. While the primary responsibility for appearance lies with the students and their parents, appearance disruptive to the education program will not be tolerated. When, in the judgment of a principal, a student's appearance or mode of dress disrupts the educational process or constitutes a threat to health or safety, the student may be required to make modifications.

It shall be the responsibility of the superintendent, in conjunction with the principals, to develop administrative regulations regarding this policy.

Legal Reference: Hazelwood School District v. Kuhlmeier, 484 U.S. 260 (1988).  
Bethal School District v. Fraser, 478 U.S. 675 (1986).  
Tinker v. Des Moines Ind. Comm. Sch. Dist., 393 U.S. 503 (1969).  
Bystrom v. Fridley High School, 822 F.2d 747 (8<sup>th</sup> Cir. 1987).  
Torvik v. Decorah Community School, 453 F.2d 779 (8<sup>th</sup> Cir. 1972).  
Turley v. Adel Community School District, 322 F.Supp. 402 (S.D. Iowa 1971).  
Sims v. Colfax Comm. School Dist., 307 F.Supp. 485 (Iowa 1970).  
 Iowa Code § 279.8 (2007).

Cross Reference: 500 Objectives for Equal Educational Opportunities for Students  
 502 Student Rights and Responsibilities

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## CARE OF SCHOOL PROPERTY/VANDALISM

Students shall treat school district property with the care and the respect they would treat their own property. Students found to have destroyed or otherwise harmed school district property may be required to reimburse the school district. They may be subject to discipline under board policy and the school district rules and regulations. They may also be referred to local law enforcement authorities.

It shall be the responsibility of the superintendent, in conjunction with the principal, to develop administrative rules regarding this policy.

Legal Reference: Iowa Code §§ 279.8; 282.4, .5; 613.16 (2007).

Cross Reference: 502 Student Rights and Responsibilities  
802.1 Maintenance Schedule

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## USE OF BICYCLES

Riding a bicycle to and parking it at the student's attendance center is a privilege. Students who fail to follow the regulations set by the building principal will be subject to withdrawal of the privilege to ride a bicycle to the attendance center and may also be subject to other disciplinary action.

It shall be the responsibility of the principal to develop and enforce administrative rules for students riding bicycles to and parking them at the attendance center.

Legal Reference: Iowa Code § 279.8 (2007).

Cross Reference: 502 Student Rights and Responsibilities

Approved September, 2007 Reviewed 02/09/2015 Revised \_\_\_\_\_

## USE OF MOTOR VEHICLES

The board recognizes the convenience to families and students of having students drive to and park at their school attendance center. Driving a motor vehicle to and parking it at the student's attendance center is a privilege.

Students who drive to and park at their school attendance center shall only drive to and park at their designated attendance center or at either their attendance center or a shared district's attendance center for purpose of attending extracurricular activities. Students may not loiter around or be in their vehicle during the school day without permission from the principal. Students shall leave their attendance center when there is no longer a legitimate reason for them to be at their attendance center. Students who drive shall enter and leave the parking lot by the routes designated by the principal.

Students who live within 1 mile of school are not eligible for a student driving permit.

Students who wish to drive to and park at their school attendance center shall comply with the rules and regulations established by the building principal. Failure to comply with this policy or the school district rules shall be reason for revocation of school driving and parking privileges as well as other disciplinary action including suspension and expulsion.

Legal Reference: Iowa Code §§ 279.8; 321 (2007).

Cross Reference: 502 Student Rights and Responsibilities

Approved September, 2007

Reviewed 02/09/2015

Revised Dec 8, 2014

## FREEDOM OF EXPRESSION

Student expression, other than student expression in student-produced official school publications, made on the school district premises or under the jurisdiction of the school district or as part of a school-sponsored activity may be attributed to the school district; therefore, student expression must be responsible. Student expression must be appropriate to assure that the students learn and meet the goals of the school activity and that the potential audience is not exposed to material that may be harmful or inappropriate for their level of maturity.

Students will be allowed to express their viewpoints and opinions as long as the expression is responsible. The expression shall not, in the judgment of the administration, encourage the breaking of laws, defame others, be obscene or indecent, or cause a material and substantial disruption to the educational program. The administration, when making this judgment, shall consider whether the activity in which the expression was made is school-sponsored and whether review or prohibition of the students' speech furthers an educational purpose. Further, the expression must be done in a reasonable time, place, and manner that is not disruptive to the orderly and efficient operation of the school district.

Students who violate this policy may be subject to disciplinary measures. Employees shall be responsible for insuring students' expression is in keeping with this policy. It shall be the responsibility of the superintendent to develop administrative regulations regarding this policy.

Legal Reference: U.S. Const. amend. I.  
Hazelwood School District v. Kuhlmeier, 484 U.S. 260 (1988).  
Bethel School District v. Fraser, 478 U.S. 675 (1986).  
New Jersey v. T.L.O., 469 U.S. 325 (1985).  
Tinker v. Des Moines Ind. Comm. Sch. Dist., 393 U.S. 503 (1969).  
Bystrom v. Fridley High School, 822 F.2d 747 (8<sup>th</sup> Cir. 1987).  
 Iowa Code §§ 279.8; 280.22; 282.3 (2007).

Cross Reference: 502 Student Rights and Responsibilities  
 504 Student Activities  
 603.9 Academic Freedom  
 904.4 Distribution of Materials

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## STUDENT COMPLAINTS AND GRIEVANCES

Student complaints and grievances regarding board policy or administrative regulations and other matters should be addressed to the student's teacher or another licensed employee, other than the administration, for resolution of the complaint. It is the goal of the board to resolve student complaints at the lowest organizational level.

If the complaint cannot be resolved by a licensed employee, the student may discuss the matter with the principal within five school days of the employee's decision. If the matter cannot be resolved by the principal, the student may discuss it with the superintendent within five school days after speaking with the principal.

If the matter is not satisfactorily resolved by the superintendent, the student may ask to have the matter placed on the board agenda of a regularly scheduled board meeting in compliance with board policy.

Legal Reference: Iowa Code § 279.8 (2007).

Cross Reference: 214.1 Board Meeting Agenda  
215 Public Participation in Board Meetings  
309 Communication Channels  
502 Student Rights and Responsibilities  
504.3 Student Publications

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## STUDENT LOCKERS

Student lockers are the property of the school district. Students will use the lockers assigned to them by the school district for storing their school materials and personal belongings necessary for attendance at school. It is the responsibility of students to keep their assigned lockers clean and undamaged.

To ensure students are properly maintaining their assigned lockers, the principal of the building may periodically inspect all or a random selection of lockers. Either students or another individual will be present during the inspection of lockers. Student lockers may also be searched, at any time and without advance notice, in compliance with board policy regulating search and seizure.

Legal Reference: Iowa Code §§ 279.8; 280.14; 808A (2007).

Cross Reference: 502 Student Rights and Responsibilities

Approved September, 2007 Reviewed 02/09/2015 Revised \_\_\_\_\_

## WEAPONS

The board believes weapons, other dangerous objects and look-a-likes in school district facilities cause material and substantial disruption to the school environment or present a threat to the health and safety of students, employees and visitors on the school district premises or property within the jurisdiction of the school district.

School district facilities are not an appropriate place for weapons, dangerous objects and look-a-likes. Weapons and other dangerous objects and look-a-likes will be taken from students and others who bring them onto the school district property or onto property within the jurisdiction of the school district or from students who are within the control of the school district.

Parents of students found to possess weapons, dangerous objects or look-a-likes on school property are notified of the incident. Possession or confiscation of weapons or dangerous objects will be reported to law enforcement officials, and students will be subject to disciplinary action including suspension or expulsion.

Students bringing firearms to school or knowingly possessing firearms at school will be expelled for not less than one year. The superintendent has the authority to recommend this expulsion requirement be modified for students on a case-by-case basis. For purposes of this portion of this policy, the term “firearm” includes, but is not limited to, any weapon which is designed to expel a projectile by the action of an explosive, the frame or receiver of any such weapon, a muffler or silencer for such a weapon, or any explosive, incendiary or poison gas, or otherwise defined by applicable law.

Weapons under the control of law enforcement officials or other individuals specifically authorized by the board are exempt from this policy. The superintendent may develop an administrative process or procedures to implement the policy.

## Legal Reference:

18 U.S.C. § 921  
McClain v. Lafayette County Bd. Of Education, 673 F.2d 106 (5<sup>th</sup> Cir. 1982).  
 Iowa Code §§ 279.8; 280.21B; 483A.27(11), 724  
 281 I.A.C. 12.3(6)

## Cross Reference:

502 Student Rights and Responsibilities  
 503 Student Discipline  
 507 Student Health and Well-Being

Approved September, 2007

Reviewed 01/09/2017

Revised 02/13/2017

## SMOKING - DRINKING - DRUGS

The board prohibits the distribution, dispensing, manufacture, possession, use, or being under the influence of beer, wine, alcohol, tobacco, other controlled substances, or "look alike" substances that appear to be tobacco, beer, wine, alcohol or controlled substances by students while on school district property or on property within the jurisdiction of the school district; while on school owned and/or operated school or chartered buses; while attending or engaged in school activities; and while away from school grounds if the misconduct will directly affect the good order, efficient management and welfare of the school district.

The board believes such illegal, unauthorized or contraband materials generally cause material and substantial disruption to the school environment or present a threat to the health and safety of students, employees, or visitors.

Violation of this policy by students will result in disciplinary action including suspension or expulsion. Use, purchase or being in possession of cigarettes, tobacco or tobacco products for those under the age of eighteen, may be reported to the local law enforcement authorities. Possession, use or being under the influence of beer, wine alcohol and/or of a controlled substance may also be reported to the local law enforcement authorities.

Students who violate the terms of this policy may be required to satisfactorily complete a substance abuse assistance or rehabilitation program approved by the school board. If such student fails to satisfactorily complete such a program, the student may be subject to discipline including suspension or expulsion.

The board believes the substance abuse prevention program shall include:

- Age-appropriate, developmentally-based drug and alcohol curriculum for students in grades kindergarten through twelve, which address the legal, social, and health consequences of tobacco, drug and alcohol use and which provide information about effective techniques for resisting peer pressure to use tobacco, drugs or alcohol;
- A statement to students that the use of illicit drugs and the unlawful possession and use of alcohol is wrong and harmful;
- Standards of conduct for students that clearly prohibit, at a minimum, the unlawful possession, use, being under the influence of or distribution of illicit drugs and alcohol by students on school premises or as part of any of its activities;
- A clear statement that disciplinary sanctions, up to and including suspension or expulsion and referral for prosecution, will be imposed on students who violate the policy and a description of those sanctions;
- A statement that students may be required to successfully complete an appropriate rehabilitation program;
- Information about drug and alcohol counseling and rehabilitation and re-entry programs available to students;
- A requirement that parents and students be given a copy of the standards of conduct and the statement of disciplinary sanctions required; and,
- Notification to parents and students that compliance with the standards of conduct is mandatory.

It shall be the responsibility of the superintendent, in conjunction with the principal, to develop administrative regulations regarding this policy.

SMOKING - DRINKING – DRUGS

Legal Reference: 34 C.F.R. Pt. 86 (2010).  
Iowa Code §§ 123.46; 124; 279.8, .9; 453A (2011).  
281 I.A.C. 12.3(9); .5(3)(e), .5(4)(e), .5(5)(e), .5(21).

Cross Reference: 502 Student Rights and Responsibilities  
503 Student Discipline  
507 Student Health and Well-Being

Approved September, 2007

Reviewed 02/09/2015

Revised Aug 13, 2012

## SEARCH AND SEIZURE

School district property is held in public trust by the board. School district authorities may, without a search warrant, search students or protected student areas based on a reasonable and articulable suspicion that a school district policy, rule, regulation or law has been violated. The search shall be in a manner reasonable in scope to maintain order and discipline in the schools, promote the educational environment, and protect the safety and welfare of students, employees and visitors to the school district facilities. The furnishing of a locker, desk or other facility or space owned by the school and provided as a courtesy to a student, even if the student provides the lock for it, shall not create a protected student area and shall not give rise to an expectation of privacy with respect to the locker, desk, or other facility.

School authorities may seize any illegal, unauthorized or contraband materials discovered in the search. Items of contraband may include, but are not limited to, nonprescription controlled substances, marijuana, cocaine, amphetamines, barbiturates, apparatus used for controlled substances, alcoholic beverages, tobacco, weapons, explosives, poisons and stolen property. Such items are not to be possessed by a student while they are on school district property or on property within the jurisdiction of the school district; while on school owned and/or operated school or chartered buses; while attending or engaged in school activities; and while away from school grounds if misconduct will directly affect the good order, efficient management and welfare of the school district. Possession of such items will be grounds for disciplinary action including suspension or expulsion and may be reported to local law enforcement officials. The board believes that illegal, unauthorized or contraband materials may cause material and substantial disruption to the school environment or presents a threat to the health and safety of students, employees, or visitors on the school district premises or property within the jurisdiction of the school district.

It shall be the responsibility of the superintendent, in conjunction with the principals, to develop administrative regulations regarding this policy.

Legal Reference: U.S. Const. amend. IV.  
New Jersey v. T.L.O., 469 U.S. 325 (1985).  
Cason v. Cook, 810 F.2d 188 (8th Cir. 1987), *cert. den.*, 482 U.S. 930 (1987).  
Iowa Code ch. 808A (2007).  
281 I.A.C. 12.3(6).

Cross Reference: 502 Student Rights and Responsibilities  
503 Student Discipline

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## SEARCH AND SEIZURE REGULATION

### I. Searches, in general.

- A. Reasonable and Articulable Suspicion: A search of a student will be justified when there are reasonable grounds for the suspicion that the search will turn up evidence that the student has violated or is violating the law or school district policy, rules, or regulations affecting school order.

Reasonable suspicion may be formed by considering factors such as the following:

- (1) eyewitness observations by employees;
- (2) information received from reliable sources;
- (3) suspicious behavior by the student; or,
- (4) the student's past history and school record although this factor alone is not sufficient to provide the basis for reasonable suspicion.

- B. Reasonable Scope: A search will be permissible in its scope or intrusiveness when the measures adopted are reasonably related to the objectives of the search. Reasonableness of scope or intrusiveness may be determined based on factors such as the following:

- (1) the age of the student;
- (2) the sex of the student;
- (3) the nature of the infraction; and
- (4) the emergency requiring the search without delay.

### II. Types of Searches

#### A. Personal Searches

1. A student's person and/or personal effects (e.g., purse, backpack, etc.) may be searched when a school official has reasonable suspicion to believe the student is in possession of illegal or contraband items or has violated school district policies, rules, regulations or the law affecting school order.
2. Personally intrusive searches will require more compelling circumstances to be considered reasonable.
  - (a) Pat-Down Search: If a pat-down search or a search of a student's garments (such as jackets, socks, pockets, etc.) is conducted, it will be conducted in private by a school official of the same sex as the student and with another adult witness of the same sex present, when feasible.
  - (b) A more intrusive search, short of a strip search, of the student's person, handbags, book bags, etc., is permissible in emergency situations when the health and safety of students, employees, or visitors are threatened. Such a search may only be conducted in private by a school official of the same sex as the student, with an adult of the same sex present unless the health or safety of students will be endangered by the delay which may be caused by following these procedures.

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## SEARCH AND SEIZURE REGULATION

B. Locker and Desk Inspections

Although school lockers and desks are temporarily assigned to individual students, they remain the property of the school district at all times. The school district has a reasonable and valid interest in insuring the lockers and desks are properly maintained. For this reason, lockers and desks are subject to unannounced inspections and students have no legitimate expectations of privacy in the locker or desk. Periodic inspections of all or a random selection of lockers or desks may be conducted by school officials in the presence of the student or another individual. Any contraband discovered during such searches shall be confiscated by school officials and may be turned over to law enforcement officials.

The contents of a student's locker or desk (coat, backpack, purse, etc.) may be searched when a school official has reasonable and articulable suspicion that the contents contains illegal or contraband items or evidence of a violation of law or school policy or rule. Such searches should be conducted in the presence of another adult witness when feasible.

C. Automobile Searches

Students are permitted to park on school premises as a matter of privilege, not of right. The school retains authority to conduct routine patrols of the student parking lots. The interior of a student's automobile on the school premises may be searched if the school official has reasonable and articulable suspicion to believe that illegal, unauthorized or contraband items are contained inside.

## INTERVIEWS OF STUDENTS BY OUTSIDE AGENCIES

Generally, students may not be interviewed during the school day by persons other than parents and school district officials and employees.

Requests from law enforcement officers and from persons other than parents, school district officials, and employees to interview students shall be made through the principal's office. Upon receiving a request, it shall be the responsibility of the principal to determine whether the request will be granted. Generally, prior to granting a request, the principal shall attempt to contact the parents to inform them of the request and to ask them to be present.

If a child abuse investigator wishes to interview a student, the principal will defer to the investigator's judgment as to whether the student should be interviewed independently from the student's parents, whether the school is the most appropriate setting for the interview, and who will be present during the interview.

Students will not be taken from school without the consent of the principal and without proper warrant.

Legal Reference: Iowa Code §§ 232; 280.17 (2007).  
281 I.A.C. 102.  
441 I.A.C. 9.2; 155; 175.  
1980 Op. Att'y Gen. 275.

Cross Reference: 402.2 Child Abuse Reporting  
502.10 Search and Seizure  
503 Student Discipline  
902.4 Students and the News Media

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## STUDENT CONDUCT

The board believes inappropriate student conduct causes material and substantial disruption to the school environment, interferes with the rights of others, or presents a threat to the health and safety of students, employees, and visitors on school premises. Appropriate classroom behavior allows teachers to communicate more effectively with students.

Students will conduct themselves in a manner fitting to their age level and maturity and with respect and consideration for the rights of others while on school district property or on property within the jurisdiction of the school district; while on school owned and/or operated school or chartered vehicles; while attending or engaged in school activities; and while away from school grounds if misconduct will directly affect the good order, efficient management and welfare of the school district. Consequences for the misconduct will be fair and developmentally appropriate in light of the circumstances.

Students who fail to abide by this policy, and the administrative regulations supporting it, may be disciplined for conduct which disrupts or interferes with the education program; conduct which disrupts the orderly and efficient operation of the school district or school activity; conduct which disrupts the rights of other students to participate in or obtain their education; conduct that is violent or destructive; or conduct which interrupts the maintenance of a disciplined atmosphere. Disciplinary measures include, but are not limited to, removal from the classroom, detention, suspension, probation, and expulsion.

A student who commits an assault against an employee on school district property or on property within the jurisdiction of the school district; while on school-owned or school-operated chartered vehicles; or while attending or engaged in school district activities will be suspended by the principal. Notice of the suspension is sent to the board president. The board will review the suspension and decide whether to hold a disciplinary hearing to determine whether to impose further sanctions against the student which may include expulsion. In making its decision, the board shall consider the best interests of the school district, which shall include what is best to protect and ensure the safety of the school employees and students from the student committing the assault. Assault for purposes of this section of this policy is defined as when, without justification, a student does any of the following:

- an act which is intended to cause pain or injury to, or which is intended to result in physical contact which will be insulting or offensive to another, coupled with the apparent ability to execute the act; or
- any act which is intended to place another in fear of immediate physical contact which will be painful, injurious, insulting or offensive, coupled with the apparent ability to execute the act; or
- intentionally points any firearm toward another or displays in a threatening manner any dangerous weapon toward another.

The act is not an assault when the person doing any of the above and the other person are voluntary participants in a sport, social or other activity, not in itself criminal, when the act is a reasonably foreseeable incident of such sport or activity, and does not create an unreasonable risk of serious injury or breach of the peace.

Removal from the classroom means a student is sent to the building principal's office. It is within the discretion of the person in charge of the classroom to remove the student.

Detention means the student's presence is required during non-school hours for disciplinary purposes. The student can be required to appear prior to the beginning of the school day, after school has been dismissed

## STUDENT CONDUCT

for the day, or on a non-school day. Whether a student will serve detention, and the length of the detention, is within the discretion of the licensed employee or the building principal, disciplining the student.

Suspension means; either an in-school suspension, an out-of-school suspension, a restriction from activities or loss of eligibility. An in-school suspension means the student will attend school but will be temporarily isolated from one or more classes while under supervision. An in-school suspension will not exceed ten consecutive school days. An out-of-school suspension means the student is removed from the school environment, which includes school classes and activities. An out-of-school suspension will not exceed ten consecutive school days. A restriction from school activities means a student will attend school and classes and practice but will not participate in school activities.

Probation means a student is given a conditional suspension of a penalty for a definite period of time in addition to being reprimanded. The conditional suspension will mean the student must meet the conditions and terms for the suspension of the penalty. Failure of the student to meet these conditions and terms will result in immediate reinstatement of the penalty.

Expulsion means an action by the board to remove a student from the school environment, which includes, but is not limited to, classes and activities, for a period of time set by the board.

Discipline of special education students, including suspensions and expulsions, will comply with the provisions of applicable federal and state laws.

It is the responsibility of the superintendent, in conjunction with the principal, to develop administrative regulations regarding this policy.

***NOTE: This is a mandatory policy and outlines the school district's basic student conduct. Details of how this policy will be implemented should be included in the student handbook. The paragraph regarding assault of school district employees is Iowa law.***

Legal Reference: Goss v. Lopez, 419 U.S. 565 (1975).  
Brands v. Sheldon Community School District, 671 F. Supp. 627 (N.D. Iowa 1987).  
Sims v. Colfax Comm. School Dist., 307 F. Supp. 485 (Iowa 1970).  
Bunger v. Iowa High School Athletic Assn., 197 N.W.2d 555 (Iowa 1972).  
Board of Directors of Ind. School Dist. of Waterloo v. Green, 259 Iowa 1260, 147 N.W.2d 854 (Iowa 1967).  
 Iowa Code §§ 279.8; 282.4, .5; 708.1 (2013~~5~~).  
 281 I.A.C. 41.

Cross Reference: 501 Student Attendance  
 502 Student Rights and Responsibilities  
 504 Student Activities  
 603.3 Special Education  
 904.4 Distribution of Materials

Approved September, 2007

Reviewed 02-13-2017

Revised 03-13-2017

Code No. 503.1R1

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## STUDENT SUSPENSION

### Administrator Action

#### A. Probation

1. Probation is conditional suspension of a penalty for a set period of time. Probation may be imposed by the principal for infractions of school rules which do not warrant the necessity of removal from school.
2. The principal will conduct an investigation of the allegations against the student prior to imposition of probation. The investigation will include, but not be limited to, written or oral notice to the student of the allegations against the student and an opportunity to respond. Written notice and reasons for the probation will be sent to the parents.

#### B. In-School Suspension

1. In-school suspension is the temporary isolation of a student from one or more classes while under administrative supervision. In-school suspensions may be imposed by the principal for infraction of school rules which are serious but which do not warrant the necessity of removal from school.
2. The principal shall conduct an investigation of the allegations against the student prior to imposition of an in-school suspension. The investigation will include, but not be limited to, written or oral notice to the student of the allegations against the student and an opportunity to respond. In-school suspension will not be imposed for more than ten school days. Written notice and reasons for the in-school suspension will be sent to the student's parents. The principal or designee shall also attempt to verbally contact the parent about the in-school suspension.

#### C. Out-of-School Suspension

1. Out-of-school suspension is the removal of a student from the school environment for periods of short duration. Out-of-school suspension is to be used when other available school resources are unable to constructively remedy student misconduct.
2. A student may be suspended out of school for five school days by a principal, and up to ten days by a superintendent, for a commission of gross or repeated infractions of school rules, regulations, policy or the law, or when the presence of the student will cause interference with the maintenance of the educational environment or the operation of the school. The principal may suspend students after conducting an investigation of the charges against the student, giving the student:
  - a. Written notice of the allegations against the student and, the principal or designee shall also attempt to verbally contact the parent about the expulsion.
  - b. The opportunity to respond to those charges.At the principal's discretion, the student may be allowed to confront witnesses against the student or present witnesses on behalf of the student.
3. Notice of the out-of-school suspension will be mailed no later than the end of the school day following the suspension to the student's parents and the superintendent. A reasonable effort shall be made to personally notify the student's parents and such effort shall be documented by the person making or attempting to make the contact. Written notice to the parents shall include the

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## STUDENT SUSPENSION

circumstances which led to the suspension and a copy of the board policy and rules pertaining to the suspension.

### D. Suspensions and Special Education Students

1. Students who have been identified as special education students may be referred for a review of the student's Individual Education Program (IEP). The IEP may be revised to include a continuum of intervention strategies and programming to change the behavior.
2. Students who have not been identified as special education students may be referred for evaluation after the student's suspension to determine whether the student has a disability and is in need of special education.

## EXPULSION

Only the board may remove a student from the school environment. The removal of a student from the school environment, which includes, but is not limited to, classes and activities, is an expulsion from school.

Students may be expelled for violations of board policy, school rules or the law. It shall be within the discretion of the board to discipline a student by using an expulsion for a single offense or for a series of offenses depending on the nature of the offense and the circumstances surrounding the offense.

It shall be within the discretion of the superintendent to recommend to the board the expulsion of a student for disciplinary purposes. Only the board may take action to expel a student and to readmit the student. The principal shall keep records of expulsions in addition to the board's records.

When a student is recommended for expulsion by the board, the student shall be provided with:

1. Notice of the reasons for the proposed expulsion;
2. The names of the witnesses and an oral or written report on the facts to which each witness testifies unless the witnesses are students whose names may be released at the discretion of the superintendent;
3. An opportunity to present a defense against the charges and provide either oral testimony or written affidavits of witnesses on the student's behalf;
4. The right to be represented by counsel; and,
5. The results and finding of the board in writing open to the student's inspection.

In addition to these procedures, a special education student must be provided with additional procedures. A determination should be made of whether the student is actually guilty of the misconduct. A staffing team should determine whether the student's behavior is caused by the student's disability and whether the conduct is the result of inappropriate placement. Discussions and conclusions of this meeting should be recorded.

If the special education student's conduct is not caused by the disability, the student may be expelled or suspended for a long-term period following written notice to the parent and pursuant to the school district's expulsion hearing procedures. If the misconduct is caused by the disability and a change in placement is recommended, the change must be made pursuant to the placement procedures used by the school district.

Legal Reference: Goss v. Lopez, 419 U.S. 565 (1975).  
Wood v. Strickland, 420 U.S. 308 (1975).  
Southeast Warren Comm. School District v. Dept. of Public Instruction, 285 N.W.2d 173 (Iowa 1979).  
 Iowa Code §§ 21.5; 282.3, .4, .5 (2011).  
 281 I.A.C. 12.3(6).

Cross Reference: 502 Student Rights and Responsibilities  
 503 Student Discipline

Approved September, 2007

Reviewed 02/09/2015

Revised Aug 13, 2012

## FINES - FEES - CHARGES

The board believes students should respect school district property and assist in its preservation for future use by others. Students may be assessed fines, charges, or fees for the materials needed in a course, for overdue school materials, for participating in activities, or for misuse of school property.

The principal or the secretary will inform the board of the dollar amount to be charged to students or others for fines, charges, or fees annually. Parents of students meeting specific financial eligibility standards will be eligible for a waiver of student fees or a reduction of student fees based upon the request of the parent. It is the responsibility of the superintendent, in conjunction with the principal, to develop administrative regulations regarding this policy.

Legal Reference: Iowa Code §§ 256.7(20); 279.8; 280.10, .11; 282.6; 285.1; 301.1 (2007).  
281 I.A.C. 18.  
1994 Op. Att'y Gen. 23.  
1990 Op. Att'y Gen. 79.  
1982 Op. Att'y Gen. 227.  
1980 Op. Att'y Gen. 532.

Cross Reference: 501.16 Homeless Children & Youth  
502 Student Rights and Responsibilities  
503 Student Discipline

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## STANDARD FEE WAIVER APPLICATION

Date \_\_\_\_\_ School year \_\_\_\_\_

All information provided in connection with this application will be kept confidential.

Name of student: \_\_\_\_\_ Grade in school \_\_\_\_\_

Name of student: \_\_\_\_\_ Grade in school \_\_\_\_\_

Name of student: \_\_\_\_\_ Grade in school \_\_\_\_\_

Attendance Center/School: \_\_\_\_\_

Name of parent, guardian: \_\_\_\_\_  
or legal or actual custodian

Please check type of waiver desired:

Full waiver \_\_\_\_\_ Partial waiver \_\_\_\_\_ Temporary waiver \_\_\_\_\_

Please check if the student or the student's family meets the financial eligibility criteria or is involved in one of the following programs:

Full waiver

- \_\_\_\_\_ Free meals offered under the Children Nutrition Program  
 \_\_\_\_\_ The Family Investment Program (FIP)  
 \_\_\_\_\_ Transportation assistance under open enrollment  
 \_\_\_\_\_ Foster care

Partial waiver

\_\_\_\_\_ Reduced priced meals offered under the Children Nutrition Program

Temporary waiver

If none of the above apply, but you wish to apply for a temporary waiver of school fees because of serious financial problems, please state the reason for the request:

\_\_\_\_\_  
Signature of parent, guardian: \_\_\_\_\_  
or legal or actual custodian

## STUDENT FEE WAIVER AND REDUCTION PROCEDURES

The board recognizes that while certain fees charged students are appropriate and authorized, certain students and their families are not financially able to pay the fees. The school district will grant either full waivers, partial waivers or temporary waivers depending upon the circumstances and the student or student's parents' ability to meet the financial criteria.

- A. Waivers -
  - 1. Full Waivers - a student will be granted a full waiver of fees charged by the school district if the student or student's parents meet the financial eligibility criteria for free meals under the Child Nutrition program, Family Investment Program, or transportation assistance under open enrollment. Students in foster care are also eligible for full waivers.
  - 2. Partial Waivers - a student will be granted a partial waiver of fees charged by the school district if the student or the student's parents meet the financial eligibility criteria for reduced price meals offered under the Child Nutrition program. The reduction percentage will be 40 percent.
  - 3. Temporary Waivers - a student may be eligible for a temporary waiver of fees charged by the district in the event the student's parents are facing financial difficulty. Temporary waivers may be applied for at any time throughout the school year and will not extend beyond the end of the school year.
- B. Application - Parents or students eligible for a fee waiver will make an application on the form provided by the school district. Applications may be made at any time but must be renewed annually.
- C. Confidentiality - The school district will treat the application and application process as any other student record and student confidentiality and access provisions will be followed.
- D. Appeals - Denials of a waiver may be appealed to the business manager.
- E. Fines or charges assessed for damage or loss to school property are not fees and will not be waived.
- F. Notice - the school district will annually notify parents and students of the waiver. The following information will be included in registration materials.

Students whose families meet the income guidelines for free and reduced price lunch, the Family Investment Program (FIP), or transportation assistance under open enrollment, or who are in foster care are eligible to have their student fees waived or partially waived. Students whose families are experiencing a temporary financial difficulty may be eligible for a temporary waiver of student fees. Parents or students who believe they may qualify for temporary financial hardship should contact the principal or the secretary for a waiver form. This waiver does not carry over from year to year and must be completed annually

## GOOD CONDUCT RULE

Participation in school activities is a privilege. School activities provide the benefits of promoting additional interests and abilities in the students during their school years and for their lifetimes.

Students who participate in extracurricular activities serve as ambassadors of the school district throughout the calendar year, whether away from school or at school. Students who wish to have the privilege of participating in extracurricular activities must conduct themselves in accordance with board policy and must refrain from activities which are illegal, immoral or unhealthy.

Students who fail to abide by this policy and the administrative regulations supporting it may be subject to disciplinary measures. The principal shall keep records of violations of the good conduct rule.

It shall be the responsibility of the superintendent to develop rules and regulations for school activities. Students wanting to participate in school activities must meet the requirements set out by the school district for participation in the activity.

Legal Reference:      Bunger v. Iowa High School Athletic Assn., 197 N.W.2d 555 (Iowa 1972).  
                              In re Jason Clark, 1 D.P.I. App. Dec. 167 (1978).  
                              Iowa Code §§ 280.13, .13A (2007).  
                              281 I.A.C. 12.3(6); 36.15(1).

Cross Reference:      502      Student Rights and Responsibilities  
                              503      Student Discipline  
                              504      Student Activities

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## CORPORAL PUNISHMENT

Corporal punishment is defined as the intentional physical punishment of a student and is prohibited. It includes the use of unreasonable or unnecessary physical force or physical contact made with the intent to harm or cause pain. No employee is prohibited from:

- Using reasonable and necessary force, not designed or intended to cause pain, in order to accomplish any of the following:
  - To quell a disturbance or prevent an act that threatens physical harm to any person.
  - To obtain possession of a weapon or other dangerous object within a pupil's control.
  - For the purposes of self-defense or defense of others as provided for in Iowa Code section 704.3.
  - For the protection of property as provided for in Iowa Code section 704.4 or 704.5.
  - To remove a disruptive pupil from class or any area of school premises or from school-sponsored activities off school premises.
  - To protect a student from the self-infliction of harm.
  - To protect the safety of others.
- Using incidental, minor, or reasonable physical contact to maintain order and control.

Reasonable physical force should be commensurate with the circumstances of the situation. The following factors should be considered in using reasonable physical force for the reasons stated in this policy:

1. The size and physical, mental, and psychological condition of the student;
2. The nature of the student's behavior or misconduct provoking the use of physical force;
3. The instrumentality used in applying the physical force;
4. The extent and nature of resulting injury to the student, if any;
5. The motivation of the school employee using physical force.

Upon request, the student's parents shall be given an explanation of the reasons for physical force. It shall be the responsibility of the superintendent to develop administrative regulations regarding this policy.

Legal Reference: Ingraham v. Wright, 430 U.S. 651 (1977).  
Goss v. Lopez, 419 U.S. 565 (1975).  
Tinkham v. Kole, 252 Iowa 1303, 110 N.W.2d 258 (1961).  
Lai v. Erickson, PTPC Admin. Doc. 83-12 (1983).  
 Iowa Code §§ 279.8; 280.21 (2007).  
 281 I.A.C. 12.3(6); 103.  
 1980 Op. Att'y Gen. 275.

Cross Reference: 402.3 Abuse of Students by School District Employees  
 502 Student Rights and Responsibilities  
 503 Student Discipline

Approved September, 2007

Reviewed 02/09/2015

Revised Jan. 2009

## STUDENT GOVERNMENT

The student council provides for student activities, serves as a training experience for student leaders, promotes the common good, gives students a share in the management of the school, develops high ideals of personal conduct, acts as a clearinghouse for student activities, seeks to interest students in school district affairs and helps solve problems that may arise. Members of the council are student representatives who have direct access to the administration.

The principal, in conjunction with the students and licensed employees, shall set forth the guidelines for the student government's elections, operations, and other elements of the government.

Legal Reference: Iowa Code § 279.8 (2007).

Cross Reference: 502 Student Rights and Responsibilities  
504 Student Activities

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## STUDENT ORGANIZATIONS

Extracurricular activities and student groups shall be related to the curriculum of the secondary schools in the school district. These secondary school curriculum-related student organizations may use the school facilities for meetings and other purposes before, after, and during the instructional school day.

It shall be the responsibility of the building principal to determine whether a student group is curriculum-related. One or more of the following questions will be answered affirmatively if the group is curriculum-related:

- Is the subject matter of the group actually taught in a regularly offered course?
- Will the subject matter of the group soon be taught in a regularly offered course?
- Does the subject matter of the group concern the body of courses as a whole?
- Is participation in the group required for a particular course?
- Does participation in the group result in academic credit?

It shall be the responsibility of the superintendent, in conjunction with the principal, to develop administrative regulations regarding this policy. The administrative regulations shall include, but not be limited to, stating the process for establishing a curriculum-related student group, assigning a faculty advisor and obtaining board approval for each student group. The administrative rules shall also include the purpose of each group and its relationship to the curriculum.

Legal Reference: Westside Community Board of Education v Mergens, 496 U.S. 226 (1990).  
Bender v. Williamsport Area Community School District, 741 F.2d 538 (3d Cir. 1984), *vacated and remanded on other grounds*, 475 U.S. 534 (1986).  
 20 U.S.C. §§ 4071-4074 (2004).  
 Iowa Code §§ 287.1-.3; 297.9 (2007).

Cross Reference: 502 Student Rights and Responsibilities  
 504 Student Activities

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## STUDENT PUBLICATIONS

Students may produce official school publications as part of the curriculum under the supervision of a faculty advisor and the principal. Official school publications include material produced in the journalism, newspaper, yearbook, or writing classes and distributed to the student body either free or for a fee.

Any expression made by students, including student expression in official school publications, is not an expression of official school policy. The school district, the board, and the employees or officials are not liable in any civil or criminal action for any student expression made or published by students unless the employees or officials have interfered with or altered the content of the student speech or expression. The liability, if any, is only to the extent of the interference or alteration of the speech or expression.

Official school publications are free from prior restraint by employees or officials except as provided by law. A faculty advisor shall supervise student writers to maintain professional standards of English and journalism and to comply with the law including, but not limited to, the restrictions against unlawful speech. The production of official school publications shall be guided by the law and by the ethical standards adopted by professional associations or societies of journalism.

Persons, other than students, who believe they have been aggrieved by student expression in a student-produced official school publication, shall follow the grievance procedure outlined in board policy 215. Students who believe their freedom of expression in a student-produced official school publication has been restricted shall follow the grievance procedure outlined in board policy 502.6.

The superintendent shall be responsible for developing a student publications code. This code shall include, but not be limited to, reasonable rules including time, place, and manner of restrictions. The superintendent shall also be responsible for distributing this policy and the student publications code to the students and their parents.

Legal Reference: Hazelwood School District v. Kuhlmeier, 484 U.S. 260 (1988).  
Bystrom v. Fridley High School, 822 F.2d 747 (8th Cir. 1987).  
 Iowa Code § 280.22 (2007).

Cross Reference: 309 Communication Channels  
 502 Student Rights and Responsibilities  
 504 Student Activities

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## STUDENT PUBLICATIONS CODE

## A. Official school publications defined.

An "official school publication" is material produced by students in the journalism, newspaper, yearbook, or writing classes and distributed to students either free or for a fee.

## B. Expression in an official school publication.

1. No student shall express, publish or distribute in an official school publication material which is:
  - a. obscene;
  - b. libelous;
  - c. slanderous; or
  - d. encourages students to:
    - 1) commit unlawful acts;
    - 2) violate school rules;
    - 3) cause the material and substantial disruption of the orderly and efficient operation of the school or school activity;
    - 4) disrupt or interfere with the education program;
    - 5) interrupt the maintenance of a disciplined atmosphere; or
    - 6) infringe on the rights of others.
2. The official school publication shall be produced under the supervision of a faculty advisor.

## C. Responsibilities of students.

1. Students writing or editing official school publications shall assign and edit the news, editorial and feature contents of the official school publications subject to the limitations of the student publications code and the law.
2. Students shall strive to achieve professional standards of accuracy, fairness, objectivity and thoroughness in each and every aspect of official school publications.
3. Students shall strive to achieve professional standards of grammar, usage, punctuation and spelling for clarity and accuracy of official school publications.

## D. Responsibilities of faculty advisors.

Faculty advisors shall supervise student writers to maintain professional standards of English and journalism and to comply with the law including, but not limited to, the restrictions against unlawful speech.

## E. Liability.

Student expression in an official school publication shall not be deemed to be an expression of the school district. The school district, the board, and the employees or officials are not liable in any civil or criminal action for any student expression made or published by students unless the employees or officials have interfered with or altered the content of the student expression. The liability, if any, is only to the extent of interference or alteration of the speech or expression.

## STUDENT PUBLICATIONS CODE

F. Appeal procedure.

1. Students who believe they have been unreasonably restricted in their exercise of expression in an official student publication shall seek review of the decision through the student grievance procedure, under board policy 502.6.
2. Persons who believe they have been aggrieved by a student-produced official student publication shall file their complaint through the citizen grievance procedure, under board policy 214.1.

G. Time, place and manner of restrictions on official school publications.

1. Official student publications may be distributed in a reasonable manner on or off school premises.
2. Distribution in a reasonable manner shall not encourage students to:
  - a. commit unlawful acts;
  - b. violate school rules;
  - c. cause the material and substantial disruption of the orderly and efficient operation of the school district or school activity;
  - d. disrupt or interfere with the education program;
  - e. interrupt the maintenance of a disciplined atmosphere; or
  - f. infringe on the rights of others.

## STUDENT SOCIAL EVENTS

School-sponsored social events shall be approved by the principal and placed on the school calendar prior to public announcement. They shall be under the control and supervision of employees. The hours and activities of the event shall be reasonable and in keeping with board policy.

School-sponsored social events are open to the students enrolled in the school district. Others, such as alumni or nonschool students, may attend as the date or escort of students enrolled in the school district or with the permission of the licensed employees supervising the event.

Students' behavior shall be in keeping with the behavior required during regular school hours.

It shall be the responsibility of the superintendent, in conjunction with the principal, to develop administrative regulations regarding this policy.

Legal Reference: Iowa Code §§ 279.8; 282.3 (2007).

Cross Reference: 404 Employee Conduct and Appearance  
502 Student Rights and Responsibilities  
503 Student Discipline

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## STUDENT PERFORMANCES

Students, as part of the education program, may participate in contests or other public and private events approved by the superintendent that will be of benefit to the student and the education program. Performance at such events is a privilege.

Students, who perform at such events, serve as ambassadors of the school district and must conduct themselves in the same manner as required in the regular school day. Students who fail to abide by this policy and the administrative regulations supporting it may be subject to disciplinary measures.

Students will be allowed to perform in these events only with proper permission and supervision and when the events do not disrupt the education program or other school district operations. The events must be approved by the superintendent, unless it involves unusual travel and expense, in which case the board must approve of the performance.

It shall be the responsibility of the superintendent, in conjunction with the principal, to develop administrative regulations regarding this policy. In developing the administrative regulations, these guidelines should be followed:

- Performances by student groups below the high school level should be allowed on a very limited basis;
- All groups of students should have an opportunity to participate; and,
- Extensive travel by one group of students should be discouraged.

It shall be within the discretion of the superintendent to determine whether the event will benefit the education program and the participating students. Contests or other performances by students unapproved by the superintendent shall be the responsibility of the parent and the student.

Legal Reference: Hazelwood School District v. Kuhlmeier, 484 U.S. 260 (1988).  
Iowa Code §§ 280.13-.14 (2007).  
281 I.A.C. 12.6.

Cross Reference: 502 Student Rights and Responsibilities  
503.4 Good Conduct Rule  
504 Student Activities  
905 Community Activities Involving Students

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## STUDENT FUND RAISING

Students may raise funds for school-sponsored events with the permission of the principal. Fund raising by students for events other than school-sponsored events is not allowed. Collection boxes for school fund raising must have prior approval from the principal before being placed on school property.

It shall be the responsibility of the superintendent, in conjunction with the principal, to develop administrative regulations regarding this policy.

Legal Reference: Senior Class of Pekin High School v. Tharp, 154 N.W.2d 874 (Iowa 1967).  
Iowa Code § 279.8 (2007).

Cross Reference: 402.9 Solicitations from Outside  
502 Student Rights and Responsibilities  
503 Student Discipline  
504 Student Activities  
704.5 Student Activities Fund  
905.2 Advertising and Promotion

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## STUDENT WORK/INTERN PROGRAMS

Coordination of education programs with local businesses can benefit the school district community. When mutually acceptable arrangements can be made between a local business and the board, secondary students may work for a local business to obtain school credit.

Such programs must be compatible with the education program and have the approval of the board.

It shall be the responsibility of the superintendent to pursue such arrangements with local businesses.

Legal Reference: Iowa Code §§ 279.8; 282.3 (2007).

Cross Reference: 603 Instructional Curriculum

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## STUDENT ACTIVITY PROGRAM

Participation in school activities is a privilege. School activities provide the benefits of promoting additional interests and ability in the students during their school years and for their lifetime.

Students will have an opportunity to participate in a school activity unless the activity is not offered or the student cannot participate for disciplinary reasons. If the activity is an intramural or interscholastic athletic activity, students of the opposite sex will have a comparable opportunity for participation. Comparable opportunity does not guarantee boys and girls will be allowed to play on each other's teams when there are athletic activities available that will allow both boys and girls to reap the benefits of school activities, which are the promotion of additional interests and abilities in the students.

Student activity events must be approved by the superintendent unless they involve unusual travel expense, in which case the board will take action. The events must not disrupt the education program or other school district operations.

A high school student who participates in school sponsored athletics may participate in a non-school sponsored sport.

It shall be the responsibility of the superintendent to develop administrative regulations for each school activity. These regulations shall include, but not be limited to, when physical examinations will be required, how and when parents will be informed about the risk of the activity, academic requirements, and proof of insurance on the student participating in certain activities. Students wanting to participate in school activities must meet the requirements set out by the school district for participation in the activity.

Legal Reference: 20 U.S.C. §§ 1681-1683; 1685-1686 (2004).  
34 C.F.R. Pt. 106.41 (2004).  
Iowa Code §§ 216.9; 280.13-.14 (2007).  
281 I.A.C. 12.6., 36.15.

Cross Reference:	501	Student Attendance
	502	Student Rights and Responsibilities
	503	Student Discipline
	504	Student Activities
	507	Student Health and Well-Being

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## ASSIGNMENT OF COURSES

Students shall take a predetermined number and type of courses to graduate. Where students have a choice in course offerings, the school district will try to allow students to take the course of their choice. Courses with limited space will be allocated to those who first apply for the course or need it for graduation.

It shall be the responsibility of the superintendent to develop the course offerings for each year for the grade levels. The superintendent shall make a recommendation to the board annually as to which courses shall be offered.

Legal Reference: Iowa Code §§ 256.11, .11A; 280 (2007).  
281 I.A.C. 12.1; .3(7); .5.

Cross Reference: 505 Student Scholastic Achievement

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## STUDENT PROGRESS REPORTS AND CONFERENCES

Students shall receive a progress report at the end of each nine-week grading period. Students, who are doing poorly, and their parents, are notified prior to the end of the semester in order to have an opportunity to improve their grade. The board encourages the notification of students who have made marked improvement prior to the end of the semester.

Parent-teacher conferences will be held once a year at the elementary and middle school to keep the parents informed. The conferences at the high school are not individually scheduled.

Parents, teachers, or principals may request a conference for students in grades pre-kindergarten through twelve in addition to the scheduled conference time. Parents and students are encouraged to discuss the student's progress or other matters with the student's teacher.

Legal Reference: Iowa Code §§ 256.11, 41;. 280, 284.12,  
281 I.A.C. 12.3(4), 12.3(6), .3(7), .5(16).

