



# **Moravia Community School District**

## **Board Policies**

**2023/2024**



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# 100 EDUCATIONAL PHILOSOPHY

As a school corporation, the Moravia 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 District's ability, in order to provide for students, in cooperation with the families and the District community, the opportunity to develop a healthy social, intellectual, emotional and physical self-concept in a learning environment that provides guidance and encourages each student to develop his/her full potential and become a productive citizen. The District and the Board endeavor, through the dedication of the district's resources, to encourage students to prepare for and anticipate their future. In order to achieve this goal, the District and the Board will seek qualified employees dedicated to the development of their professional skills for the betterment of the education program.

The support and involvement of the home and the community are essential to achieve educational excellence in the educational program. The district strives to maintain an active relationship with the home and the community to create within the students an awareness of the importance of each, and to encourage the goals outlined above outside of the educational environment.

"Excellence in Education: Preschool Through Graduation"

First Reading Approved 3/9/2022

Second Reading Approved 4/13/2022

# 101 SCHOOL DISTRICT GOALS AND OBJECTIVES

First Reading Approved 3/9/2022

Second Reading Approved 4/13/2022

# 102 SCHOOL DISTRICT MISSION STATEMENT

"Excellence in Education: Preschool Through Graduation"

First Reading Approved 3/9/2022

Second Reading Approved 4/13/2022

# 103 KEY IMPROVEMENT PRIORITIES

The District and the Board will establish key priorities for the district annually. The identified priorities will align and support the Comprehensive School Improvement Plan of the District.

First Reading Approved 3/9/2022

Second Reading Approved 4/13/2022

# 104 EQUAL EDUCATIONAL OPPORTUNITY

It is the goal of the District and the Board to develop a health social, intellectual, emotional, and physical self-concept in the students enrolled in the district. Each student attending school will have the opportunity to use 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 educational opportunity.

The District and the Board will not 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. The belief in equal educational opportunity serves as a guide for the District and the Board and employees in making decisions relating to District facilities, employment, selection of educational materials, equipment, curriculum, and regulations affecting students. There is a grievance procedure for processing complaints of discrimination. If you have questions or a grievance related to this policy, please contact Sam Swenson, Superintendent of Schools. You may reach Sam Swenson, 505 North Trussell Street or by calling 641-724-3311. He may also may be contacted through email at [sam.swenson@moraviacsd.com](mailto:sam.swenson@moraviacsd.com).

Board policies, rules, and regulations affect students while they are on District property or on property within the jurisdiction of the district; while on District owned and/or operated District or chartered vehicles; while attending or engaged in District activities; and while away from school grounds if misconduct will directly affect the good order, efficient management, and welfare of the district.

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

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 Superintendent, 505 North Trussell Street, Moravia, Iowa, (641) 724-3311 or [sam.swenson@moraviacsd.com](mailto:sam.swenson@moraviacsd.com).

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, United States Department of Education, John C. Kluczynski Federal Building, 230 South Dearborn Street, 37th Floor, Chicago, IL, 60604 (312) 730-1560, fax (312) 730-1576 OCR.Chicago@ed.gov, the Iowa Civil Rights Commission, <https://icrc.iowa.gov>, (515) 281-4121 or the Iowa Department of Education, Grimes State Office Building., Des Moines, IA 50319. (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.

First Reading Approved 3/9/2022

Second Reading Approved 4/13/2022

# 104.1 CONTINUOUS NOTICE OF NON-DISCRIMINATION

The district does not 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. Any person having inquiries or a grievance related to this policy is directed to contact:

Superintendent of Schools – Sam Swenson

505 North Trussell Street, Moravia, Iowa

641-724-3311

[sam.swenson@moraviacsdsd.com](mailto:sam.swenson@moraviacsdsd.com)

First Reading Approved 3/9/2022

Second Reading Approved 4/13/2022

# 104.1a - Annual Notice of Non-Discrimination

The district offers career and technical programs in the following areas of study:

\_\_\_\_ Agricultural, Food, and Natural Resources

\_\_\_\_ Arts, Communications, and Information Systems

\_\_\_\_ Applied sciences, technology, engineering, and manufacturing, including transportation, distribution, logistics, architecture, and construction.

\_\_\_\_ Health Sciences

\_\_\_\_ Human Services, including law, public safety, corrections, security, government, public administration, and education and training.

\_\_\_\_ Business, Finance, Marketing and Management.

The Board and the District will not discriminate in educational programs on the basis of 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, please contact:

Superintendent of Schools – Sam Swenson

505 North Trussell Street, Moravia, Iowa

641-724-3311

sam.swenson@moraviacsdsd.com

First Reading Approved 3/9/2022

Second Reading Approved 4/13/2022

# 104.1b NOTICE OF SECTION 504 STUDENT AND PARENTAL RIGHTS

The 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 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 district to amend your child's educational records if you feel the information in the records is misleading or inaccurate; should the 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.

The 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 Sam Swenson, Superintendent of Schools. You may reach Sam Swenson, 505 North Trussell Street or by calling 641-724-3311. He may also be contacted through email at [sam.swenson@moraviacsd.com](mailto:sam.swenson@moraviacsd.com).

# 104.2 DISCRIMINATION COMPLAINT

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 you (or someone else)?

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

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

Nature of discrimination alleged (check all that apply):

- Age  Sex
- Disability  Physical/Mental Ability
- Sexual Orientation
- Socio-economic  Background
- Gender Identity  Other – Please Specify:
- Marital Status  Race/Color
- National Origin  Religion/Creed

In the space below, please describe what happened and why you believe that you or someone else has been discriminated against. 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: \_\_\_\_\_

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Second Reading Approved 4/13/2022

# 104.3 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"/> Sex                     |
| <input type="checkbox"/> Disability                | <input type="checkbox"/> Sexual Orientation      |
| <input type="checkbox"/> Socio-economic Background |  |
| <input type="checkbox"/> Gender Identity           | <input type="checkbox"/> Other – Please Specify: |
| <input type="checkbox"/> Marital Status            | <input type="checkbox"/> Race/Color              |
| <input type="checkbox"/> National Origin           | <input type="checkbox"/> Religion/Creed          |

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: \_\_\_\_\_

First Reading Approved 3/9/2022

Second Reading Approved 4/13/2022

# 105 PARTICIPATION IN DECISION MAKING

The District and the Board endorse the concept that participation in the affairs of the schools by the students and the community is essential if the school system, the students and the community are to maintain mutual confidence and respect and work together to improve the quality of education for students.

The District and the Board wish to maintain open, free communications between the students of the district and the various levels of staff, the administration, and the Board itself. Such communications will usually go through established channels of student government; however, all students have the right to bring individual concerns and suggestions to the attention of teachers, administrators, and the Board. In addition, students have the right, as do all citizens of the district, to attend open Board meetings and address the Board in accordance with the Board's policy on public participation at Board meetings.

Citizens will be encouraged to express ideas, concerns, and judgments about the schools to the school administration, the staff, any appointed advisory bodies, and the Board via established channels. Consideration shall be given to the advice that community groups and individuals may give to the Board and the staff, especially to the advice that comes from individuals and groups invited to offer advice on specific issues, but in making decisions, the administration and the Board shall use their own best judgment.

First Reading Approved 3/9/2022

Second Reading Approved 4/13/2022

# 106 GRIEVANCE PROCEDURE

The district does not 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 Sam Swenson, Superintendent of Schools. You may reach Sam Swenson, 505 North Trussell Street or by calling 641-724-3311. He may also may be contacted through email at sam.swenson@moraviacsd.com.

Students, parents of students, employees, and applicants for employment in the 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 180 (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.

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 United States 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 United States 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.

First Reading Approved 3/9/2022

Second Reading Approved 4/13/2022

# 107 DISCRIMINATION AND HARASSMENT BASED ON SEX

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

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

Any individual with questions about the District's Title IX policy and procedures or who would like to make a report or file a formal complaint of sex discrimination or sexual harassment may contact the District's designated Title Coordinator

**Ryan VanBogaert**

[Ryan.vanbogaert@moraviacsd.com](mailto:Ryan.vanbogaert@moraviacsd.com)

**641-724-3241**

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

First Reading Approved 3/9/2022

Second Reading Approved 4/13/2022

# 200 LEGAL STATUS OF SCHOOL DISTRICT

# 201 ORGANIZATION OF BOARD OF DIRECTORS

The Moravia Community School District Board is authorized by and derives its organization from Iowa law. The Board will consist of five (5) members. Board members are elected at large.

The Board is organized for the purpose of setting policy and providing general direction for the district. The Board will hold its organizational meeting in each odd-numbered year 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.

First Reading Approved 4/13/2022

Second Reading Approved 5/11/22

# 202 AUTHORITY OF BOARD OF DIRECTORS AND BOARD MEMBERS

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

The Board is empowered to make policy for its own governance, for employees, for students and for 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 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.

Because all powers of the Board derived from the state statutes are granted in terms of action as a group, individual Board members exercise authority over District affairs only as they vote to take action at a legal meeting of the Board. In other instances, an individual Board member, including the President, will have power only when the Board, by vote, has delegated authority. The Board will make its members, the district staff, and the public aware that only the Board acting as a whole has authority to take official action. Therefore, the Board may transact business only with a quorum present during a regular or special meeting.

Pursuant to law, any Board member shall not seek individually to influence the official functions of the district. The Board and its members will deal with administrative services through the superintendent and will not give orders to any subordinates of the superintendent either publicly or privately, but may make suggestions and recommendations.

First Reading Approved 4/13/2022

Second Reading Approved 5/11/22

# 203 RESPONSIBILITIES OF BOARD OF DIRECTORS

The Board is authorized to govern the district, and in doing such, has three duties to perform: a legislative duty, an executive duty, and an evaluative duty.

**Legislative Duty:** The Board is responsible for legislating policy for the 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 district.

**Executive Duty:** The Board is responsible for selecting its chief executive officer, the Superintendent, to operate the 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.

**Evaluative Duty:** The Board is responsible for reviewing the performance of the district's education program. The Board regularly reviews the education program and ancillary services. The review should include a study 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 district.

First Reading Approved 4/13/2022

Second Reading Approved 5/11/22

# 204 QUALIFICATIONS OF BOARD MEMBERS

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

An eligible elector possesses all the following characteristics:

1. Citizen of the United States;
2. Eighteen (18) years of age or older;
3. Eligible to be registered to vote in the district.

First Reading Approved 4/13/2022

Second Reading Approved 5/11/22



# 205 ELECTIONS OF BOARD MEMBERS

The election of citizens to the Board takes place on the 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 five (5) member board and to address questions that may be submitted to the voters. Citizens of the District community seeking a seat on the Board must file their nomination papers with the Board Secretary consistent with the deadlines provided in Iowa law. If a vacancy occurs on the Board, it may be filled by an appointment consistent with Iowa law and Board policy. All elections will be held as provided in Iowa law. It is the responsibility of the county commissioner of elections to conduct school elections.

Frist Reading Approved 4/13/2022

Second Reading Approved 5/11/22

## 205.1 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 is taken by each new board member elected at the school election at or before the organizational meeting of the board. In the event of an appointment or special election to fill a vacancy, the new board member will take the oath of office within ten days of the appointment or election.

Board members elected to offices of the board will 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 is 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 is administered by another board member.

First Reading Approved 4/13/2022

Second reading Approved 5/11/22

## 205.2 TERM OF OFFICE

Board members elected for a full term at a regularly scheduled school election in November in odd-numbered years, serve for four years. Board members appointed to fill a vacancy on the Board serve until a successor is elected and qualified at the next regular school election, unless there is an intervening special election for the 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.

First Reading Approved 4/13/2022

Second Reading Approved 5/11/22

## 205.3 VACANCIES

A vacancy occurs as provided by law, which includes, but is not limited to, when a Board member dies, resigns, leaves office or failed to reside in the district.

If a vacancy occurs prior to the expiration of a term of office, the vacancy will be filled by Board appointment within thirty (30) days of the vacancy. The Board shall publish notice stating the Board intends to fill the vacancy by appointment, but the electors of the district have the right to file a petition requiring the vacancy be filled by special election.

A person appointed to fill a vacancy shall hold office until a successor is elected and qualified at the next regular school election, unless there is an intervening special election for the district, in which event a successor shall be elected at the intervening special election.

If the Board is unable to fill a vacancy by appointment within thirty (30) days after the vacancy occurs or if a valid petition is submitted, the Board Secretary will call a special election to be held no sooner than sixty (60) days and not later than seventy (70) days after the vacancy occurred. A Board member elected at the special election will serve the remaining portion of the unexpired term.

## 206 BOARD COMMITTEES

The Board may determine from time to time that Board committees may be required to assist the Board in its discharge of duties. In addition to any legally required committees, the Board may appoint standing committees with specific charges. In no case shall a committee constitute a quorum of the Board.

The Board will rely on various advisory committees to counsel it as one way to learn about the needs and desires of the district and its residents. The central purpose of all advisory committees is to contribute to the educational program by conducting studies, identifying problems, and developing recommendations that will help the Board in the decision-making process. The ultimate authority to make decisions will continue to rest with the Board.

The Board may form citizen advisory committees at such times and for such specific purposes as the Board deems necessary. They will function until their assigned goal has been accomplished, or until the Board dissolves the committee. Generally, citizen advisory committees will be assigned to investigate areas of the educational program that need development, change or reorganization, and areas of community involvement in District affairs.

Members will be broadly representative of the community's population, and will be chosen from among residents who have shown an interest in the topic to be studied or who have a particular expertise relating to the topic.

Once activated, the committee will report periodically to the Board, keeping it informed of progress and problems. The Board may designate the intervals at which it will hear from the committee, but any significant developments will be reported as they occur. No announcement may be made by any committee or its members to the public or press until such release has been cleared with the Board.

The Board will provide citizen advisory committees with a suitable meeting place and other required facilities until the Board dissolves the committees.

Reports of Board committees shall be circulated in advance through the Superintendent's office, except in an emergency or as directed by the Board or Board President.

First Reading Approved 4/13/2022

Second Reading Approved 5/11/22

# 207 BOARD OFFICERS

## President

The President of the Board is elected by a majority vote at the organizational meeting in odd-numbered years and at the annual meeting in even numbered years to serve a one-year term of office. A member may be elected to successive one-year terms as president.

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

The Board President has the authority to call special meetings of the Board. Prior to Board meetings, the Board President will consult with the Superintendent on the development of the agenda for the meeting. The Board President, as the chief officer of the district, will sign employment contracts, other contracts, and District warrants approved by the Board. The Board President will appear on behalf of the school corporation in causes of action involving the district.

## Vice-President

The Vice-President shall serve in the absence of the President and shall perform such other duties as may be assigned by the President or by the Board. The Vice-President will be elected by a majority vote at the organizational meeting in odd-numbered years and at the annual meeting in even-numbered years to serve a one-year term of office. A member may be elected to successive one-year terms as Vice-President.

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. The Vice-President will accept control of the meeting from the President when the President wishes to make or second a motion.

If the board president is unable or unwilling to carry out the duties required, it is the responsibility of the vice-president of the board to carry out the duties of the President. If the President is unable or unwilling to complete the President's 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.

## 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 (10) days thereafter. It is the responsibility of the Board to evaluate the Board Secretary annually.

It is the responsibility of the Board Secretary, as custodian of the district's 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 district.

### Treasurer

It is 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 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 Treasurer to oversee the investment portfolio, to receive funds of the 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 will 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 district.

If the Treasurer is unable or unwilling to carry out the duties required, it is the responsibility of the Superintendent to carry out the duties of the Treasurer. The Treasurer will give bond in an amount set by the Board. The cost of the bond will be paid by the district.

First Reading Approved 4/13/2022

Second Reading Approved 5/11/2022

## 207.1 BOARD MEMBER LIABILITY

Board members will 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 district community within the scope of their official duties. In carrying out the duties and responsibilities of their office, Board members will act in good faith.

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

First Reading Approved 4/13/2022

Second Reading Approved 5/11/22



# 208 BOARD POLICY DEVELOPMENT

The Board shall develop and maintain a policy manual that provides a codification of its policy actions. Policies shall be reviewed on a regular basis to ensure relevance to current practices and compliance with the law.

The policies of the Board may be amended or revised or new policies may be adopted by motion at any regular meeting, provided notice of such change or addition shall have been given at a prior meeting. The Superintendent is authorized to submit written recommendations for revision of any existing policies or adoption of new policies as the Superintendent deems necessary for the most efficient operation of the district. The Superintendent will notify all employees whenever revisions, additions, or amendments are made. This notice procedure shall be required except for emergency situations, which shall be determined solely by the Board. Policies will be effective on the later of the date of passage or the date stated in the motion.

Copies of the policy manual are available in all administrative offices of the district. They are also available on the district's website.

First Reading Approved 4/13/2022

Second Reading Approved 5/11/22

## **208.1 BOARD SUSPENSION OF POLICY**

Generally, the Board will follow board policy and enforce it equitably. The Board, and only the board, may, in emergencies, suspend policy. It is within the discretion of the Board to determine when an emergency exists. Reasons for suspension of Board policy will be documented in board minutes.