Cross Reference: 505 Student Scholastic Achievement  
506 Student Records

Approved September, 2007

Reviewed 10/08/2018

Revised 11/12/18

## STUDENT PROMOTION - RETENTION - ACCELERATION

Students will be promoted to the next grade level at the end of each school year based on the student's achievement, age, maturity, emotional stability, and social adjustment.

The district shall adhere to the following:

- **Retention/Promotion in kindergarten – eighth grade:** The retention of a student will be determined based upon the judgment of the district's professional staff. When it becomes evident a student in grades kindergarten through eight may be retained in a grade level for an additional year, the parents will be informed prior to making the retention decision. It is within the sole discretion of the district to retain students in their current grade level and to deny promotion to a student.
- **Retention/Promotion in ninth – twelfth grade:** Students in grades nine through twelve will be informed of the required course work necessary to be promoted each year. When it becomes evident a student in these grades will be unable to meet the minimum credit requirements for the year, the student and parents will be informed. It is within the sole discretion of the district to retain students in their current grade level and to deny promotion to a student.
- **Acceleration in kindergarten – twelfth grade:** Students in grades kindergarten through twelve with exceptional talents may, with the permission of the principal and parents, take classes beyond their current grade level. Enrichment opportunities outside the school district may be allowed when they do not conflict with the school district's graduation requirements.
- **Retention or Acceleration in kindergarten – twelfth grade** may also occur in additional instances as provided by law.

Any student or parent who is not satisfied with the decision of the district's professional staff may seek recourse through policy 502.6 – *Student Complaints and Grievances*.

Legal Reference: Iowa Code §§ 256.11, 41; 279.8.  
281 I.A.C. 12.5(16).

Cross Reference: 501 Student Attendance  
505 Student Scholastic Achievement  
603.2 Summer School Instruction

Approved September, 2007

Reviewed 10/08/2018

Revised 11/12/18

## STUDENT HONORS AND AWARDS

The school district shall provide a program that establishes honors and awards including, but not limited to, academic letters, scholarships and good citizenship awards for students to assist students in setting goals. Students shall be made aware of honors and awards and the action necessary on the part of the student to achieve them. Students who have not attended an accredited public or private school for four semesters, will not be eligible for honors and awards.

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

Legal Reference: Iowa Code § 279.8 (2007).

Cross Reference: 504 Student Activities  
505 Student Scholastic Achievement

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## TESTING PROGRAM

A comprehensive testing program is established and maintained to evaluate the education program of the school district and to assist in providing guidance or counseling services to students and their families.

No student is required, as part of any applicable program, funded by the United States Department of Education, to submit to a survey, analysis or evaluation that reveals information concerning:

- political affiliations or beliefs of the student or student's parent;
- mental or psychological problems of the student or the student's family;
- sex behavior or attitudes;
- illegal, anti-social, self-incriminating or demeaning behavior;
- critical appraisals of other individuals with whom respondents have close family relationships;
- legally recognized, privileged and analogous relationships, such as those of lawyers, physicians and ministers;
- religious practices, affiliations or beliefs of the student or student's parent; or
- income,(other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program);

Without the prior consent of the student (if the student is an adult or emancipated minor), or in the case of an unemancipated minor, without the prior written consent of the parent.

It is the responsibility of the superintendent, in conjunction with the principal, to develop administrative regulations regarding this policy.

It is the responsibility of the board to review and approve the evaluation and testing program.

Legal Reference:        20 U.S.C. § 1232h  
Iowa Code §§ 280.3

Cross Reference:        505     Student Scholastic Achievement  
                                 506     Student Records  
                                 607.2   Student Health Services

Approved September, 2007

Reviewed 01/09/2017

Revised 02/14/2017

## GRADUATION REQUIREMENTS

Students must successfully complete the courses required by the board and Iowa Department of Education in order to graduate.

It shall be the responsibility of the superintendent to ensure that students complete grades one through twelve and that high school students complete 52 credits prior to graduation. The following credits will be required for graduation:

English/Language Arts	<u>8</u> credits
Science	<u>6</u> credits
Mathematics	<u>6</u> credits
Social Studies	<u>6</u> credits
Physical Education	<u>4</u> semesters
United States Government	<u>1</u> credits
American History	<u>2</u> credits
Financial Literacy	<u>1</u> credits*
Biology	<u>2</u> credits
Physical Science	<u>1</u> credit
Earth Science	<u>1</u> credit

(\*Beginning with graduating class of 2020.)

The required courses of study will be reviewed by the board annually.

Graduation requirements for special education students will be in accordance with the prescribed course of study as described in their Individualized Education Program (IEP).

*NOTE: This is a mandatory policy. For more detailed discussion of this issue, see IASB's Policy Primers, Dec. 4, 2008 and June 8, 2000.*

Legal Reference: Iowa Code §§ 256.11, .11A; .41; 279.8; 280.3, .14.  
281 I.A.C. 12.2; .5; 12.3(5).

Cross Reference: 505 Student Scholastic Achievement  
603.3 Special Education

Approved September, 2007

Reviewed 1/14/2019

Revised: 2/11/19

## EARLY GRADUATION

Generally, students will be required to complete the necessary course work and graduate from high school at the end of grade twelve. Students may graduate prior to this time if they meet the minimum graduation requirements stated in board policy.

A student who graduates early will no longer be considered a student and will become an alumnus of the school district. However, the student who graduates early may participate in commencement exercises or prom.

Legal Reference: Iowa Code §§ 279.8; 280.3, .14 (2007).  
281 I.A.C. 12.2; .3(7); .5.

Cross Reference: 505 Student Scholastic Achievement

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## COMMENCEMENT

Students who have met the requirements for graduation will be allowed to participate in the commencement proceedings provided they abide by the proceedings organized by the school district. It shall be the responsibility of the principal to solicit input from each graduating class regarding the proceedings for their commencement. Students must be in good standing, including the payment of fines and fees and return of school property, in order to participate in commencement ceremonies.

Failure of a student to participate in commencement will not be a reason for withholding the student's final progress report or diploma certifying the student's completion of high school.

Legal Reference: Iowa Code §§ 279.8; 280.3, .14 (2007).  
281 I.A.C. 12.2; .3(7); .5.

Cross Reference: 505 Student Scholastic Achievement

Approved September, 2007 Reviewed 02/09/2015 Revised \_\_\_\_\_

## PARENT AND FAMILY ENGAGEMENT

Parent and family engagement is an important component in a student's success in school. The board encourages parents and families to become involved in their child's education to ensure the child's academic success. The board will:

- (1) Involve parents and families in the development of the Title I plan, the process for school review of the plan and the process for improvement;
- (2) Provide the coordination, technical assistance and other support necessary to assist and build the capacity of all participating schools in planning and implementing effective parent and family involvement activities to improve student academic achievement and school performance;
- (3) To the extent feasible, coordinate and integrate parent and family engagement strategies under Title I with parent and family engagement strategies outlined in other relevant Federal, State, and local laws and programs;
- (4) Conduct with the involvement of parents and family members, an annual evaluation of the content and effectiveness of the parent and family engagement policy in improving the academic quality of the school served including identifying barriers to greater participation by parents in Title I activities (with particular attention to low-income parents, Limited English Proficient (LEP) parents, parents of any racial or ethnic minority, parents with disabilities and parents with limited literacy);
- (5) Use the findings of the annual evaluation to design strategies for more effective parent and family involvement and to revise, as necessary, the parent-and family involvement policies; and;
- (6) Involve parents and families in Title I activities.

The board will review this policy annually. The superintendent is responsible for notifying parents and families of this policy annually or within a reasonable time after it has been amended during the school year. The superintendent may develop an administrative process or procedures to implement this policy.

Legal References: 20 U.S.C. §6318

Cross References:

Approved September 2007 Reviewed 01/09/2017 Revised 02/14/2017

## PARENT AND FAMILY ENGAGEMENT BUILDING-LEVEL REGULATION

To further the interests of student achievement, the superintendent will create necessary rules to engage parents and family members within the district in the following ways on a building-level basis:

1. Policy Involvement: The district will host an annual meeting and invite all parents to attend; and inform parents of their rights and the district's requirements under Title I. This meeting will also invite parents to become involved in the planning, review and improvement of a building policy and in developing the district plan. The district will inform parents of:
  - programs under this policy,
  - curriculum and assessment used for students,
  - the opportunity to meet with administration to participate in decisions related to their children's education,
  - a description and explanation of curriculum used in the school forms of academic assessment used to measure student progress, and
  - achievement levels of the challenging State academic standards.
2. Accessibility: Provide opportunities for informed participation of parents and family members in understandable formats and languages. This includes participation by parents and family members who may have disabilities, limited English proficiency, and migratory children. Offer a flexible number of meetings during the day, evening and weekends to facilitate parent involvement. The superintendent has discretion to allow schools to provide childcare for families of students during these meetings through Title I funds.
3. High Student Academic Achievement: Each school in the district will jointly develop with parents and family members a school-parent compact that outlines how parents, staff and students share responsibility for improving student academic achievement; and how a partnership will be built to achieve this. The compact will describe the responsibility of the school to provide high quality curriculum and instruction, and the parents' responsibility to support their children's learning. This will also address the importance of communication between schools and parents through parent teacher conferences, regular reports to parents on their children's progress, and ensuring regular meaningful communication between family and school staff.
4. Building Capacity for Involvement: Each school within the district will include in their plan ways to achieve the following:
  - Assist parents and families to understand topics including academic standards and assessments and how to monitor student progress;
  - Provide materials and training to help parents work with students to improve achievement;
  - Educate teachers and staff in how to communicate with parents and build ties to foster academic success;
  - Coordinate and integrate other federal, state and local programs to support parents in more fully participating in students' education;
  - Ensure information related to programs is sent to parents and families in understandable formats; and
  - Provide other reasonable support to encourage parental involvement
5. Schools Operating a Schoolwide Program: Each school operating a schoolwide program under this policy shall:

- Involve parents on a timely and ongoing basis in the planning, review and improvement of programs, including the parent and family engagement school policy drafting and review, and the joint development of the schoolwide program.

If the schoolwide program plan is not satisfactory to the parents of the participating children, parent comments will be requested and submitted with the plan to the district.

Approved 04/-8/2019

Reviewed 03/25/2019

Revised \_\_\_\_\_

## EDUCATION RECORDS ACCESS

The board recognizes the importance of maintaining education records and preserving their confidentiality as provided by law. Education records are kept confidential at collection, storage, disclosure and destruction stages. The board secretary is the custodian of education records. Education records may be maintained in the central administration office or administrative office of the student's attendance center.

### **Definitions**

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

- “Education Record” means those records that contain information directly related to a student and which are maintained by an education agency or institution or by a party acting for the agency or institution.
- “Eligible Student” means a student who has reached eighteen years or attends a postsecondary institution. Parents of an eligible student are provided access to education records only with the written permission of the eligible student unless the eligible student is defined as a dependent by the [Internal Revenue Code](#). In that case, the parents may be provided access without the written permission of the student.

An education record may contain information on more than one student. Parents will have the right to access the information relating to their student or to be informed of the information. Eligible students will also have the right to access the information relating to themselves, or be informed of the information.

Parents, eligible students, and other individuals authorized in accordance with law will have a right to access the student's education records upon request without unnecessary delay and in no instance more than forty-five calendar days after the request is made. Parents, other than parents of an eligible student, may be denied access to a student's records if the school district has a court order stating such or when the district has been advised under the appropriate laws that the parents may not access the student records. Parents, an eligible student or an authorized representative of the parents will have the right to access the student's education records prior to an Individualized Education Program (IEP) meeting or hearing.

Copies of education records will be provided if failure to do so would effectively prevent the parents or student from exercising the right to access the education records. Fees for copies of the records are waived if it would prevent the parents or student from accessing the records. A fee may not be charged to search or retrieve information from education records.

Upon the request of parents or an eligible student, the school district will provide an explanation and interpretation of the education records and a list of the types and locations of education records collected, maintained or used by the school district.

If the parents or an eligible student believes the information in the education records is inaccurate, misleading or violates the privacy of the student, the parents or an eligible student may request that the school district amend the education records.

## STUDENT RECORDS ACCESS

Education records may be disclosed in limited circumstances without parental or eligible student's written permission. This disclosure is made on the condition that the education record will not be disclosed to a third party without the written permission of the parents or the eligible student. This disclosure may be:

- To school officials within the school district and AEA personnel whom the superintendent has determined to have a legitimate educational interest, including, but not limited to, board members, employees, school attorney, auditor, health professionals, and individuals serving on official school committees;
- To officials of another school district in which the student wishes to enroll, provided the other school district notifies the parents the education records are being sent and the parents have an opportunity to receive a copy of the records and challenge the contents of the records unless the annual notification includes a provision that records will automatically be transferred to new school districts;
- To the U.S. Comptroller General, the U.S. Attorney General, the U.S. Secretary of Education or state and local educational authorities;
- In connection with a student's application for, or receipt of, financial aid;
- To organizations conducting studies for, or on behalf of, educational agencies or institutions for the purpose of developing, validating, or administering predictive tests, administering student aid programs, and improving instruction, if such studies are conducted in such a manner as will not permit the personal identification of students and their parents by persons other than representatives of such organizations and such information will be destroyed when no longer needed for the purpose for which it was conducted;
- To accrediting organizations;
- To parents of a dependent student as defined in the Internal Revenue Code;
- To comply with a court order or judicially issued subpoena;
- *[Consistent with an interagency agreement between the school district and juvenile justice agencies]*
- In connection with a health or safety emergency;
- As directory information; or
- In additional instances as provided by law.

The superintendent will keep a list of the individuals and their positions who are authorized to view a special education student's education records without the permission of the parents or the eligible student. Individuals not listed are not allowed access without parental or an eligible student's written permission. This list must be current and available for public inspection and updated as changes occur.

The superintendent will also keep a list of individuals, agencies and organizations which have requested or obtained access to a student's education records, the date access was given and their legitimate educational interest or purpose for which they were authorized to view the records. The superintendent, however, does not need to keep a list of the parents, authorized educational employees, officers and agencies of the school district who have accessed the student's education records. This list for an education record may be accessed by the parents, the eligible student and the custodian of education records.

Permanent education records, including a student's name, address, phone number, grades, attendance record, classes attended, grade level completed and year completed may be maintained without time limitation. Permanent education records will be kept in a fire-safe vault or they may be maintained electronically with a secure backup file.

## STUDENT RECORDS ACCESS

When personally identifiable information, other than permanent education records, is no longer needed to provide educational services to a special education student, the parents or eligible student are notified. This notice is normally given after a student graduates or otherwise leaves the school district. If the parents or eligible student request that the personally identifiable information be destroyed, the school district will destroy the records, except for permanent records. Prior to the destruction of the records, the school district must inform the parents or eligible student the records may be needed by the parents or eligible student for social security benefits or other purposes. For purposes of policy, "no longer needed to provide educational services" means that a record is no longer relevant to the provision of instruction, support, or related services and it is no longer needed for accountability and audit purposes. At a minimum, a record needed for accountability and audit purposes must be retained for five years after completion of the activity for which funds were used.

*[The school district will cooperate with the juvenile justice system in sharing information contained in permanent student records regarding students who have become involved with the juvenile justice system. The school district will enter into an interagency agreement with the juvenile justice agencies (agencies) involved.]*

*The purpose of the agreement is to allow for the sharing of information prior to a student's adjudication in order to promote and collaborate between the school district and the agencies to improve school safety, reduce alcohol and illegal drug use, reduce truancy, reduce in-school and out-of-school suspensions, and to support alternatives to in-school and out-of-school suspensions and expulsions which provide structured and well supervised educational programs supplemented by coordinated and appropriate services designed to correct behaviors that lead to truancy, suspension, and expulsions and to support students in successfully completing their education.*

*The school district may share any information with the agencies contained in a student's permanent record, which is directly related to the juvenile justice system's ability to effectively serve the student. Prior to adjudication information contained in the permanent record may be disclosed by the school district to the parties without parental consent or court order. Information contained in a student's permanent record may be disclosed by the school district to the agencies after adjudication only with parental consent or a court order. Information shared pursuant to the agreement is used solely for determining the programs and services appropriate to the needs of the student or student's family or coordinating the delivery of programs and services to the student or student's family.*

*Information shared under the agreement is not admissible in any court proceedings, which take place prior to a disposition hearing, unless written consent is obtained from a student's parent, guardian, or legal or actual custodian.*

*Confidential information shared between the school district and the agencies will remain confidential and will not be shared with any other person, unless otherwise provided by law. The school district may discontinue information sharing with an agency if the school district determines that the agency has violated the intent or letter of the agreement.*

*Agencies will contact the principal of the attendance center where the student is currently or was enrolled. The principal will then forward copies of the records within a reasonable time following receipt of the request.*

Code No. 506.1  
Page 3 of 4

## STUDENT RECORDS ACCESS

The school district will provide training or instruction to employees about parents' and eligible students' rights under this policy. Employees will also be informed about the procedures for carrying out this policy. It is the responsibility of the superintendent to annually notify parents and eligible students that they have the right to:

- (1) Inspect and review the student's education records;

- (2) Seek amendment of the student's education records that the parent or eligible student believes to be inaccurate, misleading, or otherwise in violation of the student's privacy rights;
- (3) Consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that the law authorizes disclosure without consent; and
- (4) File a complaint with the U.S. Department of Education concerning alleged failures by the district to comply with the law.

The notice is given in a parents' or eligible student's native language. Should the school district collect personal information from students for the purposes of marketing or selling that information, the school district will annually notify parents of such activity.

The notice will include a statement that the parents have a right to file a complaint alleging the school district failed to comply with this policy. Complaints are forwarded to [Family Policy Compliance Office](#), U.S. Department of Education, 400 Maryland Avenue, Washington, DC. 20202-8520.

Legal Reference: 20 U.S.C. § 1232g, 1415.  
 34 C.F.R. Pt. 99, 300, .610 *et seq.*  
 Iowa Code §§ 22; 279.9B, 280.24, .25, 622.10.  
 281 I.A.C. 12.3(4); 41  
 1980 Op. Att'y Gen. 720, 825.

Cross Reference: 501 Student Attendance  
 505 Student Scholastic Achievement  
 506 Student Records  
 507 Student Health and Well-Being  
 603.3 Special Education  
 708 Care, Maintenance and Disposal of School District Records  
 901 Public Examination of School District Records

Approved Sept 2007

Reviewed 02/09/15

Revised 06/05/17

Code No. 506.1E1  
 Page 1 of 2

## STUDENT RECORDS CHECKLIST

	Copy to Parent Upon Request	Parent Signature Required**	User Must Submit Written Request*	No Parent Signature is Required	Parent Notified in Advance	Parent Notified of Release	Request Made Part of Student Records	Schedule Hearing following or between decision of the Parent	
Subpoena or Judicial Order				•	•				Lawfully Issued
Student Financial Aid				•					Written Request
School or Staff in Same School System				•					No Written Request Necessary
Other School System Where Student Plans to Enroll	•		•	•		•	•		506.1E2
United States Comptroller General			•	•			•		506.1E2
Dept. of Health, Education and Welfare Secretary			•	•			•		506.1E2
National Institute of Education			•	•			•		506.1E2
Iowa Dept. of Education Official			•	•			•		506.1E2
Parent Inspection of Student Educational Records	•	•							506.1E5
Parent Request for Hearing to Challenge Record		•						•	506.1E4
Parent Authorization for School to Release Information	•	•							506.1E3
Notification of Transfer of Student Records	•			•					506.1E6

\* Such written request is available for inspection by the parent or student and the school official responsible for record maintenance.

## STUDENT RECORDS CHECKLIST

\*\* When a student has attained the age of 18 years or is attending an institution of post-secondary education, the permission or consent required of the rights accorded the parent of the student will thereafter be required of and accorded only to the student.

## REQUEST OF NONPARENT FOR EXAMINATION OR COPIES OF STUDENT RECORDS

The undersigned hereby requests permission to examine the Durant Community School District's official student records of:

\_\_\_\_\_  
(Legal Name of Student)

\_\_\_\_\_  
(Date of Birth)

-----  
The undersigned requests copies of the following official student records of the above student:  
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The undersigned certifies that they are (check one):

- (a) An official of another school system in which the student intends to enroll. ( )
- (b) An authorized representative of the Comptroller General of the United States. ( )
- (c) An authorized representative of the Secretary of  
the U.S. Department of Education or U.S. Attorney General ( )
- (d) A state or local official to whom such is specifically allowed to be reported or  
disclosed. ( )  
( )
- (f) A person connected with the student's application for, or receipt of, financial  
aid (SPECIFY DETAILS ABOVE.) ( )
- (g) A representative of a juvenile justice agency with which the school district has  
an interagency agreement. ( )

The undersigned agrees that the information obtained will only be redisclosed consistent with state or federal law without the written permission of the parents of the student, or the student if the student is of majority age.

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Title)

\_\_\_\_\_  
(Agency)

APPROVED:

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

Address: \_\_\_\_\_

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

City: \_\_\_\_\_

Title: \_\_\_\_\_

State: \_\_\_\_\_ ZIP: \_\_\_\_\_

Dated: \_\_\_\_\_

Phone Number: \_\_\_\_\_

AUTHORIZATION FOR RELEASE OF STUDENT RECORDS

The undersigned hereby authorizes the Durant School District to release copies of the following official student records:

Concerning: \_\_\_\_\_  
(Full Legal Name of Student) (Date of Birth)

\_\_\_\_\_ from 20 \_\_\_\_ to 20 \_\_\_\_  
(Name of Last School Attended) (Year(s) of Attendance)

The reason for this request is: \_\_\_\_\_

My relationship to the child is: \_\_\_\_\_

Copies of the records to be released are to be furnished to:

- ☐ the undersigned  
☐ the student  
☐ other (please specify) \_\_\_\_\_

\_\_\_\_\_  
(Signature)

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

Address: \_\_\_\_\_

City: \_\_\_\_\_

State: \_\_\_\_\_ ZIP \_\_\_\_\_

Phone Number: \_\_\_\_\_

REQUEST FOR HEARING ON CORRECTION OF STUDENT RECORDS

To: \_\_\_\_\_ Address: \_\_\_\_\_  
Board Secretary (Custodian)

I believe certain official student records of my child, \_\_\_\_\_, (full legal name of student), \_\_\_\_\_ (school name), are inaccurate, misleading or in violation of privacy rights of my child.

The official education records which I believe are inaccurate, misleading or in violation of the privacy or other rights of my child are:

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The reason I believe such records are inaccurate, misleading or in violation of the privacy or other rights of my child is:

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My relationship to the child is: \_\_\_\_\_

I understand that I will be notified in writing of the time and place of the hearing; that I will be notified in writing of the decision; and I have the right to appeal the decision by so notifying the hearing officer in writing within ten days after my receipt of the decision or a right to place a statement in my child's record stating I disagree with the decision and why.

\_\_\_\_\_  
(Signature)

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

Address: \_\_\_\_\_

City: \_\_\_\_\_

State: \_\_\_\_\_ ZIP \_\_\_\_\_

Phone Number: \_\_\_\_\_

REQUEST FOR EXAMINATION OF STUDENT RECORDS

To: \_\_\_\_\_ Address: \_\_\_\_\_  
Board Secretary (Custodian)

The undersigned desires to examine the following official education records.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

of \_\_\_\_\_ , \_\_\_\_\_  
(Full Legal Name of Student) (Date of Birth) (Grade)

\_\_\_\_\_  
(Name of School)

My relationship to the student is: \_\_\_\_\_

(check one)

\_\_\_\_\_ I do  
\_\_\_\_\_ I do not

desire a copy of such records. I understand that a reasonable charge may be made for the copies.

\_\_\_\_\_  
(Parent's Signature)

APPROVED:

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

Address: \_\_\_\_\_

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

City: \_\_\_\_\_

Title: \_\_\_\_\_

State: \_\_\_\_\_ ZIP \_\_\_\_\_

Dated: \_\_\_\_\_

Phone Number: \_\_\_\_\_

NOTIFICATION OF TRANSFER OF STUDENT RECORDS

To: \_\_\_\_\_ Date: \_\_\_\_\_  
Parent/or Guardian

Street Address: \_\_\_\_\_

City/State \_\_\_\_\_ ZIP: \_\_\_\_\_

Please be notified that copies of the Durant Community School District's official student records concerning \_\_\_\_\_, (full legal name of student) have been transferred to:

\_\_\_\_\_  
School District Name Address

upon the written statement that the student intends to enroll in said school system.

If you desire a copy of such records furnished, please check here \_\_\_\_\_ and return this form to the undersigned.  
A reasonable charge will be made for the copies.

If you believe such records transferred are inaccurate, misleading or otherwise in violation of the privacy or other rights of the student, you have the right to a hearing to challenge the contents of such records.

\_\_\_\_\_  
(Name)

\_\_\_\_\_  
(Title)

LETTER TO PARENT REGARDING RECEIPT OF A SUBPOENA

Date \_\_\_\_\_

Dear     (Parent)    :

This letter is to notify you that the Durant Community School District has received a

    (subpoena or court order)     requesting copies of your child's permanent records. The specific records requested are \_\_\_\_\_

\_\_\_\_\_.

The school district has until     (date on subpoena or court order)     to deliver the documents to

    (requesting party on subpoena or court order)    . If you have any questions, please do not hesitate to contact me

at     (phone #)    .

Sincerely,

(Principal or Superintendent)

## JUVENILE JUSTICE AGENCY INFORMATION SHARING AGREEMENT

**Statement of Purpose:** The purpose of this Agreement is to allow for the sharing of information among the School District and the Agencies prior to a student's adjudication in order to promote and collaborate to improve school safety, reduce alcohol and illegal drug use, reduce truancy, reduce in-school and out-of-school suspensions, and to support alternatives to in-school and out-of-school suspensions and expulsions which provide structured and well supervised educational programs supplemented by coordinated and appropriate services designed to correct behaviors that lead to truancy, suspension, and expulsions and to support students in successfully completing their education.

**Identification of Agencies:** This agreement is between the Durant Community School District (hereinafter "School District") and (agencies listed) (hereinafter "Agencies").

**Statutory Authority:** This agreement implements *Iowa Code* § 280.25 and is consistent with 34 C.F.R. 99.38 (2012).

**Parameters of Information Exchange:**

1. The School District may share any information with the Agencies contained in a student's permanent record which is directly related to the juvenile justice system's ability to effectively serve the student.
2. Prior to adjudication information contained in the permanent record may be disclosed by the school district to the Agencies without parental consent or court order.
3. Information contained in a student's permanent record may be disclosed by the School District to the Agencies after adjudication only with parental consent or a court order.
4. Information shared pursuant to the agreement is used solely for determining the programs and services appropriate to the needs of the student or student's family or coordinating the delivery of programs and services to the student or student's family.
5. Information shared under the agreement is not admissible in any court proceedings which take place prior to a disposition hearing, unless written consent is obtained from a student's parent, guardian, or legal or actual custodian.
6. Information obtained by the school from other juvenile justice agencies may not be used as the basis for disciplinary action of the student.
7. This agreement only governs a school district's ability to share information and the purposes for which that information can be used. Other agencies are bound by their own respective confidentiality policies.

**Records' Transmission:** The individual requesting the information should contact the principal of the building in which the student is currently enrolled or was enrolled. The principal will forward the records within 10 business days of the request.

## JUVENILE JUSTICE AGENCY INFORMATION SHARING AGREEMENT

**Confidentiality:** Confidential information shared between the Agencies and the school district will remain confidential and will not be shared with any other person, unless otherwise provided by law. Information shared under the agreement is not admissible in any court proceedings which take place prior to a disposition hearing, unless written consent is obtained from a student's parent. Agencies or individuals violating the terms of this agreement subject their entity represented and themselves personally to legal action pursuant to federal and state law.

**Amendments:** This agreement constitutes the entire agreement among the agencies with respect to information sharing. Agencies may be added to this agreement at the discretion of the school district.

**Term:** This agreement is effective from (September 1, 20    or other date) .

**Termination:** The School District may discontinue information sharing with an Agency if the School District determines that the Agency has violated the intent or letter of this Agreement.

### APPROVED:

Signature: _____	Address: _____
Title: _____	City: _____
Agency: _____	State: _____ ZIP _____
Dated: _____	Phone Number: _____

Signature: _____	Address: _____
Title: _____	City: _____
Agency: _____	State: _____ ZIP _____
Dated: _____	Phone Number: _____

Signature: _____	Address: _____
Title: _____	City: _____
Agency: _____	State: _____ ZIP _____
Dated: _____	Phone Number: _____

Signature: _____	Address: _____
Title: _____	City: _____
Agency: _____	State: _____ ZIP _____
Dated: _____	Phone Number: _____

## ANNUAL NOTICE

The Family Educational Rights and Privacy Act (FERPA) affords parents and students over 18 years of age ("eligible students") certain rights with respect to the student's education records. They are:

- (1) The right to inspect and review the student's education records within 45 days of the day the district receives a request for access.

Parents or eligible students should submit to the school principal (or appropriate school official) a written request that identifies the record(s) they wish to inspect. The principal will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.

- (2) The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate or misleading or in violation of the student's privacy rights under FERPA.

Parents or eligible students who wish to ask school district to amend a record should write the school principal, clearly identify the part of the record they want changed, and specify why it should be changed.

If the district decides not to amend the record as requested by the parent or eligible student, the district will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

- (3) The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent.

One exception, which permits disclosure without consent is disclosure to school officials with legitimate educational interests. A school official is a person employed by the district as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the school board. A school official also may include a volunteer or contractor outside of the school who performs an institutional service or function for which the school would otherwise use its own employees and who is under the direct control of the school with respect to the use and maintenance of PII from education records (such as an attorney, auditor, AEA employees, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee or student assistance team, or assisting another school official in performing his or her tasks.

A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

Upon request, the district discloses education records without consent to officials of another school district in which a student seeks or intends to enroll or is already enrolled if the disclosure is for purposes of the student's enrollment or transfer. (Note: FERPA requires a school district to make a reasonable attempt to notify the parent or eligible student of the records request unless it states in its annual notification that it intends to forward records on request.)

ANNUAL NOTICE

- (4) The right to file a complaint with the U.S. Department of Education concerning alleged failures by the district to comply with the requirements of FERPA. The name and address of the office that administers FERPA is:

Family Policy Compliance Office, U.S. Department of Education,  
400 Maryland Ave., SW, Washington, DC, 20202-4605.

***NOTE: If the board decides to eliminate name, address or telephone listing from their directory information, military recruiters and postsecondary institutions still have the right, under federal law, to access the three items. If the board eliminates name, address or telephone listing, the district needs to give parents a second notice allowing them to withhold this information from military recruiters or postsecondary institutions.***

## USE OF EDUCATION RECORDS REGULATION

Parents and eligible students will have a right to access a student's education records upon request without unnecessary delay and in no instance more than forty-five calendar days after the request is made. The intent of this regulation is to establish procedures for granting requests from eligible students and parents to access a student's education records.

Education records mean those records that contain information directly related to a student and which are maintained by an education agency or institution or by a party acting for the agency or institution. These may include, but are not necessarily limited to: dates of attendance; academic work completed; level of achievement (grades, standardized test scores); attendance data; scores on standardized intelligence, aptitude, and psychological tests; interest inventory results; health data; family background information; teacher or counselor ratings and observations; and verified reports of serious or recurrent behavior patterns.

### A. Access to Records

1. Parents, eligible students, and other individuals authorized in accordance with law will have access to the student's education records during the regular business hours of the school district. Parents and eligible students will have a right to access the student's education records upon request without unnecessary delay and in no instance more than forty-five calendar days after the request is made. An eligible student or parent, upon written request to the board secretary, shall receive an explanation and interpretation of the education records. A student, eighteen years or older, has the right to determine who, outside the school system, has access to the records. Parents of students who are 18 years or older but still dependents for income tax purposes may access the student's records without prior permission of the student.
2. School officials having access to student records are defined as having a legitimate educational interest. A school official is a person employed by the school district as an administrator, supervisor, instructor or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the school board; a person or company with whom the school district has contracted to perform a special task (such as an attorney, auditor, AEA employee, medical consultant, or therapist); or a parent or student serving on an official committee, such as disciplinary or grievance committee or student assistance team, or assisting another school official in performing his or her tasks.

B. Release of Information Outside the School – Information from education records may be disclosed to outside parties as outlined in board policy and otherwise provided by law.

### C. Procedures for Requesting a Record Amendment

1. If the eligible student, parent, or legal guardian believe the information in the education records is inaccurate, misleading, or violates the privacy of the student, the parents or an eligible student may request that the school district amend the education student records.
2. The school district will decide whether to amend the education student records within a reasonable time after receipt of the request.
3. If the school district determines an amendment is made to the education student record, the school district will make the amendment and inform the parents or the eligible student of the decision in writing.
4. If the school district determines that amendment of the student's education record is not appropriate, it will inform the parents or the eligible student of their right to a hearing before the hearing officer provided by the school district. The hearing officer may be an employee of the

## USE OF EDUCATION RECORDS REGULATION

- school district, so long as the employee does not have a direct interest in the outcome of the hearing.
5. Upon parental request, the school district will hold a hearing regarding the content of a student's education records which the parent believes to be inaccurate, misleading, or in violation of the privacy rights of students.
  6. The hearing will be held within a reasonable time after receipt of the parent or eligible student's request. The parent or eligible student will receive reasonable advance notice of date, time and place of the hearing.
  7. The parents or eligible student will be given a full and fair opportunity to present evidence relevant to the issues. The parent or eligible student may be represented by an individual at their choice at their own expense.
  8. The hearing officer will render a written decision within a reasonable period after the hearing. The decision will be based upon evidence presented at the hearing and must include a summary of the evidence and the reasons for the decision.
  9. The parents may appeal the hearing officer's decision to the superintendent within 10 days if the superintendent does not have a direct interest in the outcome of the hearing.
  10. The parents may appeal the superintendent's decision or the hearing officer's decision if the superintendent was unable to hear the appeal, to the board within 10 days. It is within the discretion of the board to hear the appeal.
  11. If the parents' and the eligible student's request to amend the education student record is further denied following the hearing, the parents or the eligible student are informed that they have a right to place an explanatory letter in the education student record commenting on the school district's decision or setting forth the reasoning for disagreeing with the school district. Additions to the student's education records will become a part of the education student record and be maintained like other education student records. If the school district discloses the education student records, the explanation by the parents will also be disclosed or the eligible student of the decision in writing.

Code No. 506.2

## STUDENT DIRECTORY INFORMATION

Student directory information is designed to be used internally within the school district. Directory information is information contained in the education records of a student that would not generally be considered harmful or an invasion of privacy if disclosed. The district may disclose "directory information" to third parties without consent if it has given public notice of the types of information which it has designated as "directory information," the parent's or eligible student's right to restrict the disclosure of such information, and the period of time within which a parent or eligible student has to notify the school in writing that he or she does not want any or all of those types of information designated as "directory information." The district has designated the following as "directory information":

- Student's name
- Address
- Telephone listing
- Electronic mail address
- Photograph
- Date and place of birth
- Major field of study
- Dates of attendance
- Grade level
- Participation in officially recognized activities and sports
- Weight and height of members of athletic teams
- Degrees, honors, and awards received
- The most recent educational agency or institution attended
- Student ID number, user ID, or other unique personal identifier used to communicate in electronic systems that cannot be used to access education records without a PIN, password, etc. (A student's SSN, in whole or in part, cannot be used for this purpose.)

Student is defined as an enrolled individual, PK-12 including children in school district sponsored child-care programs.

Prior to developing a student directory or to giving general information to the public, parents (including parents of students open enrolled out of the school district and parents of children home schooled in the school district) will be given notice annually of the intent to develop a directory or to give out general information and have the opportunity to deny the inclusion of their child's information in the directory or in the general information about the students.

It is the responsibility of the superintendent to provide notice and to determine the method of notice that will inform parents.

Legal Reference: 20 U.S.C. § 1232g  
34 C.F.R. § 99  
Iowa Code § 22; 622.10  
281 I.A.C. 12.3(4); 41.  
1980 Op. Att'y Gen. 720.

Cross Reference: 504 Student Activities  
506 Student Records  
901 Public Examination of School District Records  
902.4 Live Broadcast or videotaping

Approved Sept 2007

Reviewed 05/14/2018

Revised 06/11/2018

Code No. 506.2E1

#### AUTHORIZATION FOR RELEASING STUDENT DIRECTORY INFORMATION

The Durant Community School District has adopted a policy designed to assure parents and students the full implementation, protection and enjoyment of their rights under the Family Educational Rights and Privacy Act of 1974 (FERPA). A copy of the school district's policy is available for review on the district website.

This law requires the school district to designate as "directory information" any personally identifiable information taken from a student's educational records prior to making such information available to the public.

The school district has designated the following information as directory information:

- Student's name
- Address
- Telephone listing
- Electronic mail address
- Photograph
- Date and place of birth
- Major field of study
- Dates of attendance
- Grade level
- Participation in officially recognized activities and sports
- Weight and height of members of athletic teams
- Degrees, honors, and awards received
- The most recent educational agency or institution attended
- Student ID number, user ID, or other unique personal identifier used to communicate in electronic systems that cannot be used to access education records without a PIN, password, etc. (A student's SSN, in whole or in part, cannot be used for this purpose.)

You have the right to refuse the designation of any or all of the categories of personally identifiable information as directory information with respect to your student provided that you notify the school district in writing not later than the first day of school. If you desire to make such a refusal, please complete and return the slip attached to this notice.

If you have no objection to the use of student information, you do not need to take any action.

*RETURN THIS FORM*

Durant Community School District Parental Directions to  
Withhold Student/Directory Information for Education Purposes, for 20\_\_ - 20\_\_ school year.

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

Date of Birth \_\_\_\_\_

School: \_\_\_\_\_

Grade: \_\_\_\_\_

\_\_\_\_\_  
(Signature of Parent/Legal Guardian/Custodian of Child)

\_\_\_\_\_  
(Date)

This form must be returned to your child's school no later than the first day of school.  
Additional forms are available at your child's school.

## USE OF DIRECTORY INFORMATION

The Family Educational Rights and Privacy Act (FERPA), a Federal law, requires that Durant Community School District, with certain exceptions, obtain your written consent prior to the disclosure of personally identifiable information from your child's education records. However, Durant Community School District may disclose appropriately designated "directory information" without written consent, unless you have advised the District to the contrary in accordance with District procedures. The primary purpose of directory information is to allow the Durant Community School District to include this type of information from your child's education records in certain school publications. Examples include:

- A playbill, showing your student's role in a drama production;
- The annual yearbook;
- Honor roll or other recognition lists;
- Graduation programs; and,
- Sports activity sheets, such as for wrestling, showing weight and height of team members.

Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, can also be disclosed to outside organizations without a parent's prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks. In addition, two federal laws require local educational agencies (LEAs) receiving assistance under the Elementary and Secondary Education Act of 1965 (ESEA) to provide military recruiters, upon request, with the following information – names, addresses and telephone listings – unless parents have advised the LEA that they do not want their student's information disclosed without their prior written consent.<sup>1</sup>

If you do not want the Durant Community School District to disclose directory information from your child's education records without your prior written consent, you must notify the District in writing by the first day of school. Durant Community School District has designated the following information as directory information:

- Student's name
- Address
- Telephone listing
- Electronic mail address
- Photograph
- Date and place of birth
- Major field of study
- Dates of attendance
- Grade level
- Participation in officially recognized activities and sports
- Weight and height of members of athletic teams
- Degrees, honors, and awards received
- The most recent educational agency or institution attended

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<sup>1</sup> These laws are: Section 9528 of the Elementary and Secondary Education Act (20 U.S.C. § 7908) and 10 U.S.C. § 503(c).

#### USE OF DIRECTORY INFORMATION

- Student ID number, user ID, or other unique personal identifier used to communicate in electronic systems that cannot be used to access education records without a PIN, password, etc. (A student's SSN, in whole or in part, cannot be used for this purpose.)

## STUDENT PHOTOGRAPHS

The board will permit student "portrait" photographs to be taken on school premises by a commercial photographer as a service to the students and their families.

Parents will be notified prior to the taking of pictures by a commercial photographer for student "portraits." In no case will students be required to have their picture taken or be pressured to purchase pictures.

Students or commercial photographers may take pictures of students upon consent for such things as the yearbook or student newspaper.

It shall be the responsibility of the superintendent, in conjunction with the principal, to develop administrative rules regarding student photographs.

Legal Reference: Iowa Code § 279.8 (2007).  
1980 Op. Att'y Gen. 114.

Cross Reference: 506 Student Records

Approved September, 2007 Reviewed 02/09/2015 Revised \_\_\_\_\_

## STUDENT LIBRARY CIRCULATION RECORDS

Student library circulation records are designed to be used internally to assist in the orderly administration of the school district libraries and media center. As a general rule, student library circulation records are considered confidential records and will not be released without parental consent. Individuals who may access such records include a student's parents, the student, authorized licensed employees, authorized government officials from the U.S. Comptroller General, the Secretary of Education, the Commissioner and Director of the National Institute of Education, and the Assistant Secretary for Education and State Education Department. Appropriate authorities in a health or safety emergency may access the student's library circulation records without the approval or the notification of the student's parents. Parents may not access records, without the student's permission, of a student who has reached the age of majority or who is attending a post-secondary educational institution unless the student is considered a dependent for tax purposes.

It shall be the school librarian's responsibility, as the person maintaining the student library circulation records, to approve requests for access to student library circulation records. Students' library circulation records may be accessed during the regular business hours of the school district. If copies of documents are requested, a fee for such copying shall be charged.

It shall be the responsibility of the superintendent, in conjunction with the school librarian, to develop administrative regulations regarding this policy.

Legal Reference: 20 U.S.C. § 1232g (2004).  
 34 C.F.R. Pt. 99 (2004).  
 Iowa Code §§ 22; 622.10 (2007).  
 281 I.A.C. 12.3(6).  
 1980 Op. Att'y Gen. 720, 825.

Cross Reference: 506 Student Records

Approved September, 2007 Reviewed 02/09/2015 Revised \_\_\_\_\_

## STUDENT HEALTH AND IMMUNIZATION CERTIFICATES

Students desiring to participate in athletic activities or enrolling in pre-kindergarten or kindergarten in the school district shall have a physical examination by a licensed practitioner within 1 year of registration and provide proof of such an examination to the school district. A physical examination and proof of such an examination may be required by the administration for students in other grades enrolling for the first time in the school district. A copy of the student's physical will be kept in the nurse's office.

Each student shall submit an up-to-date certificate of health upon the request of the superintendent. Failure to provide this information may be grounds for disciplinary action.

Students enrolling for the first time in the school district shall also submit a certificate of immunization against diphtheria, pertussis, tetanus, poliomyelitis, rubeola, rubella, and other immunizations required by law. The student may be admitted conditionally to the attendance center if the student has not yet completed the immunization process but is in the process of doing so. Failure to meet the immunization requirement will be grounds for suspension, expulsion or denial of admission. Upon recommendation of the Iowa Department of Education and Iowa Department of Public Health, students entering the district for the first time may be required to pass a TB test prior to admission. The district may conduct TB tests of current students.

Exemptions from the immunization requirement in this policy will be allowed only for medical or religious reasons recognized under the law. The student must provide a valid Iowa State Department of Health Certificate of Immunization Exemption to be exempt from this policy.

Legal Reference: Iowa Code §§ 139.9; 280.13 (2007).  
281 I.A.C. 33.5.  
641 I.A.C. 7.

Cross Reference: 402.2 Child Abuse Reporting  
501 Student Attendance  
507 Student Health and Well-Being

Approved September, 2007

Reviewed 02/09/2015

Revised October 8, 2012

## ADMINISTRATION OF MEDICATION TO STUDENTS

Some students may need prescription and nonprescription medication to participate in their educational program.

Medication shall be administered when the student's parent or guardian (hereafter "parent") provides a signed and dated written statement requesting medication administration and the medication is in the original, labeled container, either as dispensed or in the manufacturer's container.

When administration of the medication requires ongoing professional health judgment, an individual health plan shall be developed by an authorized practitioner. Students who have demonstrated competence in administering their own medications may self-administer their medication. A written statement by the student's parent shall be on file requesting co-administration of medication, when competence has been demonstrated. By law, students with asthma or other airway constricting diseases may self-administer their medication upon approval of their parents and prescribing physician regardless of competency.

Persons administering medication shall include the licensed registered nurse, physician, persons who have successfully completed a medication administration course, or be an authorized practitioner, including, parents. A medication administration course and periodic update shall be conducted by a registered nurse or licensed pharmacist and a record of course completion kept on file at the agency.

A written medication administration record shall be on file including:

- date;
- student's name;
- prescriber or person authorizing administration;
- medication;
- medication dosage;
- administration time;
- administration method;
- signature and title of the person administering medication; and
- any unusual circumstances, actions, or omissions.

Medication shall be stored in a secured area unless an alternate provision is documented. Emergency protocols for medication-related reactions shall be posted. Medication information shall be confidential information.

Legal Reference: Iowa Code §§124.101(1), 147.107, 152.1, 155A.4(2), 280.16, 280.23 (2007)  
 Education [281]—§41.403(3)  
 Pharmacy [657]—§8.32(124, 155A), IAC  
 Nursing Board [655]—§6.2(152), IAC

Cross Reference: 506 Student Records  
 507 Student Health and Well-Being  
 603.3 Special Education  
 607.2 Student Health Services

Approved September, 2007

Reviewed 02/09/2015

Revised October 8, 2012

AUTHORIZATION-ASTHMA OR AIRWAY CONSTRICTING MEDICATION  
SELF-ADMINISTRATION CONSENT FORM

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  
Student's Name (Last), (First), (Middle)      Birthday      School      Date

In order for a student to self-administer medication for asthma or any airway constricting disease:

- Parent/guardian provides signed, dated authorization for student medication self-administration.
- Physician (person licensed under chapter 148, 150, or 150A, physician, physician's assistant, advanced registered nurse practitioner, or other person licensed or registered to distribute or dispense a prescription drug or device in the course of professional practice in Iowa in accordance with section 147.107, or a person licensed by another state in a health field in which, under Iowa law, licensees in this state may legally prescribe drugs) provides written authorization containing:
  - purpose of the medication,
  - prescribed dosage,
  - times or;
  - special circumstances under which the medication is to be administered.
- The medication is in the original, labeled container as dispensed or the manufacturer's labeled container containing the student name, name of the medication, directions for use, and date.
- Authorization is renewed annually. If any changes occur in the medication, dosage or time of administration, the parent is to notify school officials immediately. The authorization shall be reviewed as soon as practical.

Provided the above requirements are fulfilled, a student with asthma or other airway constricting disease may possess and use the student's medication while in school, at school-sponsored activities, under the supervision of school personnel, and before or after normal school activities, such as while in before-school or after-school care on school-operated property. If the student abuses the self-administration policy, the ability to self-administer may be withdrawn by the school or discipline may be imposed.