First Reading Approved 4/13/2022

Second Reading Approved 5/11/22

## 208.1 ADMINISTRATION IN THE ABSCENCE 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 district.

It is 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 will draft a proposed policy for the Board to consider.

First Reading Approved 4/13/2022

Second Reading Approved 5/11/22

# 209 DEVELOPMENT OF REGULATIONS

The Board delegates to the Superintendent the function of developing administrative regulations designed to implement the policies of the Board. These regulations will be approved by the Board prior to their use in the district.

First Reading Approved 4/13/2022

Second Reading Approved 5/11/22

# 210 APPROVAL OF HANDBOOKS

The Superintendent shall recommend approval to the Board all curriculum guides, manuals, handbooks, and similar types of publications that are directive in nature.

The Student-Parent and Staff Handbooks will be annually reviewed and revised as needed, and copies of such are to be made available to the Board to afford the individual Board members the opportunity to observe the manner and fashion in which the administrative staff is implementing District policy.

First Reading Approved 4/13/2022

Second Reading Approved 5/11/22

# 211 SCHOOL ATTORNEY

It is 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 district. The Board may appoint legal counsel at its annual meeting.

The Superintendent and Board Secretary will have the authority to contact the Board's legal counsel on behalf of the Board when the Superintendent or Board Secretary believe it is necessary for the management of the district. The Board President may contact and seek advice from the Board's legal counsel. The Board's legal counsel will 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 is the responsibility of each Board member to pay the legal fees, if any, of an attorney the Board member consulted regarding matters of the district unless the Board has authorized the Board member to consult an attorney on the matter.

It is 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 district.

First Reading Approved 4/13/2022

Second Reading Approved 5/11/22

# 212 BOARD MEMBER CONFLICTS OF INTEREST

It is a conflict of interest for a Board member to receive direct compensation from the 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. Board member will not act as an agent for a school textbook or school supply company during the Board member's term of office. It will not be a conflict of interest for Board members to receive compensation from the 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 awarded by competitive 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 district's time, facilities, equipment, and supplies or the use of the 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 District.

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

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

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

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

First Reading Approved 4/13/2022

Second Reading Approved 5/11/22



# 212.1 BOARD MEMBER CODE OF ETHICS

Board members, as public officials, should strive to perform all the duties of the office in an ethical manner. In general, the board members should operate within the following code of ethics adopted by the Moravia Community School District Board as guidelines for Board members.

Board members' actions, verbal and nonverbal, reflect the attitude and the beliefs of the 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 District and the children of my District community in the best possible way.
5. I will not use the district or any part of the 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 district.
15. I will not discuss the confidential business of the Board in my home, on the street or in my office; the place for such discussion is the Board meeting.
16. I will endeavor to keep informed on local, state and national educational developments of significance so I may become a better Board member.

## IN MEETING MY RESPONSIBILITY TO MY 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 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 district to the community.
3. I will earnestly try to interpret the needs and attitudes of the district community and do my best to translate them into the education program of the district.
4. I will attempt to procure adequate financial support for the district.
5. I will represent the entire District rather than individual electors, patrons or groups.
6. I will not regard the district facilities as my own private property but as the property of the people.

## IN MY RELATIONSHIP WITH SUPERINTENDENT AND EMPLOYEES

1. I will function, in meeting the legal responsibility that is mine, as a part of a legislative, policy-forming body, not as an administrative officer.
2. I will recognize that it is my responsibility, together with that of my fellow Board members, to see the district is properly run and not to run them myself.
3. I will expect the district to be administered by the best-trained technical and professional people it is possible to procure within the financial resources of the 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.
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.

First Reading Approved 4/13/2022

Second Reading Approved 5/11/22

# 213 BOARD 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. All meetings of the Board shall be public meetings and shall be open to the public at all times with the exception of closed sessions and meetings that are exempt as set out in the law.

Advance public notice of the time, date, and place of each meeting, and the tentative agenda shall be provided. When it is necessary to hold an emergency meeting without notice, the nature of the emergency shall be stated in the minutes. A copy of the public notice will be provided to those who have filed a written request for notice with the Board Secretary. It is the responsibility of the Board Secretary to give public notice of Board meetings.

## Regular Meetings

The regular meeting time and date shall be set by the Board at its organizational meeting in odd-numbered years and at the annual meeting in even-numbered years. Regular meetings of the Board will be held on the second Monday of each month.

Meetings will be held in the meeting place officially designated by the Board, which will be open and accessible to the public.

When a regular meeting falls on a holiday, the meeting will be held on the following day or a predetermined day.

## Organizational Meetings

An organizational meeting shall be held at the first regular meeting after the canvass of votes of the regular school election. The meeting shall be called to order by the Secretary acting as temporary chairperson.

The first order of business shall be to swear into office any new members unless they have been so sworn previously. The Board shall then elect from its membership a President and a Vice-President and shall appoint a Secretary and Treasurer.

## Special Meetings

Special meetings of the Board may be called at any time by the President or by the Secretary upon the written request of the majority of the Board. Written notice, stating the time and place of any special meeting and the purpose for which it is called, shall be delivered to each Board member and public notice will be given. If the special meeting called is an emergency meeting and the Board cannot give public notice in its usual manner, the Board will 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 will be stated in the minutes. No business other than that stated in the notice shall be transacted at such meeting.

### Annual Meetings

At a regular or special meeting held after August 31, but before the organizational meeting in odd-numbered years, the Board shall 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 and transact such other business as may properly come before it. As part of the annual reports, the Treasurer shall present affidavits from each depository banks.

### Closed Session

The Board may hold a closed session only by affirmative public vote of either two-thirds of the members of the body or all of the members present at the meeting. The Board may hold a closed session for any of the reasons listed in section 21.5 of the Iowa Code. No formal action of any kind may be taken in a closed session. Closed sessions will be audio recorded and have minutes kept by the Board Secretary. The audio recordings and the written minutes will be kept for one year from the date of the meeting. The minutes and audio recording will be sealed and will not be public records open to public inspection. The minutes and audio recording will only be available to the 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.

### 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. The Board may also hold an exempt session for any of the reasons set out in the law.

### Electronic Meetings

The Board may conduct a meeting by electronic means such as a telephone conference call only in circumstances where such a meeting in person is impossible or impractical. Public access to the conversation must be provided to the extent reasonably possible. Public notice must be given for the electronic meeting and minutes kept, which include the reason for not holding a meeting in person.

### Work Sessions and Retreats

The Board may schedule work sessions and retreats from time to time in order to provide its members and the administrative staff with such opportunities. Topics for discussion and study will be announced publicly and work sessions and retreats will be conducted in accordance with the law. No Board action will take place at a work session or retreat.

First Reading Approved 4/13/2022

Second Reading Approved 5/11/22

# 214 NOTIFICATION OF BOARD MEETINGS

Public notice shall be given for meetings and work sessions and retreats held by the Board. Public notice shall indicate the time, place, date, and tentative agenda of Board meetings. The public notice shall be posted in a prominent place that is easily accessible to the public and is clearly designated for that purpose within the district's office and/or the building where the meeting is to be held at least twenty-four (24) hours before the meeting is to begin.

A copy of the public notice will be provided to those who have filed a written request for notice with the Board Secretary. A copy of the public notice will also be accessible by 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. If the meeting is an emergency meeting, 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 special meetings or emergency meetings by the media or a Board member shall constitute a waiver of notice.

It shall be the responsibility of the Board Secretary to give public notice of Board meetings, work sessions, and retreats.

First Reading Approved 4/13/2022

Second Reading Approved 5/11/22

# 215 QUORUM OF BOARD MEETINGS

The majority of the members of the Board shall be necessary to constitute a quorum for the transaction of business. A majority vote of those members present shall be necessary and sufficient to pass any motion or to take any action of the Board of Directors, unless state law or Board policies require the vote of a greater number of Board members on a particular issue.

First Reading Approved 4/13/2022

Second Reading Approved 5/11/22

# 216 RULES OF ORDER DURING BOARD MEETINGS

In matters of procedure not covered by these policies, Robert's Rules of Order, Revised, shall govern.

First Reading Approved 4/13/2022

Second Reading Approved 5/11/22

# 217 PREPARATION AND DISSEMINATION OF AGENDA FOR BOARD MEETINGS

The tentative agenda for each Board meeting will 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.

It is the responsibility of the Board President and Superintendent to develop the agenda for each Board meeting. 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 will be sent to the Board members 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 administrative office.

The Board will 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 will state the reason justifying the immediate action.

First Reading Approved 4/13/2022

Second Reading Approved 5/11/22



# 218 MINUTES OF BOARD MEETINGS

The Board will 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.

A complete and accurate set of minutes of each regular and special Board meeting shall be kept to comply with all legal requirements. It is the responsibility of the Board Secretary to keep the minutes of the Board meetings. Minutes of each meeting of the Board will include, at a minimum the following items: the time, date, and place, the members present, the action taken, the vote of Board members and the schedule of bills allowed will be attached. Minutes leading to a closed session shall include the vote of each member on the question of holding the closed session and the reason for the closed session, but the statement of such reason need not state in the minutes the name of any individual or the details of the matter discussed in the closed session.

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 allows may be published on a once monthly basis in lieu of publication with the minutes. A copy of the minutes shall be sent to each member of the Board before the next regularly scheduled meeting.

Minutes shall be kept in an official record book specified for that purpose and shall be kept on file as the official record of legislation of the district and shall be open to public inspection. Examination of the official record book by any citizen or group of citizens must be made at the location where the District maintains the records and under the jurisdiction of the Board Secretary.

A complete and accurate set of minutes will be made of each meeting of the Board as required by law. A complete and accurate set of minutes and complete audio recordings will be made of all each closed session of the Board as required by law. The Board Secretary will be custodian of the detailed minutes and audio recordings from a closed session, which will be maintained as required by law.

First Reading Approved 4/13/2022

Second Reading Approved 5/11/22

# 219 PUBLIC PARTICIPATION AT BOARD MEETINGS

The Board recognizes the importance of citizen participation in District matters. In order to assure citizens are heard and Board meetings are conducted efficiently and in an organized manner, the Board may set time aside for public comment.

## Public Comment During Board Meetings

Citizens wishing to address the Board during public comment must notify the Superintendent prior to the Board meeting. If the pressure of business or other circumstances dictates, the board president may decide to eliminate this practice. The Board President will recognize these individuals to make their comments at the appropriate time during public comment. The orderly process of the Board meeting will not be interfered with or disrupted. Only those speakers recognized by the Board President will be allowed to speak. Comments by others are out of order. If disruptive, the individual making comments or other individuals causing disruption may be asked to leave the Board meeting. Citizens wishing to present petitions to the Board may do so at this time. However, if a petition is presented, the Board will only receive the petition and not act upon it or its contents.

The Board has the discretion to limit the amount of time set aside for public participation. Normally, speakers will be limited to three (3) minutes with a total allotted time for public participation of thirty (30) minutes. However, the Board President may modify this time limit, if deemed appropriate or necessary. Public comment is a time set aside for community input, but the Board will not discuss or take any action on any matter during public comment. Public comment shall be limited to regular Board meetings and will not be routinely held during special Board meetings.

Individuals who have a complaint about an employee may ask the Board to hear their complaint only after they have followed the Board policy addressing citizen or employee complaints. Students who have a complaint may ask the Board to hear their complaint only after they have followed Board policy addressing student complaints.

## Petitions to Place a Topic on the Agenda

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

Upon receiving a valid petition to the board to place a proposal on the next board agenda for public hearing, the board will place the proposal identified in the petition on the agenda of the next regular meeting, or a special meeting held within 30 days of receipt of the petition. The board will provide a sign-up sheet for all individuals who wish to speak on the proposal, and

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

First Reading Approved 4/13/2022

Second Reading Approved 5/11/22

# 220 COMPLAINTS BY CITIZENS

The Board recognizes situations may arise in the operation of the district which are of concern to parents and other members of the district community.

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

- (a) Matters should first be addressed to the employee.
- (b) Unsettled matters from (a) above or problems and questions about individual grade levels should be addressed to the employee's building principal.
- (c) Unsettled matters from (b) above or problems and questions concerning the district should be directed to the Superintendent.
- (d) If a matter cannot be settled satisfactorily by the Superintendent, it may then be brought to the Board for consideration. To bring a concern, the individual shall notify the Board President or Board Secretary in writing, who may bring it to the attention of the entire Board.

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

First Reading Approved 4/13/2022

Second Reading Approved 5/11/22

# 221 PUBLIC HEARINGS

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

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

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

First Reading Approved 4/13/2022

Second Reading Approved 5/11/22

# 222 BOARD MEMBER COMPENSATION AND EXPENSES

Members of the Board of Directors serve without compensation. Board members shall be reimbursed for actual and necessary expenses incurred in the performance of their official duties as allowed by law.

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. A credit card receipt is generally not considered a detailed receipt. Failure to provide a detailed receipt will make the expense non-reimbursable. Personal expenses will be reimbursed by the Board member to the 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 will be maintained as part of the district's record of the claim.

It is 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 district. It is 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.

First Reading Approved 4/13/2022

Second Reading Approved 5/11/22

# 223 GIFTS TO BOARD MEMBERS

Board members may receive a gift on behalf of the district. Board members will 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 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;

Items or services solicited or given to a state, national or regional organization in which the state of Iowa or a school district is a member for purposes of a business or educational conference, seminar or other meeting or solicited by or given to state, national or regional government organizations whose memberships and officers are primarily composed of state or local government officials or employees for purposes of a business or educational conference, seminar or other meeting;

Items or services received by members or representatives of members as part of a regularly scheduled event that is part of a business or educational conference, seminar or other meeting that is sponsored and directed by any state, national or regional government organization in which the state of Iowa or a political subdivision of the state of Iowa is a member or received at such an event by members or representatives of members of state, national or regional government organizations whose memberships and officers are primarily composed of state or local government officials or employees;

Funeral flowers or memorials to a church or nonprofit organization;

Gifts which are given to a public official for the public official's wedding or twenty-fifth or fiftieth wedding anniversary;

Payment of salary or expenses by a Board member's employer or the firm in which the Board member is a member for the cost of attending a meeting of a subunit of an agency when the Board member whose expenses are being paid serves on a board, commission, committee, council or other subunit of the agency and the Board member is not entitled to receive compensation or reimbursement of expenses from the 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 is the responsibility of each Board member to know when it is appropriate to accept or reject gifts or honorariums.

First Reading Approved 4/13/2022

Second Reading Approved 5/11/22

# 300 DISTRICT ADMINISTRATION GOALS AND OBJECTIVES

The purpose of District administration is to help create and to foster an environment in which students can learn most effectively. All administrative duties and functions should be appraised in terms of the goals and objectives and the mission statement created by the district.

The Board and the administrators of the district shall work together to share information and decisions under a management team concept. The Board and the administration shall work together in making decisions and setting goals for the district. This effort is designed to obtain, share, and use information to solve problems, make decisions, and formulate policies and regulations concerning the district.

The administrators of the district shall be responsible for the day-to-day operations of the district, implementing and enforcing Board policies, overseeing District employees, monitoring educational issues confronting the district, and informing the Board about District operations. Each administrator shall be responsible for fully participating in the management of the district by investigating, analyzing, and expressing their views on issues.

First Reading Approved 6/8/2022

Second Reading Approved 7/13/2022

# 301 ADMINISTRATORS

The superintendent, the building principals and any other administrators, for purposes of this Section (Section 300) of this Policy, shall be referred to collectively as “administrators.”

## Superintendent of the School District

The Superintendent of the District shall be the head administrator and the executive officer of the Board of Directors, and shall be directly responsible to the Board for the execution of the district’s policies, for the faithful and efficient observance of the district’s rules by all employees throughout the system, and for the enforcement of all provisions of the law relating to the operation of the district.

## Other Administrators of the District

The building principals and other administrators shall assist the Superintendent and the Board in the daily operation of the district.

First Reading Approved 6/8/2022

Second Reading Approved 7/13/2022

# 302 ADMINISTRATOR CONTRACT AND CONTRACT NONRENEWAL

The length of time of the contract for employment between an administrator and the district shall be determined by the Board and stated in the contract. The contract will begin on July 1 and end on June 30. The contract shall also state the terms of employment.

The first three (3) years of a contract issued to a newly employed administrator is considered a probationary period. The Board may extend the probationary period for an additional year with the consent of the administrator.

In the event of termination of an administrator's contract, the Board shall afford the administrator appropriate due process. The administrator and Board may mutually agree to terminate the administrator's contract at any time.

If an administrator's contract is not being renewed by the Board, the contract will be extended automatically for additional one-year periods beyond the end of its term until it is modified or terminated as mutually agreed to by the parties or until the administrator's contract is terminated consistent with statutory termination procedures. The Board may offer an administrator a one-year nonrenewable contract.

If an administrator wishes to resign, to be released from a contract or to retire, the administrator must comply with applicable Board policies regarding retirement, release or resignation.

First Reading Approved 6/8/2022

Second Reading Approved 7/13/2022

## 303 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 that will include consideration of, but not be limited to, the economic condition of the district and the training, experience, skill, and demonstrated competence of the administrators. The salary shall be set at the beginning of each contract term and shall be included in the contract.

In addition to the salary and benefits, the administrator's actual and necessary expenses may be paid by the district when the administrator is performing work-related duties. The Board may approve the payment of other benefits or compensation over and above an administrator's contract.

First Reading Approved 6/8/2022

Second Reading Approved 7/13/2022

# 304 QUALIFICATIONS, RECRUITMENT, AND APPOINTMENT OF ADMINISTRATORS

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 position. The board will consider the qualifications, credentials, and records of the applicants without regard to race, color, national origin, gender, disability, age, religion, creed, sexual orientation, gender identity or genetic information. 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. 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 an administrator.

First Reading Approved 6/8/2022

Second Reading Approved 7/13/2022

# 305 EVALUATION OF ADMINISTRATORS

## Superintendent

The Board will conduct an ongoing evaluation of the Superintendent's skills, abilities, and competence. The Board will evaluate the performance of the Superintendent, providing feedback and direction related to demonstrated skills, abilities, competence, and continuing professional growth. At a minimum, the Board will formally evaluate the superintendent on an annual basis.

The process of evaluating the Superintendent is an important tool in the improvement effort of the district. The process is designed to define the Board's expectations, enhance communication and a positive working relationship between the Board and Superintendent, clarify and prioritize District goals, and encourage the Superintendent to focus attention on the critical responsibility of improving achievement for all students. The purpose of the evaluation system is professional growth, performance improvement, and accountability to ensure that the district has the strongest leadership possible.

The evaluation will include an assessment of the Superintendent's competence in meeting the Iowa Standards for School Administrators and goals of the Superintendent's individual professional development plan and job targets.

The evaluation process will also include an opportunity for the Superintendent to conduct a self-evaluation. This self-evaluation will occur prior to the Superintendent reviewing and discussing the Board's evaluation.

The evaluation process will also include an opportunity for the Superintendent and the Board to discuss the Board's review, including the written criteria; the Superintendent's self-evaluations; review feedback from staff, students, and parents as appropriate; analyze the performance of the Superintendent over the past year; and finalize the professional growth plan and job targets established by the Superintendent for the next year.

The evaluation instrument will be in writing, signed by both the Superintendent and the Board President, and filed in the Superintendent's personnel file. It is the responsibility of the Board President to ensure that the formal evaluation of the Superintendent is concluded prior to May 15 annually.

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

## Other Administrators

The Superintendent will conduct an ongoing evaluation of each administrator's skills, abilities,

and competence. The Superintendent will evaluate the performance of administrators, providing feedback and direction related to demonstrated skills, abilities, competence, and continuing professional growth. At a minimum, the Superintendent will formally evaluate administrators on an annual basis.

The evaluation will include an assessment of the administrator's competence in meeting the Iowa Standards for School Administrators and goals of the administrator's individual professional development plan and job targets.

The evaluation instrument will be in writing, signed by both the administrator and the Superintendent, and filed in the administrator's personnel file. It is the responsibility of the Superintendent to ensure that the formal evaluation of the administrator is concluded prior to May 15 annually.

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

First Reading Approved 6/8/2022

Second Reading Approved 7/13/2022



# 306 DEVELOPMENT AND ENFORCEMENT OF ADMINISTRATIVE REGULATIONS

Administrative regulations may be necessary to implement Board policy. It shall be the responsibility of the Superintendent to develop administrative regulations. In developing the administrative regulations, the Superintendent may consult with administrators or others likely to be affected by the regulations.

Once the regulations are developed, employees, students, and other members of the community shall be informed in a matter determined by the Superintendent.

The Board shall be kept informed of the administrative regulations utilized and revisions to administrative regulations. The Board may review and recommend changes to administrative regulations prior to their use in the district if they are contrary to the intent of Board policy.

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

First Reading Approved 6/8/2022

Second Reading Approved 7/13/2022

# 307 MONITORING OF ADMINISTRATIVE REGULATIONS

The administrative regulations shall be monitored and revised when necessary. It shall be the responsibility of the Superintendent to monitor and revise the administrative regulations. The Superintendent may rely on the Board, administrators, employees, students, and other members of the community to inform the Superintendent about the effect of and possible changes in the administrative regulations.

First Reading Approved 6/8/2022

Second Reading Approved 7/13/2022

# 308 ADMINISTRATOR CODE OF ETHICS

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

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

Administrators shall:

- Uphold the honor and dignity of the profession in actions and relations with students, colleagues, board members and the public;
- Obey local, state and national laws; have high ethical and moral standards; and give loyalty to this country and to the cause of democracy and liberty;
- Accepts responsibility to master and contribute to the growing body of specialized knowledge, concepts, and skills which characterize school administration as a profession;
- Strive to provide the finest possible educational experiences and opportunities to the members of the district community;
- Seek to preserve and enhance the prestige and status of the profession when applying for a position or entering into contractual agreements;
- Carry out in good faith the policies duly adopted by the Board and the regulations of state authorities and render professional service;
- Disallow consideration of private gain or personal economic interest to affect the discharge of professional responsibilities;
- Recognize public schools are the public's business and seeks to keep the public informed about their schools; and,
- Support and practice the management team concept.

First Reading Approved 6/8/2022

Second Reading Approved 7/13/2022

# 309 SUCCESSION OF AUTHORITY

In the absence of the Superintendent, it shall be the responsibility of other administrators to assume the Superintendent's duties.

**There needs to be a specific succession of authority set out here. The following is an example that could be used:**

**The succession of authority to the Superintendent is in this order:**

**1. High School Principal**

**2. Elementary School Principal**

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 Superintendent will be absent for an extended period of time, the Board shall appoint an acting Superintendent to assume the responsibilities of the Superintendent. The successor shall assume the duties when assigned by the Superintendent or the Board.

First Reading Approved 6/8/2022

Second Reading Approved 7/13/2022

# 400 PERSONNEL POLICIES GOALS AND GUIDING PRINCIPLES

The Board of Director'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.

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

First Reading Approved 3/12/2018

Second Reading Approved 4/9/2018

# 402 EQUAL EMPLOYMENT OPPORTUNITY AND AFFIRMATIVE ACTION COMPLIANCE PROGRAM

The Moravia Community School District is an Equal Opportunity Employer without regard to age (except for students), gender, sexual orientation, gender identity, marital status, socioeconomic status, disability, race, national origin, color, religion, and creed.

All employment decisions will be made in accordance with these principles. All employment related programs will be administered in a manner consistent with these principles. No employee or applicant shall suffer any form of discrimination because of age (except for students), gender, sexual orientation, gender identity, marital status, socioeconomic status, disability, race, national origin, color, religion, and creed.

To ensure awareness by all levels of the administration, all employees, all students, educational agencies, vendors with which the district works and the community, the district will disseminate information as detailed below.

## A. Dissemination of Policy

- Employees will be reminded annually of the District's Equal Employment Opportunity Policy ("EEO Policy") by:
  - Description of the EEO Policy by publication or reference in all issuances or re-issuances of personnel handbooks.
  - Where applicable, detailed discussions of the EEO Policy at administrative conferences and staff meetings.
  - Posting of the EEO Policy on the District's website.
- Employment advertisements will contain assurance of equal employment opportunity.
- Employment sources and recruiting sources where jobs are posted and/or listed by the district will be reminded of the District's EEO Policy, both verbally and in writing.
- Notices informing employees and applicants of their rights under federal and state civil rights laws will be posted on bulletin boards and in locations where applicants are interviewed.

## B. Responsibility for Implementing the Affirmative Action Plan and Program

- The Superintendent is responsible for implementing the Affirmative Action Plan and Program and will render full assistance and support for those seeking help and assistance in taking affirmative action.

### C. Recruiting

- Additional emphasis will be given to seeking and encouraging applicants from minority groups, women's groups and the disabled where such applicants with the necessary qualifications or potentials are available.

### D. Training

- All training and in-service programs supported or sponsored by the district will continue to be equally open to all employees on the basis of qualifications.

### E. Hiring, Placement, Transfer, Lay-Off and Recall

- The district recognizes that to accomplish the long-range objectives of its Equal Employment Opportunity policy, continued affirmative action must be taken to ensure that job opportunities of all kinds are called to the specific attention of members of minority groups, women and the disabled, and that qualified members of such groups should be offered positions on the same basis as all other applicants or employees. To assure achievement of the objectives, the district will periodically review its practices of hiring job applicants.

### F. Compensation

- All employees will receive compensation in accordance with the same standards. Opportunities for performing overtime work or otherwise earning increased compensation will be afforded to all qualified employees without discrimination based on age (except for students), gender, sexual orientation, gender identity, marital status, socioeconomic status, disability, race, national origin, color, religion, and creed.

First Reading Approved 3/12/2018

Second Reading Approved 4/9/2018

# 404 EMPLOYEE COMPLAINTS

Complaints of employees against fellow employees should be discussed directly between employees. If necessary, complaints will be brought directly to the immediate supervisor, principal or superintendent and will be made in a constructive and professional manner. Reasonable efforts will be made to make sure complaints will not be made in the presence of other employees, students or outside persons.

First Reading Approved 3/12/2018

Second Reading Approved 4/9/2018



# 405 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 consistent with the following:

- Matters concerning an individual student, teacher or other employee should first be addressed to the teacher or employee.
- Unsettled matters from (1) above or problems and questions about individual attendance centers should be addressed to the employee's building principal or immediate supervisor.
- Unsettled matters regarding licensed employees from (2) above or problems and questions concerning the school district should be directed to the superintendent.
- If a matter cannot be settled satisfactorily by the superintendent, the individual may ask that it be brought to the Board. To ask that a concern regarding an employee be addressed by the Board, the individual must notify the Board President in writing of the concern. The Board President may bring it to the attention of the entire Board by placing it on the agenda or the individual may be able to address the complaint with the Board at the beginning of a meeting in accordance with Board policy.

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 complaint has complied with this policy.

First Reading Approved 3/12/2018

Second Reading Approved 4/9/2018

# 406 EMPLOYEE RECORDS

The district may maintain personnel records on employees. These records are important for the meeting of the district's overall goals and objectives and mission statement, the daily administration of the educational policy, and meeting state and federal legal requirements.

Each employee's personnel file may include any documentation relating to the employee, including but not limited to, personal information regarding the employee, employee discipline records, employee evaluations, and salary records, and other documentation necessary to carry out the daily administration of the district.

Each employee's personnel file and the contents of such are district records and are considered confidential records, and therefore, are not generally open to public inspection or accessibility.

Employees may have access to their individual personnel files as required by law. Other school administrators and board members will have access to an employee's personnel files as required by law.

It shall be the responsibility of the superintendent to keep employee's personnel files current. The board secretary shall be the custodian of the employee personnel files, and all other employee records.

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

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Second Reading Approved 4/9/2018

# 407 EMPLOYEE RECORDS REGULATIONS

## Maintenance of Employee Records

Employee personnel records may contain, but are not limited to, the following information:

- Personal information including, but not limited to, name, address, telephone number, emergency numbers, birth date and spouse;
- Application, resume and references, except those that shall be kept confidential according to state and federal law;
- Educational transcripts;
- Copy of the employee's license or certificate, if needed for the position;
- Individual employment contract;
- Job description and/or assignment;
- Salary information;
- Tax documents, including, but not limited to IRS Form W-4;
- Written attendance records;
- Evaluation documents;
- Complaints;
- Performance improvement plans;
- Documents concerning any raise, promotion, pay decrease or demotion;
- Records of disciplinary matters;
- Receipts and/or acknowledgements of any employee-related material, including policies and handbooks;
- Letters of termination and/or resignation;
- Documentation relating to an employee's unemployment benefits; and
- Documentation relating to an employee's employment ceasing.

Employee health and medical records, which are kept separate from employee personnel records, may contain, but are not limited to, the following information:

- Employee's medical history, including, but not limited to, medical records and/or notes;
- Employee's emergency names and numbers;
- Medical professional signed physical form;
- Sick or long-term disability leave days;
- Family and medical leave request forms;
- Worker's compensation claims;
- Reasonable accommodation made by the district to accommodate the employee's disability.

Employee immigration forms, specifically Form I-9, are kept separate from employee personnel

records, and may be kept in a file that houses all employees' immigration forms for the U.S. Citizenship and Immigration Services.

### Applicant for Employment Records

Records on applicants for positions with the district, which are maintained in the central administration office, may contain, but are not limited to, the following information:

- Application for employment;
- Resume;
- References, except those that shall be kept confidential according to state and federal law;
- Evidence of appropriate license or certificate, if necessary for the position for which the individual applied;
- Affirmative action form, if submitted.

### Access to Records

The board shall allow current and former employees access to their files pursuant to state and federal law.

The board shall allow only authorized school officials 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.

The general public may have access to an employee's personnel records and/or personnel information as permitted by law. Specifically, the general public may have access to the following information:

- An employee's name and compensation, including any written agreement establishing compensation or any other terms of employment excluding any information otherwise protected under the law.
  - Compensation means payment of, or agreement to pay, any money, thing of value, or financial benefit conferred in return for labor or services rendered by an official, officer or employee plus the value of benefits conferred including but not limited to casualty, disability, life, or health insurance, other health or wellness benefits, vacation leave, holiday leave, sick leave, severance payments, retirement benefits, and deferred compensation.
- The dates the employee was employed by the district.

- The positions the employee holds or has held with the district.
- The educational instructions attended by the employee, including any diplomas and degrees earned, and the names of the employee's previous employers, positions previously held, and dates of previous employment.
- The fact that the employee was discharged as the result of a final disciplinary action upon the exhaustion of all applicable contractual, legal, and statutory remedies.

#### Retention of Records

All employee records, except payroll and salary records, are maintained for a minimum of seven (7) years after termination of employment with the district. Applicant records are maintained for a minimum of three (3) years after the position was filled. Payroll and salary records are maintained for a minimum of three (3) years.

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# 408 EMPLOYEE CONFLICT OF INTEREST

Employees' use of their position with the school district directly or indirectly for financial gain is considered a conflict of interest with their position as employee and may subject them 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 solicitations within the conditions set by the superintendent. Further, the superintendent may 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, school equipment, musical instruments or other school supplies to 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 pupils 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 system.

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:

- 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.
- The outside employment or activity involves the receipt of, promise of, or acceptance of more or other consideration by the employee or 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.
- 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.

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 do one of the following:

- Cease the outside employment or activity; or
- Publicly disclose the existence of conflict and refrain from taking 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 interests of the outside employment or activity.

There shall be no conflict of interest in the supervision and evaluation of employees.

Therefore, no administrator or supervisor shall be responsible for the supervision or evaluation of an immediate family member.

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.

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Second Reading Approved 4/9/2018

# 409 NEPOTISM

Nepotism is patronage bestowed or favoritism shown on the basis of family relationship. More than one family member may be an employee of the school district. However, no school district employee shall be involved in hiring a family member. The decision to employ more than one individual in a family shall be made on the basis of each individual's qualifications and credentials.

No school district employee shall serve in a supervisory capacity over one of their family members employed by the school district. No school district employee shall attempt to influence the evaluation or conditions of employment of the employee's family member with anyone who serves in a supervisory capacity over that family member.

Family members for purposes of this policy include husbands, wives, mothers, fathers, mothers-in-law, fathers-in-law, sisters, brothers, sisters-in-law, brothers-in-law, daughters, sons, daughters-in-law, and sons-in-law.

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# 410 GIFTS GIVEN TO EMPLOYEES

The Board understands the desire of students, parents, and others to give gifts to show appreciation of an employee. Rather than giving gifts, the Board encourages, as more welcome and appropriate, the writing of letters to express gratitude and appreciation or the donation of a gift to benefit the district rather than an individual employee.

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 a “donor” stated below or the gift or honorarium does not meet the definition of “gift” or an “honorarium” stated below. However, employees may receive non-monetary gifts of a value less than \$3.00 if the donor does not intend to influence the employee's professional judgment. Employees may receive a gift on behalf of the district.

A "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 district;
- Is engaged in activities, which are regulated or controlled by the 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 with respect to matters within the 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, or periodicals;
- 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 public generally without regard to the official status of the employee:
- 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 services;
- Items of food and drink with a value of less than three dollars that are received from anyone 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 political subdivision of the state of Iowa is a member; or
- Items or services received as part of a regularly scheduled event that is part of a conference, seminar, or other meeting that is sponsored and directed by any state, national, or regional organization in which the state of Iowa or a political subdivision of the state of Iowa is a member.

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

- Actual expenses of an employee for food, beverages, travel, or 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;
- A non-monetary gift or series of non-monetary gifts donated within thirty days to a public body, a bona fide educational or charitable organization, or the department of general services; or
- A payment made to an employee for service rendered as part of a bona fide 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 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. An employee who violates this policy may be subject to disciplinary action.