Pursuant to state law, the school district or accredited nonpublic school and its employees are to incur no liability, except for gross negligence, as a result of any injury arising from self-administration of medication by the student. The parent or guardian of the student shall sign a statement acknowledging that the school district or nonpublic school is to incur no liability, except for gross negligence, as a result of self-administration of medication by the student as established by *Iowa Code* § 280.16.

_____ Medication	_____ Dosage	_____ Route	_____ Time
---------------------	-----------------	----------------	---------------

\_\_\_\_\_  
Purpose of Medication & Administration /Instructions

AUTHORIZATION-ASTHMA OR AIRWAY CONSTRICTING MEDICATION  
SELF-ADMINISTRATION CONSENT FORM

\_\_\_\_\_  
Special Circumstances

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  
Discontinue/Re-Evaluate/  
Follow-up Date

\_\_\_\_\_  
Prescriber's Signature

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  
Date

\_\_\_\_\_  
Prescriber's Address

\_\_\_\_\_  
Emergency Phone

- I request the above named student possess and self-administer asthma or other airway constricting disease medication(s) at school and in school activities according to the authorization and instructions.
- I understand the school district and its employees acting reasonably and in good faith shall incur no liability for any improper use of medication or for supervising, monitoring, or interfering with a student's self-administration of medication
- I agree to coordinate and work with school personnel and notify them when questions arise or relevant conditions change.
- I agree to provide safe delivery of medication and equipment to and from school and to pick up remaining medication and equipment.
- I agree the information is shared with school personnel in accordance with the Family Education Rights and Privacy Act (FERPA).
- I agree to provide the school with back-up medication approved in this form.
- (Student maintains self-administration record.) (*Note: This bullet is recommended but not required.*)

\_\_\_\_\_  
Parent/Guardian Signature  
(agreed to above statement)

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  
Date

\_\_\_\_\_  
Parent/Guardian Address

\_\_\_\_\_  
Home Phone

\_\_\_\_\_  
Emergency Phone

\_\_\_\_\_  
Business Phone

\_\_\_\_\_  
Self-Administration Authorization Additional Information

# PARENTAL AUTHORIZATION AND RELEASE FORM FOR THE ADMINISTRATION OF PRESCRIPTION MEDICATION TO STUDENTS

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  
Student's Name (Last), (First), (Middle)    Birthday    School    Date

School medications and health services are administered following these guidelines:

- Parent has provided a signed, dated authorization to administer medication and/or provide the health service.
- The medication is in the original, labeled container as dispensed or the manufacturer's labeled container.
- The medication label contains the student's name, name of the medication, directions for use, and date.
- Authorization is renewed annually and immediately when the parent notifies the school that changes are necessary.

_____ Medication/Health Care	_____ Dosage	_____ Route	_____ Time at School
---------------------------------	-----------------	----------------	----------------------------

\_\_\_\_\_  
Administration instructions

\_\_\_\_\_  
Special Directives Signs to observe and Side Effects

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  
Discontinue/Re-Evaluate/Follow-up Date

\_\_\_\_\_  
Prescriber's Signature

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  
Date

\_\_\_\_\_  
Prescriber's Address

\_\_\_\_\_  
Emergency Phone

I request the above named student carry medication at school and school activities, according to the prescription, instructions, and a written record kept. Special considerations are noted above. The information is confidential except as provided to the Family Education Rights and Privacy Act (FERPA). I agree to coordinate and work with school personnel and prescriber when questions arise. I agree to provide safe delivery of medication and equipment to and from school and to pick up remaining medication and equipment.

PARENTAL AUTHORIZATION AND RELEASE FORM FOR THE ADMINISTRATION  
OF PRESCRIPTION MEDICATION TO STUDENTS

\_\_\_\_\_  
Parent's Signature

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  
Date

\_\_\_\_\_  
Parent's Address

\_\_\_\_\_  
Home Phone

\_\_\_\_\_  
Emergency Phone

\_\_\_\_\_  
Business Phone

\_\_\_\_\_  
Additional Information

\_\_\_\_\_

\_\_\_\_\_  
Authorization Form

## COMMUNICABLE DISEASES - STUDENTS

Students with a communicable disease will be allowed to attend school provided their presence does not create a substantial risk of illness or transmission to other students or employees. The term "communicable disease" shall mean an infectious or contagious disease spread from person to person, or animal to person, or as defined by law.

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

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

The school nurse will refer to the "Guide to Childhood Illness—Recommendations for Parents & Child Care Facilities." This can be found on the Iowa Dept. of Public Health Website or at [http://www.idph.state.ia.us/hcci/common/pdf/childhood\\_illness\\_guide.pdf](http://www.idph.state.ia.us/hcci/common/pdf/childhood_illness_guide.pdf).

The school nurse may require written permission from a student's physician before a student is readmitted to school following any disease which requires exclusion, not mere absence, from school.

Legal Reference:      School Board of Nassau County v. Arline, 480 U.S. 273 (1987).  
                              29 U.S.C. §§ 701 *et seq.* (2004).  
                              45 C.F.R. Pt. 84.3 (2004).  
                              Iowa Code ch. 139 (2007).  
                              641 I.A.C. 1.2-.5, 7.

Cross Reference:      403.3    Communicable Diseases - Employees  
                              506      Student Records  
                              507      Student Health and Well-Being

Approved September, 2007

Reviewed 02/09/2015

Revised October 8, 2012

Code No. 507.3E1

## COMMUNICABLE DISEASE CHART

Source: Iowa Department of Public Health (1992).

### Concise Descriptions and Recommendations for Exclusion of Cases from School

DISEASE <i>*Immunization is available</i>	Usual Interval Between Exposure and First Symptoms of Disease	MAIN SYMPTOMS	Minimum Exclusion From School
CHICKENPOX	13 to 17 days	Mild symptoms and fever. Pocks are "blistery." Develop scabs, most on covered parts of body.	7 days from onset of pocks or until pocks become dry
CONJUNCTIVITIS (PINK EYE)	24 to 72 hours	Tearing, redness and puffy lids, eye discharge.	Until treatment begins or physician approves readmission.
ERYTHEMIA INFECTIOSUM (5 <sup>TH</sup> DISEASE)	4 to 20 days	Usual age 5 to 14 years – unusual in adults. Brief prodrome of low-grade fever followed by Erythemia (slapped cheek) appearance on cheeks, lace-like rash on extremities lasting a few days to 3 weeks. Rash seems to recur.	After diagnosis no exclusion from school.
GERMAN MEASLES* (RUBELLA)	14 to 23 days	Usually mild. Enlarged glands in neck and behind ears. Brief red rash.	7 days from onset of rash. Keep away from pregnant women.
HAEMOPHILUS MENINGITIS	2 to 4 days	Fever, vomiting, lethargy, stiff neck and back.	Until physician permits return.
HEPATITIS A	Variable – 15 to 50 (average 28 to 30 days)	Abdominal pain, nausea, usually fever. Skin and eyes may or may not turn yellow.	14 days from onset of clinical disease and at least 7 days from onset of jaundice.
IMPETIGO	1 to 3 days	Inflamed sores, with puss.	48 hours after antibiotic therapy started or until physician permits return.
MEASLES*	10 days to fever, 14 days to rash	Begins with fever, conjunctivitis, runny nose, cough, then blotchy red rash.	4 days from onset of rash.
MENINGOCOCCAL MENINGITIS	2 to 10 days (commonly 3 to 4 days)	Headache, nausea, stiff neck, fever.	Until physician permits return.
MUMPS*	12 to 25 (commonly 18) days	Fever, swelling and tenderness of glands at angle of jaw.	9 days after onset of swollen glands or until swelling disappears.
PEDICULOSIS (HEAD/BODY LICE)	7 days for eggs to hatch	Lice and nits (eggs) in hair.	24 hours after adequate treatment to kill lice and nits.
RINGWORM OF SCALP	10 to 14 days	Scaly patch, usually ring shaped, on scalp.	No exclusion from school. Exclude from gymnasium, swimming pools, contact sports.
SCABIES	2 to 6 weeks initial exposure; 1 to 4 days reexposure	Tiny burrows in skin caused by mites.	Until 24 hours after treatment.
SCARLET FEVER SCARLATINA STREP THROAT	1 to 3 days	Sudden onset, vomiting, sore throat, fever, later fine rash (not on face). Rash usually on with first infection.	24 hours after antibiotics started and no fever.
WHOOPING COUGH* (PERTUSSIS)	7 to 10 days	Head cold, slight fever, cough, characteristic whoop after 2 weeks.	5 days after start of antibiotic treatment.

Readmission to School – It is advisable that school authorities require written permission from the health officer, school physician or attending physician before any pupil is readmitted to class following any disease which requires exclusion, not mere absence, from school.

## REPORTABLE INFECTIOUS DISEASES

While the school district is not responsible for reporting, the current list of Iowa's reportable diseases can be found at <http://www.idph.state.ia.us/cade/reportablediseases.aspx>.

The school is responsible for reporting over 10% absence to the Iowa Dept. of Public Health-Center for Disease Control. Phone: (515) 242-5935 or 1(800) 362-2736.

## REPORTING FORM

Source: Iowa Department of Public Health (1997).

Report the Following Diseases Immediately by Telephone (1-800-362-2736)

Botulism  
Cholera  
Diphtheria  
Plague

Poliomyelitis  
Rabies (Human)  
Rubella  
Rubeola (measles)

Yellow Fever  
Disease outbreaks of  
any public health concern

WEEK ENDING \_\_\_\_\_

REPORT ALL OTHER DISEASES BELOW.

See other side for list of reportable infectious diseases.

DISEASE	PATIENT	COUNTY OR CITY	DOB	SEX
	Name      Parent (If applicable)			
	Address			
	Attending Physician			
	Name      Parent (If applicable)			
	Address			
	Attending Physician			
	Name      Parent (If applicable)			
	Address			
	Attending Physician			
	Name      Parent (If applicable)			
	Address			
	Attending Physician			
	Name      Parent (If applicable)			
	Address			
	Attending Physician			

Reporting Physician, Hospital, or Other Authorized Person \_\_\_\_\_

Address \_\_\_\_\_

Remarks: \_\_\_\_\_

FOR SCHOOLS ONLY: Report over 10% absent only. Total enrollment: \_\_\_\_\_

	Monday	Tuesday	Wednesday	Thursday	Friday
No. Absent					
% of Enrollment					
REPORT NUMBER OF CASES ONLY					
_____ Chickenpox		_____ Gastroenteritis			
_____ Erythema infectiosum (5 <sup>th</sup> Disease)		_____ Influenza-like illness (URI)			

## STUDENT ILLNESS OR INJURY AT SCHOOL

When a student becomes ill or is injured at school, the school district shall attempt to notify the student's parents as soon as possible.

The school district, while not responsible for medical treatment of an ill or injured student, will have employees present administer emergency or minor first aid if possible. An ill or injured child will be turned over to the care of the parents or qualified medical employees as quickly as possible.

It shall be the responsibility of the school nurse to file an accident report with the superintendent within twenty-four hours after the student is injured.

Annually, parents shall be required to complete a medical emergency authorization form indicating the procedures to be followed, if possible, in an emergency involving their child. The authorization form will also include the phone numbers of the parents and alternative numbers to call in case of an injury or illness.

The superintendent shall be responsible, in conjunction with the school nurse, to develop rules and regulations governing the procedure in the event a student should become ill or be injured at school.

Legal Reference: Iowa Code § 613.17 (2007).

Cross Reference: 507 Student Health and Well-Being

Approved September, 2007

Reviewed 02/09/2015

Revised October 8, 2012

## EMERGENCY PLANS AND DRILLS

Students will be informed of the appropriate action to take in an emergency. Emergency drills for fire, weather, and other disasters shall be conducted each school year. Fire and tornado drills shall be each conducted regularly during the academic school year with a minimum of two before December 31 and two after January 1.

Each attendance center shall develop and maintain a written plan containing emergency and disaster procedures. The plan will be communicated to and reviewed with employees. Employees shall participate in emergency drills. Licensed employees shall be responsible for instructing the proper techniques to be followed in the drill.

Legal Reference: Iowa Code § 100.31 (2007).  
281 I.A.C. 41.25(3).

Cross Reference: 507 Student Health and Well-Being  
711.8 School Bus Safety Instruction  
804 Safety Program

Approved September, 2007

Reviewed 02/09/2015

Revised October 8, 2012

## STUDENT INSURANCE

If offered by the district this policy is in effect.

Students shall have the opportunity to participate in the health and accident insurance plan selected by the school district. The cost of the health and accident insurance program shall be borne by the student. Participation in the insurance health and accident plan is not a contract with the school district, but rather, a contract between the insurance company and the student.

Legal Reference: Iowa Code § 279.8 (2007).

Cross Reference: 504 Student Activities  
507 Student Health and Well-Being

Approved September, 2007 Reviewed 02/09/2015 Revised October 8, 2012

## CUSTODY AND PARENTAL RIGHTS

Disagreements between family members are not the responsibility of the school district. The school district will not take the "side" of one family member over another in a disagreement about custody or parental rights. Court orders that have been issued shall be followed by the school district. It shall be the responsibility of the person requesting an action by the school district to inform and provide the school district the court order allowing such action.

This policy does not prohibit an employee from listening to a student's problems and concerns.

It shall be the responsibility of the superintendent to ensure employees remain neutral in a disagreement about custody and parental rights.

Legal Reference: Iowa Code §§ 232.67, .70, .73, .75; 235A; 279.8; 710.6 (2007).  
441 I.A.C. 9.2; 155; 175.

Cross Reference: 506 Student Records  
507 Student Health and Well-Being

Approved September, 2007

Reviewed 02/09/2015

Revised October 8, 2012

## STUDENT SPECIAL HEALTH SERVICES

The board recognizes that some special education students need special health services during the school day. These students shall receive special health services in conjunction with their individualized education program.

The superintendent, in conjunction with licensed health personnel, shall establish administrative regulations for the implementation of this policy.

Legal Reference: Board of Education v. Rowley, 458 U.S. 176 (1982).  
Springdale School District #50 v. Grace, 693 F.2d 41 (8th Cir. 1982).  
Southeast Warren Comm. School District v. Dept. of Public Instruction, 285 N.W.2d 173 (Iowa 1979).  
 20 U.S.C. §§ 1400 *et seq.* (2004).  
 34 C.F.R. Pt. 300 *et seq.* (2004).  
 Iowa Code §§ 256.11(7); 256B; 273.2, .5, .9(2)-(3); 280.8 (2007).  
 281 I.A.C. 12.3(7), 41.96

Cross Reference: 502 Student Rights and Responsibilities  
 506 Student Records  
 603.3 Special Education

Approved September, 2007

Reviewed 02/09/2015

Revise October 8, 2012

## SPECIAL HEALTH SERVICES REGULATION

Some students who require special education need special health services in order to participate in the educational program. These students shall receive special health services in accordance with their individualized educational program.

**A. Definitions**

"Assignment and delegation" - occurs when licensed health personnel, in collaboration with the education team, determine the special health services to be provided and the qualifications of individuals performing the health services. Primary consideration is given to the recommendation of the licensed health personnel. Each designation considers the student's special health service. The rationale for the designation is documented. If the designation decision of the team differs from the licensed health professional, team members may file a dissenting opinion.

"Co-administration" - the eligible student's participation in the planning, management and implementation of the student's special health service and demonstration of proficiency to licensed health personnel.

"Educational program" - includes all school curricular programs and activities both on and off school grounds.

"Education team" - may include the eligible student, the student's parent, administrator, teacher, licensed health personnel, and others involved in the student's educational program.

"Health assessment" - health data collection, observation, analysis, and interpretation relating to the eligible student's educational program.

"Health instruction" - education by licensed health personnel to prepare qualified designated personnel to deliver and perform special health services contained in the eligible student's health plan. Documentation of education and periodic updates shall be on file at school.

"Individual health plan" - the confidential, written, preplanned and ongoing special health service in the educational program. It includes assessment, planning, implementation, documentation, evaluation and a plan for emergencies. The plan is updated as needed and at least annually. Licensed health personnel develop this written plan with the education team.

"Licensed health personnel" - includes licensed registered nurse, licensed physician, and other licensed health personnel legally authorized to provide special health services and medications.

"Prescriber" - licensed health personnel legally authorized to prescribe special health services and medications.

"Qualified designated personnel" - persons instructed, supervised and competent in implementing the eligible student's health plan.

## SPECIAL HEALTH SERVICES REGULATION

"Special health services" - includes, but is not limited to, services for eligible students whose health status (stable or unstable) requires:

- Interpretation or intervention,
- Administration of health procedures and health care, or
- Use of a health device to compensate for the reduction or loss of a body function.

"Supervision" - the assessment, delegation, evaluation and documentation of special health services by licensed health personnel. Levels of supervision include situations in which licensed health personnel are:

- physically present.
- available at the same site.
- available on call.

B. Licensed health personnel shall provide special health services under the auspices of the school. Duties of the licensed personnel include the duty to:

- Participate as a member of the education team.
- Provide the health assessment.
- Plan, implement and evaluate the written individual health plan.
- Plan, implement and evaluate special emergency health services.
- Serve as liaison and encourage participation and communication with health service agencies and individuals providing health care.
- Provide health consultation, counseling and instruction with the eligible student, the student's parent and the staff in cooperation and conjunction with the prescriber.
- Maintain a record of special health services. The documentation includes the eligible student's name, special health service, prescriber or person authorizing, date and time, signature and title of the person providing the special health service and any unusual circumstances in the provision of such services.
- Report unusual circumstances to the parent, school administration, and prescriber.
- Assign and delegate to, instruct, provide technical assistance and supervise qualified designated personnel.
- Update knowledge and skills to meet special health service needs.

C. Prior to the provision of special health services the following shall be on file:

- Written statement by the prescriber detailing the specific method and schedule of the special health service, when indicated.
- Written statement by the student's parent requesting the provision of the special health service.
- Written report of the preplanning staffing or meeting of the education team.
- Written individual health plan available in the health record and integrated into the IEP or IFSP.

## SPECIAL HEALTH SERVICES REGULATION

- D. Licensed health personnel, in collaboration with the education team, shall determine the special health services to be provided and the qualifications of individuals performing the special health services. The documented rationale shall include the following:
- Analysis and interpretation of the special health service needs, health status stability, complexity of the service, predictability of the service outcome and risk of improperly performed service.
  - Determination that the special health service, task, procedure or function is part of the person's job description.
  - Determination of the assignment and delegation based on the student's needs.
  - Review of the designated person's competency.
  - Determination of initial and ongoing level of supervision required to ensure quality services.
- E. Licensed health personnel shall supervise the special health services, define the level of supervision and document the supervision.
- F. Licensed health personnel shall instruct qualified designated personnel to deliver and perform special health services contained in the eligible individual health plan. Documentation of instruction and periodic updates shall be on file at school.
- G. Parents shall provide the usual equipment, supplies and necessary maintenance for such. The equipment shall be stored in a secure area. The personnel responsible for the equipment shall be designated in the individual health plan. The individual health plan shall designate the role of the school, parents, and others in the provision, supply, storage and maintenance of necessary equipment.

## WELLNESS POLICY

The Durant School Board of Education is committed to the optimal development of every student. The board believes for students to have the opportunity to achieve personal, academic, developmental, and social success, there needs to be a positive, safe, and health-promoting learning environment at every level, in every setting.

The school district provides a comprehensive learning environment for developing and practicing lifelong wellness behaviors. The entire school environment, not just the classroom, shall be aligned with healthy school district goals to positively influence a student's understanding, beliefs and habits as they relate to good nutrition and regular physical activity. In accordance with law and this belief, the board commits to the following:

The school district will identify at least one goal in each of the following areas:

- **Nutrition Education and Promotion:** Schools will provide nutrition education and engage in nutrition promotion that helps students develop lifelong healthy eating behaviors.
- **Physical Activity:** Schools will provide students with age and grade appropriate opportunities to engage in physical activity that meet the Iowa Healthy Kids Act.
- **Other School Based Activities that Promote Wellness:** As appropriate, schools will support students, staff, and parents' efforts to maintain a healthy lifestyle.

The following nutritional guidelines for food available on school campuses will be adhered to:

- Meals served through the National School Lunch and School Breakfast Program will be appealing and meet, at a minimum, nutrition requirements established by state and federal law;
- Schools providing access to healthy foods outside the reimbursable meal programs before school, during school and thirty minutes after school shall meet the United States Department of Agriculture ("USDA") Smart Snacks in Schools nutrition standards, at a minimum. This includes such items as those sold through a la carte lines, vending machines, student run stores, and fundraising activities;
- Snacks provided to students during the school day without charge (e.g., class parties) will meet standards set by the district in accordance law. The district will provide parents a list of foods and beverages that meet nutrition standards for classroom snacks and celebrations; and
- Schools will only allow marketing and advertising of foods and beverages that meet the Smart Snacks in school nutritional standards on campus during the school day.

The superintendent shall implement and ensure compliance with the policy by:

- Reviewing the policy at least every three years and recommending updates as appropriate for board approval;
- Implementing a process for permitting parents, students, representatives of the school food authority, teachers of physical education, school health professionals, the school board, administrators and the public to participate in the development, implementation, and periodic review and update of the policy;
- Making the policy and updated assessment of the implementation available to the public (e.g., posting on the website, newsletters, etc). This information shall include the extent to which the schools are in compliance with policy and a description of the progress being made in attaining the goals of the policy; and
- Developing administrative regulations, which shall include specific wellness goals consistent with law and district policy.

## WELLNESS POLICY

Legal Reference: 42 U.S.C. §§ 1751 *et seq.*  
42 U.S.C. §§ 1771 *et seq.*  
Iowa Code §§ 256.7(29); 256.11(6).  
281 I.A.C. 12.5; 58.11.

Cross Reference: 504.5 Student Fund Raising  
504.6 Student Activity Program  
710 School Food Services

Approved Sept 2007 Reviewed 02/13/2017 Revised 03/13/2017

## WELLNESS REGULATION

To implement the Wellness Policy, the following district specific goals have been established:

**Goal 1 – Nutrition Education and Promotion:** Schools will provide nutrition education and engage in nutrition promotion that help students develop lifelong healthy eating behaviors. The goal(s) for addressing nutrition education and nutrition promotion include the following:

- Provide students with the knowledge and skills necessary to promote and protect their health, through health and physical education class curriculums at all levels, during general education class activities, during guidance activities and during encounters with the school nurse.

**Goal 2 – Physical Activity:** Schools will provide students and staff with age and grade appropriate opportunities to engage in physical activity that meet federal and state guidelines, including the Iowa Healthy Kids Act. The goal(s) for addressing physical activity include the following:

- Encourage classroom teachers to provide short physical activity breaks (3-5 minutes), as appropriate;
- Offer classroom health education that complements physical education by reinforcing the knowledge and self-management skills needed to maintain a physically active lifestyle

**Goal 3 – Other School-Based Activities that Promote Student Wellness:** Schools will support student, staff, and parents' efforts to maintain a healthy lifestyle, as appropriate. The goal(s) for addressing other school-based activities that promote student wellness include the following:

- Provide parents a list of foods and beverages that meet nutrition standards for classroom snacks and celebrations;
- Share information about the nutritional content of meals with parents and students.

**Public Involvement:** There is a process for permitting parents, students, representatives of the school food authority, teachers of physical education, school health professionals, the school board, administrators and the public to participate in the development, implementation, and periodic review and update of the policy:

- The district has a local wellness policy committee to advise the district on the development, implementation, and improvement of the school wellness policy.

## NUTRITION EDUCATION AND PROMOTION

The school district will provide nutrition education and engage in nutrition promotion that:

- Is part of not only health education classes, but also classroom instruction in subjects such as math, science, language arts, social sciences and elective subjects.
- Promotes fruits, vegetables, whole-grain products, low-fat and fat-free dairy products, healthy food preparation methods, and health-enhancing nutrition practices;
- Includes training for teachers and other staff.

## PHYSICAL ACTIVITY

### **Daily Physical Education**

The school district will provide physical education that:

- is available for all students in grades K-12 for the entire school year;
- is taught by a certified physical education teacher;
- includes students with disabilities, students with special health-care needs may be provided in alternative educational settings; and,
- engages students in moderate to vigorous activity during at least 50 percent of physical education class time.

(The Centers for Disease Control and Prevention recommends at least 150 minutes a week for elementary students and 225 minutes a week for middle and high school students);

### **Daily Recess**

Elementary schools should provide recess for students that:

- is at least 20 minutes a day;
- is preferably outdoors;
- encourages moderate to vigorous physical activity verbally and through the provision of space and equipment; and,
- discourages extended periods (i.e., periods of two or more hours) of inactivity.

When activities, such as mandatory school-wide testing, make it necessary for students to remain indoors for long periods of time, schools should give students periodic breaks during which they are encouraged to stand and be moderately active.

### **Physical Activity and Punishment**

Employees should not use physical activity (e.g., running laps, pushups) or withhold opportunities for physical activity (e.g., recess, physical education) as punishment.

## OTHER SCHOOL-BASED ACTIVITIES THAT PROMOTE STUDENT WELLNESS

### **Integrating Physical Activity into Classroom Setting**

For students to receive the nationally recommended amount of daily physical activity and for students to fully embrace regular physical activity as a personal behavior, students need opportunities for physical activity beyond the physical education class. Toward that end the school district will:

- offer classroom health education that complements physical education by reinforcing knowledge and self-management skills needed to maintain a physically active lifestyle and to reduce time spent of sedentary activities;
- discourage sedentary activities, such as, watching television and playing computer games; etc.;
- provide opportunities for physical activities to be incorporated into other subject lessons; and,
- encourage classroom teachers to provide short physical activity breaks between lessons or classes, as appropriate.

### **Communication with Parents**

The school district will support parents' efforts to provide a healthy diet and daily physical activity for their children. The school district will:

- Communicate to the public through the district website (Health tab), local/district newsletters, handouts;
- Encourage parents to pack healthy lunches and snacks and to refrain from including beverages and foods that do not meet the established nutrition standards for individual foods and beverages;
- Provide parents a list of foods that meet the school district's snack standards and ideas for healthy celebrations/parties, rewards and fundraising activities;

### **Staff Wellness**

The school district values health and well-being of every staff member. The district will:

- Allow staff access to utilize the fitness center at no charge.

## NUTRITION GUIDELINES FOR ALL FOODS AVAILABLE ON CAMPUS

### **School Meals**

Meals served through the National School Lunch and Breakfast Programs will:

- be appealing and attractive to children;
- be served in clean and pleasant settings;
- meet, at a minimum, nutrition requirements established by state and federal law;
- offer a variety of fruits and vegetables, legumes and whole grains;
- serve only low-fat (1%) and fat-free milk and nutritionally equivalent non-dairy alternatives (as defined by the USDA);

Schools should:

- engage students and parents, through taste-tests of new entrees and surveys, in selecting foods offered through the meal programs in order to identify new, healthful and appealing food choices; and,
- share information about the nutritional content of meals with parents and students. (The USDA Smart Snacks calculator will be utilized and menu nutrition information will be provided when requested.)

### **Breakfast**

To ensure that all children have breakfast, either at home or at school, in order to meet their nutritional needs and enhance their ability to learn, schools will:

- operate the breakfast program, to the extent possible;
- arrange bus schedules and utilize methods to serve breakfasts that encourage participation, including serving breakfast in the classroom, “grab-and-go” breakfasts or breakfast during morning break or recess, to the extent possible;
- notify parents and students of the availability of the School Breakfast Program, where available; and,
- encourage parents to provide a healthy breakfast for their children through newsletter articles, take-home materials or other means.

### **Free and Reduced-Priced Meals**

The school district will make every effort to eliminate any social stigma attached to, and prevent the overt identification of, students who are eligible for free and reduced-price meals. Toward this end, the school district may:

- utilize electronic identification and payment systems;
- provide meals at no charge to all children, regardless of income;
- promote the availability of meals to all students.

### **Meal Times and Scheduling**

The school district:

- will provide students with at least 10 minutes to eat after sitting down for breakfast and 20 minutes after sitting down for lunch;
- will make the best effort to schedule meal periods at appropriate times, e.g., lunch should be scheduled between 11 am and 1 pm; should not schedule tutoring, club or organizational meetings or activities during mealtimes, unless students may eat during such activities;
- will make the best effort to schedule lunch periods to follow recess periods (in elementary schools);
- will provide students access to hand washing or hand sanitizing before they eat meals or snacks; and,
- should take reasonable steps to accommodate the tooth-brushing regimens of students with special oral health needs (e.g., orthodontia or high tooth decay risk).

## NUTRITION GUIDELINES FOR ALL FOODS AVAILABLE ON CAMPUS

### **Qualification of Food Service Staff**

Qualified nutrition professionals will administer the meal programs. As part of the school district's responsibility to operate a food service program, the school district will:

- provide continuing professional development for all nutrition professionals; and,
- provide staff development programs that include appropriate certification and/or training programs for child nutrition directors, nutrition managers and cafeteria workers, according to their levels of responsibility.

### **Sharing of Foods**

The school district discourages students from sharing their foods or beverages with one another during meal or snack times, given concerns about allergies and other restrictions on some children's diets.

### **Foods Sold Outside the Meal (e.g. vending, a la carte, sales)**

All foods and beverages sold individually to students outside the reimbursable meal programs (including those sold through a la carte [snack] lines, vending machines, student stores or fundraising activities) during the school day (Midnight to 3:50 p.m.), will meet nutrition standards as required by state or federal law. For current state guidelines, see: [http://educateiowa.gov/index.php?option=com\\_content&view=article&id=1769&catid=838&Itemid=2545](http://educateiowa.gov/index.php?option=com_content&view=article&id=1769&catid=838&Itemid=2545).

### **Fundraising Activities**

There are two types of fundraising – regulated and other. Regulated fundraisers are those that offer the sale of foods or beverages on school property and that are targeted primarily to PK-12 students by or through other PK-12 students, student groups, school organizations, or through on-campus school stores. All other fundraising activities are encouraged, but not required, to comply with the state nutrition guidelines if the activities involve foods and beverages.

The school district encourages fundraising activities that promote physical activity. The school district will make available a list of ideas for acceptable fundraising activities.

### **Snacks, Celebrations, School-Sponsored Events**

Snacks served during the school day or in after-school care or enrichment programs will make a positive contribution to children's diets and health, with an emphasis on serving fruits and vegetables as the primary snacks and low-fat milk or water as the primary beverage. Schools will assess if and when to offer snacks based on timing of meals, children's nutritional needs, children's ages and other considerations. The school district will disseminate a list of healthful snack items to teachers, after-school program personnel and parents.

If eligible, schools that provide snacks through after-school programs will pursue receiving reimbursements through the National School Lunch Program.

## NUTRITION GUIDELINES FOR ALL FOODS AVAILABLE ON CAMPUS

Schools should evaluate their celebration and reward practices that involve food during the school day. The school district will disseminate a list of healthy party ideas/rewards to parents and teachers.

Foods and beverages offered or sold at school-sponsored events outside the school day are not required, but are encouraged to meet the nutrition standards for meals or for foods and beverages sold individually.

### **Food Safety**

All foods made available on campus adhere to food safety and security guidelines.

- All foods made available on campus comply with the state and local food safety and sanitation regulations. Hazard Analysis and Critical Control Points (HACCP) plans and guidelines are implemented to prevent food illness in schools. [http://www.fns.usda.gov/tn/Resources/servingsafe\\_chapter6.pdf](http://www.fns.usda.gov/tn/Resources/servingsafe_chapter6.pdf)
- For the safety and security of the food and facility, access to the food service operations are limited to child nutrition staff and authorized personnel.

### **Summer Meals**

Schools in which more than 50 percent of students are eligible for free or reduced-priced meals will sponsor the Summer Food Service Program for at least six weeks between the last day of the academic school year and the first day of the following school year, and, preferably, throughout the entire summer vacation.

## PLAN FOR MEASURING IMPLEMENTATION

### **Monitoring**

The superintendent will ensure compliance with established school district-wide nutrition and physical activity wellness policies.

In the district:

- the school nurse will ensure compliance with those policies in the school and will report on the school's compliance to the superintendent; and,
- food service staff, at the school or school district level, will ensure compliance with nutrition policies within food service areas and will report on this matter to the superintendent or principal.
- the school district will report on the most recent USDA School Meals Initiative (SMI) review findings and any resulting changes. If the school district has not received a SMI review from the state agency within the past five years, the school district will request from the state agency that a SMI review be scheduled as soon as possible;
- the report will be provided to the school board and also posted to the website for community members to review.

### **Policy Review**

To help with the initial development of the school district's wellness policies, each school in the school district will conduct a baseline assessment of existing nutrition and physical activity environments and practices.

Assessments will be repeated every 2 years to help review policy compliance, assess progress and determine areas in need of improvement. As part of that review, the school district will review the nutrition and physical activity policies and practices and the provision of an environment that supports healthy eating and physical activity. The school district will revise the wellness policies and develop work plans to facilitate their implementation.

## CLASS OR STUDENT GROUP GIFTS

The board welcomes gifts to the school district from a class or student group. While class gifts to the school district do not require the approval of the superintendent, the board encourages students to consult with the superintendent or other licensed employees prior to selecting a gift for the school district.

Legal Reference: Iowa Code §§ 68B; 722.1, .2 (2007).

Cross Reference: 704.4 Gifts - Grants – Bequests  
704.5 Student Activities Fund

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## OPEN NIGHT/SUNDAY'S

In keeping with good community relations, student school activities will not be scheduled on Wednesday night beyond 6:30 p.m. whenever possible. There is to be no school sponsored co-curricular activities on Sundays without approval of AD/Principal/Superintendent. Exceptions to be reviewed include:

1. State tournament series
2. Weather issues
3. Unforeseen facility issues
4. Fine Arts Activities/Performances (should not start before 2:00p.m. and will be done by 7:00p.m.)
5. Athletic teams shall be allowed on a voluntary basis only from June 1 (or last day of school) – August 1 (or 1<sup>st</sup> day of all fall practices) for out-of-season sports only. Activities should not start before 2:00p.m. and will be done by 7:00p.m.

It shall be the responsibility of the AD/Principal/ Superintendent to oversee the scheduling of school activities for compliance with this policy.

Legal Reference: Iowa Code § 279.8 (2007).

Cross Reference: 901.2 Board of Directors and Community Relations

Approved September, 2007

Reviewed 02/09/2015

Revised Mar. 2009

## STUDENT TELEPHONE CALLS

Generally, students receiving telephone calls shall not be called to the phone. The administrative office in their attendance center will take a message and forward it to the student. Only in an emergency situation will a student be removed from the classroom or a school activity to receive a telephone call.

Students may, in an emergency situation, use the telephone in the administrative office of their attendance center to make a telephone call. Prior permission must be obtained from the principal or the principal's secretary.

Cell phone use is prohibited during the school day. Offenses and discipline are addresses in the student handbook.

Legal Reference: Iowa Code §§ 279.8; 280.14 (2007).

Cross Reference: 502 Student Rights and Responsibilities

Approved September, 2007 Reviewed 02/09/2015 Revised \_\_\_\_\_

## SUPERVISION AFTER SCHOOL EVENTS

There shall be an employee or a person designated by the school district available to supervise the school building while students wait at the school building after a school activity.

It shall be the responsibility of the supervisor to ensure that the students and other individuals in the school building have a valid and clear purpose for being in the school building at that time. If there is no valid and clear purpose for the student or other individual to be in the school building, the supervisor shall require them to leave the school building at once. Persons or students who do not leave upon request may be reported to the local law enforcement authorities.

It shall be the responsibility of the superintendent, in conjunction with the principal, to develop administrative regulations regarding this policy.

Legal Reference: McClain v. Lafayette County Bd. of Education, 673 F.2d 106 (5th Cir. 1982).  
Iowa Code § 279.8 (2007).

Cross Reference: 502 Student Rights and Responsibilities  
503 Student Discipline

Approved September, 2007 Reviewed 02/09/2015 Revised \_\_\_\_\_

## EDUCATION PROGRAM

### Series 600

- 600 Goals and Objectives of the Education Program
- 601 General Organization
  - 601.1 School Calendar
  - 601.2 School Day
- 602 Curriculum Development
  - 602.1 Curriculum Development
  - 602.2 Curriculum Implementation
  - 602.3 Curriculum Evaluation
  - 602.4 Pilot - Experimental - Innovative Projects
- 603 Instructional Curriculum
  - 603.1 Basic Instruction Program
  - 603.2 Summer School Instruction
  - 603.3 Special Education
  - 603.4 Multicultural/Gender Fair Education
  - 603.5 Health Education
    - 603.5E1 Human Growth and Development Student Excuse Form
  - 603.6 Physical Education
  - 603.7 Career Education
  - 603.8 Teaching About Religion
    - 603.8R1 Teaching About Religion Regulation - Religious Holidays
  - 603.9 Academic Freedom
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    - 606.7E3 Student Field Trips and Excursions – Permission/Agreement
  - 606.8 School Assembly
  - 606.9 Insufficient Classroom Space
  - 606.10 Early Release for Seniors
- 607 Instructional Services
  - 607.1 Student Guidance and Counseling Program
  - 607.2 Student Health Services
  - 607.3 Musical Instrument Display Night
  - 607.4 Class Ring Display
- 650. District Policy on Sex Offender Registry
  - 650.1E Registrant request Form
  - 650..2E Criteria for Granting or Denying Consent (IASB 2009)

## GOALS AND OBJECTIVES OF THE EDUCATION PROGRAM

This series of the board policy manual is devoted to the goals and objectives for the delivery of the education program. The board's objective in the design, contents and the delivery of the education program is to provide an equal opportunity for students to pursue an education free of discrimination on the basis of race, creed, color, sex, national origin, marital status, religion, sexual orientation, gender identity or disability.

In providing the education program of the school district, the board shall strive to meet its overall goal of providing the students an opportunity to develop a healthy social, intellectual, emotional, and physical self-concept in a learning environment that provides guidance and encourages critical thinking in students.

In striving to meet this overall goal, the objectives of the education program are to provide students with an opportunity to:

- Acquire basic skills in obtaining information, solving problems, thinking critically and communicating effectively;
- Become effective and responsible contributors to the decision-making processes of the social and political institutions of the community, state and nation;
- Acquire entry-level job skills and knowledge necessary for further education;
- Acquire the capacities for satisfying and responsible roles as family members;
- Acquire knowledge, habits and attitudes that promote personal and public health, both physical and mental;
- Acquire an understanding of ethical principles and values and the ability to apply them to their own lives;
- Develop an understanding of their own worth, abilities, potential and limitations; and,
- Learn and enjoy the process of learning and acquire the skills necessary for a lifetime of continuous learning and adaptation to change.

An advisory committee of representatives of the school district community and the school district shall be appointed to make recommendations for the goals and objectives of the education program. Annually, the board shall report to the committee regarding progress toward achievement of the goals and objectives of the education program.

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## SCHOOL CALENDAR

The school calendar shall accommodate the education program of the school district. The school calendar shall be for a minimum of 1080 hours and include, but not be limited to, the hours for student instruction, staff development, in-service days and teacher conferences.

The academic school year for students shall be for a minimum of 1080 hours in the school calendar. The academic school year for students may not begin prior to August 23<sup>rd</sup>. Employees may be required to report to work at the school district prior to this date.

Special education students may attend school on a school calendar different from that of the regular education program consistent with their Individualized Education Program.

The board, in its discretion, may excuse graduating seniors from up to 30 hours of instruction after the school district requirements for graduation have been met. The board may also excuse graduating seniors from making up days missed due to inclement weather if the student has met the school district's graduation requirements.

It shall be the responsibility of the superintendent to develop the school calendar for recommendation, approval, and adoption by the board annually.

The board may amend the official school calendar when the board considers the change to be in the best interests of the school district's education program.

The board shall hold a public hearing on any proposed school calendar prior to adoption or amendment of the school calendar.

Legal Reference: Iowa Code §§ 20.9; 279.10, 280.3 (2011).  
281 I.A.C. 12.2(1).

Cross Reference: 501.3 Compulsory Attendance  
601.2 School Day  
603.3 Special Education  
606.10 Early Release for Seniors

Approved September, 2007

Reviewed July 8, 2019

Revised August 15, 2019

## SCHOOL DAY

The student school day for grades one through twelve shall consist of a minimum of five and one-half hours, not including the lunch period. The school day consists of the schedule of class instruction and class activities as established and sponsored by the school district. Time during which students are released from school for parent/teacher conferences may be counted as part of students' instructional time. The minimum school day shall meet the requirements as established for the operation of accredited schools.

The board may define the number of days pre-kindergarten will be held and the length of each school day for the students attending pre-kindergarten. The school day shall consist of a schedule as recommended by the superintendent and approved by the board.

The school district may also record a day of school with less than the minimum instructional hours if the total hours of instructional time for grades one through twelve in any five consecutive school days equals a minimum of twenty-seven and one-half hours, even though any one day of school is less than the minimum instructional hours because of a staff development opportunity provided for the instructional staff or parent-teacher conferences have been scheduled beyond the regular school day. If the total hours of instructional time for the first four consecutive days equal at least twenty-seven and one-half hours because parent-teacher conferences have been scheduled beyond the regular school day, the school district may record zero hours of instructional time on the fifth consecutive school day as a school day. Schedule revisions and changes in time allotments will be made by the superintendent.

When the school is forced to close due to weather or other emergencies, that part of the day during which school was in session will constitute a school day.

It shall be the responsibility of the superintendent to inform the board annually of the length of the school day.

Legal Reference: Iowa Code § 279.8 (2011).  
281 I.A.C. 12.2(2), .2(3), .2(6).

Cross Reference: 601.1 School Calendar

Approved September, 2007

Reviewed 02/09/2015

Revised Aug 13, 2012

## CURRICULUM DEVELOPMENT

Curriculum development is an ongoing process in the school district and consists of both research and design. Research is the studious inquiry and critical investigation of the various content areas for the purpose of revising and improving curriculum and instruction based on relevant information pertaining to the discipline. This study is conducted both internally (what and how we are currently doing at the local level) and externally (what national standards, professional organizations, recognized experts, current research, etc. tell us relative to the content area). Design is the deliberate process of planning and selecting the standards and instructional strategies that will improve the learning experiences for all students.

A systematic approach to curriculum development (careful research, design, and articulation of the curriculum) serves several purposes:

- Focuses attention on the content standards of each discipline and ensures the identified learnings are rigorous, challenging, and represent the most important learnings for our students.
- Increases the probability that students will acquire the desired knowledge, skills and dispositions and that our schools will be successful in providing appropriate learning experiences.
- Facilitates communication and coordination.
- Improves classroom instruction.

The superintendent shall be responsible for curriculum development and for determining the most effective method of conducting research and design activities. A curriculum framework will describe the processes and procedures that will be followed in researching, designing, and articulating each curriculum area. This framework will, at a minimum, describe the processes and procedures for the following curriculum development activities to:

- Study the latest thinking, trends, research, and expert advice regarding the content/discipline;
- Study the current status of the content/discipline (what and how well students are currently learning);
- Identify content standards, benchmarks, and grade level expectations for the content/discipline;
- Describe the desired learning behaviors, teaching, and learning environment related to the content/discipline;
- Identify differences in the desired and present program and develop a plan for addressing the differences;
- Communicate with internal and external publics regarding the content area;
- Involve staff, parents, students, and community members in curriculum development decisions;
- Verify integration of local, state, and/or federal mandates (MCNS, school-to-work, etc.);
- Verify how the standards and benchmarks of the content/discipline support each of the broader student learning goals and provide a K-12 continuum that builds on the prior learning of each level.

## CURRICULUM DEVELOPMENT

It is the responsibility of the superintendent to keep the board apprised of necessary curriculum revisions, progress of each content area related to curriculum development activities, and to develop administrative regulations for curriculum development including recommendations to the board.

***NOTE: This is a mandatory policy but the content is discretionary to the extent somewhere in the board policy the board describes its process for establishing content standards, benchmarks, performance levels and annual improvement goals aligned with needs assessment information. The bulleted items are suggestions for content of this policy. The italicized items are not mandatory functions but are implied from the mandates. Boards, in conjunction with their administrators, should review their curriculum development process and incorporate it into this policy—striking what doesn't apply and adding what does. For more detailed discussion of this issue, see IASB's Policy Primer, Vol. 13#1-February 15, 2000.***

Legal Reference: 20 U.S.C. § 1232h (2004).  
34 C.F.R. pt. 98.  
Iowa Code §§ 216.9, 256.7, 279.8, 280.3.  
281 I.A.C. 12.5, .8.

Cross Reference: 101 Educational Philosophy of the School District  
105 Long-Range Needs Assessment  
602 Curriculum Development  
603 Instructional Curriculum  
604.10 Online Courses  
605 Instructional Materials

Approved September, 2007

Reviewed 11/12/18

Revised 12/10/18

## CURRICULUM IMPLEMENTATION

Without careful and continuing attention to implementation, planned changes in curriculum and instruction rarely succeed as intended. How change is put into practice, to a large extent, determines how well it fares.

Implementation refers to what actually happens in practice as compared to what was supposed to happen. Curriculum implementation includes the provision of organized assistance to staff in order to ensure that the newly developed curriculum and the most powerful instructional strategies are actually delivered at the classroom level. There are two components of any implementation effort that must be present to guarantee the planned changes in curriculum and instruction succeed as intended:

- Understanding the conceptual framework of the content/discipline being implemented; and,
- Organized assistance to understand the theory, observe exemplary demonstrations, have opportunities to practice, and receive coaching and feedback focused on the most powerful instructional strategies to deliver the content at the classroom level.

The superintendent shall be responsible for curriculum implementation and for determining the most effective way of providing organized assistance and monitoring the level of implementation. A curriculum framework shall describe the processes and procedures that will be followed to assist all staff in developing the knowledge and skills necessary to successfully implement the developed curriculum in each content area. This framework will, at a minimum, describe the processes and procedures for the following curriculum implementation activities to:

- Study and identify the best instructional practices and materials to deliver the content;
- Describe procedures for the purchase of instructional materials and resources (See Policy 605.1.) Boards should insert the policy number to cross reference their policy on Instructional Materials Selection);
- Identify/develop exemplars that demonstrate the learning behaviors, teaching, and learning environment to deliver the content;
- Study the current status of instruction in the content area (how teachers are teaching);
- Compare the desired and present delivery system, identify differences (gap analysis), and develop a plan for addressing the differences;
- Organize staff into collaborative study teams to support their learning and implementation efforts (address the gaps);
- Provide ongoing professional development related to instructional strategies and materials that focuses on theory, demonstration, practice and feedback;
- Regularly monitor and assess the level of implementation;
- Communicate with internal and external publics regarding curriculum implementation;
- Involve staff, parents, students, and community members in curriculum implementation decisions.