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# 411 POLITICAL ACTIVITIES OF EMPLOYEES

Employees will not engage in political activity upon property under the jurisdiction of the Board or at District activities or events. Activities include, but are 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.

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Second Reading Approved 4/9/2018

# 415 EMPLOYEE SERVICE RECOGNITION

The District and the Board recognize and appreciate the service of their employees. Employees who have served the school district may be honored by the Board, administration and/or staff. Additionally, employees who retire or resign may be honored by the Board, administration and/or staff.

If the form of honor thought appropriate by the Board, administration and/or staff involves unusual expense by the district, the individual or group wishing to honor the employee shall seek the approval of the superintendent and the superintendent shall seek the approval of the Board.

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Second Reading Approved 4/9/2018

# 416 TRAVEL COMPENSATION FOR EMPLOYEES

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

## 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 the rate determined by the board. It is the responsibility of the supervisor to approve travel within the school district by employees. It is the responsibility of the board to review the travel within the school district by the superintendent through the board's audit and approval process.

## Travel Outside the School District

Travel outside of the school district must be verbally pre-approved by the employee's supervisor. Pre-approval will 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.

Reimbursement for actual and necessary expenses will be allowed for travel outside the school district if the employee received pre-approval for the travel. Reimbursement for actual and necessary expenses for travel outside the school district will be limited to the pre-approved expenses. 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 is maintained as part of the school district's record of the claim.

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

If a school district vehicle is not available, the employee will be reimbursed at the rate determined by the board.

Pre-approved expenses for transportation outside the school district may be by public carrier. Reimbursement for air travel will be at the tourist class fares. Should an employee choose to

travel by automobile, reimbursement will be limited to the public carrier amount. Pre-approved expenses for transportation in a rental car is 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 will be determined by the Superintendent 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 are pre-approved by the superintendent.

The superintendent is responsible for developing administrative regulations regarding actual and necessary expenses, district travel allowances and assignment of school district vehicles. The administrative regulations will 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.

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Second Reading Approved 4/9/2018

# 417 DISTRICT CREDIT CARDS

The Moravia Community School District's Board of Directors will determine whether the district will obtain and make available credit cards for the use by its employees and/or officers. If the Board determines that the district will obtain credit cards, the Board, upon the joint recommendation of the Superintendent and the Business Manager, will establish reasonable credit limits for each purchase, transaction, card and/or account.

District credit cards will be issued and/or made available to employees and/or officers only for the time period and purpose for which they are needed. The district's administration, in consultation with the Board, will determine which employees and/or officers will be issued and/or provided use of District credit cards and the time period that they are needed. Prior to issuing and/or providing use of a District credit card to an employee and/or officer, the employee and/or officer will be instructed and trained regarding the use of District credit cards and they will provide a written acknowledgement that they understand their responsibilities in regard to the use of District credit cards. Employees and/or officers will turn District issued and/or provided credit cards back to the district at the end of the time period for which they have been issued and/or provided or upon separation of employment. Use of District issued credit cards is a privilege and the Superintendent may withdraw the privilege of using District issued credit cards at any time.

District credit cards will be used for the actual and necessary expenses incurred by the employee and/or officer in the performance of work-related duties. Actual and necessary expenses incurred in the performance of work-related duties include, but are not limited to, fuel for the district transportation vehicles used for transporting students to and from school and for school-sponsored events, professional development of the employees and/or officers, and other expenses required by employees and/or officers in the performance of their duties.

District issued and/or provided credit cards may be used only for business purposes; only in conjunction with the employee's or officer's duties; and only in accordance with District policy and the law. The district will not regard expenses for one's own business-related use, such as lodging and meals while on approved business trips, as personal purchases/transactions, as long as such expenses are consistent with the district's travel and expense reimbursement policies, rules, and/or regulations. Any personal expenses which could and should be segregated from allowable business expense will be segregated from allowable business expense. The employee or officer will be responsible for payment or reimbursement of any personal expenses which could and should be segregated from allowable business expenses, regardless of whether the personal expenses were segregated or were not segregated.

Original itemized receipts for each purchase/transaction that document the purpose for which the card was used and who used the card will be required for all purchases/transactions. All documentation regarding any purchases/ transactions will be required to be turned into the

district's business office within five (5) business days of the purchase/transaction.

The district will review and reconcile District credit card statements and purchases/transactions on a monthly basis and will verify that any items that were purchased were actually received. The district will take action to follow up on any identified discrepancies in a timely manner. No employee or officer will be allowed to review and approve their own purchases/transactions. All credit card balances will be paid in full on a monthly basis.

If an employee or officer loses a District issued credit card or has a District issued credit card stolen, the employee or officer must report the loss or theft of the credit card to the district immediately. Upon report of a lost or stolen credit card, the district will notify the issuer of the card of the loss or theft and cancel the card.

If an employee or officer uses a District issued credit card for personal purchases/transactions in violation of this policy, the cost of such purchases/transactions will be the financial responsibility of that employee or officer and the employee or officer will be expected to reimburse the district for the full amount of the unauthorized purchase/transaction. In addition to financial responsibility for any purchases/transactions an employee makes with a company credit card in violation of this policy, such actions may result in revocation of card privileges and/or disciplinary or other legal action, depending upon the severity and nature of the offense.

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# 418 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 of the District's employees are encouraged, and employees who are mandatory reporters are required, 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 will orally or in writing notify the Iowa Department of Human Services. If the mandatory reporter believes the child is in immediate danger, the local law enforcement agency will also be notified. Within forty-eight (48) hours of the oral report, the mandatory reporter will file a written report with the Iowa Department of Human Services.

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

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Second Reading Approved 4/9/2018

# 418.1 CHILD ABUSE REPORTING REGULATIONS

Iowa law requires district personnel who are mandatory reporters to report to the Iowa Department of Human Services instances of suspected child abuse which they become aware of within the scope of their professional duties.

The law further specifies that an employee who is a mandatory reporter 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.

Iowa law provides that 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 civil or criminal liability.

## Child Abuse Defined

“Child abuse” is defined under Iowa law as:

- Any non-accidental 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.
- Any mental injury to a child's intellectual or psychological capacity as 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 and confirmed by a licensed physician or qualified mental health professional as defined by Iowa law.
- The commission of a sexual offense with or to a child pursuant to Iowa law, as a result of the acts or omissions of the person responsible for the care of the child.
- 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 health and 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 of prostitution.
- An illegal drug is present in a child's body as a direct and foreseeable consequence of the acts or 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,

manufactured a dangerous substance, or in the presence of the child possesses a product containing ephedrine, its salts, optical isomers, salts of optical isomers, or pseudoephedrine, its salts, optical isomers, salts of optical isomers, 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 by a person who resides in a home with a child, as a result of the acts or omissions of a person responsible for the care of the child.
- Knowingly allowing a person custody or control of, or unsupervised access to a child or minor, after knowing the person is required to register or is on the sex offender registry.

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

### Reporting Procedures

Employees who are mandatory reporters are required to report, either orally or in writing, within twenty-four (24) hours to the Iowa Department of Human Services when, within the scope of their professional duties, the employee reasonably believes a child has suffered from abuse. Within forty-eight (48) hours of an oral report, a written report must be filed with the Iowa Department of Human Services.

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

- name, age, and address of the child;
- name and address of parent(s), guardian(s) or other person(s) believed to be responsible for the care of the child;
- the child’s present whereabouts if different from the parent(s), guardian(s) or other person(s) legally responsible for the child;
- 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.

It is not the responsibility of employees to prove that a child has been abused or neglected. Employees should not take it upon themselves to investigate the case or contact the family of the child. The Iowa Department of Human Services is responsible to investigate any incident of alleged abuse.

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# 419 ABUSE OF STUDENTS BY DISTRICT EMPLOYEES

It is the policy of the district that school employees not commit acts of physical or sexual abuse, including inappropriate and intentional sexual behavior, toward students. Any school employee who commits such acts is subject to disciplinary sanctions up to and including discharge.

It is the policy of the district to respond promptly to allegations of abuse of students by school employees by investigating or arranging for full investigation of any allegation, and to do so in a reasonably prudent manner. The processing of any complaint or allegation will be handled confidentially to the maximum extent possible. All employees are required to assist in the investigation when requested to provide information, and to maintain the confidentiality of the reporting and investigating process.

The district has appointed a level-one investigator(s) and alternate(s), and has arranged for or contracted with a trained, experienced professional to serve as the level-two investigator. The level-one investigator(s) and alternate(s) will be provided training in the conducting of an investigation, at the expense of the district. See student handbook for name(s) of level-one and level-two investigator(s).

The superintendent, or a designee of the superintendent, shall prescribe regulations in accordance with the rules adopted by the Iowa Department of Education to carry out this policy.

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# 419.1 ABUSE OF STUDENTS BY DISTRICT EMPLOYEES REGULATIONS

Pursuant to Chapter 102 of the School Rules of Iowa, abuse may fall into either of the two following categories.

- Physical Abuse- The non-accidental physical injury to a student as a result of the actions of a District employee. Physical abuse may occur as the result of intentional infliction of injury or excessive, unnecessary, or unreasonable use of force in discipline.
- Sexual Abuse- Sexual offenses or misconduct as defined by Iowa Code Chapter 709. This definition also encompasses acts or omission of the district employee that allow, permit, or encourage the student to engage in prostitution as defined by Iowa law.

To constitute a violation of the Iowa Code, acts or omissions of the employee must have occurred on school grounds, on school time, on a school-sponsored activity, or in a school-related context.

It shall be the responsibility of the superintendent/designee to annually identify a designated investigator and an alternate investigator. The names and telephone numbers of these investigators shall be included in the employee handbooks.

When an employee receives a report of alleged abuse of a student by a District employee, the report shall immediately be given to the designated investigator or their alternate if the investigator is named in the report. The investigator shall then make and provide a copy of the report to the person filing, the student's parent/guardian and the district employee named in the report. Within five school days of receipt of the report, the investigator shall conduct an informal investigation to determine whether the allegations are true. In the course of this investigation, the investigator shall interview the alleged victim, the district employee named in the report, and any collateral sources who may have knowledge of the circumstances contained in the report. The investigator shall exercise prudent discretion to preserve the confidentiality interests of the individuals involved.

The investigator's role is not to determine the guilt or innocence of the involved party, but whether it is likely that an incident took place between the student and the district employee. If, in the investigator's opinion, the magnitude of the allegations suggests immediate and professional investigation is necessary, the investigator may waive informal investigation. In such cases, the investigator shall contact appropriate law enforcement officials, the child's parent/guardian, and the person filing the report, and shall document in writing the action taken.

Within fifteen (15) calendar days of receipt of the report, the investigator shall complete a written investigative report which shall include those items required by Chapter 102.9 of the Iowa Code.

If the report is founded by a preponderance of the evidence, the investigator shall promptly notify law enforcement in case of sexual abuse allegations. The investigator may notify law enforcement authorities in serious cases of physical abuse. In addition, the investigator shall (1) file a copy of the report with the district employee's supervisor, (2) file a complaint with the Board of Educational Examiners in cases involving a licensed District employee, and (3) document all actions taken.

Any record created by an investigation shall be handled subject to formally adopted or bargained policies on the maintenance of personnel records.

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# 420 EMPLOYEE HEALTH AND SAFETY

It is the policy of this District to ensure, so far as possible, that every employee has a safe and healthful place in which to work. It is also the policy of this District to help each employee recognize his/her responsibilities for safe employment, and require that he/she adhere to those responsibilities.

## Physical Examinations

Employees will be required to submit to a pre-employment physical examination, which may include a requirement for tuberculosis screening based on risk factors identified by the Center for Disease Control, after an offer of employment has been made and before the beginning of service. The district will provide the standard examination form to be completed by an appropriately licensed health care provider who performs the physical examination. A written report of the physical examination shall be submitted to the district. The date by which any such physical examination report shall be submitted to the district shall be determined by the superintendent, but in no case shall be any less than five (5) business days prior to the first working day.

Bus drivers will be examined using all applicable state and federal criteria at the beginning of employment and every two years thereafter.

Fitness-for-duty examinations may be required following an absence from work due to illness, if there is a reasonable belief that the employee is unable to perform the essential functions of the job, or if there is a reasonable belief that the employee poses a direct threat to the employee or others because of a health condition. A direct threat occurs when an individual poses a significant risk of substantial harm to him/herself or others, and the risk cannot be reduced below the direct threat level through reasonable accommodations.

All information regarding the medical condition or history of an employee must be kept in files separate from the employee's personnel records and treated as a confidential medical record subject to state and federal confidentiality laws.

The cost of an initial physical examination is set through negotiations and the certified bargaining unit for certified staff. Classified staff will be reimbursed at a rate set by the Board.

## Communicable Diseases

The district recognizes that some employees with a communicable disease, as defined by law, may be able to attend to their customary employment duties without creating a risk of transmission of the illness to the students or other employees. The district also recognizes that there may be a greater risk of transmission of some communicable diseases for some employees with certain conditions than for other employees infected with the same disease.

Employees with a communicable disease will be allowed to perform their customary duties, provided they are able to perform the essential functions of their position and their presence does not pose a direct threat. A direct threat occurs when an individual poses a significant risk of substantial harm to him/herself or others, and the risk cannot be reduced below the direct threat level through reasonable accommodations.

An employee who is at work and who has a communicable disease that poses a direct threat, as defined above, shall report the condition to the superintendent any time the employee is aware that the employee's condition poses a direct threat. Any individual who has information that a District employee may have a communicable disease is encouraged to report the information to the superintendent.

The superintendent shall determine on a case-by-case basis whether the presence of an employee with a communicable disease in the district environment constitutes a direct threat. In making this determination, the superintendent shall consider credible, objective evidence. If the superintendent, after reviewing the credible, objective evidence, determines the employee's presence may constitute a direct threat, the superintendent may request additional medical information from the employee's physician (with the employee's consent), a physician chosen by the district or public health officials, to confirm the superintendent's determination.

All information regarding the medical condition or history of an employee must be kept in files separate from the employee's personnel records and treated as a confidential medical record subject to state and federal law.

It is 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.

First Reading Approved 3/12/2018

Second Reading Approved 4/9/2018



# 421 UNIVERSAL PRECAUTION

Universal precautions (“UPs”) 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. UPs 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 UPs 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, OPIMs, OBFWs, 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, is not absorbed in materials, and is capable of releasing the substance if compressed, special disposal as regulated waste is required. A band-aid, towel, sanitary napkin or other absorbed waste that does not have the potential of releasing the waste if compressed would not be considered regulated waste. It is anticipated schools would only have regulated waste in the case of a severe incident. Needles, syringes and other sharp disposable objects should be placed in special puncture proof containers and disposed of as regulated waste. Bodily wastes such as urine, vomitus or feces should be disposed of in the sanitary sewer system.

## Clean Up

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

- 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. The employee should do the following:

- Always wash the exposed area immediately with soap and water;
- If a mucous membrane splash (a splash into the 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 should be notified, and the person exposed should contact a physician for further health care.

First Reading Approved 3/12/2018

Second Reading Approved 4/9/2018

# 422 HAZARDOUS CHEMICAL DISCLOSURE

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

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

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

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

First Reading Approved 3/12/2018

Second Reading Approved 4/9/2018

## 423 DRUG-FREE WORKPLACE

No employee engaged in work for the district shall unlawfully manufacture, distribute, dispense, possess or use on or in the workplace any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, alcohol or any other controlled substance as defined by federal or state law. "Workplace" is defined as the site for the performance of work done in the capacity as a District employee. This includes a school building or school premises; a school-owned vehicle or a school-approved vehicle used to transport students to and from school or school activities; and off school property during a school sponsored or school-approved activity, event or function, such as a field trip or athletic event, where students are under the jurisdiction of the district.

Employees shall notify their supervisor of the employee's conviction under any criminal drug status for a violation occurring in the workplace as defined above, no later than five (5) days after such conviction.

Employees shall abide by the terms of this policy respecting a drug-free workplace. Failure to abide by this policy may lead to discipline, including termination from employment with the district. An employee who violates the terms of this policy may be required to participate in a drug abuse assistance or rehabilitation program approved by the Board. If the employee fails to successfully participate in such a program, the employee may be subject to discipline, including termination. Furthermore, the District may choose not to require participation in a drug abuse assistance or rehabilitation program and move directly to discipline, including termination.

The district office shall be responsible for publication and dissemination of this policy to each employee.

First Reading Approved 3/12/2018

Second Reading Approved 4/9/2018

# 424 USE OF TOBACCO PRODUCTS BY EMPLOYEES

It is the goal of the Board to have a smoke and tobacco-free environment in all District owned and operated motor vehicles and buildings. All District owned or operated motor vehicles, buildings or school owned/leased property shall be off limits for smoking and/or using tobacco products. This ban extends to all individuals.

Persons violating this policy shall be asked to refrain from smoking and/or using tobacco products. Persons failing to abide by this request shall be required to leave the district premises/property immediately.

The Board encourages spectators to refrain from smoking and/or using tobacco products at all outdoor school sponsored or school approved events.

It shall be the responsibility of all school personnel to adhere to and enforce this policy. It shall be the responsibility of the superintendent/designee to develop administrative regulations in concert with this policy.

First Reading Approved 3/12/2018

Second Reading Approved 4/9/2018

# 425 DRUG AND ALCOHOL TESTING OF EMPLOYEES OPERATING DISTRICT VEHICLES

The purpose of this policy is to provide guidance with respect to drug and alcohol testing of District employees who drive a vehicle transporting sixteen (16) or more persons, including the driver, and who drive vehicles weighing over 26,001 pounds requiring a commercial driver's license.

Alcohol and drug testing of employees and applicants shall be conducted in accordance with state and federal law.

Refusal by an employee to submit to alcohol or drug tests shall result in immediate suspension and shall be grounds for termination. Any employee of the district who tests positive for alcohol or drug use in violation of District policies and procedures may, on the first offense, be subject to discipline, including termination, or may be referred for substance abuse evaluation and rehabilitation. The employee shall not return to work until released by a licensed substance abuse professional approved by the district and until all other requirements are met. A second offense will result in immediate termination of the employee's employment with the district.

First Reading Approved 3/12/2018

Second Reading Approved 4/9/2018

# 425.1 DRUG AND ALCOHOL TESTING REGULATIONS

These procedures support the Alcohol and Drug Testing policy required for employees operating school vehicles, and establish and explain the requirements of the District's Alcohol and Drug Testing policy required for employees operating school vehicles. Note the definition of terms is included at the end of this policy.

A. Questions regarding the policy, its supporting procedures or the alcohol and drug testing program may be directed to the district contact person, the assistant-to-the-superintendent, with the superintendent serving as an alternate.

## B. Covered Drivers

- To be covered under this Alcohol and Drug Testing Policy, a driver must:
  - Drive a vehicle transporting sixteen (16) or more persons, including the driver, or drive a vehicle weighing over twenty-six thousand pounds; and
  - Require a commercial driver's license to hold the driver position.
- Covered drivers include, but are not limited to, the following:
  - Full-time, regularly employed drivers;
  - Applicants seeking a position as a driver;
  - Casual, intermittent or occasional drivers;
  - Leased drivers and independent, owner-operator contractors who are either directly employed by or under lease to a school district or who operate a school vehicle at the direction of or with the consent of the district.

## C. Prohibited Driver Conduct

- Drivers shall not report to duty or remain on duty with a 0.04 or greater breath alcohol concentration.
- Drivers shall not use alcohol at least eight (8) hours prior to the performance of a safety sensitive function.
- Drivers shall not possess alcohol while on duty unless the alcohol is manifested and transported as part of a shipment. This includes possessing prescriptions and over-the-counter medicines containing alcohol, unless the packaging seal is unbroken.
- Drivers required to take a post-accident alcohol test shall not use alcohol within eight (8) hours following the accident or prior to undergoing a post-accident alcohol test, whichever comes first.
- Drivers shall not refuse to submit to an alcohol or drug test. A refusal to test is considered a positive test result requiring the driver to undergo evaluation by a substance abuse professional (SAP) and subjecting the driver to discipline up to and including termination.
- Drivers shall not report for duty or remain on duty when using any drug except when

instructed by a physician who has advised the driver that the drug does not adversely affect the driver's ability to safely operate a school vehicle.

- Drivers shall not report for duty when under the influence of drugs, or remain on duty performing a safety sensitive function if the driver has a positive drug test result.

#### D. Alcohol Testing Procedures

- An employee driver's breath is tested for alcohol.
- Evidentiary breath testing devices (EBTs) are used to conduct the initial and, if necessary, the confirmation, alcohol tests.
  - The initial alcohol breath test determines whether the driver's breath alcohol concentration (BAC) is less than 0.02.
    - An initial alcohol test result of less than 0.02 BAC allows the driver to continue to drive.
    - An initial alcohol test result of 0.02 BAC or greater requires a confirmation test.
  - The confirmation alcohol breath test determines whether the driver can continue to drive.
    - A confirmation alcohol test result of less than 0.02 BAC allows the driver to continue to drive.
    - A confirmation alcohol test result of 0.02 BAC or more, but less than 0.04 BAC, requires the driver to cease performing a safety sensitive function for 24 hours.
    - A confirmation alcohol test result of 0.04 BAC or greater requires the driver to be evaluated by an SAP.
- Alcohol testing is conducted at collection sites that provide privacy to the driver and contain the necessary equipment, personnel and materials.
  - Alcohol testing is conducted at a designated non-school District facility unless a mobile unit or a District facility better serves the situation.
  - In the event privacy cannot be assured, privacy will be provided to the extent practical.
- Initial Alcohol Testing Steps
  - Once the driver is informed of the need to submit to an alcohol test, the driver must proceed immediately to the collection site. Collection site personnel must immediately contact the assistant-to-the-superintendent, with the superintendent serving as an alternate, if a driver does not arrive at the specified time.
  - Upon arrival, the driver must provide photo identification.
  - The testing procedure is explained to the driver by the collection site person.
  - The breath alcohol technician (BAT) or the screening test technician (SIT) and the driver complete and sign the appropriate sections of the alcohol testing form.
    - Refusal of the driver to sign the form prior to the initial alcohol test is considered a refusal to test.



- The district is notified immediately of the driver's refusal to sign.
- Evidentiary Breath Device Procedures
  - The driver forcefully blows into the mouthpiece for at least six (6) seconds or until an adequate amount of breath has been obtained.
  - The breath alcohol test is stopped when the driver fails twice to provide an adequate amount of breath. In that case:
    - A physician analyzes the driver's inability to provide adequate breath;
    - Failure to provide adequate breath is considered a refusal to test unless the physician determines a medical condition caused the failure to provide adequate breath; and
    - A refusal of the driver to try a second time to provide adequate breath is considered a refusal to test.
  - The results of the screening alcohol test are shared with the driver.
- Saliva Alcohol Testing Device Procedures
  - The driver and the collection site person review the expiration date of the saliva alcohol testing device, and if the date is valid, the packaging is opened.
  - The driver or collection site person places the swab in the driver's mouth until the swab is completely saturated. If the alcohol test is started again, only the collection site person may place the swab in the driver's mouth.
  - The saliva alcohol testing device is activated with the saturated swab in place.
  - The saliva alcohol test is stopped when the driver fails twice to provide an adequate amount of saliva. In that case:
    - The district is informed; and
    - The driver must submit to a breath alcohol test immediately.
  - The saliva testing device results are read two (2) minutes, and no later than fifteen (15) minutes, after the saliva testing device was activated.
  - The results are shared with the driver.
- Confirmation Alcohol Testing Procedures
  - The confirmation test is done between fifteen (15) and twenty (20) minutes of the initial test whether or not the driver followed the requirements to not eat, drink, put any object or substance in their mouth and, to the extent possible, not to belch during the fifteen-minute waiting period. Not belching will help avoid accumulation of mouth alcohol leading to an artificially high reading.
  - If a different collection site or a different collection site person is used for the confirmation alcohol test, the driver must provide photo identification.
  - The testing procedure is explained to the driver by the collection site person.
  - The BAT and the driver complete and sign the appropriate sections of the alcohol testing form.
    - Refusal of the driver to sign the form prior to the confirmation alcohol test is considered a refusal to test.
    - The district is notified immediately of the refusal to sign.
  - The driver forcefully blows into the EBT mouthpiece for at least six (6) seconds or until an adequate amount of breath has been obtained.

- The confirmation test results, which are the final and official test result, are shared with the driver.
- The driver and BAT must sign the alcohol testing form following completion of the test. Failure to sign the form after the test is not considered a refusal to test. However, BAT notes the driver's refusal to sign in the remarks section of the form.
- The BAT informs the assistant-to-the-superintendent, with the superintendent serving as an alternate, of the results of the test in a confidential manner.
  - The BAT notifies the assistant-to-the-superintendent, with the superintendent serving as an alternate immediately, either in writing, in person, by telephone, or by electronic means of confirmation alcohol test results of 0.02 BAC or more.
  - If the BAT informs the assistant-to-the-superintendent, with the superintendent serving as all alternate, by telephone, the district verifies that the BAT is the person on the telephone.
  - The BAT provides the assistant-to-the-superintendent, with the superintendent serving as an alternate, with a copy of the breath alcohol testing form if written communication was not used to report the test results.
- Potentially incomplete tests or invalid alcohol tests are repeated with corrected procedures.

#### E. Drug Testing Procedures

- Driver's urine is tested for marijuana, cocaine, opiates, amphetamines and phencyclidine.
- A split sample urine test is used to conduct the drug test.
  - A negative drug test result allows the driver to continue to perform a safety sensitive function.
  - A positive drug test result on the primary sample requires the driver to be removed from performing a safety sensitive function.
  - A positive drug test result on the primary sample allows the driver an opportunity to request the split sample be tested by another laboratory at the driver's expense for the specific drug found in the primary sample. A negative drug test result on the split sample results in a negative drug test result.
  - A driver's refusal to test is considered a positive drug test result.
  - A positive drug test result requires the driver to be evaluated by a SAP.
- Drivers taking medication at a doctor's direction may perform a safety sensitive function if the doctor determines there is not an adverse effect on performing a safety sensitive function and the district is informed in writing of the medication and doctor's opinion.
- Drug testing is conducted to provide privacy to the driver and where the necessary equipment, personnel and materials are located.

- Drug testing is conducted at a designated non-school District facility.
- In the event privacy cannot be assured, privacy is provided to the extent possible. However, direct observation is allowed if:
  - Reasons exist to believe the driver may alter or substitute the specimen;
  - The driver presents a specimen with a temperature outside the allowed range and does not provide an oral body temperature or the oral body temperature varies from the specimen provided;
  - The last specimen provided by the driver was determined by the laboratory to not meet gravity and creatinine concentration criteria;
  - The collection site person observes conduct to substitute or adulterate the specimen; and/or
  - The driver has previously been determined to have used a drug without medical authorization and the particular test is for follow-up testing upon or after return to duty.
- Direct observation must be approved in advance by the supervisor of the collection site. Non-medical personnel performing direct observation must be of the same gender as the driver.
- Drug Testing Steps
  - Once the driver is required to submit to a drug test, the driver must proceed immediately to the collection site. The collection site person contacts the assistant-to-the-superintendent, with the superintendent serving as an alternate, immediately when a driver does not arrive at the specified time.
  - Upon arrival, the driver must provide photo identification. The driver may require the collection site person to provide proof of identification.
  - The driver may keep their wallet, but must remove any unnecessary outer garments, purses, briefcases, and similar items at the request of the collection site person.
  - Immediately prior to providing a urine sample, the driver must wash their hands.
  - The driver must then provide forty-five (45) milliliters of urine and deliver it immediately to the collection site person.
    - Drivers who cannot provide an adequate amount of urine receive instructions for drinking water and repeating the test.
    - The drug test is stopped when the driver fails twice to provide an adequate amount of urine.
    - A physician analyzes the driver's inability to provide adequate urine.
    - Failure to provide adequate urine is considered a refusal to test unless the physician determines a medical condition caused the failure to provide adequate urine.
  - The specimen must be kept in view of the driver and the collection site person.
  - Upon receipt of the specimen, the collection site person must immediately, and in no event later than four (4) minutes from the time of urination, measure the temperature of the specimen.
  - The driver may volunteer to have their oral temperature taken to provide

evidence against alteration or substitution if there is some question about the temperature of the specimen.

- The collection site person also inspects the specimen for color and other signs of contaminant and notes any unusual findings.
- Another specimen is required as soon as possible under direct observation if adulteration or substitution is suspected by the collection site person.
- The specimen is divided into the primary and split specimen, sealed and labeled. The label is initialed by the driver.
- The driver is required to read and sign the statement on the chain of custody form certifying the specimens are the drivers.
- The collection site person is required to note on the chain of custody form any unusual behavior or appearance of the driver and any failure to cooperate.
- The collection site person completes the chain of custody form and the driver signs the form indicating the collection is complete.
- The specimens are packaged for shipping to the laboratory and shipped immediately or placed in secure storage until they can be shipped.
- Laboratory
  - The laboratory used by the district's alcohol and drug testing program is certified by the Substance Abuse and Mental Health Services Administration (SAMHSA), a division of the U.S. Department of Health and Human Services (DHHS). Laboratories certified by SAMHSA meet the testing procedures, personnel and record keeping requirements of the law.
  - Upon arrival of the specimen at the laboratory, the split specimen is stored and the primary specimen is tested.
    - A positive test result on the initial test of the primary specimen requires a confirmation test, which is a different and more accurate type of test.
    - The split specimen is discarded if the primary specimen has a negative test result.
- Medical Review Officer (MRO) reviews drug test results.
  - The MRO may release drug testing records of a driver to unauthorized individuals only with the written consent of the driver.
  - The MRO keeps a record of the negative test result and reports the negative test result to the district.
  - The primary role of the MRO is to review and interpret positive test results to determine whether a legitimate explanation exists for the positive test result.
    - After reviewing the chain of custody form and laboratory test results, the MRO contacts the driver to discuss the positive test result with the driver prior to notifying the district and to ask whether the driver requests a test of the split sample at the driver's expense. The driver's request for a test of the split sample must be made within seventy-two (72) hours of talking with the MRO.
    - Upon request of the driver, the split specimen is sent to a second SAMHSA certified laboratory for testing at the driver's expense.

- The MRO contacts the assistant-to-the-superintendent, with the superintendent serving as an alternate, for assistance if the driver cannot be reached through reasonable efforts.
- The assistant-to-the-superintendent, with the superintendent serving as an alternate, must confidentially inform the driver to contact the MRO.
- Upon contacting the driver, the assistant-to-the-superintendent, with the superintendent serving as an alternate, must inform the MRO that the driver was contacted.
- Upon contacting the driver, the assistant-to-the-superintendent, with the superintendent serving as an alternate, must inform the MRO that the driver was contacted.
- Drivers who cannot be contacted are placed on temporary leave without pay.
- The MRO may verify a positive test without talking to the driver if:
  - The driver declines the opportunity to discuss the drug test;
  - The driver fails to contact the MRO within five (5) days after the assistant-to-the-superintendent, with the superintendent serving as an alternate, has contacted the driver; or
  - MRO verification of positive test results under these circumstances can be challenged by the driver if the driver presents the MRO with information documenting a serious illness, injury, or other circumstances unavoidably preventing the driver from timely contacting the MRO. The MRO, based on this additional information, may find a legitimate explanation for the positive test result and declare the test negative.
- The driver is notified of the drugs found in a positive test result by the MRO, the assistant-to-the-superintendent, with the superintendent serving as an alternate, or by certified mail to the driver's last known address.
- The district receives a written report of the negative and positive test results from the MRO.

#### F. Substance Abuse Professional

- A Substance Abuse Professional (SAP) evaluation and following his/her recommendations, is required when a driver:
  - Has a positive drug test;
  - Has a positive alcohol test of 0.04 breath alcohol concentration or greater; or
  - Otherwise violated this policy or its supporting procedures or the law.
- The evaluation determines what assistance, if any, the driver needs in resolving problems with alcohol misuse and/or drug use.
- A local SAP will provide assistance to the drivers.

#### G. Pre-Employment Testing

- Drivers shall submit to an alcohol and drug test if a job offer is made. The job offer is contingent upon:
  - A negative alcohol and drug test result; and
  - A signed written statement authorizing former employers to release all information on the driver related to alcohol.
- Prior to allowing a driver to perform a safety sensitive function, the following information must be obtained about the driver for the preceding two years from the date of the application:
  - Alcohol test results of 0.04 or greater;
  - Positive drug test results; and
  - Refusals to be tested.

#### H. Random Testing

- Annually, a percent determined by the state of drivers are selected for random alcohol tests and a percent of the average number of drivers are selected for random drug tests.
- The drivers' identification numbers are selected by a scientific method giving drivers an equal chance to be selected.
- Random tests are unannounced and performed throughout the year.
- Drivers selected for random alcohol testing are informed of a random alcohol test just before, during or just after performing a safety sensitive function.
- Drivers selected for random drug testing are informed as soon as possible after the assistant-to-the-superintendent, with the superintendent serving as an alternate, receives the driver identification numbers. The district must document why some, if any, drivers were selected, but not informed.
- The selected driver must proceed immediately to the collection site. However, drivers performing a safety sensitive function must safely stop and proceed to the collection site as soon as possible.

#### I. Reasonable Suspicion Testing

- Drivers who exhibit observable specific, contemporaneous, articulable characteristics concerning the appearance, behavior, speech or body odors as well as indications of the chronic and withdrawal effects of drugs may be required to submit to a reasonable suspicion drug test at any time.
- Drivers who exhibit specific, observable, contemporaneous, articulable characteristics concerning the appearance, behavior, speech, or body odors of the driver if the reasonable suspicion was determined just before, during or just after the time in which the driver must be in compliance with this policy, its supporting procedures or the law may be required to submit to a reasonable suspicion alcohol test just before, during, or just after performing a safety sensitive function.