It shall be the responsibility of the superintendent to keep the board apprised of curriculum implementation activities, progress of each content area related to curriculum implementation activities, and to develop administrative regulations for curriculum implementation including recommendations to the board.

## CURRICULUM IMPLEMENTATION

Legal Reference: 20 U.S.C. § 1232h (2004).  
34 C.F.R. pt. 98 (2004).  
Iowa Code §§ 216.9, 256.7, 279.8, 280.3-.14 (2007).  
281 I.A.C. 12.8(1)(c)(1).

Cross Reference: 101 Educational Philosophy of the School District  
105 Long-Range Needs Assessment  
505 Student Scholastic Achievement  
602 Curriculum Development  
603 Instructional Curriculum

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## CURRICULUM EVALUATION

Regular evaluation of the total curriculum is necessary to ensure that the written and delivered curriculum is having the desired effect for students.

Curriculum evaluation refers to an ongoing process of collecting, analyzing, synthesizing, and interpreting information to aid in understanding what students know and can do. It refers to the full range of information gathered in the school district to evaluate (make judgments about) student learning and program effectiveness in each content area.

Curriculum evaluation must be based on information gathered from a comprehensive assessment system that is designed for accountability and committed to the concept that all students will achieve at high levels, is standards-based, and informs decisions which impact significant and sustainable improvements in teaching and student learning.

The superintendent shall be responsible for curriculum evaluation and for determining the most effective way of ensuring that assessment activities are integrated into instructional practices as part of school improvement with a particular focus on improving teaching and learning. A curriculum framework shall describe the procedures that will be followed to establish an evaluation process that can efficiently and effectively evaluate the total curriculum. This framework will, at a minimum, describe the procedures for the following curriculum evaluation activities:

- Identify specific purposes for assessing student learning;
- Develop a comprehensive assessment plan;
- Select/develop assessment tools and scoring procedures that are valid and reliable;
- Identify procedures for collecting assessment data;
- Identify procedures for analyzing and interpreting information and drawing conclusions based on the data (including analysis of the performance of various sub-groups of students);
- Identify procedures for establishing at least three levels of performance (specific to the content standard and the assessment tool when appropriate) to assist in determining whether students have achieved at a satisfactory level (at least two levels describe performance that is proficient or advanced and at least one level describes students who are not yet performing at the proficient level);
- Identify procedures for using assessment information to determine long-range and annual improvement goals;
- Identify procedures for using assessment information in making decisions focused on improving teaching and learning (data based decision making);
- Provide support to staff in using data to make instructional decisions;
- Define procedures for regular and clear communication about assessment results to the various internal and external publics (mandatory for communication about students receiving special education services);
- Define data reporting procedures;
- Verify that assessment tools are fair for all students and are consistent with all state and federal mandates;
- Verify that assessment tools measure the curriculum that is written and delivered;
- Identify procedures for deciding when multiple assessment measures are necessary for making good decisions and drawing appropriate conclusions about student learning;

## CURRICULUM EVALUATION

- Identify roles and responsibilities of key groups;
- Involve staff, parents, students, and community members in curriculum evaluation;
- Ensure participation of eligible students receiving special education services in district-wide assessments.

It shall be the responsibility of the superintendent to keep the board apprised of curriculum evaluation activities, the progress of each content area related to curriculum evaluation activities, and to develop administrative regulations for curriculum evaluation including recommendations to the board.

Legal Reference: 20 U.S.C. § 1232h (2004).  
34 C.F.R. pt. 98 (2004).  
Iowa Code §§ 216.9, 256.7, 279.8, 280.3-.14 (2007).  
281 I.A.C. 12.8(1)(c)(1).

Cross Reference: 101 Educational Philosophy of the School District  
105 Long-Range Needs Assessment  
505 Student Scholastic Achievement  
602 Curriculum Development  
603 Instructional Curriculum

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## PILOT - EXPERIMENTAL - INNOVATIVE PROJECTS

The board welcomes new ideas in curriculum. Proposals for pilot or experimental projects shall first be reviewed and analyzed by the superintendent. Projects recommended by the superintendent will be considered by the board. Pilot and experimental projects approved by the board, the Iowa Department of Education, or the U. S. Department of Education may be utilized in the education program.

Students, who may be or are asked to participate in a research or experimental project or program, must have their parents' written consent on file prior to participating in the project or program. A research or experimental program or project requiring parents' prior written consent is a program or project designed to explore or develop new or unproven teaching methods or techniques. These programs or projects shall be designated as research or experimental projects or programs. The educational materials of a program or project designated as a research or experimental program or project may be inspected and reviewed by the parents of the students participating or being considered for participation in the program or project. The inspection and review by the parents shall be in accordance with board policy 605.2, "Instructional Materials Inspection."

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

Legal Reference:      20 U.S.C. § 1232h (2004).  
                              34 C.F.R. Pt. 98 (2004).  
                              Iowa Code §§ 279.8, .10; 280.3-.14 (2007).  
                              281 I.A.C. 12.5.

Cross Reference:      602      Curriculum Development  
                              603      Instructional Curriculum

Approved September, 2007                      Reviewed 02/09/2015                      Revised \_\_\_\_\_

## BASIC INSTRUCTION PROGRAM

The basic instruction program shall include the courses required for each grade level by the State Department of Education. The instructional approach will be gender fair and multicultural.

The basic instruction program of students enrolled in pre-kindergarten shall be designed to develop healthy emotional and social habits, language arts and communication skills, the capacity to complete individual tasks, character education and the ability to protect and increase physical well-being with attention given to experiences relating to the development of life skills and human growth and development.

The basic instruction program of students enrolled in grades one through six shall include English-language arts, social studies, mathematics, science, health, human growth and development, physical education, traffic safety, music, and visual art.

The basic instruction program of students enrolled in grades seven and eight shall include English-language arts, social studies, mathematics, science, health, human growth and development, family and consumer, career, technology education, physical education, music, and visual art.

The basic instruction program of students enrolled in grades nine through twelve shall include English-language arts (8 units), social studies (6 units), mathematics (6 units), science (6 units), health (1 unit), physical education (1 unit), fine arts (3 units), foreign language (4 units), and vocational education (12 units).

The board may, in its discretion, offer additional courses in the instruction program for any grade level.

Each instruction program shall be carefully planned for optimal benefit taking into consideration the financial condition of the school district and other factors deemed relevant by the board or superintendent. Each instruction program's plan should describe the program, its goals, the effective materials, the activities and the method for student evaluation.

It shall be the responsibility of the superintendent to develop administrative regulations stating the required courses and optional courses for pre-kindergarten, grades one through six, grades seven and eight, and grades nine through twelve.

Legal Reference:      20 U.S.C. § 1232h (2004).  
                              34 C.F.R. Pt. 98 (2004).  
                              Iowa Code §§ 216.9; 256.11; 279.8; 280.3-.14 (2007).  
                              281 I.A.C. 12.5.

Cross Reference:	103      Equal Educational Opportunity
	105      Long-Range Needs Assessment
	505      Student Scholastic Achievement
	602      Curriculum Development
	603      Instructional Curriculum

Approved September, 2007

Reviewed 02/09/2015

Revised Aug 13, 2012

## SUMMER SCHOOL INSTRUCTION

The Durant Community School District recognizes the importance of ongoing learning opportunities for students. As such, the district shall offer summer school instruction in accordance with the following:

- The board, in its discretion, may offer summer school for one or more courses and student activities for students who need additional help and instruction or for enrichment in those areas. Upon receiving a request for summer school, the board will weigh the benefit to the students and the school district as well as the school district's budget and availability of licensed employees to conduct summer school.
- If a child who is eligible for special education has been determined to need extended school year services as necessary to receive a free appropriate public education, as determined according to state and federal law, such services shall be provided as described in the child's individualized education program.
- In additional instances as provided by law.

The superintendent may develop administrative regulations regarding this policy.

Legal Reference: Iowa Code §§ 279.8; 280.3; 282.6.  
Iowa Admin. Code.41.106.

Cross Reference: 410.3 Summer School Licensed Employees  
505.3 Student Promotion – Retention – Acceleration  
603 Instructional Curriculum  
711.7 Summer School Transportation

Approved September, 2007

Reviewed 5/2/2018

Revised 5/14/2018

## SPECIAL EDUCATION

The board recognizes some students have different educational needs than other students. The board shall provide a free appropriate public education program and related services to students identified in need of special education. The special education services will be provided from birth until the appropriate education is completed, age twenty-one or to maximum age allowable in accordance with the law. Students requiring special education shall attend general education classes, participate in nonacademic and extracurricular services and activities and receive services in a general education setting to the maximum extent appropriate to the needs of each individual student. The appropriate education for each student shall be written in the student's Individualized Education Program (IEP).

Special education students shall be required to meet the requirements stated in board policy or in their IEPs for graduation. It shall be the responsibility of the superintendent and the area education agency director of special education to provide or make provisions for appropriate special education and related services.

Children from birth through age 2 and children age 3 through age 5 shall be provided comprehensive special education services within the public education system. The school district shall work in conjunction with the area education agency to provide services, at the earliest appropriate time, to children with disabilities from birth through age 2. This shall be done to ensure a smooth transition of children entitled to early childhood special education services.

Legal Reference: Board of Education v. Rowley, 458 U.S. 176 (1982).  
Springdale School District #50 v. Grace, 693 F.2d 41 (8th Cir. 1982).  
Southeast Warren Comm. School District v. Dept. of Public Instruction, 285 N.W.2d 173 (Iowa 1979).  
 20 U.S.C. §§1400 *et seq.* (2004).  
 34 C.F.R. Pt. 300 *et seq.* (2004).  
 Iowa Code §§ 256.11(7); 256B; 273.1, .2, .5, .9(2)-(3); 280.8 (2007).  
 281 I.A.C. 41.

Cross Reference: 503 Student Discipline  
 505.6 Graduation Requirements  
 506 Student Records  
 507.2 Administration of Medication to Students  
 507.8 Student Special Health Services  
 601.1 School Calendar  
 603 Instructional Curriculum

Approved Sept. 2007Reviewed 02/09/2015Revised: Jan. 2009

## MULTICULTURAL/GENDER FAIR EDUCATION

Students will have an equal opportunity for a quality education without discrimination, regardless of their race, religion, creed, socioeconomic status, color, sex, marital status, national origin, sexual orientation, gender identity or disability.

The education program is free of discrimination and provides equal opportunity for the students. The education program will foster knowledge of and respect and appreciation for the historical and contemporary contributions of diverse cultural groups, as well as men and women, to society. Special emphasis is placed on Asian-Americans, African-Americans, Hispanic-Americans, American Indians, European-Americans, and persons with disabilities. It will also reflect the wide variety of roles open to both men and women and provide equal opportunity to both sexes.

Legal Reference: Iowa Code §§ 216.9; 256.11 (2011).  
281 I.A.C. 12.5(8).

Cross Reference: 102 Equal Educational Opportunity  
600 Goals and Objectives of the Education Program

Approved September, 2007

Reviewed 02/09/2015

Revised Aug 13, 2012

## HEALTH EDUCATION

Students in grade levels one through twelve shall receive, as part of their health education, instruction about personal health; food and nutrition; environmental health; safety and survival skills; consumer health; family life; human growth and development; substance abuse and non-use, including the effects of alcohol, tobacco, drugs and poisons on the human body; human sexuality; self-esteem; stress management; interpersonal relationships; emotional and social health; health resources; prevention and control of disease; and communicable diseases, including acquired immune deficiency syndrome. The purpose of the health education program is to help each student protect, improve and maintain physical, emotional and social well-being.

The areas stated above shall be included in health education and the instruction shall be adapted at each grade level to aid understanding by the students.

Parents who object to health education instruction in human growth and development may file a written request that the student be excused from the instruction. The written request shall include a proposed alternate activity or study acceptable to the superintendent. The superintendent shall have the final authority to determine the alternate activity or study.

Legal Reference: Iowa Code §§ 256.11; 279.8; 280.3-.14 (2007).  
281 I.A.C. 12.5.

Cross Reference: 502 Student Rights and Responsibilities  
603 Instructional Curriculum  
607 Instructional Services

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## HUMAN GROWTH AND DEVELOPMENT STUDENT EXCUSE FORM

Student Name: \_\_\_\_\_ Grade: \_\_\_\_\_

Parent/Guardian: \_\_\_\_\_ Phone #: \_\_\_\_\_

Please list the curricular objective(s) from which you wish to have your child excused and the class or grade in which each is taught. An example is provided for you to follow.

	<u>Objective</u>	<u>Class / Grade</u>
Ex.	To understand the consequences of responsible and irresponsible sexual behavior.	Health Education / 6
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		

I have reviewed the Human Growth and Development program goals, objectives, and materials and wish my child to be excused from class when these objectives are taught. I understand my child will incur no penalty but may/shall be required to complete an alternative assignment that relates to the class and is consistent with assignments required of all students in the class.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_  
(Parent or Guardian)

Signed: \_\_\_\_\_ Date: \_\_\_\_\_  
(School Administrator)

## PHYSICAL EDUCATION

Students in grades one through twelve shall be required to participate in physical education courses unless they are excused by the principal of their attendance center.

Students may be excused from physical education courses if the student presents a written statement from a doctor stating that such activities could be injurious to the health of the student or the student has been exempted because of a conflict with the student's religious beliefs.

Students in grades 9-12 may also be excused from physical education courses if:

- the student is enrolled in academic courses not otherwise available, or
- the student has obtained a physical education waiver for one semester because the student is actively involved in an athletic program

Twelfth grade students may also be excused from physical education courses if the student is enrolled in a cooperative, work study or other educational program authorized by the school which requires the student's absence from school.

Students who will not participate in physical education must have a written request or statement from their parents.

Legal Reference: Iowa Code § 256.11 (2007).  
281 I.A.C. 12.5.

Cross Reference: 504 Student Activities  
603 Instructional Curriculum

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## CAREER EDUCATION

Preparing students for careers is one goal of the education program. Career education will be written into the education program for grades pre-kindergarten through twelve. This education shall include, but not be limited to, awareness of self in relation to others and the needs of society, exploration of employment opportunities, experiences in personal decision-making, and experiences of integrating work values and work skills into their lives.

It shall be the responsibility of the superintendent to assist licensed employees in finding ways to provide career education in the education program. Special attention should be given to courses of vocational education nature. The board, in its review of the curriculum, shall review the means in which career education is combined with other instructional programs.

Legal Reference: Iowa Code §§ 256.11, .11A; 280.9 (2007).  
281 I.A.C. 12.5(7).

Cross Reference: 603 Instructional Curriculum

Approved September, 2007 Reviewed 02/09/2015 Revised \_\_\_\_\_

## TEACHING ABOUT RELIGION

The school district is required to keep the practice of religion out of the school curriculum. The board recognizes the key role religion has played in the history of the world and authorizes the study of religious history and traditions as part of the curriculum. Preferential or derogatory treatment of a single religion shall not take place.

It shall be the responsibility of the superintendent to ensure the study of religion in the schools in keeping with the following guidelines:

- the proposed activity must have a secular purpose;
- the primary objective of the activity must not be one that advances or inhibits religion; and
- the activity must not foster excessive governmental entanglement with religion.

Legal Reference: U.S. Const. amend. I.  
Lee v. Weisman, 112 S.Ct. 2649 (1992).  
Lemon v. Kurtzman, 403 U.S. 602 (1971).  
Graham v. Central Community School District of Decatur County, 608 F.Supp. 531 (S.D. Iowa 1985).  
 Iowa Code §§ 279.8; 280.6 (2007).

Cross Reference: 603 Instructional Curriculum  
 604.6 Religious-Based Exclusion from a School Program  
 606.4 School Ceremonies and Observances

Approved September, 2007 Reviewed 02/09/2015 Revised \_\_\_\_\_

## TEACHING ABOUT RELIGION REGULATION - RELIGIOUS HOLIDAYS

The historical and contemporary significance of religious holidays may be included in the education program provided that the instruction is presented in an unbiased and objective manner. The selection of holidays to be studied shall take into account major celebrations of several world religions, not just those of a single religion. Holiday-related activities shall be educationally sound and sensitive to religious differences and shall be selected carefully to avoid the excessive or unproductive use of school time. Teachers shall be especially careful in planning activities that are to take place immediately preceding or on a religious holiday.

Music, art, literature and drama having religious themes (including traditional carols, seasonal songs and classical music) shall be permitted if presented in an objective manner without sectarian indoctrination. The emphasis on religious themes shall be only as extensive as necessary for a balanced and comprehensive study or presentation. Religious content included in student performances shall be selected on the basis of its independent educational merit and shall seek to give exposure to a variety of religious customs, beliefs and forms of expression. Holiday programs, parties or performances shall not become religious celebrations or be used as a forum for religious worship, such as the devotional reading of sacred writings or the recitations of prayers.

The use of religious symbols (e.g. a cross, menorah, crescent, Star of David, lotus blossom, nativity scene or other symbol that is part of a religious ceremony) shall be permitted as a teaching aid, but only when such symbols are used temporarily and objectively to give information about a heritage associated with a particular religion. The Christmas tree, Santa Claus, Easter eggs, Easter bunnies and Halloween decorations are secular, seasonal symbols and as such can be displayed in a seasonal context.

Expressions of belief or nonbelief initiated by individual students shall be permitted in composition, art forms, music, speech and debate. However, teachers may not require projects or activities which are indoctrinate or force students to contradict their personal religious beliefs or nonbeliefs.

## ACADEMIC FREEDOM

The board believes students should have an opportunity to reach their own decisions and beliefs about conflicting points of view. Academic freedom is the opportunity of licensed employees and students to study, investigate, present, interpret, and discuss facts and ideas relevant to the subject matter of the classroom and appropriate to and in good taste with the maturity and intellectual and emotional capacities of the students.

It shall be the responsibility of the teacher to refrain from advocating partisan causes, sectarian religious views, or biased positions in the classroom or through teaching methods. Teachers are not discouraged from expressing personal opinions as long as students are aware it is a personal opinion and students are allowed to reach their own conclusions independently.

It shall be the responsibility of the principal to ensure academic freedom is allowed but not abused in the classroom.

Legal Reference: Iowa Code §§ 279.8; 280.3, .6 (2007).

Cross Reference: 502 Student Rights and Responsibilities  
603 Instructional Curriculum  
904.4 Distribution of Materials

Approved September, 2007 Reviewed 02/09/2015 Revised \_\_\_\_\_

## TEACHING CONTROVERSIAL ISSUES

A "controversial issue" is a topic of significant academic inquiry about which substantial groups of citizens of this community, this state or this nation hold sincere, conflicting points of view.

It is the belief of the board that controversial issues should be fairly presented in a spirit of honest academic freedom so that students may recognize the validity of other points of view but can also learn to formulate their own opinions based upon dispassionate, objective, unbiased study and discussion of the facts related to the controversy.

It shall be the responsibility of the instructor to present full and fair opportunity and means for students to study, consider and discuss all sides of controversial issues including, but not limited to, political philosophies.

It shall be the responsibility of the instructor to protect the right of the student to study pertinent controversial issues within the limits of good taste and to allow the student to express personal opinions without jeopardizing the student's relationship with the teacher.

It shall be the responsibility of the teacher to refrain from advocating partisan causes, sectarian religious views, or selfish propaganda of any kind through any classroom or school device; however, an instructor shall not be prohibited from expressing a personal opinion as long as students are encouraged to reach their own decisions independently.

The board encourages full discussion of controversial issues in a spirit of academic freedom that shows students that they have the right to disagree with the opinions of others but that they also have the responsibility to base the disagreement on facts and to respect the right of others to hold conflicting opinions.

## GLOBAL EDUCATION

Because of our growing interdependence with other nations in the world, global education shall be incorporated into the education program for grades pre-kindergarten through twelve so that students have the opportunity to acquire a perspective on world issues, problems, and prospects for an awareness of the relationship between an individual's self-interest and the concerns of people elsewhere in the world.

Legal Reference: Iowa Code §§ 256.11, .11A (2007).  
281 I.A.C. 12.5(11).

Cross Reference: 602 Curriculum Development  
603 Instructional Curriculum

Approved September, 2007 Reviewed 02/09/2015 Revised \_\_\_\_\_

## CITIZENSHIP

Being a citizen of the United States, of Iowa and of the school district community entitles students to special privileges and protections as well as requiring the students to assume civic, economic and social responsibilities and to participate in their country, state and school district community in a manner that entitles them to keep these rights and privileges.

As part of the education program, students shall have an opportunity to learn about their rights, privileges, and responsibilities as citizens of this country, state and school district community. As part of this learning opportunity students shall be instructed in the elements of good citizenship and the role quality citizens play in their country, state and school district community.

Legal Reference: Iowa Code §§ 256.11, .11A (2007).  
281 I.A.C. 12.3(6).

Cross Reference: 101 Educational Philosophy of the School District  
502 Student Rights and Responsibilities  
503 Student Discipline

Approved September, 2007 Reviewed 02/09/2015 Revised \_\_\_\_\_

## PRIVATE INSTRUCTION

The Durant Community School District recognizes that families with students of compulsory attendance age may select alternative forms of education outside the traditional school setting, including private instruction. The applicable legal requirements for private instruction, including, but not limited to those relating to reporting and evaluations for progress, shall be followed.

Except as otherwise exempted, in the event a child of compulsory attendance age as defined by law does not attend public school or an accredited nonpublic school, the child must receive private instruction. Private instruction means instruction using a plan and a course of study in a setting other than a public or organized accredited nonpublic school.

Private instruction can take the form of competent private instruction and independent private instruction. The Iowa Department of Education recognizes three options for delivery of this form of instruction: two options for delivery of competent private instruction and one option for independent private instruction.

Competent private instruction means private instruction provided on a daily basis for at least one hundred forty-eight days during a school year, to be met by attendance for at least thirty-seven days each school quarter, which results in the student making adequate progress. Competent private instruction is provided by or under the supervision of a licensed practitioner or by other individuals identified in law.

Independent private instruction means instruction that meets the following criteria: (i) is not accredited, (ii) enrolls not more than four unrelated students, (iii) does not charge tuition, fees, or other remuneration for instruction, (iv) provides private or religious-based instruction as its primary purpose, (v) provides enrolled students with instruction in mathematics, reading and language arts, science, and social studies, (vi) provides, upon written request from the superintendent of the school district in which the independent private instruction is provided, or from the director of the department of education, a report identifying the primary instructor, location, name of the authority responsible for the independent private instruction, and the names of the students enrolled, (vii) is not a nonpublic school and does not provide competent private instruction as defined herein, and (viii) is exempt from all state statutes and administrative rules applicable to a school, a school board, or a school district, except as otherwise provided by law.

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

***NOTE: This policy reflects Iowa law on competent private instruction and independent private instruction. For additional information, including applicable forms, please visit the “Options for Educational Choice” section of the Iowa Department of Education’s website, located at <https://www.educateiowa.gov/pk-12/options-educational-choice>.***

Legal Reference: Iowa Code §§ 299, 299A.  
281 I.A.C. 31.

Cross Reference: 501 Student Attendance  
502 Student Rights and Responsibilities  
504 Student Activities  
507.1 Student Health and Immunization Certificates  
604.8 Dual Enrollment  
604.9 Home School Assistance Program

Approved September, 2007

Reviewed Dec 2015

Revised Jan 11, 2016

## COMPETENT PRIVATE INSTRUCTION REPORT

Iowa Code § 299.4

2007-2008 School Year

(Completed by the Parent)

Date when returned \_\_\_\_\_

*Required information:*

The following information is required in accordance with Iowa Code section 299.4. Parent/Guardian must submit this report in duplicate to the school district of residence. This report is required if the student is between the ages of 6 years old and 15 by September 15 and does not attend an Iowa public or accredited nonpublic school or is not enrolled in a home school assistance program operated by an Iowa public or accredited nonpublic school. **Return this form to the school district secretary by September 15 or within 14 calendar days of removing the student from a public or accredited nonpublic school or 14 calendar days from moving into the school district.** (If you are enrolled in a home school assistance program, please notify the district if you plan to dual enroll.)

- 1) Child and Family Information: (Name and birth date of child under competent private instruction.)

<b>Name:</b>	<b>Birth Date:</b>

- 2) Name and address of person filing report. (Please check the appropriate box after "name")

<b>Name:</b>	<b>Parent</b>	<b>Guardian</b>	<b>Legal Custodian</b>
<b>Address:</b>	<b>City, Zip:</b>		
<b>Phone # (optional)</b>			

- 3) Immunization Evidence: If filing Form A for the 1st time, attach immunization information.
- 
- (Proof of immunization is required of all children receiving CPI, including those enrolled in a HSAP)

- 4) Instructional Program Information:

Outline the course of study on a separate page(s). Attach lesson plans on separate page(s).

<b>Subject:</b>	<b>Text, Publisher, and Author:</b>	<b>Time Spent:</b>

- 5) List number of days of instruction under competent private instruction \_\_\_\_\_
- 
- (Must be at least 148 days per academic year, Iowa Code section 299A.1).

- 6) If an appropriately licensed Iowa teacher will provide or supervise the parent, guardian, or legal custodian in providing the instruction, give the teacher's name and folder number.

<b>Name:</b>	<b>Teacher Folder Number:</b>
<b>Address:</b>	<b>Teacher signature- (optional):</b>
<b>City, State / Zip:</b>	<b>Phone Number- (optional):</b>

- 7) If an Iowa licensed teacher is not providing instruction or supervising the parent, guardian, or legal custodian providing instruction the child must take an annual assessment. (Please see the acceptable annual assessments listed in this handbook). The school district will notify parents by October 1st of testing dates.)
- 8)

**Parent / Guardian / Legal Custodian Signature:**

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## COMPETENT PRIVATE INSTRUCTION REPORT

*The Following Information is Optional....*

**However, if you want your child to access special education programs or services,**

**Or** if your child plans to participate in any academic or extracurricular activities at your local school district,

**Or** if you wish to have your child's annual assessment provided at no charge, *complete the following:*

9) Is the child currently identified as a child requiring special education pursuant to the rules of special education?

(281-31.2(1)"b" (2). \_\_\_\_\_ Yes \_\_\_\_\_ No

If the child is currently identified as a child requiring special education, prior approval must be sought from the special education director at the Area Education Agency before the child may receive Competent Private Instruction in Iowa. *Iowa Code* section 299A.9

10) Do you desire dual enrollment in the public school for the child under competent private instruction?

Yes \_\_\_\_ No \_\_\_\_ (If no, skip to #10.)

Dual enrollment is desired for: *(Check all that apply)*

A. Academic \_\_\_\_ Extra-curricular activities \_\_\_\_ Testing \_\_\_\_ Special Education \_\_\_\_  
(Check all that apply)

B. Grade Level for the 2007-2008 school year \_\_\_\_\_

C. Subjects or Activities you wish your child to dual enroll in:

1st Semester:	2nd Semester:

11) Do you desire to enroll in a Home School Assistance Program if offered? Yes \_\_\_\_ No \_\_\_\_

**Deadline for dual enrollment and/or Home School Assistance Program is September 15th, within 14 calendar days after moving to the district, or within 14 calendar days after removing the child from school.**

*Note: Due to the restrictions as to the number of students who may be served in a Home School Assistance Program, timely filed requests may be denied if the program already serves 20 families or 40 students per teacher. 281-IAC 31.3(3)*

## INDIVIDUALIZED INSTRUCTION

The board's primary responsibility in the management of the school district is the operation and delivery of the regular education program. Generally, students attending the school district shall receive the regular education program offered by the district. Only in exceptional circumstances will the board approve students receiving individualized instruction at the expense of the school district.

Recommendations from the superintendent for individualized instruction shall state the need for the instruction, the objectives and goals sought for the instruction, the employee requirements for the instruction, the implementation procedures for the instruction and the evaluation procedures and processes that will be used to assess the value of the instruction.

It shall be the responsibility of the superintendent to develop administrative regulations for individualized instruction.

Legal Reference: Iowa Code §§ 256.11; 279.8, .10, .11; 280.3, .14; 299.1-.6, .11, .15, .24; 299A (2007).

Cross Reference: 501.11 Pregnant Students  
604.1 Competent Private Instruction

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## INTERNATIONAL STUDY

The board recognizes some students may wish to take courses outside the country. Generally, students must obtain board approval prior to participating in the international student exchange program if the student wants to receive credit for the program. If it is a continuing program which has received a favorable evaluation by the administration and the program will be carried out in the future as it has in the past, prior board approval is not required.

The board's approval is not an assumption of liability, but rather an approval of the credits from the program toward graduation requirements. The students, employees or others traveling with the students shall assume all costs and maintain personal and liability insurance protection. The school district assumes no cost or liability for the participants.

It shall be the responsibility of the superintendent to keep the board informed of ongoing programs and to bring new programs to the board's attention.

Legal Reference: Iowa Code § 279.8 (2007).

Cross Reference: 603 Instructional Curriculum

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## PROGRAM FOR TALENTED AND GIFTED STUDENTS

The board recognizes some students require programming beyond the regular education program. The board shall identify students with special abilities and provide education programming.

It shall be the responsibility of the superintendent to develop a talented and gifted program which provides for identifying students, for program evaluation, and for training of employees.

Legal Reference: Iowa Code §§ 257.42-.49 (2011).  
281 I.A.C. 12.5(12); 59.

Cross Reference: 505 Student Scholastic Achievement  
604.7 Instruction at a Post-Secondary Educational Institution

Approved September, 2007

Reviewed 02/09/2015

Revised Aug 13, 2012

## PROGRAM FOR AT-RISK STUDENTS

The board recognizes some students require additional assistance in order to graduate from the regular education program. The board shall provide a plan to encourage and provide an opportunity for at-risk students to achieve their potential and obtain their high school diploma.

It shall be the responsibility of the superintendent to develop a plan for students at-risk which provides for identifying students, for program evaluation, and for the training of employees.

Legal Reference: Iowa Code §§ 257.38-.41; 280.19, .19A (2011).  
281 I.A.C. 12.5(13); 33; 61; 65.

Cross Reference: 505 Student Scholastic Achievement  
607.1 Student Guidance and Counseling Program

Approved September, 2007

Reviewed 02/09/2015

Revised Aug 13, 2012

## RELIGIOUS-BASED EXCLUSION FROM A SCHOOL PROGRAM

Parents who wish to have their child excluded from a school program because of religious beliefs must inform the superintendent. The board authorizes the administration to allow the exclusion if it is not disruptive to the education program and it does not infringe on a compelling state or educational interest. Further, the exclusion must not interfere with other school district operations. Students who are allowed to be excluded from a program or activity which violates their religious beliefs shall be required to do an alternate supervised activity or study.

In notifying the superintendent, the parents shall abide by the following:

- The notice shall be in writing;
- The objection shall be based on religious beliefs;
- The objection shall state which activities or studies violate their religious beliefs;
- The objection shall state why these activities or studies violate their religious beliefs; and,
- The objection shall state a proposed alternate activity or study.

The superintendent shall have discretion to make this determination. The factors the superintendent shall consider when a student requests to be excluded from a program or activity because of religious beliefs include, but are not limited to, staff available to supervise a student who wishes to be excluded, space to house the student while the student is excluded, available superintendent-approved alternative course of study or activity while the student is excluded, number of students who wish to be excluded, whether allowing the exclusion places the school in a position of supporting a particular religion, and whether the program or activity is required for promotion to the next grade level or for graduation.

Legal Reference: U.S. Const. amend. I.  
Lee v. Weisman, 112 S.Ct. 2649 (1992).  
Lemon v. Kurtzman, 403 U.S. 602 (1971).  
Graham v. Central Durant Community School District of Decatur County, 608 F.Supp. 531 (S.D. Iowa 1985).  
Iowa Code §§ 256.11(6); 279.8 (2007).

Cross Reference: 603 Instructional Curriculum  
606.4 School Ceremonies and Observances

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## INSTRUCTION AT A POST-SECONDARY EDUCATIONAL INSTITUTION

In accordance with this policy, students in grades nine through twelve may receive academic or career and technical education credits that count toward the graduation requirements set out by the board for courses successfully completed in post-secondary educational institutions. Students and parents or guardians shall be made aware of the post-secondary instructional opportunities as part of the development of each student's individual career and academic plan as required by law. The Superintendent or designee is responsible for developing the appropriate forms and procedures for implementing this policy and the following post-secondary educational opportunities.

### **Concurrent Enrollment**

The board may, at its discretion, enter into a contractual agreement with a community college to provide courses for eligible students in grades nine through twelve when comparable courses are not offered by the school district. Notice of the availability of the concurrent enrollment program shall be included in the school district's registration handbook, and the handbook shall identify which courses, if successfully completed, generate post-secondary credit. Students shall not be charged tuition for concurrent enrollment courses and shall not be required to reimburse the school district for tuition if they do not successfully complete a course. Students or their parents or guardians may be required to pay a fee consistent with the school district's established textbook policy and other materials for the concurrent enrollment course to the extent permitted by law. Students or their parents or guardians may also be required to provide their own transportation to and from concurrent enrollment courses to the extent permitted by law. However, transportation shall be the responsibility of the school district for any contracted course that is used to meet school district accreditation requirements.

Students who successfully complete a concurrent enrollment course, as determined by the postsecondary institution, shall receive postsecondary credit in accordance with the institution's policies and high school credit that will be reflected on their high school transcript. The Superintendent or designee shall grant to a student who successfully completes a concurrent enrollment course a high school graduation credit for every unit of high school level instruction successfully completed.

### **Post-Secondary Enrollment Option**

Ninth and tenth grade students who have been identified by the school district as gifted and talented, and eligible eleventh and twelfth grade students, may utilize the Post-Secondary Enrollment Option ("PSEO") program. To qualify, a course must be a nonsectarian, credit-bearing course that leads to a degree, and in the areas of: mathematics, science, social sciences, humanities, career and technical education. A course is not eligible for PSEO if a comparable course is offered by the school district. In addition courses at a community college with which the district has a concurrent enrollment agreement are not eligible for PSEO. Students shall not be charged for tuition, textbooks, materials, or fees related to a PSEO course with the exception of equipment that becomes the property of the student.

## INSTRUCTION AT A POST-SECONDARY EDUCATIONAL INSTITUTION

The school district shall reimburse the post-secondary institution for tuition and other expenses for each PSEO course up to \$250. Students who successfully complete a PSEO course, as determined by the postsecondary institution, shall receive postsecondary credit and high school credit. The Superintendent or designee shall grant to a student who successfully completes a PSEO course a unit of high school graduation credit for every unit of high school level instruction successfully completed. Students may not enroll on a full-time basis to any post-secondary institution through the PSEO program.

Transportation to and from the postsecondary institution is the responsibility of the student or parent or legal guardian of the student enrolled in a PSEO course. Eligible students may take up to seven hours of post-secondary credit during the summer months and receive high school credit upon successful completion of a post-secondary course. However, the student or student's parent or legal guardian is responsible for all costs associated with courses taken during the summer.

Students who fail a PSEO course and fail to receive credit are required to reimburse the school district for all costs directly related to the course up to the \$250 reimbursement maximum. Prior to registering, students under the age of eighteen are required to have a parent or guardian sign a form indicating that the parent is responsible for the costs of the course should the student fail the course and fail to receive credit. Reimbursements waivers may be granted by the board if sufficient verification is provided to show that the student was unable to complete the course for reasons outside the student's control, including but not limited to physical incapacity, a death in the student's immediate family, or a move out of the school district.

If a student is unable to demonstrate proficiency or the school district or accredited nonpublic school determines that the course unit completed by the student does not meet the school district's standards, the superintendent shall provide in writing to the student's parent or guardian the reason for the denial of credit.

Legal Reference: Iowa Code §§ 256.7; 11, 258; 261E; 279.61; 280.3, .14.  
281 I.A.C. 12, 22.

Cross Reference: 505 Student Scholastic Achievement  
604.4 Program for Talented and Gifted Students

Approved September, 2007

Reviewed 11/12/18

Revised 12/10/18

## DUAL ENROLLMENT

The parent, guardian, or custodian of a student receiving competent private instruction may also enroll the student in the school district in accordance with state law and policy. The student is considered under dual enrollment. The parent, guardian, or custodian requesting dual enrollment for the student should notify the board secretary no later than September 15 of the school year in which dual enrollment is sought on forms provided by the school district. On the form, they will indicate the extracurricular and academic activities in which the student is interested in participating. The forms are available at the central administration office.

A dual enrollment student is eligible to participate in the school district's extracurricular and academic activities in the same manner as other students enrolled in the school district. The policies and administrative rules of the school district will apply to the dual enrollment students in the same manner as the other students enrolled the school district. These policies and administrative rules will include, but not be limited to, athletic eligibility requirements, the good conduct rule, academic eligibility requirements, and payment of applicable fees.

A dual enrollment student whose parent, guardian, or custodian has chosen standardized testing as the form of the student's annual assessment will not be responsible for the cost of the test or the administration of the test.

After the student notifies the school district which activities in which they wish to participate, the school district will provide information regarding the specific programs.

The applicable legal requirements for dual enrollment including, but not limited to those related to reporting and eligibility, shall be followed. It is the responsibility of the superintendent to develop administrative regulations regarding this policy.

***NOTE: This policy reflects Iowa's dual enrollment law.***

Legal Reference: Iowa Code §§ 279.8, 299A.  
281 I.A.C. 31.

Cross Reference: 502 Student Rights and Responsibilities  
503 Student Discipline  
504 Student Activities  
507 Student Health and Well-Being  
604.1 Private Instruction  
604.9 Home School Assistance Program

Approved September, 2007

Reviewed Dec 2015

Revised Jan 11, 2016

## FOREIGN STUDENTS

Foreign students must meet all district entrance requirements including age, place of residence and immunization. Foreign students must be approved by the board. The board reserves the right to limit the number of foreign students accepted. Students who are citizens of a foreign country will be considered residents if they meet one of the following requirements:

- The student resides with his/her parents(s) or legal guardian;
- The student is in the United States with appropriate documentation (Form I-20) from the United States Department of Justice-Immigration and Naturalization Services; or
- The student is a participant in a recognized foreign exchange program; and
- The student is physically able to attend school and has provided the school district with such proof, including a current TB test.

Legal Reference: Iowa Code § 279.8 (2007).

Cross Reference: 501 Student Attendance  
507.1 Student Health and Immunization Certificates

Approved September, 2007 Reviewed 02/09/2015 Revised \_\_\_\_\_

## ON-LINE COURSES

The board recognizes that on-line coursework may be a good alternative for students to not only meet graduation requirements but also have the opportunity to take advanced or other courses not offered by the school district.

High school students may earn credits to be applied toward graduation requirements by completing on-line courses offered through agencies approved by the board and Iowa Department of Education, such as the Iowa On-Line Learning. Credit from an on-line course may be earned only in the following circumstances:

- The course is not offered at the high school;
- Although the course is offered at the high school, the student will not be able to take it due to an unavoidable scheduling conflict that would keep the student from meeting graduation requirements;
- The course will serve as a supplement to extend homebound instruction;
- The student has been given a long-term suspension from the regular school setting, but educational services are to be continued; or,
- The principal, with agreement from the student's teachers and parents, determines the student requires a differentiated or accelerated learning environment.

Students applying for permission to take an on-line course shall complete prerequisites and provide teacher/counselor recommendations to confirm the student possesses the maturity level needed to function effectively in an on-line learning environment. In addition, the express approval of the principal shall be obtained before a student enrolls in an on-line course. The school must receive an official record of the student's final percentage score and suggested grade before credit toward graduation will be recognized.

Provided courses are part of the student's regular school day coursework and within budgetary parameters, the costs for an online course, shall be borne by the school district during the fall and spring semesters, but may be passed on to the parent/guardian during the summer semester. Any additional costs such as textbooks, rentals or school supplies, shall be borne by the parents for students enrolled full-time.

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

Legal Reference: Iowa Code § 256.9(56); 279.8  
281 I.A.C. 15

Cross Reference: 605.6 Internet Appropriate Use  
501.5 Student Transfers In

Approved September, 2007

Reviewed 11/12/18

Revised 12/10/18

## INSTRUCTIONAL MATERIALS SELECTION

The board has sole discretion to approve instructional materials for the school district. This authority is delegated to licensed employees to determine which instructional materials, other than textbooks, will be utilized by and purchased by the school district.

In reviewing current instructional materials for continued use and in selecting additional instructional materials, licensed employees shall consider the current and future needs of the school district as well as the changes and the trends in education and society. It shall be the responsibility of the superintendent to report to the board the action taken by licensed employees.

In the case of textbooks, the board shall make the final decision after receiving a recommendation from the superintendent. The criteria stated above for selection of other instructional materials shall apply to the selection of textbooks. The superintendent may develop another means for the selection of textbooks. Textbooks shall be reviewed as needed and at least every 5 years.

Education materials given to the school district must meet the criteria established above. The gift must be received in compliance with board policy.

Legal Reference: Iowa Code §§ 279.8; 280.3, .14; 301 (2011).

Cross Reference: 209.1 Ad Hoc Committees  
505 Student Scholastic Achievement  
602 Curriculum Development  
605 Instructional Materials

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*DURANT COMMUNITY SCHOOL DISTRICT – POLICY MANUAL*

## SELECTION OF INSTRUCTIONAL MATERIALS

## I. Responsibility for Selection of Instructional Materials

- A. The Board is responsible for matters relating to the operation of the Durant Community School District.
- B. The responsibility for the selection of instructional materials is delegated to the professionally trained and licensed employees of the school system. For the purpose of this rule the term "instructional materials" includes printed and audiovisual materials (not equipment), whether considered text materials or media center materials. The board retains the final authority for the approval of textbooks.
- C. While selection of materials may involve many people including principals, teachers, students, parents, community members and media specialists, the responsibility for coordinating the selection of most instructional materials and making the recommendation for the purchase rests with licensed employees. For the purpose of this rule the term "media specialist" includes librarians, school media specialists or other appropriately licensed persons responsible for the selection of media equipment and materials.
- D. Responsibility for coordinating the selection of text materials for distribution to classes will rest with the licensed employees, principal and superintendent. For the purpose of this rule the term 'text materials' includes textbooks and other printed and nonprinted material provided in multiple copies for use of a total class or major segment of a class.
- E. If the board appoints an ad hoc committee to make recommendations on the selection of instructional materials, the ad hoc committee shall be formed and appointed in compliance with the board policy on Ad Hoc Committees.
  - 1. The superintendent will inform the committee as to their role and responsibility in the process.
  - 2. The following statement shall be given to the ad hoc committee members:

*Bear in mind the principles of the freedom to learn and to read and base your decision on these broad principles rather than on defense of individual materials. Freedom of inquiry is vital to education in a democracy.*

Study thoroughly all materials referred to you and read available reviews. The general acceptance of the materials should be checked by consulting standard evaluation aids and local holdings in other schools.

*Passages or parts should not be pulled out of context. The values and faults should be weighed against each other and the opinions based on the material as a whole.*

Your report, presenting both majority and minority opinions, will be presented by the principal to the complainant at the conclusion of our discussion of the questioned material.

## SELECTION OF INSTRUCTIONAL MATERIALS

### II. Material selected for use in libraries and classrooms shall meet the following guidelines:

- A. *Religion* - Material shall represent the major religions in a factual, unbiased manner. The primary source material of the major religions shall be considered appropriate, but material which advocates rather than informs, or is designed to sway reader judgment regarding religion, shall not be included in the school libraries or classrooms.
- B. *Racism* - Material shall present a diversity of race, custom, culture, and belief as a positive aspect of the nation's heritage and give candid treatment to unresolved intercultural problems, including those which involve prejudice, discrimination, and the undesirable consequences of withholding rights, freedom, or respect of an individual.
- C. *Sexism* - Material shall reflect sensitivity to the needs, rights, traits and aspirations of men and women without preference or bias.
- D. *Age* - Material shall recognize the diverse contributions of various age groups and portray the continuing contributions of maturing members of society.
- E. *Ideology* - Material shall present basic primary and factual information on an ideology or philosophy of government which exerts or has exerted a strong force, either favorably or unfavorably, over civilization or society, past or present. This material shall not be selected with the intention to sway reader judgment and shall be related to the maturity level of the intended audience.
- F. *Profanity and Sex* - Material shall be subjected to a test of literary merit and reality by the media specialists and licensed staff who will take into consideration their reading of public and community standards of morality.
- G. Controversial issues materials will be directed toward maintaining a balanced collection representing various views.

The selection decision should be made on the basis of whether the material presents an accurate representation of society and culture, whether the circumstances depicted are realistically portrayed, or whether the material has literary or social value when the material is viewed as a whole.

These guidelines shall not be construed in such a manner as to preclude materials which accurately represent the customs, morals, manners, culture, or society of a different time or a different place.

### III. Procedure for Selection

- A. Material purchased for libraries and classrooms shall be recommended for purchase by licensed employees, in consultation with administrative staff, media center staff, students or an ad hoc

committee as appointed by the board. The material recommended for purchase shall be approved by the appropriate building administrator.

1. The materials selected shall support stated objectives and goals of the school district. Specifically, the goals are:
  - a. To acquire materials and provide service consistent with the demands of the curriculum;
  - b. To develop students' skills and resourcefulness in the use of libraries and learning resources;
  - c. To effectively guide and counsel students in the selection and use of materials and libraries;
  - d. To foster in students a wide range of significant interests;
  - e. To provide opportunities for aesthetic experiences and development of an appreciation of the fine arts;
  - f. To provide materials to motivate students to examine their own attitudes and behaviors and to comprehend their own duties and responsibilities as citizens in a pluralistic democracy;
  - g. To encourage life-long education through the use of the library; and,
  - h. To work cooperatively and constructively with the instructional and administrative staff in the school.
2. Materials selected shall be consistent with stated principles of selection. These principles are:
  - a. To select material, within established standards, which will meet the goals and objectives of the school district;
  - b. To consider the educational characteristics of the community in the selection of materials within a given category;
  - c. To present the sexual, racial, religious and ethnic groups in the community by:
    - (1) Portraying people, both men and women, adults and children, whatever their ethnic, religious or social class identity, as human and recognizable, displaying a familiar range of emotions, both negative and positive.
    - (2) Placing no constraints on individual aspirations and opportunity.
    - (3) Giving comprehensive, accurate, and balanced representation to minority groups and women - in art and science, history and literature, and in all other fields of life and culture.
    - (4) Providing abundant recognition of minority groups and women by showing them frequently in positions of leadership and authority.
  - d. To intelligently, quickly, and effectively anticipate and meet needs through awareness of subjects of local, national and international interest and significance; and,
  - e. To strive for impartiality in the selection process.
3. The materials selected shall meet stated selection criteria. These criteria are:
  - a. Authority-Author's qualifications - education, experience, and previously published works;
  - b. Reliability:

- (1) Accuracy-meaningful organization and emphasis on content, meets the material's goals and objectives, and presents authoritative and realistic factual material.
- (2) Current-presentation of content which is consistent with the finding of recent and authoritative research.
- c. Treatment of subject-shows an objective reflection for the multi-ethnic character and cultural diversity of society.
- d. Language:
  - (1) Vocabulary:
    - a. Does not indicate bias by the use of words which may result in negative value judgments about groups of people;
    - b. Does not use "man" or similar limiting word usage in generalization or ambiguities which may cause women to feel excluded or dehumanized.
  - (2) Compatible to the reading level of the student for whom it is intended.
- e. Format:
  - (1) Book
    - a. Adequate and accurate index;
    - b. Paper of good quality and color;
    - c. Print adequate and well spaced;
    - d. Adequate margins;
    - e. Firmly bound; and,
    - f. Cost.
  - (2) Nonbook
    - a. Flexibility, adaptability;
    - b. Curricular orientation of significant interest to students;
    - c. Appropriate for audience;
    - d. Accurate authoritative presentation;
    - e. Good production qualities (fidelity, aesthetically adequate);
    - f. Durability; and,
    - g. Cost.
  - (3) Illustrations of book and nonbook materials should:
    - a. Depict instances of fully integrated grouping and settings to indicate equal status and nonsegregated social relationships.
    - b. Make clearly apparent the identity of minorities;
    - c. Contain pertinent and effective illustrations;
  - (4) Flexible to enable the teacher to use parts at a time and not follow a comprehensive instructional program on a rigid frame of reference.
- f. Special Features:
  - (1) Bibliographies.
  - (2) Glossary.
  - (3) Current charts, maps, etc.