- A reasonable suspicion alcohol test is performed within two (2) hours and no later than eight (8) hours after determining reasonable suspicion. To meet the two-hour requirement, the assistant-to-the-superintendent, with the superintendent serving as an alternate, or his/her designee (not a CDL holder) will transport the employee to the collection site.
- If the alcohol test is not given within two (2) hours, the reasons for the delay must be documented.
- If the alcohol test is not given within eight (8) hours, attempts to test are stopped and the reason for not testing must be documented.
- A reasonable suspicion test request is made by an employee who has received the training to determine reasonable suspicion. The reasons for the reasonable suspicion must be documented within twenty-four (24) hours or prior to the release of the test results. If more than one employee trained to determine reasonable suspicion observes the driver, that employee must also document their reasons. The transportation director and assistant-to-the-superintendent have received the required Reasonable Suspicion Training.

#### J. Post-Accident Testing

- Drivers are subject to both post-accident alcohol and drug tests as soon as possible after an accident in which either of the following occurred:
  - A fatality occurred; or
  - The driver received a citation and the following occurred:
    - Bodily injury to a person who, as a result of the injury, requires immediate medical treatment away from the scene of the accident; or
    - A vehicle was towed from the scene irrespective of the value of the damage to the vehicle.
- Drivers must remain readily available for post-accident testing.
  - Drivers who leave the scene or who do not remain readily available are assumed to have refused to test.
  - Drivers subject to post-accident testing will be taken to the collection site by the assistant-to-the-superintendent, superintendent, or his/her designee (could be the transportation director).
  - Necessary medical treatment cannot and should not be denied to a driver waiting to complete post-accident alcohol and drug tests.
- Alcohol Testing Requirements
  - Administered within two (2) hours and no later than eight (8) hours of the accident;
  - Reasons for administering the test later than two (2) hours after the accident must be documented;
  - Reasons for not administering the test within eight (8) hours of the accident must be documented; and

- Drivers are prohibited from consuming alcohol for eight (8) hours after the accident or until the alcohol test is completed.
- Drug Testing Requirements
  - Administered as soon as possible and not later than thirty-two (32) hours after the accident; and
  - Reasons for not administering the test must be documented.
- Results of drug or alcohol testing conducted by law enforcement officers or other officials on the scene with independent authority to conduct such tests are presumed valid if the testing conforms with the law. The district must receive a copy of the results to use them.

#### K. Return-to-Duty/Follow-Up Testing

- Prior to returning to duty after a positive test or otherwise violating this policy, the following must occur:
  - The driver must be re-evaluated by an SAP to determine that the driver has properly followed any treatment program prescribed in the original evaluation by the SAP;
  - The driver must submit to the tests required by the SAP. The SAP may require a return-to-duty test for drugs, alcohol or both; and
  - The return-to-duty test must be a negative drug test result and/or an alcohol test result of less than 0.02 BAC before the driver can return to duty and perform a safety sensitive function.
- For individuals changing jobs after a positive drug or alcohol tests, a pre-employment test can serve as a return-to-duty test if one is needed based on information from a prior employer.
- After returning to duty, the driver is subject to six (6) unannounced follow-up tests within twelve (12) months for alcohol, drugs or both, if the SAP determines both are necessary.
  - The SAP can terminate the follow-up testing requirement after the first six (6) tests have been completed or continue the follow-up testing for up to sixty (60) months from the date of the driver's return to duty.
  - Alcohol follow-up testing is done just before, during or just after performing a safety sensitive function.

#### L. District's Responsibilities

- Information on the alcohol and drug testing requirements of this policy, its supporting procedures and the law, including the driver's obligations, must be provided to drivers. A summary of the requirements must be included in the employee handbook.
- Supervisors of drivers or personnel designated to determine reasonable suspicion shall receive sixty (60) minutes of training on alcohol misuse and sixty (60) minutes of training on drug use. The training must address the physical, behavioral, speech, and performance indicators of probable alcohol misuse and drug use.



- Prior to operating a school vehicle, drivers must be provided with instructions enabling them to comply with alcohol and drug testing requirements.
- School districts with actual knowledge of a driver's drug use cannot allow the driver to report to or perform a safety sensitive function regardless of whether or not a drug test was conducted.
- School districts with actual knowledge of a driver with a breath alcohol concentration of 0.02 BAC or greater cannot allow the driver to report to or perform a safety sensitive function regardless of whether or not an alcohol test was conducted.
- The district is responsible for ensuring that the quality assurance plan, developed by the manufacturer and approved by the National Highway Traffic Safety Administration (NHTSA) for the evidentiary breath testing device used for alcohol testing of its drivers describes the inspection, maintenance and calibration requirements and intervals for it.
- The district is responsible for ensuring that the collection site person using an evidentiary breath testing device is a certified BAT.

#### M. Consequences of Violating this Policy, the Supporting Procedures or the Law

- The assistant-to-the-superintendent may discipline drivers who violate this policy, the supporting procedures or the law relating to alcohol and drug testing. Each incident is dealt with based on the circumstances surrounding the incident. The following consequences may result from a violation:
  - Drivers may be disciplined up to and including termination;
  - Drivers may not be permitted to perform safety sensitive functions;
  - Drivers may be advised of the resources available to them in evaluating and resolving problems associated with the misuse of alcohol or use of drugs;
  - Drivers may be required to be evaluated by a SAP who shall determine what assistance, if any, the driver needs in resolving problems associated with the misuse of alcohol or use of drugs and be required to follow any treatment program;
  - Prior to returning to duty, the driver is required to have a negative drug and/or alcohol test result and be subject to the follow-up drug and/or drug testing determined necessary based on the circumstances surrounding the incident;
  - Drivers refusing to submit to drug and/or alcohol testing are considered insubordinate and are subject to discipline up to and including termination; and/or
  - Applicants for the position of driver who refuse to submit to or cooperate with the drug and/or alcohol testing processes and requirements shall be disqualified from further consideration.
- Nothing in this policy, the procedures or the law relating to alcohol and drug testing limits or restricts the right of the superintendent to discipline a driver, up to and including termination, for conduct which violates the district's policies and procedures.

## N. Alcohol and Drug Testing Records

- Alcohol and drug testing records are stored in limited access locations separate and apart from the driver's general personnel documents.
- The records may only be released with the written consent of the driver. Only those records specifically authorized for release may be released. However, the following exceptions apply:
  - Records may be released to appropriate government agencies without written consent; and
  - Records may be released to appropriate District employees without written consent.
  - The District may, without written consent, make a driver's drug and alcohol test records available to a decision maker in a lawsuit, grievance, or other proceedings initiated by or on behalf of the individual, and arising from the results of an alcohol or drug test under this policy, the supporting procedures or the law or from the District's determination that the driver violated this policy, the supporting regulation, or the law.
- Drivers are entitled to make a written request to prompt access to and copies of their alcohol and drug test records without requiring payment of amounts owed for the copying of records other than alcohol and drug testing records. The district may charge for copying these records in accordance with Board policy.
- The district must maintain the following records of its drug and alcohol misuse prevention and testing programs for the following time periods:
  - One year:
    - Records of negative and canceled drug test results and alcohol test results of less than 0.02 BAC;
    - Records related to the collection process;
    - Records related to a driver's test results;
    - Records related to other violations of the law;
    - Records related to evaluations;
    - Records related to education and training; and
    - Records related to drug testing.
  - Two years:
    - Records related to the alcohol and drug collection process, except calibration of evidential breath testing devices, and training.
  - Five years:
    - Alcohol test results of 0.02 BAC and greater;
    - Verified positive drug test results;
    - Documentation of refusal to take required alcohol and/or drug tests;
    - EBT calibration documentation;
    - Driver evaluation and referrals; and
    - Annual calendar year summary.

O. Pay for Time Spent Testing.

- For random testing, the time spent traveling to the collection site, the time spent at the collection site, and the time spent traveling back to the bus yard after the completion of the testing will be paid;
- For reasonable suspicion testing, time will be paid pursuant to (1) above;
- For post-accident testing, time will be paid pursuant to (1) above;
- For pre-employment testing, no time will be paid;
- For time spent in follow-up testing required by the SAP, no time will be paid; and
- Drivers will be paid for time spent testing at the pay rate for activity and field trip drivers.

P. Leave

- If the employee comes forward and admits to a drug and/or alcohol problem and receives help from and follows the requirements of the SAP, the employee is granted "unpaid leave" under the Family and Medical Leave Act and Board policy. The employee will not be penalized for exercising this option. If no immediate [within five (5) working days] help is obtained from an SAP, the employee is subject to termination.
- If the employee tests positive under the provisions of this policy, he/she cannot perform a safety sensitive function and goes on paid sick leave, subject to the following conditions:
  - The employee immediately [within five (5) working days] enrolls in the program provided by the SAP;
  - Paid days are limited to what the employee has accumulated in sick leave; and
  - When sick leave is exhausted, the employee goes on unpaid leave, subject to the SAP's verification that he/she can return to work.

Q. Payment for Services

- The district pays for all testing services.
- The district pays for the initial services, not covered by insurance, of the SAP. This applies if the employee comes forward or tests positive. The district also pays for treatment not covered by insurance. The treatment program will be decided upon by the district subject to consultation with the SAP and employee.
- The employee who makes a request for another lab to test the split sample (usually when the initial drug test is positive) will pay for the test of the split sample.

R. The above payments and leave allowances apply to those who come forward as well as first time offenders. Any driver who becomes a second time offender under this policy, will be subject to immediate termination.

## S. Definitions

Accident - an occurrence involving a school vehicle operating on a public road which results in: (a) a fatality, (b) bodily injury to a person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident or (c) one or more motor vehicles incurring disabling damage as a result of the accident, requiring the vehicle to be transported away from the scene by a tow truck or other vehicle.

Air blank - a reading by an evidentiary breath testing device (EBT) of ambient air containing non-alcohol.

Alcohol - the intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohols including methyl and isopropyl alcohol.

Alcohol concentration (or content) - the alcohol in a volume of breath expressed in terms of grams of alcohol per two hundred ten liters of breath as indicated by an evidential breath test under the law.

Alcohol use - the consumption of any beverage, mixture or preparation, including any medication, containing alcohol.

BAC - breath alcohol concentration.

Breath Alcohol Technician (BAT) - an individual who instructs and assists individuals in the alcohol testing process and operates an EBT.

Canceled or invalid test - in drug testing it is a drug test that has been declared invalid by a Medical Review Officer or a specimen that has been rejected for testing by a laboratory. A canceled test is neither a positive nor a negative test. In alcohol testing, it is a test that is deemed to be invalid under the law. It is neither a positive nor a negative test.

Chain of Custody: - procedures to account for the integrity of each urine or blood specimen by tracking its handling and storage from point of specimen collection to final disposition of the specimen. With respect to drug testing, these procedures require that an appropriate drug testing custody form be used from time of collection to receipt by the laboratory and that upon receipt by the laboratory an appropriate laboratory chain of custody account(s) for the sample or samples within the laboratory.

Collection Site - a place where drivers present themselves for the purpose of providing body fluid or a tissue sample to be analyzed for specific drugs or breath alcohol concentration.

Confirmation test - for alcohol testing, it is a second test following an initial test with a result of 0.02 BAC or greater, that provides quantitative data of alcohol concentration. For drug testing, it is a second analytical procedure (GC/MS) to identify the presence of a specific drug of metabolite

that is independent of the initial test and which uses a different technique and chemical principal from that of the initial test in order to ensure reliability and accuracy.

Controlled Substances/Drugs - marijuana, cocaine, opiates, amphetamines and phencyclidine.

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

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

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

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

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

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

Refuse to submit (to an alcohol or drug test) - when a driver (1) fails to provide adequate breath for alcohol testing without a valid medical explanation after he/she has received notice of the requirement for breath testing in accordance with the provisions of this part, (2) fails to provide adequate urine for drug testing without a valid medical explanation after he/she has received notice of the requirement for urine testing in accordance with the provisions of this part, or (3) engages in conduct that clearly obstructs the testing process.

Safety Sensitive Function (SSF) - the period of time commencing when a driver begins to work or is required to be in readiness to work until the time the driver is relieved from work and all

responsibility for performing work.

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

Screening Test Technician (STT) - an individual who instructs and assists drivers in the initial alcohol testing process and operates a non-evidentiary breath testing or saliva testing device.

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

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

First Reading Approved 3/12/2018

Second Reading Approved 4/9/2018

# 426 EMPLOYEE WORKER'S COMPENSATION

Employees shall report as soon as possible to their supervisor any accident or illness claimed to have resulted from work.

A work-related injury, illness or death of an employee shall be reported by the employee's immediate supervisor to the business office within twenty-four (24) hours of the time when the supervisor learns the facts giving rise to the potential claim on forms provided by the district. If at all possible, the affected employee should supply the pertinent information to the business office.

The Board will maintain a worker's compensation insurance program that will provide to the employees of the district adequate coverage for personal injury or death under the worker's compensation laws of the State of Iowa. The affected employee will be entitled to wage benefits for work days lost as stipulated by the state of Iowa and the insurance program.

First Reading Approved 3/12/2018

Second Reading Approved 4/9/2018

# 427 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 a rolling twelve (12) month period measured backward from the date an employee uses any family and medical leave. 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.

The requirements stated in the Master Contract between employees in the certified collective bargaining unit, if applicable, and the Board and/or District regarding family and medical leave of such employees and the requirements stated in any other contract, collective or individual, between any employees and the Board and/or District regarding family and medical leave of such employees will be followed. This policy provision, as well as all policy provisions, concerning family and medical leave may be applied differently to classified, non-classified, licensed, non-licensed,

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

First Reading Approved 3/12/2018

Second Reading Approved 4/9/2018



# 427.1 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 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)

U.S. Department of Labor – Revised July 2009

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Second Reading Approved 4/9/2018

# 427.2 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 of the three (3) options)*

\_\_\_\_\_ continuous, and 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 \_\_\_\_\_.

\_\_\_\_\_ 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: \_\_\_\_\_

First Reading Approved 3/12/2018

Second Reading Approved 4/9/2018



# 427.3 FAMILY AND MEDICAL LEAVE REQUEST REGULATION

## A. School District Notice

- The school district will post the notice in Exhibit 427.1 regarding family and medical leave.
- 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.
- 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 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;
  - 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;
  - 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
  - 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

- Employees are eligible for family and medical leave if the following three criteria are met:
  - The school district has more than fifty (50) employees on the payroll at the time leave is requested;
  - The employee has worked for the school district for at least twelve (12) months or fifty-two (52) weeks (the months and weeks need not be consecutive); and
  - The employee has worked at least 1,250 hours within the previous year. Full-time professional employees who are exempt from the wage and hour law may be presumed to have worked the minimum hour requirement.
- If the employee requesting leave is unable to meet the above criteria, the employee is not eligible for family and medical leave.

## C. Employee Requesting Leave (two types of leave)

- Foreseeable family and medical leave
  - Definition - leave is foreseeable for the birth or placement of an adopted or foster child with the employee or for planned medical treatment.
  - 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.
  - 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.
- Unforeseeable family and medical leave.
  - Definition - leave is unforeseeable in such situations as emergency medical treatment or premature birth.
  - Employee must give notice as soon as possible but no later than one to two work days after learning that leave will be necessary.
  - 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 following is a list of the acceptable purposes for family or medical leave:
  - 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;
  - 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;
  - To care for the spouse, son, daughter or parent of the employee if the spouse, son, daughter or parent has a serious health condition;
  - Employee's serious health condition that makes the employee unable to perform the essential functions of the employee's position;
  - Because of a qualifying exigency arising out of the fact that an employee's spouse, son or daughter or 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; or
  - Because the employee is the spouse, son or daughter, parent or next of kin of a covered service member with a serious injury or illness.
- The school district may require the employee giving notice of the need for leave to provide reasonable documentation or a statement of family relationship.
- Medical certification.
  - When required:
    - Employees may be required to present medical certification of the

employee's serious health condition and inability to perform the essential functions of the job;

- Employees may 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; and/or
- Employees may be required to present certification of the call to active duty when taking military family and medical leave.
- Employee's medical certification responsibilities:
  - The employee must obtain the certification from the health care provider who is treating the individual with the serious health condition;
  - 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;
  - 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.
- Medical certification will be required fifteen (15) days after family and medical leave begins unless it is impracticable to do so. The school district may request recertification every thirty (30) days. Recertification must be submitted within fifteen (15) days of the school district's request.
- Employees taking military caregiver family and medical leave to care for a family service member cannot be required to obtain a second opinion or to provide recertification.
- Family and medical leave requested for the serious health condition of the employee or to care for a family member with a serious health condition which is not supported by medical certification will be denied until such certification is provided.

#### E. Entitlement.

- Employees are entitled to twelve (12) 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 twenty-six (26) weeks of unpaid family and medical leave but only in a single twelve (12) month period.
- Year is defined as a rolling twelve (12) month period measured backward from the date an employee uses any family and medical leave.
- If insufficient leave is available, the school district may:

- Deny the leave if entitlement is exhausted;
- Award leave available; and/or
- Award leave in accordance with other provisions of board policy or the collective bargaining agreement.

F. Type of Leave Requested.

- Continuous - employee will not report to work for set number of days or weeks.
- Intermittent - employee requests family and medical leave for separate periods of time.
  - Intermittent family and medical leave is available for:
    - the birth or adoption of the employee's child, foster care placement subject to agreement by the district;
    - the employee or the employee's parent or child, when medically necessary, is suffering from a serious health condition;
    - a qualifying exigency arising out of the fact that the employee's spouse, the employee's son or daughter, the employee's 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; and/or
    - the employee is the spouse, son or daughter, parent or next of kin of a covered service member with a serious injury or illness.
  - In the case of foreseeable intermittent leave, the employee must schedule the leave to minimize disruption to the school district operation.
  - 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.)
- Reduced work schedule - employee requests a reduction in the employee's regular work schedule.
  - Reduced work schedule family and medical leave is available for:
    - the birth or adoption of the employee's child, foster care placement subject to agreement by the district;
    - the employee or the employee's parent or child, when medically necessary, is suffering from a serious health condition;
    - a qualifying exigency arising out of the fact that the employee's spouse, the employee's son or daughter, the employee's 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; and/or
    - the employee is the spouse, son or daughter, parent or next of kin of a covered service member with a serious injury or illness.
  - In the case of foreseeable reduced work schedule leave, the employee must schedule the leave to minimize disruption to the school district operation.
  - 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.

- 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.
- Instructional employees who request foreseeable medically necessary intermittent or reduced work schedule family and medical leave greater than twenty percent (20%) of the work days in the leave period may be required to:
  - Take leave for the entire period or periods of the planned medical treatment; or
  - Move to an available alternative position, with equivalent pay and benefits, but not necessarily equivalent duties, for which the employee is qualified.
- 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.
  - 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.
  - 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.
  - 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.
- 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.

- 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.
- 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.

- 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 fifteen (15) days.
- 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 (30) days and return the certification within fifteen (15) days of the request.
- 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 (2) weeks prior to the conclusion of the family and medical leave.
- 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.

- 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. 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.

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# 427.4 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 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) 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.

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 one of the

following:

- 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.).
- 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.

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# **428 COMPLIANCE WITH THE CONSOLIDATED OMNIBUS BUDGET RECONCILIATION ACT**

The district is an employer subject to the provisions of the Consolidated Omnibus Budget Reconciliation Act (COBRA) signed into law on April 7, 1986. The law contains provisions that speak to continuation of group health plans for individuals beyond normal termination dates.

The district will abide by the provisions of this act and all accompanying rules and regulations.

# 428.1 CONSOLIDATED OMNIBUS BUDGET RECONCILIATION ACT REGULATIONS

The Consolidated Omnibus Budget Reconciliation Act (COBRA) provides that qualified employees and dependents in the groups listed below who were not previously able to continue on a group health plan may now elect to continue on the group health plan.

Qualified employees and dependents are:

- Employees: Termination of employment (including involuntary termination for any reason other than gross misconduct); or a reduction in number of hours worked;
- Dependents: Divorce or legal separation; the employee's death; or an active employee's decision to drop out of the plan upon his/her entitlement to Medicare; and/or
- Dependent Children: Loss of status as a dependent for any reason (e.g., attainment of maximum age, marriage, etc.).

If an employee becomes ineligible by virtue of (1) above, that employee (and his/her then covered dependents) must be offered continuation for the period beginning on the date coverage would otherwise cease and ending on the earliest of:

- the last day of the plan month for which the employee makes timely payment of any required premium;
- the date on which the group health plan is ended (and not replaced);
- with respect to each employee and dependent, the date that person becomes covered under another group health plan or becomes entitled to Medicare; or
- the date eighteen (18) months after the date continuation begins.

If an employee's dependent(s) become eligible by virtue of (2) or (3) above, such dependent(s) must be offered continuation for the period beginning on the date coverage would otherwise cease and ending on the earliest of:

- the last day of the plan month for which the dependent(s) makes timely payment of any required premium;
- the date on which the group health plan is ended (and not replaced);
- with respect to each dependent, the date that person becomes covered under another group health plan or becomes entitled to Medicare; or
- the date thirty-six (36) months after the date continuation begins.

The following provision of the law providing for continuation of benefits will also apply:

- During the period of continuation, qualified employees/dependents will be treated as if

normal plan coverage had not ceased.

- The district will give general and specific written notice to employees/ dependents as required.
- The employee or dependent will give proper written notice to the district when a dependent qualifies for coverage.
- The employee/dependent continuing coverage is responsible for the premium.

COBRA provisions that affect group health plans will be coordinated with Medicare coverage as per existing or modified law. Previous to COBRA, patients were not charged for medical care provided by the Veterans Administration and Military Hospitals. Thus, coverage under group health plans was excluded. With the new law, group health plans must reimburse the Federal government for VA/Military Hospital care. Such reimbursement will be made only to the extent permitted by the plan.

# 500 STUDENT POLICIES GOALS AND GUIDING PRINCIPLES

The Board of Director's goal is 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 the district's 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.

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# 501 STUDENT CODE OF CONDUCT

The Board believes inappropriate student conduct causes material and substantial disruption to the school environment, interferes with the rights of others, and/or presents a threat to the health and safety of students, employees, and visitors on school premises.

Students should conduct themselves in a manner fitting to their age 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 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.

Students who fail to abide by this and other school district policies, rules, and administrative regulations supporting the school district policies may be disciplined for any of the following:

- Conduct which disrupts or interferes with the educational 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 obtain their education or participation in educational activities;
- Conduct that is violent or destructive; or
- Conduct which interrupts the maintenance of a disciplined atmosphere.

Teachers and/or others who are in charge of a classroom must be the administrators of classroom discipline. Therefore, minor disciplinary offenses are the responsibility and obligation of the classroom teacher. When a situation arises wherein the educational process is substantially interfered with, it then becomes the responsibility of the administration to assist in the disposition of the discipline problem.

## Impermissible Conduct

Students may be disciplined for conduct that violates commonly held notions of unacceptable, immoral or inappropriate behavior that includes, but is not limited to, the following:

- Open and/or persistent defiance of authority, school rules, and regulations (including extracurricular rules);
- Assault or threatened assault on another person;
- Extortion, intimidation or coercion;
- Inciting others to violate the law or school rules;
- Vandalism;
- Gambling;
- Theft or possession of stolen goods/property;
- Sale, manufacture or distribution of illegal drugs, controlled substances, imitation

- controlled substances or drug paraphernalia;
- Possession, use or being under the influence of illegal drugs, controlled substances, imitation controlled substances or drug paraphernalia.
- Possession, use or threatening to use any instrument that is generally considered a weapon, an instrument that is normally not considered a weapon as a weapon, an imitation weapon or an explosive;
- Possession, use or being under the influence of alcoholic beverages;
- Use, possession, and/or transmission of tobacco or imitation substances;
- Profanity;
- Possession of pornographic/obscene literature, items or materials;
- Student dress which is suggestive, condones illegal activity or in some way disrupts the educational process;
- Failure to abide by corrective measures for previous acts of misconduct;
- Harassment in any form of another person;
- Conduct which discriminates against others based upon an individual's sex, race, national origin, religion or disability;
- Destruction, damage, unauthorized use, inappropriate use, and/or manipulation of hardware, software or any aspect or component of the school's electronic information system including the internet; or
- Inappropriate sexual conduct including harassment, indecent exposure, and visible display of affection.

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 transportation; while attending or engaged in school district activities shall be suspended by the principal. Notice of the suspension shall be sent to the board president. The board shall review the suspension to determine whether to impose further sanctions against the student which may include expulsion. Assault for purposes of this section of this policy is defined as:

- Any 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;
- 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.

The district may impose a range of disciplinary measures for acts of misconduct. Disciplinary measures include, but are not limited to, removal from the classroom, detention, suspension, probation, and expulsion. Discipline will be administered depending on the severity and frequency of the acts of misconduct. The imposition of discipline will be within the discretion of the individual responsible for imposing the discipline. In instances where there has been a violation of the law, as well as school rules, appropriate law enforcement officials will be contacted and may become involved in the district's administration of discipline. The school reserves the right to seek restitution from the parents/guardians of a student or the student for damage caused by the student.

### Sanctions for Student Misconduct

Removal from the classroom means a student is sent to the building principal's office. It shall be 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 or after school has been dismissed for the day. The imposition of a detention and the length of the detention shall be within the discretion of the employee disciplining the student or the building principal.

Suspension means either an in-school suspension or an out-of-school suspension. 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 school days.

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 shall 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 shall 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 but no longer than one school year.

Following the suspension of a special education student, an informal evaluation of the student's placement shall take place. The student's Individual Education Program (I.E.P.) shall be evaluated to determine whether it needs to be changed or modified in response to the behavior that led to the suspension. If a special education student's suspension, either in-school or out-of-school, equal ten days on a cumulative basis, a staffing team shall meet to determine whether the student's I.E.P. is appropriate.

# 501.1 STUDENT CODE OF CONDUCT – STUDENT SUSPENSION

Students may be suspended for conduct that violates school rules. Suspensions may take the form of probation, an in-school suspension or an out-of-school suspension.

## Probation

Probation is the conditional suspension of the imposition of discipline for student misconduct for a set period of time. Probation may be imposed for infractions of school rules which do not warrant the necessity of removal from school.

The building principal shall conduct an informal investigation of the allegations against the student prior to imposition of probation. The investigation shall 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 of probation and the reasons therefore shall be sent to the student and the student's parents.

## In-School Suspension

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 building principal for infractions of school rules which are serious but which do not warrant the necessity of removal from school.

The building principal shall conduct an informal investigation of the allegations against the student prior to the imposition of an in-school suspension which shall include notifying the student of the allegations against the student and the basis for the allegations and giving a student the opportunity to respond to the allegations. An in-school suspension shall not be imposed for a period longer than ten school days. Written notice of the in-school suspension and the reasons therefore shall be sent to the student and the student's parents.

## Out-of-School Suspension

Out-of-school suspension is the removal of a student from the school environment for periods of short duration. Suspension is to be employed when other available school resources are unable to constructively remedy student misconduct.

A student may be suspended for up to ten school days by a building principal for a commission of gross or repeated infractions of school rules or when the presence of the student will cause interference with the maintenance of the educational environment or the operation of the school. The building principal may suspend a student after conducting an investigation of the charges against the student which shall include giving the student: (1) oral or written notice of the allegations against the student; (2) the basis in fact for the charges; and (3) the opportunity to

respond to the charges.

Written notice of the suspension shall be mailed to the student and the student's parents no later than two school days following the imposition of the suspension. Written notice of the suspension shall also be given to the superintendent. A reasonable effort shall be made to notify the student's parents of the suspension by telephone or in person and such effort shall be documented by the person making or attempting to make the contact. Written notice shall include the circumstances which led to the suspension and a copy of the Board policy and rules pertaining to the suspension.

#### Suspension of Special Education Students

Following the suspension of a special education student, an informal evaluation of the student's placement shall take place. The student's Individual Education Program (I.E.P.) shall be evaluated to determine whether it needs to be changed or modified in response to the behavior that led to the suspension. If a special education student's suspension, either in-school or out-of-school, equal ten days on a cumulative basis, a staffing team shall meet to determine whether the student's I.E.P. is appropriate.

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# 501.2 STUDENT CODE OF CONDUCT – STUDENT EXPULSION

Students may be expelled for conduct which violates school rules. The long-term removal of a student from the school environment, including classes and activities, is an expulsion from school. 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 a student who has been expelled. A student may be expelled by the Board for a commission of gross or repeated infractions of school rules or when the presence of the student will cause interference with the maintenance of the educational environment or the operation of the school. It shall be within the discretion of the Board to discipline a student through expulsion depending on the nature of the student's offense and the circumstances surrounding the offense. The building principal shall keep records of expulsions, in addition to the Board's records.

When a student is recommended for expulsion by the superintendent, the student shall be provided with:

- Notice of the reasons for the proposed expulsion written with sufficient specificity to enable the student to prepare a defense;
- Notice of the date, time, and place of the expulsion hearing sufficiently in advance of the hearing to enable the student to obtain the assistance of counsel and to prepare a defense;
- Notice that the student is entitled to a closed hearing unless an open hearing is specifically requested;
- The names of the witnesses the superintendent will present, if available (see footnote 1), and a statement of the facts to which each witness will testify;
- Notice that the student will be given an opportunity to present a defense against the charges; to provide either oral testimony or written affidavits of witnesses; to present documents; to be given copies of documents which will be introduced by the administration, and to cross-examine adverse witnesses, if available, (see footnote 1); and
- Notice that the student has the right to be represented by counsel.

At the hearing, the student will have all of the rights given in the notice and may give an opening and closing statement in addition to calling witnesses and cross-examining adverse witnesses. The Board hearing the expulsion matter must be impartial (i.e., have no prior involvement in the situation, have no stake in the outcome, and have no personal bias or prejudice).

After the Board has heard the expulsion matter, it shall go into deliberations. No one who advocated a position at the hearing of the matter should be present during the Board's deliberations unless the other party or parties are also permitted to attend deliberations. The student has a right to a decision based solely on the evidence presented at hearing. There must

be an adequate factual basis for the Board's decision. A preponderance of the evidence standard is sufficient to find the student violated the rule or policy at issue. Following the Board's deliberations, the Board shall reconvene in open session and render its decision on the superintendent's recommendation for expulsion. The student is entitled to a written decision setting out the Board's findings and conclusions as to the charges and the penalty.

In addition to these procedures, a special education student will be provided with the following procedures:

- A determination shall be made whether the student has participated in the misconduct;
- A staffing team shall determine whether the student's behavior is a manifestation of the student's disability and whether the student's conduct is the result of an inappropriate placement. Discussions and conclusions of this meeting should be recorded.
- If the special education student's conduct is found to not be a manifestation of the student's disability, the student may be suspended or expelled pursuant to the District's Student Suspension and Student Expulsion policies.
- If the special education student's conduct is found to be a manifestation of the student's disability and a change in placement is recommended, the change shall be made pursuant to District policies and the law. If a change in placement is not recommended, a determination shall be made within the student's I.E.P. and the law as to how to manage the student's behavior to prevent the student's possible future misconduct.

Footnote 1: In some cases, information concerning a student's violation of the Code of Conduct will be gained from students who the district may want to remain anonymous. The district believes that it is critically important, in certain circumstances, to protect the anonymity of students who report serious violations of the Code of Conduct to insure that violations are reported and those who report them will not be subjected to ostracism and physical reprisals. If an expulsion is based upon evidence obtained from a student who the district believes needs to remain anonymous because they may be subjected to ostracism or physical reprisals, the administration shall undertake reasonable efforts to determine the veracity of the student's report and the student's credibility.

First Reading Approved 3/12/2018

Second Reading Approved 4/9/2018

# 502 ANTI-BULLYING / ANTI-HARASSMENT POLICY

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

The board prohibits harassment, bullying, hazing, or any other victimization, of students, based on any of the following actual or perceived traits or characteristics, including but not limited to, age, 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.

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

If, after an investigation, a student is found to be in violation of this policy, the student shall be disciplined by appropriate measures up to, and including, 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 up to, and including, 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 up to, and including, exclusion from school grounds. "Volunteer" means an individual who has regular, significant contact with students.

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

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



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

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

- Verbal, nonverbal, physical or written harassment, bullying, hazing, or other victimization that have the purpose or effect of causing injury, discomfort, fear, or suffering to the victim;
- Repeated remarks of a demeaning nature that have the purpose or effect of causing injury, discomfort, fear, or suffering to the victim;
- Implied or explicit threats concerning one's grades, achievements, property, etc. that have the purpose or effect of causing injury, discomfort, fear, or suffering to the victim;
- Demeaning jokes, stories, or activities directed at the student that have the purpose or effect of causing injury, discomfort, fear, or suffering to the victim; and/or
- Unreasonable interference with a student's performance or creation of an intimidating, offensive, or hostile learning environment.

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

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

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

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

Any person who promptly, reasonably, and in good faith reports an incident of bullying or harassment under this policy to a school official, shall be immune from civil or criminal liability relating to such report and to the person's participation in any administrative, judicial, or other

proceeding relating to the report. Individuals who knowingly file a false complaint may be subject to appropriate disciplinary action.

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

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

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

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; or
- Inclusion on the school or school district's website.

Furthermore, a copy shall be made to any person at the school district's central administrative office.