- (4) Visual aids.
- (5) Index.
- (6) Special activities to stimulate and challenge students.
- (7) Provide a variety of learning skills.
- g. Potential use:
  - (1) Will it meet the requirement of reference work?
  - (2) Will it help students with personal problems and adjustments?
  - (3) Will it serve as a source of information for teachers and librarians?
  - (4) Does it offer an understanding of cultures other than the student's own and is it free of racial, religious, age, disability, ethnic, and sexual stereotypes?
  - (5) Will it expand students' sphere of understanding and help them to understand the ideas and beliefs of others?
  - (6) Will it help students and teachers keep abreast of and understand current events?
  - (7) Will it foster and develop hobbies and special interest?
  - (8) Will it help develop aesthetic tastes and appreciation?
  - (9) Will it serve the needs of students with special problems?
  - (10) Does it inspire learning?
  - (11) Is it relevant to the subject?
  - (12) Will it stimulate a student's interest?
- 4. Gifts of library or instructional materials may be accepted if the gift meets existing criteria for library and instructional materials. The acceptance and placement of such gifts shall be within the discretion of the board or designee.
- 5. In order to provide a current, highly usable collection of materials, media specialists shall provide for constant and continuing renewal of the collection, not only the addition of up-to-date materials, but by the judicious elimination of materials which no longer meet school district needs or find use. The process of weeding instructional materials will be done according to established and accepted standards for determining the relevance and value of materials in a given context.

## INSTRUCTIONAL MATERIALS INSPECTION

Parents and other members of the school district community may view the instructional materials used by the students. All instructional materials, including teacher's manuals, films, tapes or other supplementary material which will be used in connection with any survey, analysis, or evaluation as part of any federally funded programs must be available for inspection by parents.

The instructional materials must be viewed on school district premises. Copies may be obtained according to board policy.

It shall be the responsibility of the superintendent to develop administrative regulations regarding the inspection of instructional materials.

Legal Reference:       Goals 2000: Educate America Act, Pub. L. No. 103-227, 108 Stat. 125 (1994).  
Iowa Code §§ 279.8; 280.3, .14; 301 (2007).

Cross Reference:       602     Curriculum Development  
                              605     Instructional Materials  
                              901.1   Public Examination of School District Records

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## OBJECTION TO INSTRUCTIONAL MATERIALS

Members of the school district community may object to the instructional materials utilized in the school district and ask for their use to be reconsidered.

It is the responsibility of the superintendent, in conjunction with the principals, to develop administrative regulations for reconsideration of instructional materials.

Legal Reference: Iowa Code §§ 279.8; 280.3, .14; 301 (2011).

Cross Reference:	215	Public Participation in Board Meetings
	402.5	Public Complaints About Employees
	602	Curriculum Development
	605	Instructional Materials

Approved September, 2007

Reviewed 02/09/2015

Revised Aug 13, 2012

## INSTRUCTIONS TO THE RECONSIDERATION COMMITTEE

The policy of this school district related to selection of learning materials states that any member of the school district community may formally challenge instructional materials used in the district's education program. This policy allows those persons in the school and the community who are not directly involved in the selection of materials to make their own opinions known. The task of the reconsideration committee is to provide an open forum for discussion of challenged materials and to make an informed recommendation on the challenge. The meetings of the committee may be subject to the open meetings law.

The most critical component of the reconsideration process is the establishment and maintenance of the committee's credibility in the community. For this purpose, the committee is composed of community members. The community should not, therefore, infer that the Committee is biased or is obligated to uphold prior professional decisions. For this same reason, a community member will be selected to chair the committee.

The reconsideration process, the task of this committee, is just one part of the selection continuum. Material is purchased to meet a need. It is reviewed and examined, if possible, prior to purchase. It is periodically re-evaluated through updating, discarding, or re-examination. The committee must be ready to acknowledge that an error in selection may have been made despite this process. Librarians and school employees regularly read great numbers of reviews in the selection process, and occasional errors are possible.

In reconsidering challenged materials, the role of the committee, and particularly the chairperson, is to produce a climate for disagreement. However, the committee should begin by finding items of agreement, keeping in mind that the larger the group participating, the greater the amount of information available and, therefore, the greater the number of possible approaches to the problem.

If the complainant chooses, the complainant may make an oral presentation to the committee to expand and elaborate on the complaint. The committee will listen to the Complainant, to those with special knowledge, and any other interested persons. In these discussions, the committee should be aware of relevant social pressures which are affecting the situation. Individuals who may try to dominate or impose a decision must not be allowed to do so. Minority viewpoints expressed by groups or individuals must be heard, and observers must be made to feel welcome. It is important that the committee create a calm, nonvolatile environment in which to deal with a potentially volatile situation. To this end, the complainant will be kept informed of the progress of the complaint.

The committee will listen to the views of all interested persons before making recommendations. In deliberating its recommendation, the committee should remember that the school system must be responsive to the needs, tastes, and opinions of the community it serves. Therefore, the committee must distinguish between broad community sentiment and attempts to impose personal standards. The deliberations should concentrate on the appropriateness of the material. The question to be answered by the committee is, "Is the material appropriate for its designated audience at this time?"

The committee's final recommendation will be (1) to remove the challenged material from the total school environment, (2) to take no removal action, or (3) to agree on a limitation of the educational use of the materials.

The committee chairperson will instruct the secretary to convey the committee's recommendation to the office of the superintendent. The recommendation should detail the rationale on which it was based. A letter will be sent to the complainant outlining the outcome.

## RECONSIDERATION OF INSTRUCTIONAL MATERIALS

Reconsideration Request Form

Request for re-evaluation of printed or audiovisual material to be submitted to the superintendent.

Review Initiated By:

DATE: \_\_\_\_\_

Name \_\_\_\_\_

Address \_\_\_\_\_

City/State \_\_\_\_\_ Zip Code \_\_\_\_\_ Telephone \_\_\_\_\_

School(s) in which item is used \_\_\_\_\_

Relationship to school (parent, student, citizen, etc.) \_\_\_\_\_

Book Or Other Printed Material If Applicable:

Author \_\_\_\_\_ Hardcover \_\_\_\_\_ Paperback \_\_\_\_\_ Other \_\_\_\_\_

Title \_\_\_\_\_

Publisher (if known) \_\_\_\_\_

Date of Publication \_\_\_\_\_

Audiovisual Material If Applicable:

Title \_\_\_\_\_

Producer (if known) \_\_\_\_\_

Type of material (filmstrip, motion picture, etc.) \_\_\_\_\_

Person Making The Request Represents: (circle one)

Self

Group or Organization

Name of group \_\_\_\_\_

Address of Group \_\_\_\_\_

## RECONSIDERATION OF INSTRUCTIONAL MATERIALS

1. What brought this item to your attention?

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2. To what in the item do you object? (please be specific; cite pages, or frames, etc.)

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3. In your opinion, what harmful effects upon students might result from use of this item?

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4. Do you perceive any instructional value in the use of this item?

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5. Did you review the entire item? If not, what sections did you review?

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6. Should the opinion of any additional experts in the field be considered?

\_\_\_\_\_ yes

\_\_\_\_\_ no

If yes, please list specific suggestions:

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7. To replace this item, do you recommend other material which you consider to be of equal or superior quality for the purpose intended?

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RECONSIDERATION OF INSTRUCTIONAL MATERIALS

8. Do you wish to make an oral presentation to the Review Committee?

- \_\_\_\_\_ Yes      (a) Please call the office of the Superintendent
- (b) Please be prepared at this time to indicate the approximate length of  
time your presentation will require.

\_\_\_\_\_ Presentation length in minutes.

\_\_\_\_\_ No

---

Signature

Date

SAMPLE LETTER TO INDIVIDUAL CHALLENGING INSTRUCTIONAL MATERIALS

Dear:

We recognize your concern about the use of \_\_\_\_\_ in our school district. The school district has developed procedures for selection of instructional materials but realizes that not everyone will agree with every selection made.

To help you understand the selection process, we are sending copies of the school districts:

1. Instructional goals and objectives,
2. Instructional Materials Selection policy statement, and
3. Procedure for reconsideration of instructional materials.

If you are still concerned after you review this material, please complete the Reconsideration Request Form and return it to me. You may be assured of prompt attention to your request. If I have not heard from you within one week, we will assume you no longer wish to file a formal complaint.

Sincerely,

## RECONSIDERATION OF INSTRUCTIONAL MATERIALS REGULATION

- A. A member of the school district community may raise an objection to instructional materials used in the school district's education program despite the fact that the individuals selecting such material were duly qualified to make the selection and followed the proper procedure and observed the criteria for selecting such material.
1. The school official or employee receiving a complaint regarding instructional materials will try to resolve the issue informally. The materials will remain in use pending the outcome of the reconsideration procedure.
    - a. The school official or employee initially receiving a complaint will explain to the individual the board's selection procedure, criteria to be met by the instructional materials, and qualifications of those persons selecting the material.
    - b. The school official or employee initially receiving a complaint will explain to the individual the role of the objected material in the education program, its intended educational purpose, and additional information regarding its use. In the alternative, the employee may refer the individual to the media specialist who can identify and explain the use of the material.
  2. The employee receiving the initial complaint will advise the building principal of the initial contact no later than the end of the school day following the discussion with the individual, whether or not the individual has been satisfied by the initial contact. A written record of the contact is maintained by the principal in charge of the attendance center. Each building principal shall inform employees of their obligation to report complaints.
  3. In the event the individual making an objection to instructional materials is not satisfied with the initial explanation, the individual is referred to the principal or to the media specialist of the attendance center. If, after consultation with the principal or media specialist, the individual desires to file a formal complaint, the principal or media specialist will assist in filling out a Reconsideration Request Form in full and filing it with the superintendent.
- B. Request for Reconsideration
1. A member of the school district community may formally challenge instructional materials on the basis of appropriateness used in the school district's education program. This procedure is for the purpose of considering the opinions of those persons in the school district and the community who are not directly involved in the selection process.
  2. Each attendance center and the school district's central administrative office will keep on hand and make available Reconsideration Request Forms. Formal objections to instructional materials must be made on this form.
  3. The individual will state the specific reason the instructional material is being challenged. The Reconsideration Request Form is signed by the individual and filed with the superintendent.
  4. The superintendent will promptly file the objection with the reconsideration committee for re-evaluation.
  5. Generally, access to challenged instructional material will not be restricted during the reconsideration process. However, in unusual circumstances, the instructional material may be removed temporarily by following the provisions of Section B.6.d. of this rule.

## RECONSIDERATION OF INSTRUCTIONAL MATERIALS REGULATION

## 6. The Reconsideration Committee

- a. The reconsideration committee is made up of eight members.
  - (1) One licensed employee designated annually by the superintendent.
  - (2) One media specialist designated annually by the superintendent.
  - (3) One member of the administrative team designated annually by the superintendent.
  - (4) Three members of the community appointed annually by the board.
  - (5) Two high school students, selected annually by the high school principal.
- b. The committee will annually select their chairperson and secretary.
- c. The committee will meet at the request of the superintendent.
- d. Special meetings may be called by the board to consider temporary removal of materials in unusual circumstances. A recommendation for temporary removal will require a two-thirds vote of the committee.
- e. Notice of committee meetings is made public through appropriate publications and other communications methods.
- f. The committee will receive the completed Reconsideration Request Form from the superintendent.
- g. The committee will determine its agenda for the first meeting which may include the following:
  - (1) Distribution of copies of the completed Reconsideration Request Form.
  - (2) An opportunity for the individual or a group spokesperson to talk about or expand on the Reconsideration Request Form.
  - (3) Distribution of reputable, professionally prepared reviews of the challenged instructional material if available.
  - (4) Distribution of copies of the challenged instructional material as available.
- h. The committee may review the selection process for the challenged instructional material and may, to its satisfaction, determine that the challenge is without merit and dismiss the challenge. The committee will notify the individual and the superintendent of its action.
- i. At a subsequent meeting, if held, interested persons, including the individual filing the challenge, may have the opportunity to share their views. The committee may request that individuals with special knowledge be present to give information to the committee.
- j. The individual filing the challenge is kept informed by the reconsideration committee secretary on the status of the Reconsideration Request Form throughout the reconsideration process. The individual filing the challenge and known interested parties is given appropriate notice of meetings.
- k. At the second or a subsequent meeting the committee will make its final recommendation. The committee's final recommendation may be to take no removal action, to remove the challenged material from the school environment, or to limit the educational use of the challenged material. The sole criterion for the final recommendation is the appropriateness of the material for its intended educational use. The written final recommendation and its justification are forwarded to the board, the individual and the appropriate attendance centers. The superintendent may also make a recommendation but if so, it should be independent from the committee's.

## RECONSIDERATION OF INSTRUCTIONAL MATERIALS REGULATION

Following the board's decision with respect to the committee's recommendation, the individual or the chairperson of the reconsideration committee may appeal the decision to the board for review. Such appeal must be presented to the superintendent in writing within five days following the announcement of the superintendent's decision. The board will promptly determine whether to hear the appeal.

- l. A recommendation to sustain a challenge will not be interpreted as a judgment of irresponsibility on the part of the individuals involved in the original selection or use of the material.
- m. Requests to reconsider materials which have previously been reconsidered by the committee must receive approval of two-thirds of the committee members before the materials will again be reconsidered. Completed and filed Reconsideration Request Forms are acted upon by the committee.
- n. If necessary or appropriate in the judgment of the committee, the committee may appoint a subcommittee of members or nonmembers to consolidate challenges and to make recommendations to the full committee. The composition of this subcommittee will approximate the representation of the full committee.
- o. Committee members directly associated with the selection, use, or challenger of the challenged material are excused from the committee during the deliberation of the challenged instructional materials. The superintendent may appoint a temporary replacement for the excused committee member, but the replacement is of the same general qualifications as the member excused.
- p. Persons dissatisfied with the decision of the board may appeal to the Iowa Board of Education pursuant to state law.

## TECHNOLOGY AND INSTRUCTIONAL MATERIALS

The board supports the use of innovative methods and the use of technology in the delivery of the education program. The board encourages employees to investigate economic ways to utilize instructional television, audiovisual materials, computers, and other technological advances as a part of the curriculum.

It shall be the responsibility of the superintendent to develop a plan for the use of technology in the curriculum and to evaluate it annually. The superintendent shall report the results of the evaluation and make a recommendation to the board annually regarding the use of technology in the curriculum.

Legal Reference: Iowa Code § 279.8 (2007).  
281 I.A.C. 12.5(10), .5(22).

Cross Reference: 217.4 Board of Directors and Area Education Agency  
602 Curriculum Development  
605 Instructional Materials

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## MEDIA CENTERS

The school district will maintain a media center in each building for use by employees and by students during the school day.

Materials for the centers will be acquired according to board policy, "Instructional Materials Selection."

It is the responsibility of the principal of the building in which the media center is located to oversee the use of materials in the media center.

It is the responsibility of the superintendent to develop procedures for the selection and replacement of both library and instructional materials, for the acceptance of gifts, for the weeding of library and instructional materials, and for the handling of challenges to either library or classroom materials.

Legal Reference: Iowa Code §§ 256.7(24); 279.8; 280.14; 301 (2011).  
281 I.A.C. 12.3(11).

Cross Reference: 602 Curriculum Development  
605 Instructional Materials

Approved September, 2007

Reviewed 02/09/2015

Revised Aug 13, 2012

## INTERNET - APPROPRIATE USE

Because technology is a vital part of the school district curriculum, the Internet will be made available to employees and students. Appropriate and equitable use of the Internet will allow employees and students to access resources unavailable through traditional means.

Students will be able to access the Internet through their teachers. Individual student accounts and electronic mail addresses will not be issued to students. If a student already has an electronic mail address, the student cannot use the address to send and receive mail at school.

The Internet can provide a vast collection of educational resources for students and employees. It is a global network which makes it impossible to control all available information. Because information appears, disappears and changes constantly, it is not possible to predict or control what students may locate. The school district makes no guarantees as to the accuracy of information received on the Internet. Although students will be under teacher supervision while on the network, it is not possible to constantly monitor individual students and what they are accessing on the network. Some students might encounter information that may not be of educational value. Student Internet records and access records are confidential records treated like other student records. Students Internet activities will be monitored by the school district to ensure students are not accessing inappropriate sites that have visual depictions that include obscenity, child pornography or are harmful to minors. The school district will use technology protection measures to protect students from inappropriate access, including sites that include obscenity, child pornography or are harmful to minors.

The school district will monitor online activities of students and will educate students about appropriate online behavior, including interacting on social networking sites and chat rooms. Students will also be educated on cyberbullying, including awareness and response. Employees will provide age appropriate training for students who use the Internet. The training provided will be designed to promote the school district's commitment to:

- The standards and acceptable use of Internet services as set forth in the Internet Safety Policy;
- Student safety with regard to:
  - Safety on the internet;
  - Appropriate behavior while online, on social networking Web sites, and
  - In chat rooms; and
  - Cyberbullying awareness and response.
- Compliance with the E-rate requirements of the Children's Internet Protection Act

Employees and students will be instructed on the appropriate use of the Internet. Parents will be required to sign a permission form to allow their students to access the Internet. Students will sign a form acknowledging they have read and understand the Internet Acceptable Use policy and regulations, that they will comply with the policy and regulations and understand the consequences for violation of the policy or regulations.

In compliance with federal law, this policy will be maintained at least five years beyond the termination of funding under the Children's Internet Protection Act (CIPA) or E-rate.

Legal References: Iowa Code § 279.8 (2011).

Cross References:     106     Anti-Bullying/Harrassment  
                          502     Student Rights and Responsibilities  
                          506     Student Records  
                          605.5   Media Centers

Approved September, 2007

Reviewed 02/09/2015

Revised June 12, 2012

## INTERNET ACCESS PERMISSION LETTER TO PARENTS

Your child has access the Internet. The vast domain of information contained within Internet's libraries can provide unlimited opportunities to students.

Students will be able to access the Internet through their teachers. If a student already has an electronic mail address cannot use the address to send and receive mail at school.

Students will be expected to abide by the following network etiquette:

- The use of the network is a privilege and may be taken away for violation of board policy or regulations. As a user of the Internet, students may be allowed access to other networks. Each network may have its own set of policies and procedures. Students will abide by the polices and procedures of these other networks.
- Students will respect all copyright and license agreements.
- Students will cite all quotes, references, and sources.
- Students will only remain on the system long enough to get needed information.
- Students will apply the same privacy, ethical and educational considerations utilized in other forms of communication.
- Students accessing Internet services that have a cost involved will be responsible for payment of those costs.

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## INTERNET ACCESS PERMISSION LETTER TO PARENTS

Please sign the form if you would like your child to be granted Internet access and return the permission form to your child's school.

Student Name \_\_\_\_\_ Grade \_\_\_\_\_

School \_\_\_\_\_ Date \_\_\_\_\_

\_\_\_\_\_  
(Parent or guardian's signature)

If you have granted your child Internet access, please have them respond to the following:

I have read the expected network etiquette and agree to abide by these provisions. I understand that violation of these provisions may constitute suspension or revocation of Internet privileges.

I agree to be responsible for payment of costs incurred by accessing any Internet services that have a cost involved.

\_\_\_\_\_  
(Student signature)

## INTERNET - APPROPRIATE USE REGULATION

### I. Responsibility for Internet Appropriate Use.

- A. The authority for appropriate use of electronic Internet resources is delegated to the licensed employees.
- B. Instruction in the proper use of the Internet will be available to employees who will then provide similar instruction to their students.
- C. Employees are expected to practice appropriate use of the Internet, and violations may result in discipline up to, and including, discharge.

### II. Internet Access.

- A. Access to the Internet is available to teachers and students as a source of information and a vehicle of communication.
- B. Students will be able to access the Internet through their teachers.
  - 1. Making Internet access available to students carries with it the potential that some students might encounter information that may not be appropriate for students. However, on a global network, it is impossible to control all materials. Because information on the Internet appears, disappears and changes, it is not possible to predict or control what students may locate.
  - 2. It is a goal to allow teachers and students access to the rich opportunities on the Internet, while we protect the rights of students and parents who choose not to risk exposure to questionable material.
  - 3. The smooth operation of the network relies upon the proper conduct of the end users who must adhere to strict guidelines which require efficient, ethical and legal utilization of network resources.
  - 4. To reduce unnecessary system traffic, users may use real-time conference features such as talk/chat/Internet relay chat only as approved by the supervising teacher.
  - 5. Transmission of material, information or software in violation of any board policy or regulation is prohibited.
  - 6. System users will perform a virus check on downloaded files to avoid spreading computer viruses.
  - 7. The school district makes no guarantees as to the accuracy of information received on the Internet.

### III. Permission to Use Internet - Annually, parents shall grant permission for their student to use the Internet using the prescribed form.

### IV. Student Use of Internet.

- A. Equal Opportunity - The Internet shall be available to all students within the school district through teacher access. The amount of time available for each student may be limited by the number of available terminals and the demands for each terminal.
- B. On-line Etiquette.
  - 1. The use of the network is a privilege and may be taken away for violation of board policy or regulations. As a user of the Internet, students may be allowed access to other networks. Each network may have its own set of policies and procedures. It is the user's responsibility to abide by the policies and procedures of these other networks.

## INTERNET - APPROPRIATE USE REGULATION

2. Students should adhere to on-line protocol:
  - a. Respect all copyright and license agreements.
  - b. Cite all quotes, references and sources.
  - c. Remain on the system long enough to get needed information, then exit the system.
  - d. Apply the same privacy, ethical and educational considerations utilized in other forms of communication.
- C. Restricted Material - Students shall not intentionally access or download any text file or picture or engage in any conference that includes material which is obscene, libelous, indecent, vulgar, profane or lewd; advertises any product or service not permitted to minors by law; constitutes insulting or fighting words, the very expression of which injures or harasses others; or presents a clear and present likelihood that, either because of its content or the manner of distribution, it will cause a material and substantial disruption of the proper and orderly operation and discipline of the school or school activities, will cause the commission of unlawful acts or the violation of lawful school regulations.
- D. Unauthorized Costs - If a student gains access to any service via the Internet which has a cost involved or if a student incurs other types of costs, the student accessing such a service will be responsible for those costs.

## WEB PAGE POLICY

The District provides an opportunity for students and staff to contribute to the District's presence on the World Wide Web. The District's Web sites provide information to the world about school curriculum, instruction, school-authorized activities, and other general information relating to our school and our District's mission. Internet access for the creation of Web pages is provided by the District.

Student information such as first names, class projects and pictures (with no names) may be published on a school-sponsored Web page. The District must have a permission form signed by parents annually and returned to their child's building level office for elementary (K-4), middle school (5-8) and high school (9-12).

### Contents

Building and district administrators are responsible for Web page approval. All subject matter on Web pages should relate to curriculum, instruction, or school-authorized activities. Neither staff nor students may publish personal home pages as part of the District Web Sites, or home pages for other individuals or organizations not affiliated with the District. Staff or student work may be published only as it relates to a class project, course, or other school-related activity. Web page documents must conform to all school board policies and are property of the School District.

### Quality

All Web page work must be proofread by staff before publication. Documents may not contain objectionable material or link to objectionable material. Objectionable material is defined as material that does not meet the standards for instructional resources specified in District policies. Regarding the question of quality or propriety of Web page material, appearance, or content, the judgment of the district administrators will prevail.

### Student Safeguards

- Web page documents may include only the first name of the student.
- Web page documents may not include any information which indicates the residential location of a student, other than enrollment at a particular school, or participation in activities.
- Documents may not include a student's phone number, address, names of other family members, or names of friends.
- Published e-mail addresses are restricted to staff members' school addresses or to a general group e-mail address.
- Decisions on publishing student pictures (video or still) and audio clips with student names are based on the supervising teacher's judgment.
- Specific exceptions may occur for extracurricular activities. For more detailed information, see the Extracurricular Activities Web Page Policy.

### Denial of Publication Permission

Teachers must first check with the school technology coordinator to determine if the student's parents/guardians have turned in the *Parent Permission Form for Web Page Release* available in each office.

ADOPTED: Nov. 2009

REVIEWED: 02/09/2015

REVISED:

605.7 A

### **PARENT PERMISSION FORM FOR WEB PAGE RELEASE OF INFORMATION**

I have read the Web Page Policy and choose to allow the release of the following information regarding my son/daughter on the school web pages:

*DURANT COMMUNITY SCHOOL DISTRICT – POLICY MANUAL*

\_\_\_\_\_ my child's individual picture  
\_\_\_\_\_ my child in a group picture  
\_\_\_\_\_ my child's first name  
\_\_\_\_\_ my child's work/project

\_\_\_\_\_ I do not want any information about my child published.

\_\_\_\_\_  
Student's Name

Parent/guardian signature \_\_\_\_\_ Date \_\_\_\_\_  
M/D/Y

**\*Please note:** A separate form titled *Parent Denial From for Web Page Release of Information for Extracurricular Activities* must be completed for web pages related to extracurricular activities. This form is available in the offices or may be obtained from coaches and directors of extracurricular activities.

:

605.7 B

### **EXTRACURRICULAR ACTIVITIES WEB PAGE POLICY**

The District may provide information on its Web pages about students in grades 7 through 12 who are involved in extracurricular activities. Such extracurricular activities include, but are not limited to, athletics, music, student organizations, drama, and speech. Student information on extracurricular activity Web pages may include first and

last names (with no picture), personal information (such as height, weight, or grade), personal game or performance statistics, candid pictures (with no names), or group pictures of three or more individuals (with no names).

First names will be associated with a picture only when specific permission has been sought and received *in writing* by the school district sponsor for that activity. Full names will not be associated with pictures on District-sponsored Web pages.

Parents may choose to deny the release of information about their child on extracurricular activities Web pages. The *Parent Denial Form for Web page Release of Information for Extracurricular Activities* will be available in the offices or may be obtained from district sponsors for specific extracurricular activities.

Before publishing Web pages that include personal information on students, extracurricular activity sponsors must first check with the school office to determine if the student's parent/guardians have turned in the *Parent Denial Form for Web Page Release of Information for Extracurricular Activities*.

**PARENT DENIAL FORM FOR WEB PAGE RELEASE OF INFORMATION**  
**FOR EXTRACURRICULAR ACTIVITIES**

I have read the Extracurricular Activities Web Page Policy and choose to deny the release of the following information regarding my child's participation in extracurricular activities on the school web pages:

- ☐ my child's first and last names
- ☐ my child's personal statistics (height, weight, grade)
- ☐ my child's game or performance statistics
- ☐ my child's pictures in a candid or group shot
  
- ☐ I do not want any information about my child published on extracurricular web pages sponsored by the District.

\_\_\_\_\_  
Student's Name

Parent/guardian signature \_\_\_\_\_ Date \_\_\_\_\_  
M/D/Y

## SHARED STUDENTS

The board may make arrangements for sharing students with neighboring school districts in order to expand the opportunities available in the education program or in the operation of the school district. It shall be within the discretion of the board to determine when and with which school district sharing agreements will be made.

It shall be the responsibility of the superintendent to bring to the board's attention opportunities for sharing students with neighboring school districts.

Legal Reference: Iowa Code §§ 257.6; 280.15; 282.10-12 (2007).

Cross Reference: 217.3 Board of Directors and Adjoining District Board of Directors  
302.3 Administration and Adjoining District Administration  
410.2 Shared Licensed Employees

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## CLASS SIZE - CLASS GROUPING

It shall be within the sole discretion of the board to determine the size of classes and to determine whether class grouping shall take place. The board shall review the class sizes informally.

It shall be the responsibility of the superintendent to make a recommendation to the board on class size based upon the financial condition of the school district, the qualifications of and number of licensed employees, and other factors deemed relevant to the board.

Legal Reference: Iowa Code §§ 279.8; 280.3 (2007).

Cross Reference: 606.9 Insufficient Classroom Space

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## HOMEWORK

Homework, extra class activities or assignments beyond the regular classroom instruction program are a part of the education program. Homework will be an extension and an enrichment of the classroom instruction.

Homework shall be an opportunity for students to practice skills and activities, to share and discuss ideas, to review materials, to become acquainted with resources, to organize thoughts, to prepare for classroom activity, or to make up incomplete assignments.

The amount of homework in grades one through twelve shall be appropriate and reasonable.

Guidelines regarding homework shall be developed in conjunction with the curriculum of the education program.

Legal Reference: Iowa Code §§ 279.8; 280.3, .14 (2007).

Cross Reference: 501 Student Attendance  
606 Instructional Arrangements

Approved September, 2007 Reviewed 02/09/2015 Revised \_\_\_\_\_

## SCHOOL CEREMONIES AND OBSERVANCES

The school district will continue school ceremonies and observances which have become a tradition and a custom of the education program. These include, but are not limited to, reciting the Pledge of Allegiance and observance of holidays, such as Christmas, Halloween and Easter, by programs and performances. Such ceremonies or observances shall have a secular purpose and shall not advocate or sponsor a particular religion.

Students who do not wish to participate in these activities may be silent during the ceremony or observance or receive permission from the principal to be excused from the ceremony for religious reasons in compliance with board policy.

Legal Reference: U.S. Const. amend. I.  
Lee v. Weisman, 112 S.Ct. 2649 (1992).  
Lemon v. Kurtzman, 403 U.S. 602 (1971).  
Graham v. Central Durant Community School District of Decatur County, 608 F.Supp. 531 (S.D. Iowa 1985).  
Iowa Code § 279.8 (2007).

Cross Reference: 603 Instructional Curriculum  
604.6 Religion-Based Exclusion From A School Program

Approved September, 2007 Reviewed 02/09/2015 Revised \_\_\_\_\_

## ANIMALS ON SCHOOL GROUNDS

Live animals will not be allowed in school district facilities or on school grounds except under special circumstances and only for an educational purpose. Permission from the principal will be required of anyone wishing to bring an animal into school district facilities or onto school grounds. Appropriate supervision of animals is required when animals are brought into the school district facilities or onto school grounds.

The person bringing the animal must furnish transportation for the animal brought to school. Animals will not be allowed to travel to and from the student's attendance center on the school bus without prior approval from the principal.

It shall be the responsibility of the principal to determine appropriate supervision of animals in the classroom.

Legal Reference: Iowa Code § 279.8 (2007).

Cross Reference: 507 Student Health and Well-Being

Approved September, 2007 Reviewed 02/09/2015 Revised \_\_\_\_\_

## STUDENT PRODUCTION OF MATERIALS AND SERVICES

Materials and services produced by students at the expense of the school district are the property of the students. Materials and services produced by students at the student's expense, except for incidental expense to the school district, are the property of the student.

It shall be the responsibility of the superintendent to determine incidental expense.

Legal Reference: Iowa Code § 279.8 (2007).

Cross Reference: 408.2 Licensed Employee Publication or Creation of Materials

Approved September, 2007 Reviewed 02/09/2015 Revised \_\_\_\_\_

## STUDENT FIELD TRIPS AND EXCURSIONS

The board authorizes extended field trips or foreign study tours for students. An extended field trip is any field trip involving overnight arrangements. A foreign study tour is travel to any country outside of the United States.

Before any extended field trip or foreign study tour is approved, the superintendent shall review the instructional purposes of the trip or tour, transportation and/or lodging arrangements, financial responsibilities and district legal responsibilities and liabilities.

The board will be informed in advance of all extended field trips or foreign study tour plans and each occurrence will require board approval.

\*Athletic overnights (due to time constraints) will be approved by the superintendent through the AD. The AD will inform board of such trips.

Legal Reference: 390 C.F.R. Pt. 390.3(f) (2004).  
Iowa Code § 279.8 (2007).  
281 I.A.C. 43.9.

Cross Reference: 503.1 Student Conduct  
503.4 Good Conduct Rule  
603 Instructional Curriculum  
711 Transportation

Approved September, 2007

Reviewed 02/09/2015

Revised Mar. 2009

## STUDENT FIELD TRIPS AND EXCURSIONS - APPLICATION

All extended/overnight applications must be submitted to the district office at least one month prior to the trip date. All extended/overnight trips require board approval. A roster of students and teachers participating must be in the hands of the building principal before the trip leaves. No buses may be overloaded and all students must have submitted a trip release signed by their parent/guardian before they are permitted to participate. All trips are to be properly chaperoned (one adult to every 7 students).

REQUESTING TEACHER(S): \_\_\_\_\_

DATE OF REQUEST: \_\_\_\_\_ SCHOOL: \_\_\_\_\_

GRADE: \_\_\_\_\_ GROUP OR ACTIVITY: \_\_\_\_\_

(CHECK ONE TYPE OF TRIP) CO-CURRICULAR \_\_\_\_\_ ATHLETIC \_\_\_\_\_ EDUCATIONAL \_\_\_\_\_

EDUCATIONAL OBJECTIVE/PURPOSE: \_\_\_\_\_

\_\_\_\_\_

DATE OF TRIP: \_\_\_\_\_ DESTINATION/ADDRESS: \_\_\_\_\_

\_\_\_\_\_ TIME LEAVING: \_\_\_\_\_

LOADING LOCATION: \_\_\_\_\_ NO. OF STUDENTS: \_\_\_\_\_ NO. OF TEACHERS: \_\_\_\_\_

NO. OF PARENTS: \_\_\_\_\_ TOTAL: \_\_\_\_\_ NO. OF BUSES/VANS REQUESTED: \_\_\_\_\_

ESTIMATED TIME OF ARRIVAL HOME: \_\_\_\_\_

SCHEDULED STOPS 1. \_\_\_\_\_ 2. \_\_\_\_\_ 3. \_\_\_\_\_ 4. \_\_\_\_\_ 5. \_\_\_\_\_  
(Itinerary)

## FIELD TRIP COSTS:

- |    |   |          |
|----|---|----------|
| 1. | Transportation costs @_____per mile per bus                               | \$ _____ |
| 2. | Number of buses   | _____    |
| 3. | Total transportation expense<br>(Multiply #1 x #2)                        | \$ _____ |
| 4. | Individual non-transportation cost<br>(admission, tickets, supplies etc.) | \$ _____ |
| 5. | Number of participants  | _____    |
| 6. | Total non-transportation cost<br>(Multiply #4 x #5)                       | \$ _____ |

STUDENT FIELD TRIPS AND EXCURSIONS - APPLICATION

***Submit completed application to the building principal. After approval, copies will be distributed.***

APPROVED: \_\_\_\_\_  
Principal's Signature

\_\_\_\_\_

Superintendent's Signature

\_\_\_\_\_

Board of Education Secretary's Signature

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**This portion of the application is to be completed by the transportation contractor.**

Bus Assigned \_\_\_\_\_ Route No. \_\_\_\_\_ Driver \_\_\_\_\_

Mileage Out \_\_\_\_\_ Mileage In \_\_\_\_\_

Total Mileage \_\_\_\_\_

No. of Passengers \_\_\_\_\_

Time In \_\_\_\_\_ Time Out \_\_\_\_\_ Total Time \_\_\_\_\_

Total over the road time \_\_\_\_\_ Total standing time \_\_\_\_\_

Did the bus leave the destination for any reason during standing time? YES/NO

If YES, where and how many miles traveled? \_\_\_\_\_

\_\_\_\_\_

Cost of tolls, parking etc. \_\_\_\_\_ Trip Cost \_\_\_\_\_

I, the undersigned, attest that all of the above report is true and correct to the best of my knowledge.

\_\_\_\_\_  
Driver's Signature

\_\_\_\_\_  
Teacher in Charge Signature

COPIES: BUS GARAGE, DISTRICT OFFICE, PRINCIPAL

STUDENT FIELD TRIPS AND EXCURSIONS - HEALTH REFERENCES

My son/daughter \_\_\_\_\_ has a health problem. Therefore, he/she will have the following medication with him/her while on this field trip.

HEALTH PROBLEM \_\_\_\_\_

PRESCRIBED MEDICATION \_\_\_\_\_

\_\_\_\_\_

INHALER \_\_\_\_\_

OTHER \_\_\_\_\_

\_\_\_\_\_

Signature of Parent/Guardian: \_\_\_\_\_

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

## STUDENT FIELD TRIPS AND EXCURSIONS - PERMISSION/AGREEMENT

The undersigned parent(s) or guardian(s) of \_\_\_\_\_ (*Student's Name*)  
hereby grant(s) permission for him/her to travel and participate in all respects on the school sponsored  
\_\_\_\_\_ (*Name of Field Trip*) trip. My/our signature(s) indicate that I/we have been  
provided sufficient information regarding the trip to grant my/our permission.

Further, the undersigned hereby agree(s) to assume all financial responsibility associated with the return of the student to Durant School District prior to the completion of the scheduled trip or following the completion of the scheduled trip if, in the sole determination of the trip advisors or chaperones, student's health, behavior, violation of the Student Handbook, or any other condition warrants earlier return, or if for any reason, student is unable to return as scheduled.

Parent/Guardian Signature: \_\_\_\_\_

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

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Parent/Guardian Signature: \_\_\_\_\_

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

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Parent/Guardian Signature: \_\_\_\_\_

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

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

***NOTE: ALL PARENT/GUARDIAN(S) MUST SIGN***

## STUDENT FIELD TRIPS AND EXCURSIONS - PERMISSION/AGREEMENT

## SPANISH TRIP

Purpose: To provide upper level Spanish students with an authentic experience with the language and culture.

## I. Participation

- A. Current enrollment in an advanced Spanish course at RHS
- B. Previous participants must be in good standing from last trip

## II. Academic Responsibility

- A. Maintain a B average in current Spanish class
- B. Passing all other classes

## III. Financial Responsibility

All efforts are made to provide students with opportunities to fundraise for their trip. No student is denied traveling solely based on ability to pay.

A non-refundable deposit is required by the travel company upon applying and under no circumstances is this money refundable.

In the event of a cancellation, refunds are contingent upon the rules and regulations of the travel company used.

## IV. Student Behavior

This trip is an extension of the school day; therefore students are expected to abide by the student code of conduct for field trips. Students traveling abroad represent their family, school, community and country. This carries the responsibility of behaving accordingly.

## V. Chaperones

A chaperone is defined as a parent of a participating student, teacher or other community member 25 years or older.

## SCHOOL ASSEMBLY

The building principal may authorize programs or activities in the form of a school assembly when such events contribute to the achievement of education goals of the school district. School assemblies shall comply with the school calendar.

In authorizing a school assembly, the building principal shall consider the financial condition of the school district, the educational benefit of the activity, the inherent risks or dangers of the activity, and other factors the building principal or superintendent consider relevant.

It shall be the responsibility of the superintendent to inform the board of the approved school assemblies.

Legal Reference: Iowa Code §§ 279.8; 280.3, .14 (2007).

Cross Reference: 504 Student Activities

Approved September, 2007 Reviewed 02/09/2015 Revised \_\_\_\_\_

## INSUFFICIENT CLASSROOM SPACE

Insufficient classroom space shall be determined on a case-by-case basis. In making its determination whether insufficient classroom space exists, the board may consider several factors, including but not limited to, the nature of the education program, the grade level, the available licensed employees, the instructional method, the physical space, student-teacher ratios, equipment and materials, facilities either being planned or under construction, facilities planned to be closed, financial condition of the school district and projected to be available, a sharing agreement in force or planned, a bargaining agreement in force, laws or rules governing special education class size, board-adopted school district goals and objectives, and other factors considered relevant by the board.

This policy shall be reviewed by the board annually. It shall be the responsibility of the superintendent to bring this policy to the attention of the board each year.

Legal Reference: Iowa Code § 282.18(13) (2007).  
281 I.A.C. 17.6(3).

Cross Reference: 105 Long-Range Needs Assessment  
501.15 Open Enrollment Transfers - Procedures as a Receiving District  
606.2 Class Size - Class Grouping

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## EARLY RELEASE FOR SENIORS

The school academic year for students shall be for a minimum of one-hundred and eighty days in the school calendar. Seniors may be excused up to five days of instruction after they have met the district's requirements for graduation. The board may also excuse graduating seniors from making up days due to inclement weather if the student has met the school district's graduation requirements.

The superintendent has the authority to deny early release, or reduce the number of days for which graduating seniors may be excused, if a senior has failed to meet the requirements for graduation, as a form of discipline for an individual or for the class as a whole, or if the academic year has been disrupted by school closings for severe weather or other emergencies.

Legal Reference: Iowa Code §§ 20.9; 279.10 (2007).  
281 I.A.C. 12.2(1).

Cross Reference: 501 Student Attendance  
601.1 School Calendar

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## STUDENT GUIDANCE AND COUNSELING PROGRAM

The board will provide a student guidance and counseling program. The guidance counselor will be certified with the Iowa Department of Education and hold the qualifications required by the board. The guidance and counseling program will serve grades pre-kindergarten through twelve. The program will assist students with their personal, educational, and career development. The program is coordinated with the education program and involves licensed employees.

Legal Reference: Iowa Code § 280.14; 622.10 (2007).  
281 I.A.C. 12.3(11).

Cross Reference: 506 Student Records  
603 Instructional Curriculum  
604.5 Program for At-Risk Students

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## STUDENT HEALTH SERVICES

Health services are an integral part of comprehensive school improvement, assisting all students to increase learning, achievement, and performance. Health services coordinate and support existing programs to assist each student in achievement of an optimal state of physical, mental and social well being. Student health services ensure continuity and create linkages between school, home, and community service providers. The school district's comprehensive school improvement plan, needs, and resources determine the linkages.

The superintendent, in conjunction with the (school nurse, health advisory committee, public health nurse, school health team, etc.) will develop administrative regulations implementing this policy. The superintendent will provide a written report on the role of health services in the education program to the board annually.

Legal Reference: No Child Left Behind, Title II, Sec. 1061, P.L. 107-110 (2002).  
 42 U.S.C. §§ 12101 *et seq.* (2004).  
 20 U.S.C. 1232g § 1400 6301 *et seq.* (2004).  
 29 U.S.C. § 794(a)(2004)  
 28 C.F.R. 35 (2004)  
 34 C.F.R. pt. 99, 104, 200, 300 *et seq.* (2004)  
 Iowa Code §§ 22.7, 139A.3. .8, .21; 143.1, 152, 256.7(24), .11, 280.23 (2007).  
 281 I.A.C. 12.3(4), (7), (11); 12.4(12); 12.8; 41.12(11), .96.  
 282 I.A.C. 15.3(14); 22.  
 641 I.A.C. 7.  
 655 I.A.C. 6, 6.3(1), 6.3(6), 6.6(1), 7.

Cross Reference: 501.4 Entrance - Admissions  
 507 Student Health and Well-Being

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## STUDENT HEALTH SERVICES REGULATION

### Student Health Services Administrative Regulations

- I. Student Health Services - Each school building may develop a customized student health services program within comprehensive school improvement based on its unique needs and resources. Scientific advances, laws, and school improvement necessitate supports to students with health needs to receive their education program.

Supports to improve student achievement include:

- qualified health personnel
- school superintendent, school nurse, and school health team working collaboratively
- family and community involvement
- optimal student health services program with commitment to its continuing improvement

Components provided within a coordinated school health program include:

- |                             |  |
|-----------------------------|--|
| • health services           | • health education                               |
| • nutrition                 | • physical education and activity                |
| • healthy, safe environment | • counseling, psychological, and social services |
| • staff wellness            | • family and community involvement               |

Student health services are provided to identify health needs; facilitate access to health care; provide for health needs related to educational achievement; promote health, well-being, and safety; and plan and develop the health services program.

### II. Student Health Services Essential Functions

- A. Identify student health needs:
1. Provide individual initial and annual health assessments
  2. Provide needed health screenings
  3. Maintain and update confidential health records
  4. Communicate (written, oral, electronic) health needs as consistent with confidentiality laws
- B. Facilitate student access to physical and mental health services:
1. Link students to community resources and monitor follow through
  2. Promote increased access and referral to primary health care financial resources such as Medicaid, HAWK-I, social security, and community health clinics
  3. Encourage appropriate use of health care
- C. Provide for student health needs related to educational achievement:
1. Manage chronic and acute illnesses
  2. Provide special health procedures and medication including delegation, training, and supervision of qualified designated school personnel

## STUDENT HEALTH SERVICES REGULATION

3. Develop, implement, evaluate, and revise individual health plans (IHPs) for all students with special health needs according to mandates in the Individuals with Disabilities Education Act (IDEA), Rehabilitation Act (Section 504), and American with Disabilities Act (ADA)
  4. Provide urgent and emergency care for individual and group illness and injury
  5. Prevent and control communicable disease and monitor immunizations
  6. Promote optimal mental health
  7. Promote a safe school facility and a safe school environment
  8. Participate in and attend team meetings as a team member and health consultant
- D. Promote student health, well-being, and safety to foster healthy living:
1. Provide developmentally appropriate health education and health counseling for individuals and groups
  2. Encourage injury and disease prevention practices
  3. Promote personal and public health practices
  4. Provide health promotion and injury and disease prevention education
- E. Plan and develop the student health services program collaboratively with the superintendent, school nurse, and school health team:
1. Gather and interpret data to evaluate needs and performance
  2. Establish health advisory council and school health team
  3. Develop health procedures and guidelines
  4. Collaborate with staff, families, and community
  5. Maintain and update confidential student school health records
  6. Coordinate program with all school health components
  7. Coordinate with school improvement
  8. Evaluate and revise the health service program to meet changing needs
  9. Organize scheduling and direct health services staff
  10. Develop student health services annual status report
  11. Coordinate information and program delivery within the school and between school and major constituents
  12. Provide health services by qualified health professionals to effectively deliver services, including multiple levels of school health expertise such as registered nurses, physicians, and advanced registered nurse practitioners
  13. Provide for professional development for school health services staff

III. Expanded Health Services

These additional health services address learning barriers and the lack of access to health care. Examples include school-based services in the school, school-linked services connected to the school, primary care, mental health, substance abuse, and dental health.

## MUSICAL INSTRUMENT DISPLAY NIGHT

Annually, as a service to students and their parents, the board may hold a musical instrument display night. The event is designed to provide an opportunity for students and their parents to view, purchase, or rent musical instruments and accessories if they desire.

This policy does not require students and parents to purchase musical instruments from the vendor displaying at this event. This policy shall not limit a student's participation in the band or require a student to participate in band or other activities involving musical instruments.

It shall be the responsibility of the superintendent to develop guidelines regarding the qualifications a vendor must meet to display at this event. Vendors invited by the teacher must meet those qualifications.

Legal Reference: Iowa Code § 280.14 (2007).  
1980 Op. Att'y Gen. 580.

Cross Reference: 504 Student Activities  
906 Use of School District Facilities & Equipment

Approved September, 2007 Reviewed 02/09/2015 Revised \_\_\_\_\_

## CLASS RING DISPLAY

Annually, as a service to students and their parents, the board may provide a class ring display for students in grades nine through twelve. The service is designed to provide an opportunity for students and their parents to view class rings and accessories.

This policy does not require students or parents to purchase class rings from the vendor displaying at the school.

It shall be the responsibility of the superintendent to develop guidelines regarding the qualifications a vendor must meet to display at this event. Vendors are chosen by the principal and must meet the qualifications established by the superintendent.

Legal Reference: Iowa Code § 280.14 (2007).  
1980 Op. Att'y Gen. 580.

Cross Reference: 504 Student Activities  
906 Use of School District Facilities & Equipment

Approved September, 2007 Reviewed 02/09/2015 Revised \_\_\_\_\_

## IOWA SEX OFFENDER REGISTRY

Pursuant to Iowa law, an individual required to register on the Iowa Sex Offender Registry for a conviction involving a sex offense against a minor ("registrant") is prohibited from being on school property or in any school vehicle. The only exceptions are as follows:

Students. Note that a student on the Sex Offender Registry must have board approval to attend a particular school.

A registrant who is a parent or legal guardian of a minor is allowed on school property solely during the period of time reasonably necessary to transport the parent's own minor child or legal guardian's own ward to or from a place on school property.

A registrant who is legally entitled to vote shall be allowed on school property solely for the period of time reasonably necessary to exercise the right to vote in a public election if the polling location of the offender is located on school property.

If written permission is received from the [SCHOOL ADMINISTRATOR]. To request written permission, registrant must complete and submit the Registrant Request Form. The form can be obtained by contacting the administrative office by telephone or email. This provision does not apply to a registrant requesting permission to be on school property in his or her role as employee, contractor, vendor, or volunteer. No written exception is allowed for operating, managing, be employed by, or acting as a contractor or volunteer on school property.

Pursuant to Iowa Code § 692A.113-114, no sex offender Registrant for a conviction involving a minor is allowed on school property. It is the vendor or contractor's responsibility to ensure this prohibition is enforced. If a Registrant controlled by the vendor or contractor is allowed on school property, the District will deem this a material breach of any contract and cancel the contract.

Approved: Dec. 2009

Reviewed: 02/09/2015

Revised

### Registrant Request Form

Iowa law prohibits a sex offender who has been convicted of a sex offense against a minor from being present on the real property of a school without the written permission of the school administrator or school administrator's designee. Please complete the top portion of this form to request to come onto school grounds.

**You must have written permission on this form to come onto school grounds.**

No other permission, i.e., verbal or written on another form, is acceptable. If you are present on school property and are unable to produce this written permission form, you will be asked to leave immediately and law enforcement may be contacted.

Full Name \_\_\_\_\_ Phone Number \_\_\_\_\_

Address \_\_\_\_\_ Email Address \_\_\_\_\_

Your Child's name (if applicable) \_\_\_\_\_

Requested Visit Date(s) \_\_\_\_\_ Building/location to be visited \_\_\_\_\_

Reason for request (check one):

☐ Confer with school staff concerning my child. Detail what the conference is for: \_\_\_\_\_

☐ Attend a school activity. Provide name of school activity and how your child is involved: \_\_\_\_\_

☐ Attend a nonschool sponsored activity. Provide name of school activity and how you or your child are involved: \_\_\_\_\_

By signing below, I acknowledge I recognize that permission to be on school grounds is at the discretion of the school administrator. If permission is granted, it is granted for the sole reason, time, location, etc. detailed below. I recognize that I must have this written permission with me at all times I am on school property. I also recognize I am not permitted to be in any location, including restrooms, other than that listed below.

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

### School Administrator's Response

☐ Registrant is required to provide additional information as follows:

☐ Registrant may only be on school grounds during the following time period:

☐ Registrant must follow check in and check-out requirements as follows:

☐ Registrant is restricted to the following designated location(s) on school grounds:

☐ Registrant must be directly supervised while on school grounds by the following individual(s):

☐ Other:

☐ Registrant's request is denied.

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

The completed form shall be kept on file at school. A copy of this completed form shall be provided to the registrant.

NONINSTRUCTIONAL OPERATIONS AND BUSINESS SERVICES

*DURANT COMMUNITY SCHOOL DISTRICT – POLICY MANUAL*

Series 700

- 700 Purpose of Noninstructional and Business Services
- 701 Financial Accounting System
  - 701.1 Fiscal Year
  - 701.2 Depository of Funds
  - 701.3 Classification of Accounts
  - 701.4 Transfer of Funds
  - 701.5 Financial Records
  - 701.6 Governmental Accounting Practices and Regulations, GASB 54
- 702 Cash in School Buildings
  - 702.1R1 Gate Receipts
- 703 Budget
  - 703.1 Budget Planning
  - 703.2 Spending Plan
- 704 Revenue
  - 704.1 Local - State - Federal - Miscellaneous Revenue
  - 704.2 Sale of Bonds
    - 704.2R1 Post Issuance Compliance Regulation For Tax-Exempt Obligations
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- 705 Expenditures
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- 707 Fiscal Reports
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  - 707.5 Internal Controls
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- 708 Care, Maintenance and Disposal of School District Records

- 709 Insurance
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  - 711.3 Student Transportation for Extracurricular Activities
  - 711.4 Transportation Equipment
  - 711.5 School Vehicle Routes
  - 711.6 Discretionary Stops by School Vehicles
  - 711.7 Summer School Program Transportation Service
  - 711.8 School Bus Safety Instruction
  - 711.9 Transportation in Inclement Weather
  - 711.10 District Vehicle Idling
  - 711.11 Emergency School Closings, Early Dismissals and Delayed Starting

## PURPOSE OF NONINSTRUCTIONAL AND BUSINESS SERVICES

This series of the board policy manual is devoted to the goals and objectives for the school district's noninstructional services and business operations that assist in the delivery of the education program. These noninstructional services include, but are not limited to, transportation, the school lunch program and child care. The board, as it deems necessary, will provide additional noninstructional services to support the education program. To the extent a group of employees has a recognized collective bargaining unit, the provisions of the master contract regarding such topics shall prevail.

It is the goal of the board to provide noninstructional services and to conduct its business operations in an efficient manner.

Approved September, 2007

Reviewed 07/10/2017

Revised 08/14/2017

## FISCAL YEAR

The school district fiscal year shall begin July 1 and end June 30 each year. The budget shall state the expenditures for the fiscal year, and it shall be the responsibility of the superintendent to operate the education program within the budget.

It shall be the responsibility of the board to ensure the budget is managed effectively.

Legal Reference: Iowa Code § 24.2 (2007).

Cross Reference: 703 Budget  
704 Revenue  
705 Expenditures

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## DEPOSITORY OF FUNDS

Each year at its annual meeting, the board shall designate by resolution the name and location of the Iowa located financial depository institution or institutions to serve as the official school district depository or depositories. The maximum deposit amount to be kept in the depository shall be stated in the resolution. The amount stated in the resolution must be for all depositories and include all of the school district's funds.

It shall be the responsibility of the board secretary to include the resolution in the minutes of the meeting.

Legal Reference: Iowa Code §§ 122C; 279.33 (2007).

Cross Reference: 211.1 Annual Meeting  
206.4 Treasurer  
704.1 Local - State - Federal - Miscellaneous Revenue

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## CLASSIFICATION OF ACCOUNTS

The money received from the regular and the voter-approved physical plant and equipment levies, the levy for public educational and recreational activities imposed under chapter 300, the proceeds of the sale of bonds authorized by law, and the proceeds of a tax estimated and certified by the board for the purpose of paying interest and principal on lawful bonded indebtedness shall be deposited in the schoolhouse fund and, except when authorized by the electors, shall be used only for the purpose for which originally authorized or certified. The money received from the district management levy shall be deposited in a sub-fund of the general fund of the school district. All other revenue received for any other purpose shall be deposited in the general fund of the school district. The treasurer shall keep a separate account for each fund and shall not pay an order that fails to state the fund upon which it is drawn and the specific use for which it is to be applied.

Legal Reference: Iowa Code §§ 11.23; 291.13 (2007).

Cross Reference: 704 Revenue  
705 Expenditures

Approved September, 2007 Reviewed 02/09/2015 Revised \_\_\_\_\_

## TRANSFER OF FUNDS

When the necessity for a fund has ceased to exist, the balance may be transferred to another fund or account by board resolution. School district monies received without a designated purpose may be transferred in this manner. School district monies received for a specific purpose or upon vote of the people may only be transferred, by board resolution when the purpose for which the monies were received has been completed. Voter approval is required to transfer monies to the general fund from the capital projects fund and debt service fund.

It shall be the responsibility of the board secretary to make recommendations to the board regarding transfers and to provide the documentation justifying the transfer.

Legal Reference: Iowa Code §§ 24.21-.22; 279.8; 298A (2007).

Cross Reference: 701.5 Financial Records  
703 Budget  
704.2 Sale of Bonds

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## FINANCIAL RECORDS

Financial records of the school district shall be maintained in accordance with generally accepted accounting principles (GAAP) as required or modified by law. School district monies shall be received and expended from the appropriate fund and/or account. The funds and accounts of the school district shall include, but not be limited to:

Governmental Fund Type:

- General fund
- Special revenue fund
  - Management levy fund
  - Physical plant and equipment levy fund
  - Public education and recreation levy fund
  - Student activity fund
- Capital projects fund
- Debt service fund
  - Sales tax fund

Fiduciary Funds:

- Trust or agency funds
  - Expendable trust funds
  - Nonexpendable trust funds
  - Agency funds
  - Pension trust funds

Account Groups:

- General fixed assets account group
- General long-term debt account group

Proprietary Fund Type:

- Enterprise fund
  - School nutrition fund
  - Child care fund
- Internal service fund

As necessary the board may, by board resolution, create additional funds within the governmental, proprietary and fiduciary fund types. The resolution shall state the type of fund, name of the fund and purpose of the fund.

The general fund is used primarily for the education program. Special revenue funds are used to account for monies restricted to a specific use by law. Proprietary funds account for operations of the school district operated similar to private business, and they account for the costs of providing goods and services provided by one department to other departments on a cost reimbursement basis. Fiduciary funds are used to account for monies or assets held by the school district on behalf of, or in trust for, another entity. The account groups are the accounting records for fixed assets and long-term debt.

It shall be the responsibility of the superintendent to implement this policy and bring necessary changes in the maintenance of the school district's financial records to the attention of the board.

Legal Reference: Iowa Code §§ 11.23; 298A (2007).

Cross Reference: 704 Revenue  
705 Expenditures

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## GOVERNMENTAL ACCOUNTING PRACTICES AND REGULATIONS

School district accounting practices will follow state and federal laws and regulations, generally accepted accounting principles (GAAP) and the uniform financial accounting system provided by the Iowa Department of Education. As advised by the school district's auditor, determination of liabilities and assets, prioritization of expenditures of governmental funds and provisions for accounting disclosures shall be made in accordance with governmental accounting standards.

In Governmental Accounting Standards Board (GASB) Statement No. 54, the board identifies the order of spending unrestricted resources applying the highest level of classification of fund balance – restricted, committed, assigned and unassigned – while honoring constraints on the specific purposes for which amounts in those fund balances can be spent. A formal board action is required to establish, modify and or rescind a committed fund balance. The resolution will state the exact dollar amount. In the event, the board chooses to make changes or rescind the committed fund balance, formal board action is required.

The board authorizes the Superintendent to assign amounts to a specific purpose in compliance with GASB 54. An “assigned fund balance” should also be reported in the order of spending unrestricted resources, but in not restricted or committed.

It is the responsibility of the superintendent to develop administrative regulations implementing this policy. It is also the responsibility of the superintendent to make recommendations to the board regarding fund balance designations.

Legal Reference: Iowa Code §§257.31(4), 279.8, 297.22 - .25, 298A (2011)

Cross Reference: 701.5 Financial Records  
703.1 Budget  
704.1 Revenue

Approved July 11, 2011 Reviewed 02/09/2015 Revised December 10, 2012

## CASH IN SCHOOL BUILDINGS

The amount of cash that may be kept in the school building for any one day shall be sufficient for that day's operations. Funds raised by students shall be kept in the vault.

A minimal amount of cash shall be kept in the central administration office at the close of the day. Excess cash shall be deposited in the authorized depository of the school district.

It shall be the responsibility of the superintendent to determine the amount of cash necessary for each day's operations and to comply with this policy.

Legal Reference: Iowa Code § 279.8 (2007).

Cross Reference: 701.2 Depository of Funds  
704 Revenue  
705.7 Petty Cash

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## GATE RECEIPTS

Gate receipts from any given school event have the potential to amount to a substantial sum of cash. In consideration of the board policy to limit cash in the office at the close of the school day, cash receipts should be removed and deposited on the same day of the event whenever possible.

In those instances when same-day deposits are impossible, gate receipts are to be locked in the vault until the first business day when a deposit can be made. The board discourages the individual in charge of collection of the gate receipts from personally holding the receipts except in special circumstances approved by the superintendent.

The superintendent shall be responsible for designating the individual who shall be in charge of collecting, counting and depositing the gate receipts. The superintendent shall provide administrative regulations to be followed by those chosen to handle the receipts.

## BUDGET PLANNING

Prior to certification of the budget, the board will review the projected revenues and expenditures for the school district and make adjustments where necessary to carry out the education program within the revenues projected.

A budget for the school district shall be prepared annually for the board's review. The budget shall include the following:

- the amount of revenues to be raised by taxation;
- the amount of revenues from sources other than taxation;
- an itemization of the amount to be spent in each fund; and,
- a comparison of the amount spent and revenue received in each fund for like purposes in the two prior fiscal years.

It shall be the responsibility of the superintendent, business manager and board secretary to prepare the budget for review by the board prior to the April 15 deadline each year.

Prior to the adoption of the proposed budget by the board, the public shall be apprised of the proposed budget for the school district. Prior to the adoption of the proposed budget by the board, members of the school district community shall have an opportunity to review and comment on the proposed budget. A public hearing for the proposed budget of the board shall be held each year in sufficient time to file the adopted budget no later than April 15.

The proposed budget filed by the board with the board secretary and the time and place for the public hearing on the proposed budget shall be published in a newspaper designated for official publication in the school district. It shall be the responsibility of the board secretary to publish the proposed budget and public hearing information at least 10 but no more than 20 days prior to the public hearing.

The board shall adopt and certify a budget for the operation of the school district to the county auditor by April 15. It shall be the responsibility of the board secretary to file the adopted and certified budget with the county auditor and other proper authorities.

The board may amend the budget for the fiscal year in the event of unforeseen circumstances. The amendment procedures shall follow the procedures for public review and adoption of the original budget by the board outlined in these policies.

It shall be the responsibility of the superintendent and the board secretary to bring any budget amendments necessary to the attention of the board to allow sufficient time to file the amendment with the county auditor no later than May 31 of each year.

Legal Reference: Iowa Code §§ 24; 257; 279.8; 297; 298; 618 (2007).

Cross Reference:	104	The People and Their School District
	216	Public Hearings
	703	Budget
	704	Revenue
	705	Expenditures

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## SPENDING PLAN

The budget of the school district shall be the authority for the expenditures of the school district for the fiscal year for which the budget was adopted and certified. It shall be the responsibility of the superintendent to operate the school district within the budget.

Legal Reference: Iowa Code § 24.9 (2007).

Cross Reference: 703 Budget  
704 Revenue

Approved September, 2007 Reviewed 02/09/2015 Revised \_\_\_\_\_

## LOCAL - STATE - FEDERAL - MISCELLANEOUS REVENUE

Revenues of the school district shall be received by the board treasurer. Other persons receiving revenues on behalf of the school district shall promptly turn them over to the board treasurer.

Revenue, from whatever source, shall be accounted for and classified under the official accounting system of the school district. It shall be the responsibility of the board treasurer to deposit the revenues received by the school district in a timely manner. School district funds from all sources shall not be used for private gain or political purposes.

Tuition fees received by the school district shall be deposited in the general fund. The tuition fees for pre-kindergarten through twelfth grade during the regular academic school year shall be set by the board based upon the superintendent's recommendation in compliance with current law. Tuition fees for summer school, driver's education and adult education shall be set by the board prior to the offering of the programs.

The board may charge materials fees for the use or purchase of educational materials. Materials fees received by the school district shall be deposited in the general fund. It shall be the responsibility of the superintendent to recommend to the board when materials fees will be charged and the amount of the materials fees.

Rental fees received by the school district for the rental of school district equipment or facilities shall be deposited in the general fund. It shall be the responsibility of the superintendent to recommend to the board a fee schedule for renting school district property.

Proceeds from the sale of real property shall be placed in the physical plant and equipment levy (PPEL) fund. The proceeds from the sale of other school district property shall be placed in the general fund.

The board may claim exemption from the law prohibiting competition with private enterprise for the following activities:

- Goods and services directly and reasonably related to the educational mission;
- Goods and services offered only to students, employees or guests which cannot be provided by private enterprise at the same or lower cost;
- Use of vehicles for charter trips offered to the public, full- or part-time, or temporary students;
- Goods and services which are not otherwise available in the quantity or quality required by the school district;
- Telecommunications other than radio or television stations;
- Sponsoring or providing facilities for fitness and recreation;
- Food service and sales; and,
- Sale of books, records, tapes, software, educational equipment, and supplies.

It shall be the responsibility of the superintendent to bring to the board's attention additional sources of revenue for the school district.

Legal Reference: Iowa Code §§ 12C; 23A; 257.2; 279.8; 282.2, .6, .24; 291.12, .13; 297.9-.12, .22; 301.1 (2007).

Cross Reference: 701.2 Depository of Funds  
 701.3 Classification of Accounts  
 703 Budget  
 803 Selling and Leasing  
 906 Use of School District Facilities & Equipment

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## SALE OF BONDS

The board may conduct an election for the authority to issue bonded indebtedness. Revenues generated from an approved bond issue shall be used only for the purpose stated on the ballot. Once the purpose on the ballot is completed, any balance remaining in a capital projects fund may be retained for future capital projects in accordance with the purpose stated on the ballot or any remaining balance may be transferred by board resolution to the debt service fund or the physical plant and equipment levy fund. Voter approval is required to transfer monies to the general fund from the capital projects fund.

Revenues received from the issuing of bonded indebtedness shall be deposited into the capital projects fund.

Legal Reference            Iowa Code §§ 74-76; 278.1; 298; 298A (2007).

Cross Reference:        701     Financial Accounting System  
                              704     Revenue

Approved September, 2007                      Reviewed February 9, 2015                      Revised March 9, 2015

## POST-ISSUANCE COMPLIANCE REGULATION FOR TAX-EXEMPT OBLIGATIONS

### 1. Role of Compliance Coordinator/Board Treasurer

The board treasurer shall:

- a) Be responsible for monitoring post-issuance compliance;
- b) Maintain a copy of the transcript of proceedings or minutes in connection with the issuance of any tax-exempt obligations and obtain records that are necessary to meet the requirements of this regulation;
- c) Consult with bond counsel, a rebate consultant, financial advisor, IRS publications and such other resources as are necessary to understand and meet the requirements of this regulation;
- d) Seek out training and education to be implemented upon the occurrence of new developments in the area and upon the hiring of new personnel to implement this regulation.

### 2. Financing Transcripts' Filing and Retention

The board treasurer shall confirm the proper filing of an IRS 8038 Series return and maintain a transcript of proceedings and minutes for all tax-exempt obligations issued by the school district including, but not limited to, all tax-exempt bonds, notes and lease-purchase contracts. Each transcript shall be maintained until 11 years after the tax-exempt obligation documents have been retired. The transcript shall include, at a minimum:

- a) Form 8038;
- b) Minutes, resolutions and certificates;
- c) Certifications of issue price from the underwriter;
- d) Formal elections required by the IRS;
- e) Trustee statements;
- f) Records of refunded bonds, if applicable;
- g) Correspondence relating to bond financings; and
- h) Reports of any IRS examinations for bond financings.

### 3. Proper Use of Proceeds

The board treasurer shall review the resolution authorizing issuance for each tax-exempt obligation issued by the school district and the school district shall:

- a) Obtain a computation of the yield on such issue from the school district's financial advisor;
- b) Create a separate Project Fund (with as many sub-funds as shall be necessary to allocate proceeds among the projects being funded by the issue) into which the proceeds of issue shall be deposited;
- c) Review all requisitions, draw schedules, draw requests, invoices and bills requesting payment from the Project Fund;
- d) Determine whether payment from the Project Fund is appropriate and, if so, make payment from the Project Fund (and appropriate sub-fund, if applicable);
- e) Maintain records of the payment requests and corresponding records showing payment;
- f) Maintain records showing the earnings on, and investment of, the Project Fund;
- g) Ensure that all investments acquired with proceeds are purchased at fair market value;

Approved March 12, 2012

Reviewed 02/09/2015

Revised \_\_\_\_\_

## POST-ISSUANCE COMPLIANCE REGULATION FOR TAX-EXEMPT OBLIGATIONS

- h) Identify bond proceeds or applicable debt service allocations that must be invested with a yield-restriction and monitor the investments of any yield-restricted funds to ensure that the yield on such investments do not exceed the yield to which such investments are restricted;
- i) Maintain records related to any investment contracts, credit enhancement transactions and the bidding of financial products related to the proceeds.

### 4. Timely Expenditure and Arbitrage/Rebate Compliance

The board treasurer shall review the Tax-Exemption Certificate (or equivalent) for each tax-exempt obligation issued by the school district and the expenditure records provided in Section 2 of this regulation, above and shall:

- a) Monitor and ensure that proceeds of each such issue are spent within the temporary period set forth in such certificate;
- b) Monitor and ensure that the proceeds are spent in accordance with one or more of the applicable exceptions to rebate as set forth in such certificate if the school district does not meet the "small issuer" exception for said obligation;
- c) Not less than 60 days prior to a required expenditure date, confer with bond counsel and a rebate consultant, if the school district will fail to meet the applicable temporary period or rebate exception expenditure requirements of the Tax-Exemption Certificate. In the event the school district fails to meet a temporary period or rebate exception:
  - 1. Procure a timely computation of any rebate liability and, if rebate is due, file a Form 8038-T and arrange for payment of such rebate liability;
  - 2. Arrange for timely computation and payment of yield reduction payments (as such term is defined in the Code and Treasury Regulations), if applicable.

### 5. Proper Use of Bond Financed Assets

The board treasurer shall:

- a) Maintain appropriate records and a list of all bond financed assets. Such records shall include the actual amount of proceeds (including investment earnings) spent on each of the bond financed assets;
- b) Monitor and confer with bond counsel with respect to all proposed bond financed assets;
  - 1. management contracts;
  - 2. service agreements;
  - 3. research contracts;
  - 4. naming rights contracts;
  - 5. leases or sub-leases;
  - 6. joint venture, limited liability or partnership arrangements;
  - 7. sale of property; or
  - 8. any other change in use of such asset.
- c) Maintain a copy of the proposed agreement, contract, lease or arrangement, together with the response by bond counsel with respect to said proposal for at least three years after retirement of all tax-exempt obligations issued to fund all or any portion of bond financed assets; and
- d) Contact bond counsel and ensure timely remedial action under IRS Regulation Sections 1.141-12 in the event the school district takes an action with respect to a bond financed asset, which causes the private business tests or private loan financing test to be met.

## POST-ISSUANCE COMPLIANCE REGULATION FOR TAX-EXEMPT OBLIGATIONS

### 6. General Project Records

For each project financed with tax-exempt obligations, the board treasurer shall maintain, until three years after retirement of the tax-exempt obligations or obligations issued to refund those obligations, the following:

- a) Appraisals, demand surveys or feasibility studies;
- b) Applications, approvals and other documentation of grants;
- c) Depreciation schedules;
- d) Contracts respecting the project.

### 7. Advance Refundings

The board treasurer shall be responsible for the following current, post issuance and record retention procedures with respect to advance refunding bonds. The board treasurer shall:

- a) Identify and select bonds to be advance refunded with advice from internal financial personnel and a financial advisor;
- b) Identify, with advice from the financial advisor and bond counsel, any possible federal tax compliance issues prior to structuring any advance refunding;
- c) Review the structure with the input of the financial advisor and bond counsel, of advance refunding issues prior to the issuance to ensure;
  - (1) that the proposed refunding is permitted pursuant to applicable federal tax requirements if there has been a prior refunding of the original bond issue;
  - (2) that the proposed issuance complies with federal income tax requirements which might impose restrictions on the redemption date of the refunded bonds;
  - (3) that the proposed issuance complies with federal income tax requirements which allow for the proceeds and replacement proceeds of an issue to be invested temporarily in higher yielding investments without causing the advance refunding bonds to become "arbitrage bonds"; and
  - (4) that the proposed issuance will not result in the issuer's exploitation of the difference between tax exempt and taxable interest rates to obtain an financial advantage nor overburden the tax exempt market in a way that might be considered an abusive transaction for federal tax purposes;
- d) Collect and review data related to arbitrage yield restriction and rebate requirements for advance refunding bonds. To ensure such compliance, the board treasurer shall engage a rebate consultant to prepare a verification report in connection with the advance refunding issuance. Said report shall ensure said requirements are satisfied;
- e) Whenever possible, purchase State and Local Government Series (SLGS) to size each advance refunding escrow. The financial advisor shall be included in the process of subscribing SLGS. To the extent SLGS are not available for purchase, the Board treasurer shall, in consultation with bond counsel and the financial advisor, comply with IRS regulations;

## POST-ISSUANCE COMPLIANCE REGULATION FOR TAX-EXEMPT OBLIGATIONS

- f) Ensure, after input from bond counsel, compliance with any bidding requirements set forth by the IRS regulations to the extent as issuer elects to the purchase of a guaranteed investment contract;
- g) In determining the issue price for any advance refunding issuance, obtain and retain issue price certification by the purchasing underwriter at closing;
- h) After the issuance of an advance refunding issue, ensure timely identification of violations of any federal tax requirements and engage bond counsel in attempt to remediate same in accordance with IRS regulations.

## 8. Continuing Disclosure

The board treasurer shall assure compliance with each continuing disclosure certificate and annually, per continuing disclosure agreements, file audited annual financial statements and other information required by each continuing disclosure agreement. The board treasurer will monitor material events as described in each continuing disclosure agreement and assure compliance with material event disclosure. Events to be reported shall be reported promptly, but in no event not later than 10 business days after the day of the occurrence of the event. Currently, such notice shall be given in the event of:

- a) Principal and interest payment delinquencies;
- b) Non-payment related defaults, if material;
- c) Unscheduled draws on debt service reserves reflecting financial difficulties;
- d) Unscheduled draws on credit enhancements relating to the bonds reflecting financial difficulties;
- e) Substitution of credit or liquidity providers, or their failure to perform;
- f) Adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB), or other material notices, or determinations with respect to the tax-exempt status of the bonds, or material events affecting the tax-exempt status of the bonds;
- g) Modifications to rights of Holders of the Bonds, if material;
- h) Bond calls (excluding sinking fund mandatory redemptions), if material and tender offers;
- i) Defeasances of the bonds;
- j) Release, substitution, or sale of property securing repayment of the bonds, if material;
- k) Rating changes on the bonds;
- l) Bankruptcy, insolvency, receivership or similar event of the Issuer;
- m) The consummation of a merger, consolidation, or acquisition involving the Issuer or the sale of all or substantially all of the assets of the Issuer, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material; and
- n) Appointment of a successor or additional trustee or the change of name of a trustee, if material.

Legal Reference: Iowa Code §§ 257.31(4); 279.8; 297.22-.25; 298A (2011).  
<http://www.irs.gov/taxexemptbond/article/0,,id=243503,00.html>

Cross Reference: 704 Revenue  
 707 Fiscal Reports

## INVESTMENTS

School district funds in excess of current needs shall be invested in compliance with this policy. The goals of the school district's investment portfolio in order of priority are:

- To provide safety of the principal;
- To maintain the necessary liquidity to match expected liabilities; and
- To obtain a reasonable rate of return.

In making investments, the school district shall exercise the care, skill, prudence and diligence under the circumstances then prevailing that a prudent person acting in a like capacity and familiar with such matters would use to meet the goals of the investment program.

School district funds are monies of the school district, including operating funds. "Operating funds" of the school district are funds, which are reasonably expected to be used during a current budget year or within fifteen months of receipt. When investing operating funds, the investments must mature within three hundred and ninety-seven days or less. If, during the current budget year an amount of public funds will exceed operating funds by at least thirty-three percent, the amount of public funds that exceed operating funds by greater than thirty-three percent may be invested in certificates of deposit at federally insured depository institutions which mature within sixth-three months or less, in accordance with state and federal laws. When investing funds other than operating funds, the investments must mature according to the need for the funds.

The board authorizes the treasurer to invest funds in excess of current needs in the following investments.

- Interest bearing savings, money market, and checking accounts at the school district's authorized depositories;
- Iowa Schools Joint Investment Trust Program (ISJIT); and,
- Certificates of deposit and other evidences of deposit at federally insured Iowa depository institutions.

It is the responsibility of the treasurer to oversee the investment portfolio in compliance with this policy and the law.

The treasurer is responsible for reporting to and reviewing with the board at its regular meetings the investment portfolio's performance, transaction activity and current investments.

It is the responsibility of the superintendent to deliver a copy of this policy to the school district's depositories, auditor and outside persons doing investment business with the school district.

It will also be the responsibility of the superintendent, in conjunction with the treasurer, to develop a system of investment practices and internal controls over the investment practices. The investment practices shall be designed to prevent losses, to document the officers' and employees' responsibility for elements of the investment process and address the capability of the management.

Legal Reference: Iowa Code §§ 11.2, .6; 12.62; 12B.10; 12C; 22.1, .14; 28E.2; 257; 279.29; 283A; 285; 502.701; 633.123).

Cross Reference: 206.4 Treasurer  
704 Revenue

Approved September, 2007 Reviewed 12/10/2018

Revised 01/14/2019

## GIFTS - GRANTS - BEQUESTS

The board believes gifts, grants, and bequests to the school district may be accepted when they will further the interests of the school district. The board shall have sole authority to determine whether the gift furthers the interests of the school district.

Gifts, grants, and bequests shall be approved by the board. Once it has been approved by the board, a board member may accept the gift on behalf of the school district.

Gifts, grants, and bequests once accepted on behalf of the school district shall become the property of the school district. Gifts, grants, and bequests shall be administered in accordance with terms, if any, agreed to by the board.

Legal Reference: Iowa Code §§ 279.42; 565.6 (2007).

Cross Reference: 221 Gifts to Board of Directors  
402.4 Gifts to Employees  
508.1 Class or Student Group Gifts

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## STUDENT ACTIVITIES FUND

Revenue raised by students or from student activities shall be deposited and accounted for in the student activities fund. This revenue is the property of and is under the financial control of the board. Students may use this revenue for purposes approved by the superintendent and/or building principal.

Whether such revenue is collected from student contributions, club dues, and special activities or result from admissions to special events or from other fund-raising activities, all funds will be under the jurisdiction of the board and under the specific control of the superintendent and/or building principal. They will be deposited in a designated depository and will be disbursed and accounted for in accordance with instructions issued by the superintendent.

It shall be the responsibility of the board secretary to keep student activity accounts up-to-date and complete.

Any unencumbered class or activity account balances will automatically revert to the activity fund of the school when a class graduates or an activity is discontinued.

Legal Reference: Iowa Code §§ [11.23](#); 279.8 [\(2007\)](#).--Deleted

Cross Reference: 504 Student Activities  
701 Financial Accounting System

Approved September, 2007

Reviewed 02/09/2015

Revised October 8, 2012

## PURCHASING – BIDDING

The board supports economic development in Iowa. Purchases by the school district will be made in Iowa for Iowa goods and services from a locally-owned business located within the school district or from an Iowa-based company which offers these goods or services, if the cost and other considerations are relatively equal and they meet the required specifications. When spending federal Child Nutrition Funds, geographical preference is allowed only for unprocessed agricultural food items.

It is the responsibility of the superintendent to approve purchases, except those authorized by or requiring direct board action. The superintendent may coordinate and combine purchases with other governmental bodies to take advantage of volume price breaks. Joint purchases with other political subdivisions will be considered in the purchase of equipment, accessories or attachments with an estimated cost of \$50,000 or more.

The superintendent will have the authority to authorize purchases without competitive bids for goods and services costing under \$10,000 without prior board approval. For goods and services costing more than \$ 10,000 and less than \$135,000, the superintendent will receive quote(s) of the goods and services to be purchased prior to approval of the board. Competitive sealed bids are required for purchases, other than emergency purchases, for goods and services that cost \$135,000 or more, including school buses.

When using federal Child Nutrition funds to purchase goods and services, dollars spent annually must be estimated. It is acceptable to categorize (e.g. groceries, milk, produce, small equipment, large equipment, supplies, and chemicals). A formal sealed bid procurement process is required when annual spending in the category exceeds \$55,000 annually. An informal process is used for all other purchases under the threshold annually. Documentation of informal procurement activity is kept on file.

The purchase will be made from the lowest responsible bidder based upon total cost considerations including, but not limited to, the cost of the goods and services being purchased, availability of service and/or repair, delivery date, the targeted small business procurement goal and other factors deemed relevant by the board.

## PURCHASING – BIDDING

The board and the superintendent will have the right to reject any or all bids, or any part thereof, and to re-advertise. If it is determined that a targeted small business which bid on the project may be unable to perform the contract, the superintendent will notify the Department of Economic Development. The board will enter into such contract or contracts as the board deems in the best interests of the school district.

Legal Reference: Iowa Code §§ 23A; 26; 28E; 72.3; 73; 285.10(3), .10(7); 301 (2011).  
261 I.A.C. 54.  
281 I.A.C. 43.25.  
481 I.A.C. 25.  
1984 Op. Att'y Gen. 115.  
1974 Op. Att'y Gen. 171.

Cross Reference: 705 Expenditures  
801.4 Site Acquisition  
802 Maintenance, Operation and Management  
803 Selling and Leasing

Approved September, 2007

Reviewed February 9, 2015

Revised March 9, 2015

## REQUISITIONS AND PURCHASE ORDERS

Supplies, equipment, and services may only be approved for purchase by the superintendent. Requisition for supplies, equipment, and services shall be made by employees to their immediate supervisor. Only those purchases approved by the superintendent shall be processed by the school district.

The superintendent may authorize a procedure for the purchase of small, emergency items, if in the budget.

Legal Reference: Iowa Code § 279.8 (2007).

Cross Reference: 705 Expenditures

Approved September, 2007 Reviewed 02/09/2015 Revised \_\_\_\_\_

## RECEIVING GOODS AND SERVICES

To assure goods and services procured by the school district are properly accounted for and are of the quality and type ordered, goods will be received by the board secretary. Goods and services which do not meet the requirements specified in the purchase order or contract will not be paid for or accepted.

If goods must be delivered to and received by someone other than the board secretary, it shall be the responsibility of that person to inform the board secretary, to assure the goods and services are properly accounted for, and to ensure they are of the quality and type ordered.

Legal Reference: Iowa Code § 279.8 (2007).

Cross Reference: 705 Expenditures

Approved September, 2007 Reviewed 02/09/2015 Revised \_\_\_\_\_

## PAYMENT FOR GOODS AND SERVICES

The board authorizes the issuance payment of claims against the school district for goods and services. The board will allow the payment after the goods and services have been received and accepted in compliance with board policy.

The board authorizes the board secretary, upon approval of the superintendent, to issue payment for verified bills, for reasonable and necessary expenses, when the board is not in session. The board secretary will examine the claims and verify bills. The board will approve the bills at its next regular meeting.

The secretary will determine to the secretary's satisfaction that the claims presented to the board are in order and are legitimate expenses of the school district. It is the responsibility of the secretary to bring claims to the board.

The board president and board secretary may sign warrants by use of a signature plate or rubber stamp. If the board president is unavailable to personally sign warrants, the vice president may sign warrants on behalf of the president.

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

Legal Reference:      Love v. City of Des Moines, 210 Iowa 90, 230 N.W. 373 (1930).  
Iowa Code §§ 279.8, .29, .30, .36; 291.12; 721.2(5) (2005).  
281 I.A.C. 12.3(1).  
1980 Op. Att'y Gen. 102, 160, 720.  
1976 Op. Att'y Gen. 69.  
1972 Op. Att'y Gen. 130, 180, 392, 456, 651.  
1936 Op. Att'y Gen. 375.

Cross Reference:      705      Expenditures

Approved September 2007

Reviewed 02/09/2015

Revised January 9, 2012

## UNPAID WARRANTS

Generally, the board shall authorize claims to be paid only when sufficient revenue is available for such claims. The board may authorize the payment of claims for which insufficient funds are available.

When the board deems it necessary to authorize warrants without sufficient funds available, stamped warrants or anticipatory warrants may be authorized.

It shall be the responsibility of the board secretary to issue anticipatory warrants when needed.

Legal Reference: Iowa Code chs. 74; 74A (2007).  
281 I.A.C. 12.3(1).

Cross Reference: 705 Expenditures

Approved September, 2007 Reviewed 02/09/2015 Revised \_\_\_\_\_

## PETTY CASH

A petty cash fund shall be maintained by the school district in the central administrative office for incidental expenditures. The petty cash fund in each building shall be a minimal amount as determined by the superintendent.

It shall be the responsibility of the building administrator to maintain and authorize expenditures from the petty cash fund.

Legal Reference: Iowa Code § 279.8 (2007).

Cross Reference: 702 Cash In School Buildings  
705 Expenditures

Approved September, 2007 Reviewed 02/09/2015 Revised \_\_\_\_\_

## PAYROLL PERIODS

The payroll period for the school district is monthly. Employees shall be paid on the 20<sup>th</sup> day of each month. If this day is a holiday, recess, or weekend, the payroll shall be paid on the last working day prior to the holiday, recess or weekend.

It shall be the responsibility of the board secretary to issue payroll to employees in compliance with this policy.

Legal Reference: Iowa Code §§ 91A.  
Cross Reference: 706.2 Payroll Deductions

Approved September, 2007

Reviewed 07/10/2017

Revised 08/14/2017

## PAYROLL DEDUCTIONS

Ease of administration is the primary consideration for payroll deductions, other than those required by law. Payroll deductions are made for federal income tax withholdings, Iowa income tax withholdings, social security, and the Iowa Public Employees' Retirement System (IPERS).

Employees may elect to have amounts withheld from their pay for items authorized by law, subject to agreement of the district. Requests for these deductions will be made in writing to the superintendent.

It is the responsibility of the superintendent to determine which additional payroll deductions will be allowed.

Legal Reference: Iowa Code §§ 91A.2(4), .3; 294.8-.9, .16.

Cross Reference: 406.6 Licensed Employee Tax Shelter Programs  
412.4 Classified Employee Tax Shelter Programs  
706.1 Payroll Periods

Approved Sept 2007

Reviewed 5/2/2018

Revised 5/14/2018

## PAY DEDUCTIONS

The district provides leaves of absences to allow employees to be absent from work to attend to important matters outside of the workplace. As public employers, school districts are expected to record and monitor the work that employees perform and to conform to principles of public accountability in their compensation practices.

Consistent with principles of public accountability, it is the policy of the district that, when an employee is absent from work for less than one work day and the employee does not use accrued leave for such absence, the employee's pay will be reduced or the employee will be placed on leave without pay if:

- the employee has not sought permission to use paid leave for this partial-day absence,
- the employee has sought permission to use paid leave for this partial-day absence and permission has been denied,
- the employee's accrued paid leave has been exhausted, or
- the employee chooses to use leave without pay.

In each case in which an employee is absent from work for part of a work day, a deduction from compensation will be made or the employee will be placed on leave without pay for a period of time which is equal to the employee's absence from the employee's regularly scheduled hours of work on that day.

Legal Reference: 29 U.S.C. Sec. 2 13(a) (2004)  
29 C.F.R. Part 541 (2004)

Cross References: 409.8 Licensed Employee Unpaid Leave  
414.8 Classified Employee Unpaid Leave

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## PAY DEDUCTION REGULATION

The district complies with all applicable laws with respect to payment of wages and benefits to employees including laws such as the federal Fair Labor Standards Act and the Iowa Wage Payment Collection Act. The district will not make pay deductions that violate either the federal or state laws.

Any employee who believes that the district has made an inappropriate deduction or has failed to make proper payment regarding wages or benefits is encouraged to immediately consult with the appropriate supervisor. Alternatively, any employee may file a formal written complaint with the business manager. Within 10 business days of receiving the complaint, the business manager will make a determination as to whether the pay deductions were appropriate and provide the employee with a written response that may include reimbursement for any pay deductions that were not appropriately made.

This complaint procedure is available in addition to any other complaint process that also may be available to employees.

## SECRETARY'S REPORTS

The board secretary shall report to the board each month about the receipts, disbursements and balances of the various funds. This report shall be in written form and sent to the board with the agenda for the board meeting.

Legal Reference: Iowa Code §§ 279.8; 291.7 (2007).

Cross Reference: 206.3 Secretary  
211.1 Annual Meeting  
707 Fiscal Reports

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## TREASURER'S ANNUAL REPORT

At the annual meeting, the treasurer shall give the annual report stating the amount held over, received, paid out, and on hand in the general and schoolhouse funds. This report shall be in written form and sent to the board with the agenda for the board meeting. The treasurer shall also furnish the board with a sworn statement from each depository showing the balance then on deposit.

It shall be the responsibility of the treasurer to submit this report to the board annually.

Legal Reference: Iowa Code §§ 279.31, .33 (2007).

Cross Reference: 206.4 Treasurer  
211.1 Annual Meeting  
707 Fiscal Reports

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## PUBLICATION OF FINANCIAL REPORTS

Each month the schedule of bills allowed by the board shall be published in a newspaper designated as a newspaper for official publication. Annually, the total salaries paid to employees regularly employed by the school district shall also be published in a newspaper designated as a newspaper for official publication.

It shall be the responsibility of the board secretary to publish these reports in a timely manner.

Legal Reference: Iowa Code §§ 279.35, .36; 618 (2007).  
1952 Op. Att'y Gen. 133.

Cross Reference: 206.3 Secretary

Approved September, 2007 Reviewed 02/09/2015 Revised \_\_\_\_\_

## AUDIT

To review the funds and accounts of the school district, the board shall employ an auditor to perform an annual audit of the financial affairs of the school district. The superintendent shall use a request for proposal procedure in selecting an auditor. The administration shall cooperate with the auditors.

Legal Reference: Iowa Code § 11.6 (2007).

Cross Reference: 701 Financial Accounting System  
707 Fiscal Reports

Approved September, 2007 Reviewed 02/09/2015 Revised \_\_\_\_\_

## INTERNAL CONTROLS

The Board expects all board members, employees, volunteers, consultants, vendors, contractors, students and other parties maintaining any relationship with the school district to act with integrity, due diligence, and in accordance with all laws in their duties involving the school district's resources. The board is entrusted with public dollars and no one connected with the school district should do anything to erode that trust.

Internal control is the responsibility of all employees of the school district. The superintendent and board secretary shall be responsible for developing internal controls designed to prevent and detect fraud, financial impropriety, or fiscal irregularities within the school district subject to review and approval by the board. Administrators shall be alert for any indication of fraud, financial impropriety, or irregularity within the administrator's area of responsibility.

Any employee who suspects fraud, impropriety, or irregularity shall report their suspicions immediately to his/her immediate supervisor, or the superintendent. The superintendent shall have primary responsibility for any necessary investigations and shall coordinate investigative efforts with the board's legal counsel, auditing firm, and other internal or external departments and agencies, including law enforcement officials, as the superintendent may deem appropriate.

Employees bringing forth a legitimate concern about a potential impropriety will not be retaliated against and those who do retaliate against such an employee will be subject to disciplinary action up to, and including, discharge.

In the event the concern or complaint involves the superintendent, the concern shall be brought to the attention of the board vice-president, who shall be empowered to contact the board's legal counsel, insurance agent, auditing firm, and any other agency to investigate the concern or complaint.

Upon approval of the board, the superintendent, may contact the State Auditor or elect to employ the school district's auditing firm or State Auditor to conduct a complete or partial forensic/internal control/SAS99 audit annually or otherwise as often as deemed necessary. The superintendent is authorized to order a complete forensic audit if, in the superintendent's judgment, such an audit would be useful and beneficial to the school district. The superintendent shall ensure the State Auditor is notified of any suspected embezzlement or theft pursuant to Iowa law. In the event there is an investigation, records will be maintained for use in the investigation. Individuals found to have altered or destroyed records will be subject to disciplinary action, up to, and including termination.

Legal References:      American Competitiveness and Corporate Accountability Act of 2002,  
                                  Pub. L. No. 107-204.  
                                  Iowa Code ch. 11, 279.8 (2007).

Cross References:      707.4    Audit

Approved September, 2007                      Reviewed 02/09/2015                      Revised \_\_\_\_\_

## INTERNAL CONTROLS PROCEDURES

Fraud, financial improprieties, or irregularities include, but are not limited to:

- Forgery or unauthorized alteration of any document or account belonging to the district.
- Forgery or unauthorized alteration of a check, bank draft, or any other financial document.
- Misappropriation of funds, securities, supplies, or other assets.
- Impropriety in the handling of money or reporting of financial transactions.
- Profiteering because of “insider” information of district information or activities.
- Disclosing confidential and/or proprietary information to outside parties.
- Accepting or seeking anything of material value, other than items used in the normal course of advertising, from contractors, vendors, or persons providing services to the district.
- Destroying, removing, or inappropriately using district records, furniture, fixtures, or equipment.
- Failing to provide financial records to authorized state or local entities.
- Failure to cooperate fully with any financial auditors, investigators or law enforcement.
- Any other dishonest or fraudulent act involving district monies or resources.

The superintendent shall investigate reports of fraudulent activity in a manner that protects the confidentiality of the parties and the facts. All employees involved in the investigation shall be advised to keep information about the investigation confidential.

If an investigation substantiates the occurrence of a fraudulent activity, the superintendent or board vice-president if the investigation centers on the superintendent, shall issue a report to the board and appropriate personnel. The final disposition of the matter and any decision to file or not file a criminal complaint or to refer the matter to the appropriate law enforcement and/or regulatory agency for independent investigation shall be made in consultation with district legal counsel. The results of the investigation shall not be disclosed to or discussed with anyone other than those individuals with a legitimate right to know until the results are made public.

## CARE, MAINTENANCE AND DISPOSAL OF SCHOOL DISTRICT RECORDS

School district records shall be housed in the central administration office of the school district. It shall be the responsibility of the superintendent to oversee the maintenance and accuracy of the records. The following records shall be kept and preserved according to the schedule below:

- Secretary's financial records ..... Permanently
- Treasurer's financial records ..... Permanently
- Minutes of the Board of Directors ... Permanently
- Annual audit reports ..... Permanently
- Annual budget..... Permanently
- Permanent record of individual pupil ..... Permanently
- Records of payment of judgments against the school district..... 20 years
- Bonds and bond coupons ..... 10 years
- Written contracts ..... 10 years
- Cancelled warrants, check stubs, bank statements, bills, invoices, and related records..... 5 years
- Recordings of closed meetings ..... 1 year
- Program grants..... As determined by the grant
- Nonpayroll personnel records..... 7 years
- Payroll records..... 3 years

Employees' records shall be housed in the central administration office of the school district. The employees' records shall be maintained by the superintendent, the building administrator, the employee's immediate supervisor, and the board secretary.

An inventory of the furniture, equipment, and other nonconsumable items other than real property of the school district shall be conducted annually under the supervision of the superintendent. This report shall be filed with the board secretary.

The permanent and cumulative records of students currently enrolled in the school district shall be housed in the central administration office of the attendance center where the student attends. Permanent records must be housed in a fireproof vault. The building administrator shall be responsible for keeping these records current. Records of students who have graduated or are no longer enrolled in the school district shall be housed in the high school vault. These records will be maintained by the superintendent.

The superintendent may microfilm or microfiche school district records and may destroy paper copies of the records if they are more than three years old. A properly authenticated reproduction of a microfilmed record meets the same legal requirements as the original record

Legal Reference: City of Sioux City v. Greater Sioux City Press Club, 421 N.W.2d 895 (Iowa 1988).  
City of Dubuque v. Telegraph Herald, Inc., 297 N.W.2d 523 (Iowa 1980).  
 Iowa Code §§ 22.3, .7; 279.8, .15, .16; 304 (2007).  
 281 I.A.C. 12.3(6).

Cross Reference: 206.3 Secretary  
 218 Board of Directors' Records  
 401.6 Employee Records  
 506 Student Records  
 901.1 Public Examination of School District Records

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## INSURANCE PROGRAM

The board will maintain a comprehensive insurance program to provide adequate coverage against major types of risk, loss, or damage, as well as legal liability. The board will purchase insurance at replacement values, when possible, after reviewing the costs and availability of such insurance. The comprehensive insurance program shall be reviewed once every three years. Insurance will only be purchased through legally licensed Iowa insurance agents.

The school district will assume the risk of property damage, legal liability, and dishonesty in cases in which the exposure is so small or dispersed that a loss does not significantly affect the operation of the education program or financial condition of the school district.

Insurance of buildings, structures, or property in the open will not generally be purchased to cover loss exposures below \$1,000 unless such insurance is required by statute or contract.

The board may retain a private organization for fixed assets management services.

Administration of the insurance program, making recommendations for additional insurance coverage, placing the insurance coverage and loss prevention activities shall be the responsibility of the superintendent. The business manager shall be responsible for maintaining the fixed assets management system, processing claims and maintaining loss records.

Legal Reference: Iowa Code §§ 20.9; 85.2; 279.12, .28; 285.5(6), .10(6); 296.7; 298A; 517A.1; 670.7 (2007).  
1974 Op. Att'y Gen. 171.  
1972 Op. Att'y Gen. 676.

Cross Reference: 205.2 Board Member Liability  
804 Safety Program

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## INSURANCE REPORT

At the annual meeting each year, the board shall receive a written report indicating the types, amounts of, and cost of the insurance for the school district. This report shall include bonds purchased for employees and board officers. It shall be in written form and sent to the board with the agenda for the board meeting.

It shall be the responsibility of the board secretary to file this report with the board.

Legal Reference: Iowa Code § 279.8 (2007).

Cross Reference: 709.1 Insurance Program

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## SCHOOL FOOD PROGRAM

The school district will operate a school food program in each attendance center. The school food program services will include hot breakfast and lunches through participation in the National School Lunch Program and supplementary foods for students during the school day. Students may bring their own food from home and purchase milk or juice and other incidental items.

School food service facilities are provided to serve students and employees when school is in session and during school-related activities. They may also be used under the supervision of the food service director for food service to employee groups, parent-teacher meetings, civic organizations meeting for the purpose of better understanding the schools, and senior citizens in accordance with board policy.

The school food program is operated on a nonprofit basis. The revenues of the school nutrition program will be used only for the operation or improvement of such programs. Supplies of the school food program shall only be used for the school nutrition program.

The board will set, and periodically review, the prices for school meals and special milk programs. It shall be the responsibility of the superintendent to make a recommendation regarding the prices of school meals and milk.

It shall be the responsibility of the food service director to administer the program and to cooperate with the superintendent and appropriate personnel for the proper functioning of the school nutrition program.

Legal Reference:      42 U.S.C. §§ 1751 *et seq.*.  
                               7 C.F.R. Pt. 210 *et seq.*.  
                               Iowa Code ch. 283A .  
                               281 I.A.C. 58.

Cross Reference:    710.2    Free or Reduced Cost Meals Eligibility  
                               710.3    Vending Machines  
                               710.4    Meal Charge Policy  
                               906      Use of School District Facilities and Equipment

Approved September, 2007

Reviewed 05/07/17

Revised 06/05/17

## FREE OR REDUCED PRICE MEALS ELIGIBILITY

Students enrolled and attending school in the school district who meet the United States Department of Agriculture (USDA) eligibility guidelines, will be provided the school nutrition program services at no cost or at a reduced price. The school district shall make reasonable efforts to prevent the overt identification of students who are eligible for free and reduced price meals.

The district shall at least twice annually notify all families of the availability, eligibility criteria, and application procedures for free or reduced price meals in accordance with state and federal law.

It is the responsibility of the food service director to determine the eligibility of students for free or reduced price school nutrition programs, in accordance with criteria established by state and federal law. If school personnel have knowledge of a student who is in need of free or reduced-price meals, school personnel shall contact the food service director.

If a student owes money for five or more meals, the food service director may contact the student's parent or guardian to provide information regarding the application for free or reduced price meals. The school is encouraged to provide reimbursable meals to students who request reimbursable meals unless the students' parent or guardian has specifically provided written direction to the school to withhold a meal from the student.

Employees will be required to pay for meals consumed.

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

Legal Reference: 42 U.S.C. §§ 1751 *et seq.*  
7 C.F.R. §§ 210 *et seq.*  
Iowa Code § 283A.  
281 I.A.C. 58.

Cross Reference: 710.1 School Nutrition Program  
710.3 Vending Machines  
710.4 Meal Charge Policy

Approved September, 2007

Reviewed 12/10/18

Revised 01/14/2019

## VENDING MACHINES

Food served or purchased by students during the school day and food served or purchased for other than special circumstances shall be approved by the superintendent. Vending machines in the school building shall be the responsibility of the building principal. Purchases from the vending machines will reflect the guidelines in the Wellness policy 507.9.

It shall be the responsibility of the superintendent to develop administrative regulations for the use of vending machines and other sales of food to students.

Legal Reference:      42 U.S.C. §§ 1751 *et seq.* (2004).  
                              7 C.F.R. Pt. 210 *et seq.* (2004).  
                              Iowa Code ch. 283A (2007).  
                              281 I.A.C. 58.

Cross Reference:      504.6    Student Fund Raising  
                              710      School Food Services

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## RECORDS AND REPORTS

The records of the school food program shall be accurate and up-to-date. It shall be the responsibility of the food service coordinator to maintain the records of the program in compliance with this policy and the accounting system of the school district.

The food service coordinator shall report the food service activities to the board on a monthly basis.

Legal Reference:      42 U.S.C. §§ 1751 *et seq.* (2004).  
                             7 C.F.R. Pt. 210 *et seq.* (2004).  
                             Iowa Code ch. 283A (2007).  
                             281 I.A.C. 58.

Cross Reference:      710      School Food Services

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## MEAL CHARGES

In accordance with state and federal law, the Durant Community School District adopts the following policy to ensure school district employees, families, and students have a shared understanding of expectations regarding meal charges. The policy seeks to allow students to receive the nutrition they need to stay focused during the school day, prevent the overt identification of students with insufficient funds to pay for school meals, and maintain the financial integrity of the nonprofit school nutrition program.

### **Payment of Meals**

Students have use of a meal account. Families may add money to student accounts via PaySchools or pay at the school office via check or cash.

Students who qualify for free meals shall never be denied a reimbursable meal, even if they have accrued a negative balance from previous purchases. Schools are encouraged to provide a reimbursable meal to students with outstanding meal charge debt. If an alternate meal is provided, the meal must be the same meal presented in the same manner to any student requesting an alternate meal.

Employees may use a charge account for meals, but may charge no more than \$8.00 to this account. When an account reaches this limit, an employee shall not be allowed to charge further meals or a la carte items until the negative account balance is paid.

### **Negative Account Balances**

The school district will make reasonable efforts to notify families when meal account balances are low. Additionally, the school district will make reasonable efforts to collect unpaid meal charges classified as delinquent debt. The school district will coordinate communications with the student's parent or guardian to resolve the matter of unpaid charges. Parents or guardians will be notified of an outstanding negative balance once the student owes five meals or more. Parents or guardians will be notified by phone call, email or letter. Negative balances of more than \$6.00, not paid prior to the end of the month will be turned over to the superintendent or superintendent's designee for collection. Options for collection may include: collection agencies, small claims court, or any other legal method permitted by law.

## MEAL CHARGES

### **Unpaid Student Meals Account**

The district will establish an unpaid student meals account in a school nutrition fund. Funds from private sources and funds from the district flexibility account may be deposited into the unpaid school meals account in accordance with law. Funds deposited into this account shall be used only to pay individual student meal debt.

### **Communication of the Policy**

The policy and supporting information regarding meal charges shall be provided in writing to:

- All households at or before the start of each school year;
- Students and families who transfer into the district, at time of transfer; and
- All staff responsible for enforcing any aspect of the policy.

Records of how and when the policy and supporting information were communicated to households and staff will be retained.

The superintendent may develop an administrative process to implement this policy.

Legal Reference: 42 U.S.C. §§ 1751 *et seq.*  
7 C.F.R. §§ 210 *et seq.*  
U.S. DEP'T OF AGRIC., SP 46-2016, UNPAID MEAL CHARGES: LOCAL MEAL CHARGE POLICIES (2016).  
U.S. DEP'T OF AGRIC., SP 47-2016, UNPAID MEAL CHARGES: CLARIFICATION ON COLLECTION OF DELINQUENT MEAL PAYMENTS (2016).  
U.S. DEP'T OF AGRIC., SP 57-2016, UNPAID MEAL CHARGES: GUIDANCE AND Q&A (2016).  
Iowa Code 283A.  
281 I.A.C. 58.

Cross Reference: 710.1 School Food Program  
710.2 Free or Reduced Cost Meals Eligibility  
710.3 Vending Machine

Approved 06/05/17

Reviewed 12/10/2018

Revised 01/14/2019

## STUDENT SCHOOL TRANSPORTATION ELIGIBILITY

Elementary and middle school students living more than two miles from their designated school attendance centers and high school students living more than three miles from their designated attendance centers shall be entitled to transportation to and from their attendance center at the expense of the school district.

Transportation of students who require special education services shall generally be provided as for other students, when appropriate. Specialized transportation of a student to and from a special education instructional service is a function of that service and, therefore, an appropriate expenditure of special education instructional funds generated through the weighting plan.

Transportation of a student to and from a special education support service is a function of that service, and shall be specified in the individualized education program (IEP) or the individualized family service plan (IFSP). When the IEP or IFSP team determines that unique transportation arrangements are required and the arrangements are specified in the IEP or IFSP, the school district will provide one or more of the following transportation arrangements for instructional services and the AEA for support services:

- Transportation from the student's residence to the location of the special education and back to the student's residence, or child care placement for students below the age of six.
- Special assistance or adaptations in getting the student to and from and on and off the vehicle, en route to and from the special education.
- Reimbursement of the actual costs of transportation when by mutual agreement the parents provide transportation for the student to and from the special education.

The school district is not required to provide reimbursement to parents who elect to provide transportation in lieu of agency-provided transportation.

A student may be required, at the board's discretion, to meet a school vehicle without reimbursement up to three-fourths of a mile. The board may require the parent to transport their children up to two miles to connect with school bus vehicles at the expense of the school district when conditions deem it advisable. It shall be within the discretion of the board to determine such conditions. Parents of students who live where transportation by bus is impracticable or unavailable may be required to furnish transportation to and from the designated attendance center at the expense of the school district. Parents, who transport their children at the expense of the school district, shall be reimbursed at the rate per mile set by the state.

Transportation arrangements made by agreement with a neighboring school district shall follow the terms of the agreement. Students, who choose to attend a school in a school district other than their resident school district, shall provide transportation to and from the school at their own expense.

Legal Reference: 20 U.S.C. §§ 1401, 1701 *et seq.* (2004).  
34 C.F.R. Pt. 300 *et seq.* (2004).  
Iowa Code §§ 256B.4; 285; 321 (2007).  
281 I.A.C. 41.98; 43.

Cross Reference: 501.16 Homeless Children and Youth  
507.8 Student Special Health Services  
603.3 Special Education  
711 Transportation

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_



## STUDENT CONDUCT ON SCHOOL TRANSPORTATION

Students utilizing school transportation shall conduct themselves in an orderly manner fitting to their age level and maturity with mutual respect and consideration for the rights of the school vehicle driver and the other passengers. Students who fail to behave in an orderly manner will be subject to disciplinary measures.

The driver shall have the authority to maintain order on the school vehicle. It shall be the responsibility of the driver to report misconduct to the building administrator.

The board supports the use of video cameras on school buses used for transportation to and from school as well as for field trips, curricular or extracurricular events. The video cameras will be used to monitor student behavior and may be used as evidence in a student disciplinary proceeding. The videotapes are student records subject to school district confidentiality, board policy and administrative regulations.

The building principal shall have the authority to suspend transportation privileges of the student or impose other appropriate discipline for misconduct.

It shall be the responsibility of the superintendent, in conjunction with the building principal, to develop administrative regulations regarding student conduct and discipline when utilizing school district transportation.

Legal Reference: Iowa Code §§ 279.8; 285; 321 (2007).

Cross Reference: 503 Student Discipline  
506 Student Records

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## STUDENT CONDUCT ON SCHOOL TRANSPORTATION REGULATION

All persons riding in school district vehicles shall adhere to the following rules. The driver, sponsor or chaperones are to follow the school bus discipline procedure for student violations of this policy. Video cameras may be in operation on the school buses.

1. Bus riders shall be at the designated loading point before the bus arrival time.
2. Bus riders shall wait until the bus comes to a complete stop before attempting to enter.
3. Riders must not extend arms or heads out of the windows at any time.
4. Aisles must be kept cleared at all times.
5. All bus riders shall load and unload through the right front door. The emergency door is for emergencies only.
6. A bus rider will depart from the bus at the designated point unless written permission to get off at a different location is given to the driver.
7. A rider may be assigned a seat by the driver.
8. Riders who damage seats or other equipment will reimburse the district for the cost of the repair or replacement.
9. Riders are not permitted to leave their seats while the vehicle is in motion.
10. Waste containers are provided on all buses for bus riders' use.
11. Permission to open windows must be obtained from the driver.
12. Classroom conduct is to be observed by students while riding the bus except for ordinary conversation.
13. The driver is in charge of the students and the vehicle, and the driver is to be obeyed promptly and cheerfully.
14. Students shall assist in looking after the safety and comfort of younger students.
15. A bus rider who must cross the roadway to board or depart from the bus shall pass in front of the bus (no closer than 10 feet), look in both directions and proceed to cross the road or highway only on signal from the driver.
16. Students shall not throw objects about the vehicle nor out through the windows.
17. Shooting paper wads, squirt guns or other material in the vehicle is not permitted.
18. Students shall keep feet off the seats.
19. Roughhousing in the vehicle is prohibited.
20. Students shall refrain from crowding or pushing.
21. The use or possession of alcohol, tobacco or look-alike substances is prohibited in the vehicle.
22. The Good Conduct Rule is in effect.

## STUDENT TRANSPORTATION FOR EXTRACURRICULAR ACTIVITIES

The board in its discretion may provide school district transportation for extracurricular activities including, but not limited to, transporting student participants and other students to and from extracurricular events.

Students participating or attending extracurricular events, other than those held at the school district facilities, may be transported to the extracurricular event by school district transportation vehicles or by another means approved by the superintendent.

Students, who are provided transportation in school district transportation vehicles for extracurricular events, shall ride both to and from the event in the school vehicle unless arrangements have been made with the building principal prior to the event. A student's parent may personally appear and request to transport the student home from a school-sponsored event in which the student traveled to the event on a school district transportation vehicle.

It shall be the responsibility of the superintendent to make a recommendation to the board annually as to whether the school district shall provide the transportation authorized in this policy. In making the recommendation to the board, the superintendent shall consider the financial condition of the school district, the number of students who would qualify for such transportation, and other factors the board or superintendent deem relevant.

Legal Reference: Iowa Code §§ 256B.4; 285.1-.4; 321 (2007).  
281 I.A.C. 41.98; 43.

Cross Reference: 504 Student Activities  
711 Transportation

Approved September, 2007

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Revised \_\_\_\_\_

## TRANSPORTATION EQUIPMENT

The school district shall purchase transportation vehicles which meet the requirements of the board and the Iowa Department of Education. The purchase of such vehicles shall be in compliance with board policy.

School district student transportation vehicles shall be inspected by the Iowa Department of Education. It shall be the responsibility of the superintendent to arrange for the inspection of the school district transportation vehicles requiring inspection and to develop a program for routine maintenance of school district vehicles.

Legal Reference: Iowa Code § 285.10(3) (2007).  
281 I.A.C. 43.30-.31, .41.

Cross Reference: 705.1 Purchasing - Bidding  
711 Transportation

Approved September, 2007

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Revised \_\_\_\_\_

## SCHOOL VEHICLE ROUTES

The board shall annually approve and review the school district bus routes. It shall be the responsibility of the superintendent to develop the school bus routes keeping in mind the safety of the students, the size of the school buses, the length of the route, the cost to the school district, and other factors deemed relevant by the superintendent. The superintendent shall also develop emergency school bus routes that may be necessary due to weather or other conditions.

Legal Reference: Iowa Code §§ 285.10-.11 (2007).  
281 I.A.C. 43.1-.2.

Cross Reference: 711 Transportation

Approved September, 2007 Reviewed 02/09/2015 Revised \_\_\_\_\_

## DISCRETIONARY STOPS BY SCHOOL VEHICLES

The school district is required to provide a certain level of transportation service to its resident students. The board has complete discretion to provide additional transportation service to its resident and nonresident students. School district transportation vehicles may, at the discretion of the board, make special stops on the bus route as a courtesy to the passengers. Changes in the bus route for discretionary stops must be reviewed by the board.

It shall be the responsibility of the superintendent to recommend to the board whether a school vehicle will make a discretionary stop. In making this recommendation, the superintendent shall consider the safety of the students, the size of the school buses, the length of the route, the cost to the school district, and other factors deemed relevant by the board or superintendent.

Legal Reference: Iowa Code § 285.10 (2007).  
281 I.A.C. 43.10.

Cross Reference: 711 Transportation

Approved September, 2007 Reviewed 02/09/2015 Revised \_\_\_\_\_

## SUMMER SCHOOL PROGRAM TRANSPORTATION SERVICE

The school district may use school vehicles for transportation to and from summer extracurricular activities. The superintendent shall make a recommendation to the board annually regarding their use.

Transportation to and from the student's attendance center for summer school instructional programs shall be within the discretion of the board. It shall be the responsibility of the superintendent to make a recommendation regarding transportation of students in summer school instructional programs at the expense of the school district. In making the recommendation to the board, the superintendent shall consider the financial condition of the school district, the number of students involved in summer school programs, and other factors deemed relevant by the board or the superintendent.

Legal Reference: Iowa Code § 285.10 (2007).  
281 I.A.C. 43.10.

Cross Reference: 603.2 Summer School Instruction  
711 Transportation

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Revised \_\_\_\_\_

## SCHOOL BUS SAFETY INSTRUCTION

The school district shall conduct school bus safe riding practices instruction and emergency safety drills twice a year for students who utilize school district transportation.

Each school bus vehicle shall have, in addition to the regular emergency safety drill, a plan for helping those students who require special assistance to safety during an emergency. This shall include, but not be limited to, students with disabilities.

School district vehicle drivers are required to attend each safety drill.

Employees shall be responsible for instructing the proper techniques to be followed during an emergency, as well as safe riding practices. It shall be the responsibility of the superintendent to develop administrative regulations regarding this policy.

Legal Reference: Iowa Code §§ 279.8; 321 (2007).  
281 I.A.C. 43.40.

Cross Reference: 503 Student Discipline  
507 Student Health and Well-Being  
804.2 Warning Systems and Emergency Plans

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## TRANSPORTATION IN INCLEMENT WEATHER

School district buses will not operate when weather conditions due to fog, rain, snow or other natural elements make it unsafe to do so. Because weather conditions may vary around the school district and may change quickly, the best judgment possible will be used with the information available.

The final judgment as to when conditions are unsafe to operate will be made by the superintendent. The superintendent will be assisted by the actual "on location" decisions and reports of the drivers.

Several drivers each year will be specially designated to report weather and road conditions by bus radio when requested to do so. Other employees and students will be notified by commercial radio when school is cancelled or temporarily delayed.

When weather conditions deteriorate during the day after school has begun, cancellation notices will be announced by commercial radio. Students will be returned to their regular drop-off sites unless weather conditions prevent it. In that case, students will be kept at or returned to school until they are picked up by the parents.

Activities for the evening of cancelled school will be decided on by the superintendent by 1:00p.m. that day.

Legal Reference: Iowa Code § 279.8 (2007).

Cross Reference: 601.2 School Day

Approved September, 2007

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Revised Mar. 2009

## DISTRICT VEHICLE IDLING

The board recognizes that it has a role in reducing environmental pollutants and in assisting students and others be free from pollutants that may impact their respiratory health. Unnecessary vehicle idling emits pollutants and wastes fuel. The board directs the superintendent, in conjunction with the Director of Transportation, to work on administrative regulations to implement this policy and reduce school vehicle idling time.

Legal References: Iowa Code §279.8 (2011).

Cross References: 403 Employee Health and Well-Being  
507 Student Health and Well-Being  
711 Transportation

Approved September, 2007

Reviewed 02/09/2015

Revised December 10, 2012

## EMERGENCY SCHOOL CLOSINGS, EARLY DISMISSALS AND DELAYED STARTING TIMES

The superintendent or his/her designee shall have the authority to close schools, dismiss the schools early or delay the start of the school day, in the event of inclement weather. The following conditions are to be considered when defining inclement weather:

1. Freezing rain
2. Snow fall one inch per hour or greater
3. Snowfall with winds over 40 MPH
4. Air temperature of—25 or less
5. Air temperature of +97 or higher
6. Wind chill of—45 or lower
7. Heat index of +105 or higher
8. Other emergencies which threaten the health or safety of students and staff.

When determining whether or not to close school, dismiss school early or delay the start of the school day due to inclement weather, the superintendent or designee shall consult with the transportation supervisor, weather bureau and sheriff's department. A later starting time due to weather conditions may be considered under unusual circumstances. In the event of extreme heat, the superintendent or his/her designee shall make a determination of school closing based on temperature/heat index or other scientific information.

Designated area radio stations shall be notified as early as possible on any day that schools are closed, dismissed early or delayed due to inclement weather or other emergency.

The superintendent shall develop other necessary plans for the closing of schools and early dismissal to provide for orderly procedures. Inclement weather days shall be made up as required.

Legal Reference: Iowa Code §§ 100.31, 279.8 (2007).

Cross Reference: 507 Student Health and Well-Being  
601.2 School Day  
711.8 School Bus Safety Instruction  
804 Safety Program

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## BUILDINGS & SITES

### Series 800

- 800 Objectives of Buildings & Sites
- 801 Site Acquisition and Building Construction
  - 801.1 Buildings & Sites Long Range Planning
  - 801.2 Buildings & Sites Surveys
  - 801.3 Educational Specifications for Buildings & Sites
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- 802 Maintenance, Operation and Management
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- 803 Selling and Leasing
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  - 803.3 Vacant Facilities
- 804 Safety Program
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  - 804.3 First Aid
  - 804.4 Facilities Security
  - 804.5 Employee Safety Inservice
  - 804.6 Bomb Threats
  - 804.7 Asbestos Containing Material

## OBJECTIVES OF BUILDINGS & SITES

This series of the board policy manual sets forth the board objectives and goals for the school district's buildings and sites. It shall be the goal of the board to provide sufficient school district buildings and sites for the education program. The board shall strive to provide an environment which will encourage and support learning.

In providing this environment the school district buildings and sites will accommodate the organizational and instructional patterns that support the education program. The board shall have final authority to determine what is necessary to meet the needs of the education program.

It shall be the responsibility of the superintendent to oversee the day-to-day operations of the school buildings and sites and to notify the board of areas in need of improvement.

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## BUILDINGS & SITES LONG RANGE PLANNING

As part of the board's long range plan for the school district's education program, the board shall include the buildings and sites needs for the education program. The long-term needs for building and sites shall be discussed and determined by the board.

It shall be the responsibility of the superintendent to provide information including, but not limited to, enrollment projections and education program requirements to the board.

Legal Reference: Iowa Code §§ 280.3, .12, .14; 297 (2007).

Cross Reference: 105 Long-Range Needs Assessment

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Revised \_\_\_\_\_

## BUILDINGS & SITES SURVEYS

The board may engage the services of consultants or other personnel to study the needs of the school district's buildings and sites in providing the education program. The results of these services will be considered in planning the education program and in making decisions about the improvement and acquisition of additional buildings and sites.

It shall be the responsibility of the superintendent to make a recommendation to the board regarding the need for such services and who should perform such services for the board.

Legal Reference: Iowa Code §§ 280.3, .14; 297 (2007).

Cross Reference: 105 Long-Range Needs Assessment  
801 Site Acquisition and Building Construction

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## EDUCATIONAL SPECIFICATIONS FOR BUILDINGS &amp; SITES

Buildings and sites considered for purchase or construction by the board or currently owned by the school district and used for the education program must meet, or upon improvement be able to meet, the specifications set by the board. The board will make this determination.

Prior to remodeling or other construction of buildings and sites, the board may appoint a committee of consultants, employees, citizens, or others to assist the board in developing the specifications for the new or improved buildings and sites. These specifications will be consistent with the education program, and they will provide the architect with the information necessary to determine what is expected from the facility. It is within the discretion of the board to determine whether a committee is appointed.

The education specifications will include, but not be limited to, the financial resources available for the project, the definition and character of classrooms, the functional use to be made of the rooms, description of specialized needs, and other pertinent information as the board deems necessary.

It is the responsibility of the superintendent to make a recommendation to the board regarding the specifications of buildings and sites.

Legal Reference: Cedar Rapids Durant Community School District, Linn County v. City of Cedar Rapids, 252 Iowa 205, 106 N.W.2d 655 (1960).  
Iowa Code §§ 73A.2, .18; 280.3, .14; 297; 544A (2007).  
1974 Op. Att'y Gen. 529.

Cross Reference: 801 Site Acquisition and Building Construction

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Revised \_\_\_\_\_

## SELECTION OF AN ARCHITECT

The board shall have the authority to select the architect for construction projects. The financial condition of the school district, the ability of the architect to meet the building and site specifications, the experience of the architect and other factors deemed relevant by the board will be considerations for selection of an architect.

It shall be the responsibility of the board to interview the architects and make a decision.

Legal Reference: Iowa Code chs. 297; 544A (2007).

Cross Reference: 801 Site Acquisition and Building Construction

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Revised \_\_\_\_\_

## SITE ACQUISITION

Sites acquired by the board shall meet or, upon improvement, be able to meet the specifications set out by the board prior to using the site for the education program. The board may meet in closed session to discuss potential purchases of sites.

It shall be the responsibility of the superintendent to assist the board and to make recommendations concerning the acquisition of sites.

Legal Reference: Iowa Code §§ 21.5(j); 297 (2007).

Cross Reference: 213 Closed Sessions  
705.1 Purchasing - Bidding  
801 Site Acquisition and Building Construction

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Revised \_\_\_\_\_

## BIDS AND AWARDS FOR CONSTRUCTION CONTRACTS

The board supports economic development in Iowa, particularly in the school district community. Construction contracts will be made in the school district community or in Iowa from Iowa-based companies if the bids submitted are comparable in quality and can be received without additional cost in comparison to those submitted by other bidders. The board will have the authority to approve or reject construction contracts.

Public, competitive sealed bids are required for construction projects, including renovation and repair, with a cost exceeding the statutory minimums required by law. The public, competitive sealed bid requirement is waived in the case of emergency repairs when the repairs are necessary to prevent the closing of a school. The AEA administrator will certify that the emergency repairs are necessary to prevent the closing of a school. The superintendent will comply with the competitive quote process for those projects subject to the competitive quote law. The superintendent will determine the process for obtaining quotes for projects below the competitive quote limit.

The award of construction contracts will, generally, be made to the lowest responsible bidder. The board, in its discretion, after considering factors relating to the construction, including, but not limited to, the cost of the construction, availability of service and/or repair, completion date, and any other factors deemed relevant by the board, may choose a bid other than the lowest bid. The board will have the right to reject any or all bids, or any part thereof, and to enter into the contract or contracts deemed to be in the best interests of the school district.

It is the responsibility of the superintendent to make a recommendation and the reason for it to the board for construction contract bids. The board secretary shall recommend, to the board, which bid to accept.

Legal Reference: Iowa Code §§ 72; 73; 73A.2, .18; 297.7-.8 (2007).  
HF 2713 (2006)

Cross Reference: 705 Expenditures  
801 Site Acquisition and Building Construction

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Revised \_\_\_\_\_

## FINANCING SITES AND CONSTRUCTION

Prior to the approval of a construction contract, except emergency construction, the board shall review methods for financing the project. The board may use the means it deems necessary to pay for the purchase of sites and construction. In determining the means of financing for these purposes, the board shall consider the financial condition of the school district and the uses allowed for the monies of the school district.

It shall be the responsibility of the superintendent to analyze the various methods of financing for the purchase of sites and construction and make a recommendation to the board.

Legal Reference: Harney v. Clear Creek Durant Community School District, 261 Iowa 315, 154 N.W.2d 88 (1967).  
Liggett v. Abbott, 192 Iowa 742, 185 N.W. 569 (1921).  
 Iowa Code §§ 73A; 74; 74A; 75; 278.1; 296; 297; 298 (2007).  
 1974 Op. Att'y Gen. 598.  
 1938 Op. Att'y Gen. 167.  
 1936 Op. Att'y Gen. 423.

Cross Reference: 705 Expenditures  
 801 Site Acquisition and Building Construction

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Revised \_\_\_\_\_

## SUPERVISION OF CONSTRUCTION

Construction authorized by the board must be supervised for proper execution. The board will tour the completed construction area before allowing final payment on the project.

It shall be the responsibility of the architect to supervise construction projects of the school district as they are completed. The superintendent shall work closely with the architect and provide the board with progress reports at each meeting until the construction is completed.

Legal Reference: Iowa Code § 279.8 (2007).

Cross Reference: 801 Site Acquisition and Building Construction

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## MAINTENANCE SCHEDULE

The school district buildings and sites, including the grounds, buildings and equipment, will be kept clean and in good repair. Employees should notify the building principal when something is in need of repair or removal, including graffiti.

It shall be the responsibility of the superintendent to maintain the school district buildings and sites. As part of this responsibility, a maintenance schedule shall be created and adhered to in compliance with this policy.

Legal Reference: Iowa Code §§ 279.8; 280.3, .14 (2007).

Cross Reference: 502.2 Care of School Property/Vandalism  
502.7 Student Lockers  
802 Maintenance, Operation and Management  
804.1 Facilities Inspections

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Reviewed 02/09/2015

Revised \_\_\_\_\_

## REQUESTS FOR IMPROVEMENTS

Generally, except for emergency situations, requests for improvements or repairs shall be made to the superintendent by building principals and the head custodian. Requirements for requests outlined in the maintenance schedule shall be followed.

Minor improvements, not exceeding a cost of \$5,000, may be approved by the superintendent. Improvements exceeding \$5,000 must be approved by the board. Routine maintenance and repairs outlined in the maintenance schedule shall be followed.

Legal Reference: Iowa Code §§ 279.8; 280.3, .14 (2007).

Cross Reference: 802.1 Maintenance Schedule  
802.3 Emergency Repairs

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Revised \_\_\_\_\_

## EMERGENCY REPAIRS

In the event of an emergency requiring repairs in excess of \$25,000 to a school district facility are necessary to correct or control the situation and to prevent the closing of school, the provisions relating to bidding shall not apply.

It shall be the responsibility of the superintendent to obtain certification from the area education agency administrator stating such repairs in excess of \$25,000 were necessary to prevent the closing of school.

It shall be the responsibility of the superintendent to notify the board as soon as possible considering the circumstances of the emergency.

Legal Reference: Iowa Code §§ 280.3, .14; 297.8 (2007).

Cross Reference: 705.1 Purchasing - Bidding  
802 Maintenance, Operation and Management

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Revised \_\_\_\_\_

## CAPITAL ASSETS

The school district will establish and maintain a capital assets management system for reporting capitalized assets owned or under the jurisdiction of the school district in its financial reports in accordance with generally accepted accounting principles (GAAP) as required or modified by law; to improve the school district's oversight of capital assets by assigning and recording them to specific facilities and programs and to provide for proof of loss of capital assets for insurance purposes.

Capital assets, including tangible and intangible assets, are reported in the government-wide financial statements (i.e. governmental activities and business type activities) and the proprietary fund financial statements. Capital assets reported include school district buildings and sites, construction in progress, improvements other than buildings and sites, land and machinery and equipment. Capital assets reported in the financial reports will include individual capital assets with an historical cost equal to or greater than \$5,000. The Federal regulations governing school lunch programs require capital assets attributable to the school lunch program with a historical cost of equal to or greater than \$500 be capitalized. Additionally, capital assets are depreciated over the useful life of each capital asset.

All intangible assets with a purchase price equal to or greater than \$25,000 with useful life of two or more years, are included in the intangible asset inventory for capitalization purposes. Such assets are recorded at actual historical cost and amortized over the designated useful lifetime applying a straight-line method of depreciation. If there are no legal, contractual, regulatory, technological or other factors that limit the useful life of the asset, then the intangible asset needs to be considered to have an indefinite useful life and no amortization should be recorded.

Phase III districts, as determined under GASB 34, will not retroactively report intangible assets. If actual historical cost cannot be determined for intangible assets due to lack of sufficient records, estimated historical cost will be used.

This policy applies to all intangible assets. If an intangible asset that meets the threshold criteria is fully amortized, the asset must be reported at the historical cost and the applicable accumulated amortization must also be reported. It is not appropriate to "net" the capital asset and amortization to avoid reporting. For internally generated intangible assets, outlays incurred by the government's personnel, or by a third-party contractor on behalf of the government, and for development of internally generated intangible assets should be capitalized.

The capital assets management system must be updated monthly to account for the addition/acquisition, disposal, relocation/transfer of capital assets. It is the responsibility of the superintendent to count and reconcile the capital assets with capital assets management system on June 30 each year.

It is the responsibility of the superintendent to develop administrative regulations implementing this policy. It will also be the responsibility of the superintendent to educate employees about this policy and its supporting administrative regulations.

Approved September 2007

Reviewed 02/09/2015

Revised December 10, 2012

Legal Reference: Iowa Code §§ 257.31(4); 279.8; 297.22-.25; 298A (2009).

Cross Reference:       709     Insurance Program  
                              701.3   Financial Records

## CAPITAL ASSETS REGULATION

### A. Capital Assets Management System

The superintendent, and/or other designated staff, shall:

- 1) Conduct the fixed assets physical count;
- 2) Develop the fixed assets listing;
- 3) Tag fixed assets included in the fixed assets management system with a bar code identification number;
- 4) Make a recommendation of a computer software program for managing the fixed assets management system;
- 5) Enter the necessary data into the fixed capital assets management system and compile the appropriate reports;
- 6) Develop forms and procedures for maintaining the integrity of the fixed capital assets management system; and,
- 7) Maintain responsibility for an accurate fixed capital assets management system.

### B. Determining historical cost

1. The historical cost of a capital asset is based on the actual costs expended in making the capital assets serviceable.
2. Gifts of capital assets are valued at the estimated fair market value at the addition/acquisition date.
3. Fixed assets purchased under a capital lease are valued at historical cost of the net present value of the minimum lease payments on the addition/acquisition date.
4. The historical cost of capital assets must include capitalized interest.

### C. Annual capital assets listing reconciliation

1. The superintendent, and/or other designated staff, in conjunction with the capital assets management team, will conduct an annual capital assets physical count to develop the annual capital assets listing in a manner similar to the initial capital assets listing process in B above.
2. Upon completion of the annual capital assets listing, the capital assets listing is reconciled to the capital assets management system data base.
3. Capital assets found to have been excluded from the data base are added to the capital assets management system. The capital assets management system process should be reviewed to prevent future incidents of excluding a capital asset.
4. Capital assets unaccounted for are reported to the superintendent who contacts the supervisor of and the individual in charge/control/custody of the capital asset. The individual in charge/control/custody of the capital asset has thirty days to account for the capital asset.

## CAPITAL ASSETS REGULATION

5. Capital assets unaccounted for after thirty days are reported to the superintendent for appropriate action and documentation. "Appropriate action" may include discipline, up to and including discharge, and may require the employee/person in charge/control/custody of the capital asset to replace the asset.
6. The superintendent is responsible for documenting the reasons each asset was not reconciled to the capital assets management system.

## D. Addition/acquisition of capital assets.

1. The school district's purchasing policy and administrative regulations must be followed when acquiring capital assets. The school district's policy and administrative regulations must be followed for receiving a gift of capital assets.
2. The capital assets addition/acquisition documentation must be completed for each additional capital assets with an addition/acquisition cost of equal to or greater than \$5,000. The following information should be collected, if applicable:
  - a. Name of location-building/department/room;
  - b. Location-building/department/room code;
  - c. Balance sheet accounting/class code;
  - d. Government or BTA program;
  - e. Addition/acquisition date;
  - f. Check/purchase order number or gift;
  - g. Bar code identification number assigned to and placed on the capital asset;
  - h. Serial/model number;
  - i. Cost-historical;
  - j. Fair market value on acquisition date (donated assets only);
  - k. Estimated useful life;
  - l. Vendor;
  - m. Purchasing fund and function;
  - n. Description of capital asset;
  - o. Department/person charged with custody,
  - p. Method of addition/acquisition-purchase, trade, gift etc.,
  - q. Quantity;
  - r. Replacement cost;
  - s. Addition/acquisition authorization; and,
  - t. Function for depreciation.
3. Capital assets acquired in a month must be entered into the capital assets management system in the same month.
4. The actual costs of construction in progress, other than infrastructure, is entered into the capital assets management system in the month in which costs are incurred until the total cost of addition/acquisition is entered. Upon completion of construction, the total costs accumulated over the period of construction are reclassified to buildings.

## CAPITAL ASSETS REGULATION

5. Capital assets acquired in a month must be entered into the capital assets management system in the same month.
- E. Relocation/transfer of machinery and equipment capital assets.
1. A capital assets relocation/transfer documentation must be completed prior to removing machinery and equipment capital assets from their current location. The following information must be collected:
    - a. Relocation/transfer date;
    - b. Quantity;
    - c. Bar code identification number;
    - d. Current location-building/department/room code;
    - e. Name of current location-building/department/room;
    - f. New location-building/department/room code;
    - g. Name of new location-building/department/room;
    - h. Date placed at new location-building/department/room;
    - i. Department/person charged with custody; and
    - j. Relocation/transfer authorization.
  2. Capital assets relocated/transferred in a month must be entered into the capital assets management system in the same month.
- F. Disposal of capital assets
1. A Capital Assets disposal documentation must be completed prior to disposing of real property. The following information must be collected:
    - a. Disposal date;
    - b. Quantity;
    - c. Bar code tag identification number;
    - d. Legal description,
    - e. Location/Address;
    - f. Purchaser;
    - g. Disposal methods for real property trade, sale, stolen, etc.; and,
    - h. Disposal authorization.
  2. Capital assets disposed of in a month must be entered into the capital assets management system in the same month.
  3. When assets are sold or disposed of, it is necessary to calculate and report a gain or loss in the statement of activities. The gain/loss is calculated by subtracting the net book value (historical cost less any accumulated amortization) from the net amount realized on the sale or disposal.
- G. Lost, damaged or stolen capital assets.
1. A Lost, Damaged or Stolen Capital Assets Report must be completed when a capital asset has been lost, damaged or stolen. The following information must be collected:

## CAPITAL ASSETS REGULATION

- a. Date of loss, damage or theft;
  - b. Employee/person discovering;
  - c. Quantity;
  - d. Description of capital asset;
  - e. Bar code tag identification number;
  - f. Location-building/department/room;
  - g. Description of loss, damage, etc.;
  - h. Filing of police report-yes or no;
  - i. Filing of insurance report-yes or no;
  - j. Sent for repair-yes or no;
  - k. Date returned from repair;
  - l. Date returned to location-building/department/room;
  - m. Department/person charged with custody; and,
  - n. Authorization.
2. Capital assets damaged, lost or stolen in a month must be entered into the capital assets management system in the same month.

## H. Capital assets reports

1. Annual reports for June 30 each year.
  - a. Capital assets listing including the following items:
    - 1) Balance sheet accounting/class code;
    - 2) Purchasing fund, function and depreciation function;
    - 3) Bar code tag identification number;
    - 4) Description of the capital asset;
    - 5) Historical cost or other;
    - 6) Location;
    - 7) Current year depreciation/expense; and,
    - 8) Accumulated depreciation/amortization.
  - b. Capital assets listing by location/building;
  - c. Capital assets listing by department/employee/person charged with custody; and,
  - d. Capital assets listing by replacement cost.

## CAPITAL ASSETS MANAGEMENT SYSTEM DEFINITIONS

**Back trending/standard costing** - an estimate of the historical original cost using a known average installed cost for like units as of the estimated addition/ acquisition date. This cost is only applied to the capital assets initially counted upon implementation of the capital assets management system when the historical original cost cannot be determined. It is inappropriate to apply the back trending/standard costing method to any capital assets acquired after the assets management system implementation date.

**Balance sheet accounting/class codes** - the codes set out for assets in the Iowa Department of Education Uniform Accounting Manual. They are: 200-capital assets; 211- land and land improvements; 221-site improvements; 222-accumulated depreciation on site improvements; 231-buildings and building improvements; 232-accumulated depreciation on buildings and building improvements; 241-machinery and equipment; 242-accumulated depreciation on machinery and equipment, 251-works of art and historical treasures; 252-accumulated depreciation on works of art and historical treasures, 261-infrastructure, 262-accumulated depreciation on infrastructure, and 271-construction in progress.

**Book value** - the value of capital assets on the records of the school district, which can be the cost or, the cost less the appropriate allowances, such as depreciation.

**Buildings and building improvements** - a capital assets account reflecting the addition/acquisition cost of permanent structures owned or held by a government and the improvements thereon.

**Business-type activities** – one of two classes of activities reported in the government-wide financial statements. Business-type activities are financed in the whole or in part by fees charged to external parties for goods or services. These activities are usually reported in enterprise funds.

**Capital expenditures/expenses** - expenditures/expenses resulting in the addition/acquisition of or addition/acquisition to the school district's capital assets.

**Capital assets** - Capital assets with a value of equal to or greater than \$5,000 based on the historical cost include: long-lived assets obtained or controlled as a result of past transactions, events or circumstances. Capital assets include buildings, construction in progress, improvements other than facilities, land, machinery and equipment, and intangible assets.

**Capitalization policy** - the criteria used by the school district to determine which capital assets will be reported as capital assets on the school district's financial statements and records

**Capitalization threshold** - The dollar value at which a government elects to capitalize tangible or intangible assets that are used in operations and that have initial useful lives extending beyond a single reporting period.

**Capitalized interest** - interest accrued and reported as part of the cost of the capital assets during the construction phase of a capital project. The construction phase extends from the initiation of pre-construction activities until the time the asset is placed in service.

**Construction in progress** - buildings in the process of being constructed other than infrastructure.

**Cost** - the amount of money or other consideration exchanged for goods or services.

## CAPITAL ASSETS DEFINITIONS

**Depreciation/Amortization** - expiration in the service life of capital assets, other than wasting assets, attributable to wear and tear, deterioration, action of the physical elements, inadequacy and obsolescence. In accounting for depreciation/amortization, the cost of a capital asset, less any salvage value, is prorated over the estimated service life of such an asset, and each period is charged with a portion of such cost.

**Fixtures** - attachments to buildings that are not intended to be removed and cannot be removed without damage to the buildings. Those fixtures with a useful life presumed to be as long as that of the building itself are considered a part of the building. Other fixtures are classified as machinery and equipment.

**General capital assets** - capital assets that are not capital assets of any fund, but of the governmental unit as a whole. Most often these capital assets arise from the expenditure of the financial resources of governmental funds.

**General capital assets account group (GFAAG)** - a self-balancing group of accounts established to account for capital assets of the school district, not accounted for through specific proprietary funds.

**Government activities** – activities generally financed through taxes, intergovernmental revenues, and other non-exchange revenues. These activities are usually reported in governmental funds and internal service funds.

**Government-wide financial statements** – Financial statements that incorporate all of a government's governmental and business-type activities, as well as its nonfiduciary component units. There are two basic government-wide financial statements the statement of net assets and the statement of activities. Both basic government-wide financial statements are presented using the economic resources measurement focus and the accrual basis of accounting.

**Historical (acquisition) cost** - the actual costs expended to place a capital asset into service. For land and buildings, costs such as legal fees, recording fees, surveying fees, architect fees and similar fees are included in the historical cost. For machinery and equipment, costs such as freight and installation fees and similar fees are included in the historical cost.

**Improvements** – In addition made to, or change made in, a capital asset, other than maintenance, to prolong its life or to increase the efficiency or capacity. The cost of the addition or change is added to the book value of the asset.

**Improvements other than buildings** - attachments or annexation to land that are intended to remain so attached or annexed, such as sidewalks, trees, drives, tunnels, drains and sewers. Sidewalks, curbing, sewers and highways are sometimes referred to as "betterments," but the term "improvements" is preferred.

**Infrastructure** – long-lived capital assets that normally are stationary in nature and normally can be preserved for a significantly greater number of years than most capital assets. Examples of infrastructure assets include; roads, bridges, tunnels, drainage systems, water and sewer systems, dams, and lighting systems.

**Investment in general capital assets** - an account in the GFAAG representing the school district's investment in general capital assets. The balance in this account generally is subdivided according to the source of the monies that finance the capital assets addition/acquisition, such as general fund revenues and special assessments.

## CAPITAL ASSETS DEFINITIONS

**Land and buildings** - real property owned by the school district.

**Machinery and equipment** - capital assets which maintain their identity when removed from their location and are not changed materially or consumed immediately (e.g., within one year) by use. Machinery and equipment are often divided into specific categories such as: transportation machinery and equipment which includes school buses and school district owned automobiles, trucks and vans; other motor machinery and equipment which includes lawn maintenance machinery and equipment, tractors, motorized carts, maintenance machinery and equipment, etc.; other machinery and equipment which includes furniture and machinery and equipment contained in the buildings whose original cost is equal to or greater than \$5,000 and capital assets under capital leases and capital assets being acquired under a lease/purchase agreement.

**Proprietary funds** – Funds that focus on the determination of operating income, changes in net assets (or cost recovery), financial position, and cash flows. There are two different types of proprietary funds: enterprise funds and internal service funds.

**Replacement cost** - the amount of cash or other consideration required today to obtain the same capital assets or its equivalent.

Disposal		Item	Bldg	Method of	Name of	Sale	Authorized	
Date	Quantity	Tag #	Description	Location	Disposal	Purchaser	Amount	By (signature)

[illegible]

*DURANT COMMUNITY SCHOOL DISTRICT – POLICY MANUAL*

DURANT COMMUNITY SCHOOL DISTRICT  
STOLEN/LOST/DAMAGED CAPITAL ASSET FORM

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

Discovered by: \_\_\_\_\_

Quantity: \_\_\_\_\_

Description of item(s) \_\_\_\_\_

Inventory Tag #: \_\_\_\_\_

Building Location : \_\_\_\_\_

Police Report filed:                      yes      no

Sent for repairs?                          yes      no

Date returned from repair: \_\_\_\_\_

Insurance claim filed?                      yes      no

Dept/person in charge: \_\_\_\_\_

## BUILDINGS & SITES ADAPTATION FOR PERSONS WITH DISABILITIES

The board recognizes the need for access to its buildings and sites by persons with disabilities. School district buildings and sites currently in use will be altered to be accessible to persons with disabilities unless the alteration would cause an undue hardship for the school district. Renovated and new buildings and sites shall be accessible to persons with disabilities.

It is the responsibility of the superintendent, upon board approval, to take the necessary action to ensure school district buildings and sites are accessible to persons with disabilities.

Legal Reference:       29 U.S.C. §§ 621-634 (2004).  
                              42 U.S.C. §§ 12101 *et seq.* (2004).  
                              Iowa Code chs. 104A; 216 (2007).

Cross Reference:       103     Equal Educational Opportunity  
                              603.3   Special Education

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## PARKING

Employees shall park only in the areas designated as employee parking and abide by school district parking regulations.

Visitors to the school district shall park in the parking area designated for visitor parking. Students shall abide by board policies dealing with the use of bicycles and motor vehicles. Parking areas designated for persons with disabilities may be used only by persons with disabilities.

Failure to comply with this policy or school district regulations will be reason for revocation of school district parking privileges.

Legal Reference: Iowa Code §§ 104A.7; 279.8; 321 (2007).  
661 I.A.C. 18.1-.8.

Cross Reference: 502 Student Rights and Responsibilities  
904.3 Public Conduct on School Premises

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## VANDALISM

The board believes everyone should treat school district buildings and sites and property with respect for the benefit of the education program. Users of school district property shall treat it with care. Employees discovering vandalism should report it to the building principal as soon as possible.

Persons suspected, found or proven to have destroyed or otherwise harmed school district property may be subject to discipline by the school district, if the person is under the jurisdiction of the school district, and may be reported to local law enforcement officials. Persons who are not under the jurisdiction of the school district and who are suspected, found or proven to have destroyed or otherwise harmed school district property shall be reported to the local law enforcement authorities.

Legal Reference: Iowa Code § 279.8 (2007).

Cross Reference: 502 Students Rights and Responsibilities  
904.3 Public Conduct on School Premises

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## ENERGY CONSERVATION

In concert with the board's goal to utilize public funds in an effective and efficient manner, employees and students shall practice energy conservation methods when utilizing the school district's buildings and sites. These methods include, but are not limited to, turning off lights and equipment when not in use, reducing the temperature of the facility, particularly when it is not in use, and keeping windows and doors properly closed or open, depending upon the weather.

It shall be the responsibility of the superintendent to develop energy conservation guidelines for employees and students. Employees and students shall abide by these guidelines.

Legal Reference: Iowa Code §§ 279.44; 473.19-.20 (2007).

Cross Reference: 700 Purpose of Noninstructional and Business Services

Approved September, 2007 Reviewed 02/09/2015 Revised \_\_\_\_\_

## DISPOSITION OF OBSOLETE EQUIPMENT

School property, such as equipment, furnishings, or supplies (hereafter equipment), will be disposed of when it is determined to be of no further use to the school district. It shall be the objective of the school district in disposing of the equipment to achieve the best available price or most economical disposal.

Obsolete equipment shall be disposed of in a legal manner determined by the superintendent.

A public hearing shall be held regarding the disposal of the equipment with a value of \$5,000 or more prior to the board's final decision. The board shall adopt a resolution announcing the proposed sale and shall publish notice of the time and place of the public hearing and the description of the property shall be in the resolution. Notice of the public hearing shall be published at least once, but not less than 10 days and not more than 20 days, prior to the hearing date. Upon completion of the public hearing, the board may dispose of the equipment.

Legal Reference: Iowa Code §§ 297.22-.25 (2007).

Cross Reference: 704 Revenue  
705.1 Purchasing - Bidding  
803 Selling and Leasing

Approved September, 2007

Reviewed 07/09/2018

Revised 07/23/22018

## LEASE, SALE OR DISPOSAL OF SCHOOL DISTRICT BUILDINGS &amp; SITES

Decisions regarding the lease, sale, or disposal of school district real property shall be made by the board. In making its decision the board will consider the needs of the education program and the efficient use of public funds.

Prior to the board's final decision regarding real property with a value of \$5,000 or more, a public hearing shall be held. The board shall adopt a resolution announcing the proposed sale which shall contain notice of the time and place of the public hearing and the description of the property or locally known address. Notice of the time and place of the public hearing shall be published at least once, but not less than 10 days and not more than 20 days, prior to the hearing date. Upon completion of the public hearing, the board may dispose of the property.

If the real property contains less than two acres, is located outside of a city, is not adjacent to a city and was previously used as a schoolhouse site, the property may revert to the owner of the tract from whom the property was taken following the procedures set forth in Iowa Code §§ 297.15-.25.

In the case of a sale or lease of school district real property not being used for the education program, unless otherwise exempted, advertisements for bids shall be taken. If the bids received by the board are deemed inadequate, the board may decline to sell or lease the property and re-advertise.

In the case of the razing of a school district facility, at a cost of \$100,000 or more, the board will advertise and take bids for the purpose of awarding the contract for the project.

The superintendent shall be responsible for coordinating the action necessary for the board to accomplish the lease, sale, or disposal of school district real property, including student-constructed buildings. It shall also be the responsibility of the superintendent to make a recommendation to the board regarding the use of school district real property not being utilized for the education program.

Legal Reference: Iowa Code §§ 297.15-.25 (2007).

Cross Reference: 704 Revenue  
705.1 Purchasing - Bidding  
803 Selling and Leasing

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## VACANT FACILITIES

School district facilities which have been vacated by the school district and are available for lease or purchase shall be reported to the city, county, and Iowa Department of General Services.

It shall be the responsibility of the board secretary to complete and send this notice. The board secretary should also notify the school district insurance carrier.

Legal Reference: Iowa Code § 297.4 (2007).

Cross Reference: 803 Selling and Leasing

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## FACILITIES INSPECTIONS

A program for annual inspection, in addition to those conducted by authorized agencies, of the equipment, facilities, and grounds shall be conducted as part of the maintenance schedule for school district buildings and sites. The results of this inspection shall be reported to the board at its annual meeting. Further, the board may conduct its own inspection of the school district buildings and sites annually.

Legal Reference: Iowa Code § 279.8 (2007).

Cross Reference: 802 Maintenance, Operation and Management

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## DISTRICT EMERGENCY OPERATIONS PLANS

The safety and security of the school community is paramount to *Durant Community School District*. While there is no absolute guarantee of safety, it is the goal of the district to encourage and support a physically secure learning and working environment within its buildings. The district shall work in conjunction with community stakeholders including local emergency management coordinators and local law enforcement agencies to create emergency operations plans for all district buildings and school buildings where students are educated.

The superintendent [*or their designee*] shall be responsible for the development, review and implementation of the district emergency operations plan. The plan shall include procedures for transmitting alerts regarding emergency situations to school personnel, students, and employers for non-school employees whose presence is regularly required in the school building. The emergency operations plan shall be updated and reviewed annually by the Board and shall address responses to natural disasters, active shooter scenarios and other emergencies as determined by the district. The emergency operations plans are confidential and shall not be subject to disclosure under Iowa Code Chapter 22. However, the district shall publish procedures for students, school personnel, parents, and family members to report possible safety threats on school grounds and at school activities.

The administration shall hold annual emergency operations drills at each district building covered by an emergency operations plan in accordance with law. The district shall determine which school personnel shall participate and whether local law enforcement and students participate in annual drills.

***NOTE: This is not a mandatory policy, but all school districts are required to have emergency operations plans in place for their districts no later than June 30, 2019.***

Legal Reference: Iowa Code 280.30

Cross Reference: 800 Objectives of Building and Sites

Approved \_\_\_\_\_

Reviewed 10/8/18

Revised 11/12/18

## FIRST AID

The board encourages employees to be trained in emergency first aid care and cardio-pulmonary resuscitation (CPR). The school district may provide a program annually for those employees who wish to learn or update emergency first aid care.

Legal Reference: Iowa Code §§ 279.8; 613.17 (2007).

Cross Reference: 403.2 Employee Injury on the Job  
507.4 Student Illness or Injury at School

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## FACILITIES SECURITY

To protect the school district buildings and sites and equipment, the facilities shall be locked when school is not in session. When school activities or public activities are held in the school district facilities, only the appropriate doors, as determined by the superintendent and the building principals, shall be unlocked for access to the school district facilities.

It shall be the responsibility of employees and users of the school district facilities to abide by this policy.

Legal Reference: Iowa Code §§ 279.8; 280.3, .14 (2007).

Cross Reference: 401.9 Use of School District Facilities & Equipment by Employees  
709 Insurance  
906 Use of School District Facilities & Equipment

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## EMPLOYEE SAFETY INSERVICE

The administration and custodians may conduct inservices for employees to review safety practices and accident prevention.

Legal Reference: Iowa Code §§ 279.8; 280.3, .14 (2007).

Cross Reference: 804 Safety Program

Approved September, 2007 Reviewed 02/09/2015 Revised \_\_\_\_\_

## ASBESTOS CONTAINING MATERIAL

Friable and nonfriable asbestos containing materials will be maintained in good condition and appropriate precautions will be followed when the material is disturbed. If there is a need to replace asbestos it will be replaced with nonasbestos containing materials. Each school building will maintain a copy of the asbestos management plan.

The school district will annually notify, appoint and train appropriate employees as necessary.

Legal Reference: 20 U.S.C. §§ 3601 *et seq.* (2004).  
40 C.F.R. Pt. 763.84 (2004).  
Iowa Code §§ 279.52-.54 (2007).

Cross Reference: 403.4 Hazardous Chemical Disclosure  
802 Maintenance, Operation and Management

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## SCHOOL DISTRICT - COMMUNITY RELATIONS

### Series 900

- 900 Principles and Objectives for Community Relations
- 901 Public Communications
  - 901.1 Public Examination of School District Records
  - 901.2 Board of Directors and Community Relations
- 902 Press, Radio, and Television News Media
  - 902.1 News Media Relations
  - 902.2 News Conferences and Interviews
  - 902.3 News Releases
  - 902.4 Students and the News Media
  - 902.5 Employees and the News Media
  - 902.6 Live Broadcast or Videotaping
- 903 Other Intra-district Relations
- 904 Public Participation in the School District
  - 904.1 School - Community Groups
  - 904.2 Visitors to School District Buildings & Sites
  - 904.3 Public Conduct on School Premises
  - 904.4 Distribution of Materials
    - 904.4R1 Distribution of Materials Regulation
- 905 Community Activities Involving Students
  - 905.1 Transporting Students in Private Vehicles
  - 905.2 Advertising and Promotion
- 906 Use of School District Facilities & Equipment
  - 906.1 Community Use of School District Buildings & Sites & Equipment
    - 906.1E1 Use of Facilities-Application Form
    - 906.1E2 Use of School Facilities-Indemnity and Liability Insurance Agreement
    - 906.1R1 Use of School District Facilities Regulation
    - 906.1R2 Fees for Use of School District Facilities
  - 906.2 Tobacco-Free Environment
- 907 Sex Offender Registry

## PRINCIPLES AND OBJECTIVES FOR COMMUNITY RELATIONS

Successful education programs require the support of the school district community. The board addresses the importance of the role of the school district community in the school district in this series of the policy manual. The board recognizes this support is dependent on the school district community's understanding of participation in the efforts, goals, problems and programs of the school district.

In this section, the board sets out its policies defining its relationship with the school district community. In striving to obtain the support of the school district community, the board will:

- Provide access to school district records;
- Inform the school district community of the school district's goals, objectives, achievements, and needs;
- Invite the input of the school district community; and,
- Encourage cooperation between the school district and the school district community.

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## PUBLIC EXAMINATION OF SCHOOL DISTRICT RECORDS

Public records of the school district may be viewed by the public during the regular business hours of the administration offices of the school district. These hours are 8:00 a.m. to 4:00 p.m. Monday through Friday, except for holidays and recesses.

Persons wishing to view the school district's public records will contact the board secretary and make arrangements for the viewing. The board secretary will make arrangements for viewing the records as soon as practicable, depending on the nature of the request.

Persons may request copies of public records by telephone or in writing, including electronically. The school district may require pre-payment of the costs prior to copy and mailing.

Persons wanting copies may be assessed a fee for the copy. Persons wanting compilation of information may be assessed a fee for the time of the employee to compile the requested information. Printing of materials for the public at the expense of the school district will only occur when the event is sponsored by the school district.

Pursuant to Iowa law, the board has determined certain records need to be confidential as their disclosure could jeopardize the safety of persons or property and include, but are not limited to, the following:

- Security procedures
- Emergency preparedness procedures
- Evacuation procedures
- Security codes and passwords

It is the responsibility of the board secretary to maintain accurate and current records of the school district. It is the responsibility of the board secretary to respond in a timely manner to requests for viewing and receiving public information of the school district.

Legal Reference: Iowa Code §§ 21.4; 22; 291.6 (2007).  
1980 Op. Att'y Gen. 88.  
1972 Op. Att'y Gen. 158.  
1968 Op. Att'y Gen. 656.

Cross Reference: 215 Board of Directors' Records  
401.5 Employee Records  
506 Student Records  
708 Care, Maintenance, and Disposal of School District Records  
902.1 News Media Relations

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## BOARD OF DIRECTORS AND COMMUNITY RELATIONS

The board recognizes the need for a communications program to provide effective two-way communication between the school district and the school district community. The school district's communications program shall strive to meet the following goals.

- To keep citizens informed through a regular flow of information about the school district and its programs;
- To encourage and organize the interchange of ideas between the school district and the community by developing and implementing techniques for community involvement in the school district and for school district involvement in the community; and
- To assess public knowledge, attitudes and concerns on a regular basis.

It shall be the responsibility of the superintendent to establish and maintain an on-going communications program with the community. The superintendent shall make a recommendation to the board annually for changes in the communications program.

Legal Reference: Iowa Code §§ 21; 22; 279.8 (2007).

Cross Reference:	104	The People and Their School District
	209	Committees of the Board of Directors
	217	Board of Directors' Relationships
	302	Administration Relationships
	402	Employees and Outside Relations
	902	Press, Radio and Television News Media
	904	Public Participation in the School District

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## NEWS MEDIA RELATIONS

The board recognizes the value of and supports open, fair and honest communication with the news media. The board will maintain a cooperative relationship with the news media. As part of this cooperative relationship, the board and the media will develop a means for sharing information while respecting each party's limitations.

Members of the news media are encouraged and welcome to attend open board meetings. The board president shall be the spokesperson for the board, and the superintendent shall be the spokesperson for the school district. It shall be the responsibility of the board president and superintendent to respond to inquiries from the news media about the school district.

Members of the news media seeking information about the school district shall direct their inquiries to the superintendent. The superintendent shall accurately and objectively provide the facts and board positions in response to inquiries from the news media about the school district.

Legal Reference: Iowa Code §§ 21.4; 22; 279.8 (2007).

Cross Reference: 901 Public Communications  
902 Press, Radio and Television News Media

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## NEWS CONFERENCES AND INTERVIEWS

The superintendent, on behalf of the board and the school district, may hold a news conference or respond to a request for an interview with the news media.

The superintendent shall respond accurately, openly, honestly, and objectively to inquiries from the news media about the school district.

News conferences and interviews planned or pre-arranged for school district activities shall include the board and the superintendent. News conferences for issues requiring an immediate response may be held by the superintendent. It shall be within the discretion of the superintendent to determine whether a news conference or interview shall be held to provide an immediate response to an issue.

It shall be the responsibility of the superintendent to keep the board apprised of news conferences and interviews.

Legal Reference: Iowa Code §§ 21.4; 22; 279.8 (2007).

Cross Reference: 901 Public Communications  
902 Press, Radio and Television News Media

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## NEWS RELEASES

The superintendent shall determine when a news release about internal school district and board matters will be issued. In making this determination, the superintendent shall strive to keep the media and the school district community accurately and objectively informed. Further, the superintendent shall strive to create and maintain a positive image for the school district. It shall be the responsibility of the superintendent to approve news releases originating within the school district prior to their release.

News releases will be prepared and disseminated to news media in the school district community. Questions about news releases shall be directed to the superintendent.

Legal Reference:     Widmer v. Reitzler, 182 N.W.2d 177 (Iowa 1970).  
                          Dobrovolny v. Reinhardt, 173 N.W.2d 837 (Iowa 1970).  
                          Iowa Code §§ 21.4; 22.2 (2007).  
                          1980 Op. Att'y Gen. 73.  
                          1952 Op. Att'y Gen. 133.

Cross Reference:     902     Press, Radio and Television News Media

Approved September, 2007                      Reviewed 02/09/2015                      Revised \_\_\_\_\_

## STUDENTS AND THE NEWS MEDIA

The students may not be interviewed during the school day by members of the news media. The students, while on the school district premises, shall refer interview requests and information requests from the news media to their principal.

It shall be within the discretion of the principal, after consulting with the superintendent, to allow or disallow the news media to interview and to receive information from the student while the student is under the control of the school district. The principal may also contact the student's parents.

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

Legal Reference: Iowa Code § 279.8 (2007).

Cross Reference: 502.11 Interviews of Students by Outside Agencies  
902 Press, Radio and Television News Media

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## EMPLOYEES AND THE NEWS MEDIA

Employees shall refer interview requests and information requests from the news media to the superintendent's office. Employees may be interviewed or provide information about school district matters after receiving permission from the superintendent.

It shall be within the discretion of the superintendent to allow the news media to interview and to receive information from employees.

It shall be the responsibility of the superintendent to develop guidelines for assisting employees in complying with this policy.

Legal Reference: Iowa Code § 279.8 (2007).

Cross Reference: 901 Public Communications  
902 Press, Radio and Television News Media

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## LIVE BROADCAST OR VIDEOTAPING

Individuals may broadcast or videotape public school district events, including open board meetings, as long as it does not interfere with or disrupt the school district event and it does not create an undue burden in adapting the buildings and sites to accommodate the request.

It shall be within the discretion of the superintendent to determine whether the request is unduly burdensome and whether the broadcast or videotaping will interfere with or disrupt the school district event.

Videotaping of classroom activities will be allowed at the discretion of the superintendent. Parents will be notified prior to videotaping of classroom activities.

It shall be the responsibility of the superintendent to develop administrative regulations outlining the procedures for making the request and the rules for operation if the request is granted.

Legal Reference: Iowa Code §§ 21.4, .7; 22; 279.8 (2007).

Cross Reference: 506.2 Student Directory Information  
901.2 Board of Directors and Community Relations  
902.1 News Media Relations  
904.2 Visitors to School District Buildings and Sites

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## OTHER INTRADISTRICT RELATIONS

The board shall work with other local government units, colleges and universities, technical schools, businesses and industries, private schools, education associations, local community organizations and associations to provide additional education opportunities for the students in the school district.

It shall be the responsibility of the superintendent to bring opportunities for cooperation to the attention of the board.

Legal Reference: Iowa Code § 279.8 (2007).

Cross Reference: 217 Board of Directors' Relationships  
302 Administration Relationships  
402 Employees and Outside Relations

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## SCHOOL - COMMUNITY GROUPS

The board values the participation and the support of school district-community groups, including, but not limited to, the booster clubs and parent-teacher organizations, which strive for the betterment of the school district and the education program. The board will work closely with these groups.

Prior to any purchase of, or fund raising for the purchase of goods or services for the school district, the group shall confer with the superintendent to assist the group in purchasing goods or services to meet the school district's needs.

Funds raised by these groups for the school district may be kept as part of the accounts of the school district.

It shall be the responsibility of the building principal to be the liaison with the school district-community groups affiliated with the building principal's attendance center.

Legal Reference: Iowa Code §§ 279.8; 291.13 (2007).

Cross Reference: 104 The People and Their School District  
904 Public Participation in the School District

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## VISITORS TO SCHOOL DISTRICT BUILDINGS &amp; SITES

The board welcomes the interest of parents and other members of the school district community and invites them to visit the school buildings and sites. Visitors, which include persons other than employees or students, are required to sign in and receive a visitors badge upon arrival. Sign-in books are located in the High School Office and the Superintendent's Office. The badge must be worn at all times during the visit, and upon departure returned to the office in which it was received where the visitor must sign out. Failure to follow sign-in policy will result in a warning. Further violations could include being banned from school property.

Persons who wish to visit a classroom while school is in session are asked to notify the principal and obtain approval from the principal prior to the visit so appropriate arrangements can be made and so class disruption can be minimized. Teachers and other employees shall not take time from their duties to discuss matters with visitors.

Visitors shall conduct themselves in a manner fitting to their age level and maturity and with mutual respect and consideration for the rights of others while attending school events. Visitors failing to conduct themselves accordingly may be asked to leave the premises. Children who wish to visit school must be accompanied by a parent or responsible adult.

It shall be the responsibility of employees to report inappropriate conduct. It shall be the responsibility of the superintendent and principals to take the action necessary to cease the inappropriate conduct. If the superintendent or principals are not available, a school district employee shall act to cease the inappropriate conduct.

Legal Reference: Iowa Code §§ 279.8; 716.7 (2007).

Cross Reference: 220 School Visitation by Board of Directors  
902 Press, Radio and Television News Media

Approved September, 2007

Reviewed 02/09/2015

Revised February 13, 2012

## PUBLIC CONDUCT ON SCHOOL PREMISES

School sponsored or approved activities are an important part of the school program and offer students the opportunity to participate in a variety of activities not offered during the regular school day. School sponsored or approved activities are provided for the enjoyment and opportunity for involvement they afford the students.

Individuals are permitted to attend school sponsored or approved activities or visit the school building only as guests of the school district, and, accordingly as a condition of such permission, they must comply with the school district's rules and policies. Individuals will not be allowed to interfere with the education program, enjoyment of the students participating, other individuals or with the performance of employees and officials supervising the school sponsored or approved activity. Individuals, like the student participants, are expected to display mature behavior and sportsmanship. The failure of individuals to do so is not only disruptive but embarrassing to the students, the school district and the entire community.

To protect the rights of students to participate in the education program, or activities without fear of interference, and to permit the employees or sponsors and officials of sponsored or approved activities to perform their duties without interference, the following provisions are in effect:

- Abusive, verbal or physical conduct of individuals directed at students, employees, officials or sponsors of sponsored or approved activities or at other individuals will not be tolerated.
- Verbal or physical conduct of individuals that interferes with the performance of students, employees, officials or sponsors of sponsored or approved activities will not be tolerated.
- The use of vulgar, obscene or demeaning expression directed at students, employees, officials or sponsors participating in a sponsored or approved activity or at other individuals will not be tolerated.

If an individual becomes physically or verbally abusive, uses vulgar, obscene or demeaning expression, or in any way interrupts an activity, the individual may be removed from the event by the individual in charge of the event and the superintendent may recommend the exclusion of the individual from the school buildings or from future sponsored or approved activities. The Cedar Valley Conference has approved this policy for conference-wide implementation.

The superintendent may cause a notice of exclusion from the school building or from sponsored or approved activities to be sent to the individual involved. The notice will advise the individual of the school district's right to exclude the individual from school buildings, school district activities and events and the duration of the exclusion. If the individual disobeys the school official or district's order, law enforcement authorities may be contacted and asked to remove the individual. If an individual has been notified of exclusion and thereafter tries to enter a school building or attends a sponsored or approved activity, the individual will be advised that his/her attendance will result in prosecution. The school district may obtain a court order for permanent exclusion from the school building or from future school sponsored or approved activities.

Legal Reference: Iowa Code §§ 279.8; 716.7 (2007).

Cross Reference: 205 Board Member Liability  
 504 Student Activities  
 802.6 Vandalism  
 903 Public Participation in the School District

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## DISTRIBUTION OF MATERIALS

The board recognizes that students, employees, parents or citizens may want to distribute materials within the school district that are noncurricular. Noncurricular materials to be distributed must be approved by the building principal and meet certain standards prior to their distribution.

It shall be the responsibility of the superintendent, in conjunction with the building principals to draft administrative regulations regarding this policy.

Legal Reference: U.S. Const. amend. I.  
Hazelwood School District v. Kuhlmeier, 484 U.S. 260 (1988).  
Bethel School District v. Fraser, 478 U.S. 675 (1986).  
New Jersey v. T.L.O., 469 U.S. 325 (1985).  
Tinker v. Des Moines Ind. Comm. Sch. Dist., 393 U.S. 503 (1969).  
Bystrom v. Fridley High School, 822 F.2d 747 (8th Cir. 1987).  
Iowa Code §§ 279.8; 280.22 (2007).

Cross References: 502.5 Freedom of Expression  
503.1 Student Conduct  
504 Student Activities  
603.9 Academic Freedom

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## DISTRIBUTION OF MATERIALS REGULATION

## I. Guidelines.

Individuals, including students, may have the right to distribute on school premises, at reasonable times and places, unofficial written material, petitions, buttons, badges or other insignia, except expression which:

1. is obscene to minors;
2. is libelous;
3. contains indecent, vulgar, profane or lewd language;
4. advertises any product or service not permitted to minors by law;
5. constitutes insulting or fighting words, the very expression of which injures or harasses other people (e.g., threats of violence, defamation of character or of a person's race, religion, gender, disability, age or ethnic origin);
6. presents a clear and present likelihood that, either because of its content or the manner of distribution, it will cause a material and substantial disruption of the proper and orderly operation and discipline of the school or school activities, will cause the commission of unlawful acts or the violation of lawful school regulations.

Distribution on school premises of material in categories (1) through (4) to any student is prohibited.

Distribution on school premises of material in categories (5) and (6) to a substantial number of students is prohibited.

## II. Procedures.

Anyone wishing to distribute unofficial written material must first submit for approval a copy of the material to the building principal at least twenty-four hours in advance of desired distribution time, together with the following information:

1. Name and phone number of the person submitting request and, if a student, the homeroom number;
2. Date(s) and time(s) of day of intended display or distribution;
3. Location where material will be displayed or distributed;
4. The grade(s) of students to whom the display or distribution is intended.

Within twenty-four hours of submission, the principal will render a decision whether the material violates the guidelines in subsection I or the time, place and manner restrictions in subsection III of this policy. In the event that permission to distribute the material is denied, the person submitting the request should be informed in writing of the reasons for the denial. Permission to distribute material does not imply approval of its contents by either, the school, the administration, the board or the individual reviewing the material submitted.

If the person submitting the request does not receive a response within twenty-four hours of submission, the person shall contact the building principal's office to verify that the lack of response was not due to an inability to locate the person. If the person has made this verification and there is no response to the request, the material may be distributed in accordance with the time, place and manner provisions in subsection III.

If the person is dissatisfied with the decision of the principal, the person may submit a written request for appeal to the superintendent. If the person does not receive a response within three school days of submitting the appeal, the person shall contact the superintendent to verify that the lack of response is not due to an inability to locate the person. If the person has made this verification and there is no response to the appeal, the material may be distributed in accordance with the time, place and manner provisions in subsection III.

## DISTRIBUTION OF MATERIALS REGULATION

At every level of the process the person submitting the request shall have the right to appear and present the reasons, supported by relevant witnesses and material, as to why distribution of the written material is appropriate.

Permission to distribute material does not imply approval of its contents by either, the school district, the board, the administration or the individual reviewing the material submitted.

### III. Time, place and manner of distribution.

The distribution of written material is prohibited when it blocks the safe flow of traffic within corridors and entrance ways of the school or otherwise disrupts school activities. The distribution of unofficial material shall be limited to a reasonable time, place and manner as follows:

1. The material shall be distributed from a table set up for the purpose in a location designated by the principal, which location shall not block the safe flow of traffic or block the corridors or entrance ways, but which shall give reasonable access to students.
2. The material shall be distributed either before and/or after the regular instructional day.
3. No written material may be distributed during and at the place of a normal school activity if it is reasonably likely to cause a material and substantial disruption of that activity.

### IV. Definitions.

The following definitions apply to the following terms used in this policy:

1. "Obscene to minors" is defined as:
  - (a) The average person, applying contemporary community standards, would find that the written material, taken as a whole, appeals to the prurient interest of minors of the age to whom distribution is requested;
  - (b) The material depicts or describes, in a manner that is patently offensive to prevailing standards in the adult community concerning how such conduct should be presented to minors of the age to whom distribution is requested, sexual conduct such as intimate sexual acts (normal or perverted), masturbation, excretory functions, and lewd exhibition of the genitals; and
  - (c) The material, taken as a whole, lacks serious literary, artistic, political or scientific value for minors.
2. "Minor" means any person under the age of eighteen.
3. "Material and substantial disruption" of a normal school activity is defined as follows:
  - (a) Where the normal school activity is an educational program of the district for which student attendance is compulsory, "material and substantial disruption" is defined as any disruption which interferes with or impedes the implementation of that program.
  - (b) Where the normal school activity is voluntary in nature (including, without limitation, school athletic events, school plays and concerts, and lunch periods), "material and substantial disruption" is defined as student rioting, unlawful seizures of property, widespread shouting or boisterous demonstration, sit-in, stand-in, walk-out, or other related forms of activity. In order for expression to be considered disruptive, there must exist specific facts upon which the likelihood of disruption can be forecasted including past experience in the school, current events influencing student activities and behavior, and instances of actual or threatened disruption relating to the written material in question.

## DISTRIBUTION OF MATERIALS REGULATION

4. "School activities" means any activity of students sponsored by the school and includes, by way of example but not limited to, classroom work, library activities, physical education classes, official assemblies and other similar gatherings, school athletic contests, band concerts, school plays and in-school lunch periods.
5. "Unofficial" written material includes all written material except school newspapers, literary magazines, yearbooks, and other publications funded and/or sponsored or authorized by the school. Examples include leaflets, brochures, flyers, petitions, placards and underground newspapers, whether written by students or others.
6. "Libelous" is a false and unprivileged statement about a specific individual that tends to harm the individual's reputation or to lower him/her in the esteem of the community.
7. "Distribution" means circulation or dissemination of written material by means of handing out free copies, selling or offering copies for sale and accepting donations for copies. It includes displaying written material in areas of the school which are generally frequented by students.

## V. Disciplinary action.

Distribution by any student of unofficial written material prohibited in subsection I or in violation of subsection III may be halted, and students may be subject to discipline including suspension and expulsion. Any other party violating this policy may be requested to leave the school property immediately and, if necessary, local law enforcement officials will be called.

## VI. Notice of policy to students.

A copy of this policy will be published in student handbooks and posted conspicuously in school buildings.

## TRANSPORTING STUDENTS IN PRIVATE VEHICLES

Generally, transporting students for school purposes is done in a vehicle owned by the school district and driven by a school bus driver. Students may be transported in private vehicles for school purposes. It is within the discretion of the superintendent to determine when this is appropriate.

Individuals transporting students for school purposes in private vehicles must have the permission of the superintendent. Private vehicles will be used only when proof of insurance has been supplied to the superintendent and when the parents of the students to be transported have given written permission to the superintendent. The school district assumes no responsibility for those students who have not received the approval of the superintendent and who ride in private vehicles for school purposes.

This policy statement applies to transportation of students for school purposes in addition to transporting students to and from their designated attendance center. It is the responsibility of the superintendent to develop administrative regulations regarding this policy.

Legal Reference: Iowa Code §§ 279.8; 285; 321 (2007).  
281 I.A.C. 43.

Cross Reference: 401.11 Transporting of Students by Employees  
401.12 Employee Travel Compensation  
711 Transportation

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## ADVERTISING AND PROMOTION

The use of students, the school district name, or its buildings and sites for advertising and promoting products and/or services of entities and organizations operating for a profit shall be disallowed. Nonprofit entities and organizations may be allowed to use students, the school district name, or its buildings and sites if the purpose is educationally related and prior approval has been obtained from the board.

Legal Reference: Iowa Code § 279.8 (2007).

Cross Reference: 402.9 Solicitations from Outside  
504.6 Student Fund Raising  
905 Community Activities Involving Students

Approved September, 2007

Reviewed 02/09/2015

Revised \_\_\_\_\_

## COMMUNITY USE OF SCHOOL DISTRICT FACILITIES & EQUIPMENT

School district facilities and equipment will be made available to local nonprofit entities which promote cultural, educational, civic, community, or recreational activities. "Entity(ies)" will include organizations, groups and individuals and their agents. Such use will be permitted only when the use does not interfere with or disrupt the education program or a school-related activity, the use is consistent with state law, and will end no later than midnight. It is within the discretion of the board to allow for-profit entities to use school district facilities and equipment. The board reserves the right to deny use of the facilities and equipment to an entity. It is within the discretion of the superintendent to allow use of school district facilities and equipment on Sundays.

Entities that wish to use school district facilities or equipment must apply with the athletic director. It is the responsibility of the board secretary or superintendent to determine whether the school district facility or equipment requested is available and whether the application for use meets board policy and administrative regulations. It is the responsibility of the superintendent and board secretary to provide application forms, obtain proof of insurance, and draw up the contract for use of school district facilities and equipment.

Use of school district facilities and equipment by entities will be supervised by a school district employee unless special prior arrangements are made with the superintendent. The school district employee will not accept a fee from the entity using school district facilities and equipment. If appropriate, the school district employee may be paid by the school district.

Entities that use school district buildings, or equipment, or sites must leave the building or site in the same condition it was in prior to its use. Inappropriate use of school district facilities and equipment may result in additional fees charged to, or the inability of, the entity to use school district facilities or equipment in the future.

The school district will sponsor education related organizations' use of the ICN upon approval of the superintendent. Sponsored ICN user's mission must be consistent with the mission of the school district. Costs associated with the use of the ICN will be passed on by the school district to the sponsored user.

Authorized users of the ICN will ensure their use of the ICN is consistent with their written mission. The ICN will not be used for profit making ventures. Authorized users may not resell time on the ICN. Entities that wish to use the school district's ICN classroom to originate, receive or broadcast programming must follow the state scheduling requirements. It is recommended that entities that wish to use the school district's ICN classroom to originate, receive, or broadcast programming, contact the school district's ICN scheduler's office to inform them of their needs.

It is the responsibility of the entities that wish to use the school district's ICN classroom to originate, receive or broadcast programming in compliance with the law regarding authorized use of and content of the programming on the ICN. The school district assumes no responsibility or liability for entities using the ICN classroom in violation of the law, the authorized user's mission or school district policy and its supporting administrative regulations. The school district reserves the right to charge all costs, including attorney fees, that may arise to the entity for the entity's failure to comply with the law or school district policy and its supporting administrative regulations.

The board may allow entities, such as the Boy and Girl Scouts and 4-H, to use the school district facilities and equipment without charge. While such entities may use the facilities and equipment without charge, they may be required to pay a custodial fee.

## COMMUNITY USE OF SCHOOL DISTRICT FACILITIES & EQUIPMENT

It is the responsibility of the superintendent to develop a fee schedule for the board's approval and to develop administrative regulations regarding this policy.

Legal Reference: Iowa Code §§ 8D; 276; 278.1(4); 279.8; 297.9-.11 (2007).  
1982 Op. Att'y Gen. 561.  
1940 Op. Att'y Gen. 232.  
1936 Op. Att'y Gen. 196.

Cross Reference: 704 Revenue

Approved September, 2007 Reviewed 02/09/2015 Revised Sept 2010

## COMMUNITY USE OF SCHOOL DISTRICT FACILITIES & EQUIPMENT REGULATION

1. Alcoholic beverages will not be brought to or consumed on school grounds.
2. Smoking is prohibited in school district facilities and on school district grounds.
3. After a school district facility, site, or equipment has been used by an entity, cleaning, including restoring the facility, site or equipment to the condition it was in prior to its use, will be done by employees assisted by a committee from the entity. The fee charged to the entity for the use of the facility, site, or equipment will include these costs. However, if excessive costs are involved in cleaning or otherwise restoring the facility, site, or equipment to the condition it was in prior to its use, the board reserves the right to charge the entity for these excessive costs.
4. Entities are required to stay within the area of the school district facility or site and use only the school district equipment authorized by the school district for use by the entity. Other school district facilities, sites, or areas in the school district building or equipment are off limits to the entity.
5. A cancellation after the facility or equipment is made ready for the entity will be charged at the full rate. Cancellations made prior to that time will be charged a minimum cancellation fee or the costs incurred to the school district in anticipation of the entity's use, whichever is greater.

## COMMUNITY USE OF SCHOOL DISTRICT BUILDINGS &amp; SITES &amp; EQUIPMENT

Fees Schedule

## Rates for Use of Buildings and Sites

Elementary/Middle School gym	\$25 half day, \$50 full day
Cafeteria	
Auditorium	\$40 half day, \$70 full day
School kitchen	\$35 half day, \$70 full day
High school gym	\$35 half day, \$70 full day
High school auditorium	\$35 half day, \$70 full day
Computer/Paper Use	\$20/per.
Classroom	\$20 day
Gym equipment	\$20 day

Add to above:

Custodial charges	\$14/hr
-------------------	---------

ICN classroom per hour (maximum \$12.50 per hour)	\$10/hr
--	---------

In addition to paying the above fees, other than entities using the ICN classroom, each entity must make arrangements with the school district to have adequate custodial and supervisory services. Buildings will not be available unless a contract is signed by the entity and the school district well in advance of scheduled usage.

Rates for Use of Equipment...	NA we do not rent out equipment
VCR (one-half day)	
Overhead projector (one-half day)	
<i>[Add other items]</i>	

Add to above:

For each additional hour or fraction thereof	
<i>[Add other items]</i>	

The ICN is a statewide telecommunications network designed primarily to enhance learning opportunities for students, employees and board members. The school district recognizes that it is not the only authorized user of the ICN and other users will frequently be using the school district's ICN facilities. Sponsored and authorized users of the ICN must comply with state and federal law in using the ICN.

The tech coordinator is responsible for coordinating ICN classroom use. Requests for use of the ICN classroom by employees for the educational program are filed with the tech coordinator.

## ICN ROOM USE REGULATION

It is the responsibility of the entity using the ICN classroom to comply with the requirements of the law and school district policy and its supporting administrative regulations.

1. The ICN is a limited access network and sponsored or authorized users cannot use the system for profit making ventures.
2. The use must be consistent with the mission of the sponsored or authorized user.
3. Users cannot resell time on the ICN.
4. Sponsored and authorized users are responsible for compliance with the Americans with Disabilities Act and Iowa Civil Rights Act. Sponsored and authorized users are responsible for making the necessary accommodations and are responsible for obtaining and paying for needed interpreters or interpretive equipment.
5. Sponsored and authorized users are required to stay within the ICN classroom and use the most direct route to the ICN classroom. Other school district facilities, sites, areas in the school district building or equipment are off limits to the authorized users.
6. The charge for use of the ICN room is \$10.00.
7. The ICN will be available Monday through Friday, 7:00 a.m. to 10:30 p.m. and Saturday, 8:00 a.m. to 4:00 p.m.
8. The sponsored or authorized user is responsible for all site and site usage charges.
9. A school district employee will be present in the school district facility while the ICN is in use.
10. Food and drink are not permitted in the ICN room.
11. First time use of the ICN will require prior training and should be organized through the school district ICN scheduler (tech coordinator) at (563) 785-4432.
12. Use or transmission of copyrighted material, without prior approval of the copyright holder, is strictly prohibited. Appropriate use of the copyrighted material is the responsibility of the sponsored or authorized user, not the school district.
13. The school district reserves the right to amend these rules as necessary to reflect the ICN's usage and changes at the state or federal level.
14. The school district reserves the right to charge all costs, including attorneys' fees, that may arise to the authorized user for the sponsored or authorized user's failure to comply with the law, board policy and administrative regulations.

COMMUNITY USE OF SCHOOL DISTRICT FACILITIES & EQUIPMENT APPLICATION FORM

Durant Community School District  
PO Box 607

Durant, Iowa 52747

District Office: 563-785-4432, High School: 563-785-4431, Middle School: 563-785-4433

**APPLICATION FOR USE OF FACILITIES**

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

Name of Organization: \_\_\_\_\_

Organizational Contact: \_\_\_\_\_

Contact Numbers: \_\_\_\_\_

Organizational Address: \_\_\_\_\_

Type of Event:	Practice	School	Other	
School Facility Requested:	HS Gym	MS Gym	Cafeteria	MPR Room
	Conference Room	Board Room	Auditorium	

Facility not listed above: \_\_\_\_\_

Date(s): \_\_\_\_\_

Time Period(s): \_\_\_\_\_

Nature of Organization:

Non-Profit: \_\_\_\_\_ Profit: \_\_\_\_\_ In-District: \_\_\_\_\_ Out-of-District: \_\_\_\_\_

Fully Describe the Nature of the Proposed Event: \_\_\_\_\_

\*\*\*\*\***To be completed by district personnel**\*\*\*\*\*

Limitations or conditions on facility use: \_\_\_\_\_

School Facility Available: Yes \_\_\_\_\_ No \_\_\_\_\_

Building Principal/AD: \_\_\_\_\_ Approved: Y \_\_\_\_\_ No \_\_\_\_\_

Superintendent: \_\_\_\_\_ Approved: Y \_\_\_\_\_ No \_\_\_\_\_

Custodial Staff: \_\_\_\_\_ Approved: Y \_\_\_\_\_ No \_\_\_\_\_

Maintenance: \_\_\_\_\_ Approved: Y \_\_\_\_\_ No \_\_\_\_\_

Added to Schedule Star Calendar \_\_\_\_\_ Copy sent to Organization \_\_\_\_\_

**This form must be submitted 72 hours prior to requested use of facility.**

COMMUNITY USE OF SCHOOL DISTRICT FACILITIES & EQUIPMENT  
INDEMNITY AND LIABILITY INSURANCE AGREEMENT

The undersigned, hereafter referred to as "entity," states that it will hold the Durant Community School District, hereafter referred to as "school district," harmless from any and all damages and claims that may arise by reason of any negligence on the part of the entity in the use of any facilities or equipment owned by the school district. In case any action is brought therefore against the school district or any of its officers, employees or agents, the entity will assume full responsibility for the legal defense thereof, and upon its failure to do so on proper notice, the school district reserves the right to defend such action and to charge all costs, including attorneys' fees, to the entity.

The entity agrees to furnish and maintain during the usage of the facilities or equipment owned by the school district such bodily injury and property damage liability insurance as will protect the entity and the school district from claims or damages for personal injury, including accidental death, and from claims for property damages which may arise from the entity's use of the school district's facilities or equipment whether such operations be by the entity or by anyone directly or indirectly employed by the entity.

The entity will furnish the school district with a certificate of insurance acceptable to the school district's insurance carrier before the contract is issued.

Dated at \_\_\_\_\_, Iowa, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

_____ (Entity)	Durant Community School District
By _____	By _____ Superintendent
Title _____	By _____
Address _____	Secretary
_____	

## TOBACCO-FREE ENVIRONMENT

School district facilities and grounds, including school vehicles, are off limits for tobacco or nicotine use, including the use of look-a-likes where the original would include tobacco or nicotine. This requirement extends to students, employees and visitors. This policy applies at all times, including school-sponsored and non-school-sponsored events. Persons failing to abide by this request are required to extinguish their smoking material, dispose of the tobacco, nicotine or other product or leave the school district premises immediately. It is the responsibility of the administration to enforce this policy.

Legal Reference: Goals 2000: Educate America Act, Pub. L. No. 103-227, 108 Stat. 125 (1994).  
House File 2212, Iowa General Assembly (2008)  
Iowa Code §§ 142B; 279.8, .9; 297 (2007).

Cross Reference: 903.4 Public Conduct on School Premises  
905.1 Community Use of School District Buildings & Sites & Equipment

Approved Sept. 2007

Reviewed 02/09/2015

Revised November 10, 2014

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