First Reading Approved 3/12/2018

Second Reading Approved 4/9/2018

# 502.1 ANTI-BULLYING / ANTI-HARASSMENT COMPLAINT FORM

Name of complainant: \_\_\_\_\_

Position of complainant: \_\_\_\_\_

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

Name of alleged harasser or bully: \_\_\_\_\_

\_\_\_\_\_

Date and place of incident or incidents: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Description of incident or incidents: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

\_\_\_\_\_

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

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Any other 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: \_\_\_\_\_

First Reading Approved 3/12/2018

Second Reading Approved 4/9/2018

# 502.2 ANTI-BULLYING / ANTI-HARASSMENT WITNESS FORM

Name of witness: \_\_\_\_\_

Position of witness: \_\_\_\_\_

Date of testimony, interview: \_\_\_\_\_

Description of incident witnessed: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Any other information: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

First Reading Approved 3/12/2018

Second Reading Approved 4/9/2018

# 502.3 ANTI-BULLYING / ANTI-HARASSMENT INVESTIGATION PROCEDURES

## I. Complaint Procedure

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

## II. Investigation Procedure

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

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

Remember the following points:

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

## III. Conflicts with Investigation

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

## IV. Resolution of the Complaint

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

include discipline.

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

First Reading Approved 3/12/2018

Second Reading Approved 4/9/2018

# 502.4 ANTI-BULLYING / ANTI-HARASSMENT STUDENT HANDBOOK PROVISION

## I. Initiations, Hazing, Bullying or Harassment

Harassment, bullying and abuse are violations of school district policies, rules and regulations and, in some cases, may also be a violation of criminal or other laws. The school district has the authority to report students violating this rule to law enforcement officials.

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

- Verbal, nonverbal, physical or written harassment, bullying, hazing, or other victimization that have the purpose or effect of causing injury, discomfort, fear, or suffering to the victim;
- Repeated remarks of a demeaning nature that have the purpose or effect of causing injury, discomfort, fear, or suffering to the victim;
- Implied or explicit threats concerning one's grades, achievements, property, etc. that have the purpose or effect of causing injury, discomfort, fear, or suffering to the victim;
- Demeaning jokes, stories, or activities directed at the student that have the purpose or effect of causing injury, discomfort, fear, or suffering to the victim; and/or
- Unreasonable interference with a student's performance or creation of an intimidating, offensive, or hostile learning environment.

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

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

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

- Requiring that a student submit to bullying or harassment by another student, either explicitly or implicitly, as a term or condition of the targeted student's education or participation in school programs or activities; and/or



- Requiring submission to or rejection of such conduct as a basis for decisions affecting the student.

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

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

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

## II. Procedures

Students who feel that they have been harassed or bullied should:

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

# 503 EQUAL EDUCATIONAL OPPORTUNITY

The district shall provide equal opportunity to all students for quality education in accordance with federal and state laws, rules and regulations.

First Reading Approved 3/12/2018

Second Reading Approved 4/9/2018

# 504 EQUAL EDUCATIONAL OPPORTUNITY PROGRAM

The district supports the delivery of the education program and services to students free of discrimination on the basis of age (except for students), race, color, sex, marital status, national origin, religion, sexual orientation, gender identity, or disability. This concept of equal educational opportunity serves as a guide for the District, the Board and the employees in making decisions relating to school District facilities, employment, and selection of educational materials, equipment, curriculum, and regulations affecting students.

In the delivery of the education program, students will treat the employees with respect and students will receive the same in return. Employees have the best interests of the students in mind and may 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.

First Reading Approved 3/12/2018

Second Reading Approved 4/9/2018

# 505 APPLICATION OF STUDENT POLICY MANUAL

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 in school owned and/or operated, 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.

First Reading Approved 3/12/2018

Second Reading Approved 4/9/2018

# 506 STUDENT RESIDENT STATUS

## Resident Students

Children who are residents of the district will attend the school District without paying tuition.

Residence, for purposes of attendance in the school district 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 their parents.

Each case involving the bona fide residence of a student will be decided upon its individual merits by the superintendent.

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.

## Non-Resident Students

Children 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 is 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 (11) or twelve (12) 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, 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 October 1 may be allowed to attend without the payment of tuition.

### International Students in Student Foreign Exchange Programs

Qualified international students may be enrolled and attend school without charge for tuition if they are part of an approved Student Foreign Exchange Program. The principal must give final approval before any such student can enroll.

Upon enrollment, the following items are provided at no cost to the student, natural parent or host parent: Class Dues and Student Activity Pass. The student must pay for his/her own class ring, hot lunch, and cap and gown.

Before being able to participate in athletics, the student must have on file an approved physical examination. The examination form provided by the IHSAA and IGHSAU must be used.

Programs or activities for which foreign exchange students are not eligible are: Driver Education and National Honor Society.

For those items not specifically mentioned above, a foreign exchange student has the same rights and responsibilities of all other students.

First Reading Approved 3/12/2018

Second Reading Approved 4/9/2018

# 507 STUDENT ENROLLMENT IN DISTRICT

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 (5) on or prior to September 15 to participate in the school District's kindergarten program. The child must be age six (6) on or prior to September 15 to begin the first grade of the education program.

The Board will 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 is 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, as well as verification of a recent dental screening. Failure to provide this information within the time period set by the superintendent is reason for suspension, expulsion or denying admission to the student. An exception to this would be a homeless student.

Students enrolling in the district after the first day of regular classes will have one day for orientation, testing and/or scheduling purposes prior to beginning work in the classroom unless circumstances prohibit such. The classroom teacher will have this one school day to make preparation for the new student(s) prior to admittance to class. The building administrator/designee will be responsible for the orientation, testing and/or scheduling.

First Reading Approved 3/12/2018

Second Reading Approved 4/9/2018

# 508 HOMELESS YOUTH ENROLLMENT

The Board will make reasonable efforts to identify homeless children and youth of school age within the district, encourage their enrollment, and eliminate existing barriers to their receiving an education, which may exist in District policies or practices. The designated coordinator for identification of homeless children and for tracking and monitoring programs and activities for these children is:

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

Title: \_\_\_\_\_

Location: \_\_\_\_\_

Telephone Number: \_\_\_\_\_.

First Reading Approved 3/2/2018

Second Reading Approved 4/9/2018



# 509 FOREIGN STUDENTS ENROLLMENT

Foreign students must meet all district entrance requirements including age, place of residence, and immunization. Students who are citizens of a foreign country will be considered residents of the school District if the student resides with his/her parents(s) or legal guardian(s) and the student is in the United States with appropriate documentation.

In addition, they must meet one (1) of the following requirements:

- The student is a participant in a recognized foreign exchange program; or
- The student is physically able to attend school and has provided the school District with such proof, including a current TB test.

The principal must approve foreign students for enrollment. The Board reserves the right to limit the number of foreign students accepted for enrollment.

First Reading Approved 3/12/2018

Second Reading Approved 4/9/2018

# 510 STUDENT TRANSFER INTO AND OUT OF DISTRICT

## Transfers Into District

The student's parents or the student may transfer the student to the school district. 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 will 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 will 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.

## Transfers Out of District

The student's parents or the student may withdraw or transfer the student from school district prior to completing and graduating from the education program. The student or parent shall notify the superintendent or designee in writing as soon as possible of the decision to withdraw or transfer the student from the education program. The notice shall state the student's final day of attendance. The student or parent should present this written notice at the office and receive instructions regarding the return of textbooks, library books, and locker equipment, etc.

If the student is not enrolling in another school District, the school District shall maintain the student's records in the same manner as the records of students who have graduated from the school District.

If the student is of compulsory education age and not transferring to another public school District or an accredited nonpublic school, the parents shall notify the superintendent or designee that the student is receiving competent private instruction and file the necessary competent private instruction reports.

If the parents wish to have the student's cumulative record sent to the new school District, the parents shall notify the superintendent or designee in writing. This notice shall include the name

of the school District and the person at the new school District to whom the student's cumulative records should be sent. If the new school District requests the student's cumulative records, the school District shall forward the cumulative records and notify the parents the records have been sent. The notice shall inform the parents of their right to review the records sent.

First Reading Approved 3/12/2018

Second Reading Approved 4/9/2018

# 511 OPEN ENROLLMENT TRANSFERS – PROCEDURES AS A RECEIVING DISTRICT

The District will participate in open enrollment as a receiving District. As a receiving District, the Board will allow non-resident students, who meet the legal requirements, to open enroll into the District. The Board will have complete discretion to determine the attendance center of the students attending the District under open enrollment.

The superintendent will approve within thirty (30) days incoming kindergarten applications, good cause applications or continuation of an educational program applications.

The superintendent will notify the sending school district and parents within five (5) days of the District's action to approve or deny the open enrollment request.

Open enrollment requests into the District will not be approved if insufficient classroom space exists. Open enrollment requests into the 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 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 District are considered in the order received by the District with the first open enrollment request given a higher priority than the second open enrollment request and so forth.

Students in grades nine (9) through twelve (12) open enrolling into the District will be eligible for participation in interscholastic athletics, at the varsity level only in accordance with applicable laws.

Parents of students whose open enrollment requests are approved by the Board are responsible for providing transportation to and from the District without reimbursement unless the parents qualify for transportation assistance. The Board will not approve transportation into the sending school district.

An open enrollment request into the 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 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 District will determine whether the program is appropriate. The special education student will remain in the sending school district until the final determination is made. For children requiring special education, the District will complete and provide to the resident school district the documentation needed to seek Medicaid reimbursement for eligible services.

The policies of the District will apply to students attending the District under open enrollment.

First Reading Approved 7/13/22

Second Reading Approved 8/15/22

# 512 OPEN ENROLLMENT PROCEDURES AS A SENDING DISTRICT

The 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 District for their student will notify the District and receiving school district in accordance with District practice. The notice is made on forms provided by the Department of Education. The forms are available at the central administration office.

Parents of children who will begin kindergarten and prekindergarten children enrolled in special education programs and included in the District's basic enrollment will file in the same manner set forth above. 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 30 unless another deadline applies.

The receiving school district will approve or deny open enrollment requests according to the timelines established by law. The parents may withdraw the open enrollment request prior to the Board's approval of the application. The receiving school district's superintendent will notify the parents and the District by mail within five (5) days of the receiving 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 school district to enter the District for the purposes of transportation.

An open enrollment request out of the 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 school district will determine whether the program is appropriate. The special education student will remain in the District until the final determination is made.

It is the responsibility of the Superintendent to maintain open enrollment request applications and notice forms.

First Reading Approved 7/13/22

Second Reading Approved 8/15/22

# 513 COMPULSORY ATTENDANCE

Parent/guardians within the school District who have children over age six (6) and under age sixteen (16) by September 15, in proper physical and mental condition to attend school, will have the children attend the school District at the attendance center designated by the Board.

Students will attend school the number of days school is in session in accordance with the school calendar. Students of compulsory attendance age will attend school a minimum of days as determined by the School Board. Students of compulsory attendance age, students over age six (6) and under age sixteen (16) on September 15, may not attend the minimum days only if the student falls into one of the following exemptions:

- has completed the requirements for graduation in an accredited school or has obtained a high school equivalency diploma;
- is attending religious services or receiving religious instruction;
- is attending an approved or probationally approved private college preparatory school;
- is attending an accredited nonpublic school;
- is receiving competent private instruction; or
- is subject to the Attendance Cooperation Process.

It is the responsibility of the parent/guardian 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 truancy officer, principal or other school official will investigate the cause for a student's truancy. If the truancy officer, principal or other school official is unable to secure the truant student's attendance, the truancy officer, principal or other school official should discuss the next step with the school Board. If after school Board action, the student is still truant, the truancy officer, principal or other school official will refer the matter over to the county attorney for students of compulsory attendance age. Truant students who have not yet completed sixth grade will be subject to the Attendance Cooperation Process outlined in the supporting administrative regulation.

The school will participate in mediation if requested by the county attorney. The superintendent will represent the school District in mediation. The school District will monitor the student's compliance with the mediation agreement and will report violations of the mediation agreement to the county attorney.

First Reading Approved 3/12/2018

Second Reading Approved 4/9/2018

# 513A COMPETENT PRIVATE INSTRUCTION

In the event a child of compulsory attendance age does not attend public school or an accredited non-public school, the child must receive competent private instruction or independent private instruction. A parent choosing competent private instruction for a student by or under the supervision of a licensed practitioner, competent private instruction for a student by a non-licensed individual or independent private instruction must meet the requirements outlined under Iowa law. A parent choosing competent private instruction for a student by or under the supervision of a licensed practitioner shall notify the district prior to the first day of school on forms provided by the district. The forms are available in the central administration office. One copy of the completed forms will be kept by the district and another copy will be forwarded to the appropriate Area Education Agency. A parent choosing competent private instruction for a student by a non-licensed individual may notify the district prior to the first day of school on forms provided by the district. The forms are available in the central administration office. One copy of the completed forms will be kept by the district and another copy will be forwarded to the appropriate Area Education Agency. A parent choosing independent private instruction for a student may be asked to provide a report identifying the primary instructor, location, name of the authority responsible for the independent instruction, and the names of the students enrolled to the district. The superintendent or superintendent's designee will determine whether the completed form or report is in compliance with the law. The district shall report non-compliance with the reporting, immunization, attendance, instructor qualifications, and assessment requirements of the compulsory attendance law to the county attorney of the county of residence of the student's parent, guardian, or custodian. Students receiving competent private instruction or independent private instruction are eligible to request open enrollment to another district. The receiving district shall not bill the resident district unless the receiving district complies with the reporting requirements. If the parent, guardian, or custodian fails to comply with the compulsory attendance requirements, the receiving district shall notify the resident district. The resident district shall then report the non-compliance to the county attorney of the county of residence of the parent, guardian, or custodian. Students receiving competent private instruction by or under the supervision of a licensed practitioner must make adequate progress. Students receiving competent private instruction by or under the supervision of a licensed practitioner shall be monitored for progress by the supervising teacher. Students receiving competent private instruction by or under the supervision of a licensed practitioner may be assessed annually. The district will provide any optional assessments at no cost. Students receiving competent private instruction by a non-licensed individual must make adequate progress. Students receiving competent private instruction by a non-licensed individual shall be evaluated annually by the parent, guardian or legal custodian to ensure adequate progress is being made. Students receiving competent private instruction from a non-licensed individual may be assessed annually. The district will provide any optional assessments at no cost. Students receiving competent private instruction by or under the supervision of a licensed



practitioner and students receiving competent private instruction from a non-licensed individual may dual enroll with the district. Students receiving individual private instruction may not dual enroll with the district. Upon the request of a parent, guardian, or legal custodian of a student receiving competent private instruction or upon referral of a licensed practitioner who provides instruction or instructional supervision of a student under competent private instruction, the district shall refer a student who may require special education to the appropriate Area Education Agency, Division of Special Education, for evaluation.

First Reading Approved 3/12/2018

Second Reading Approved 4/9/2018

# 513B DUAL ENROLLMENT

The parent, guardian, or custodian of a student receiving competent private instruction by or under the supervision of a licensed practitioner or by a non-licensed individual may also enroll the student in the district. The student shall be considered under dual enrollment. The parent, guardian or custodian requesting dual enrollment for the student should notify the superintendent prior to October 1st each year on forms provided by the Iowa Department of Education. On the form, the parent, guardian or custodian shall indicate the extracurricular and academic activities in which the student is interested in participating. The forms are available at the central administration office. A dual enrollment student is eligible to participate in the district's extracurricular and academic activities in the same manner as other students enrolled in the district. The policies and administrative rules of the district shall apply to the dual enrollment students in the same manner as the other students enrolled in the district. These policies and administrative rules shall include, but not be limited to, athletic eligibility requirements, the good conduct rule, academic eligibility requirements, and payment of the fees required for participation.

First Reading Approved 3/12/2018

Second Reading Approved 4/9/2018

# 514 ATTENDANCE COOPERATION PROCESS

Any student under age sixteen (16) on September 15 is subject to the Attendance Cooperation Process.

When it is determined that a student in grades kindergarten through sixth grade is in violation of the school District attendance policy and procedures, the truancy officer or principal will check the Department of Human Services records to determine whether the student's family is receiving Family Investment Program (FIP) benefits.

If the student's family is receiving FIP benefits, the truancy officer or principal will notify DHS. DHS is then responsible for the Attendance Cooperation Process (ACP). If the student's family is not receiving FIP benefits, the truancy officer or principal will initiate the ACP. The parent/guardian will be contacted to participate in the ACP. The truancy officer or principal may also invite juvenile court officers, the county attorney, other school officials and others deemed appropriate. If others are invited who do not have access to the student's records either by law or a Juvenile Justice Agency Information Sharing Agreement, parental/guardian consent is needed for them to participate in the ACP.

The purpose of the ACP is to determine the cause of the student's nonattendance, get the parties to agree to solutions addressing the nonattendance, initiate referrals to any other services that may be necessary, and to draft an agreement including all terms agreed to and future responsibilities of all parties. All parties must sign the agreement and failure to sign by the parent/guardian is considered a violation of the process and initiates the next level.

If the parents/guardians do not participate in the ACP, if the parties do not enter into an Attendance Cooperation Agreement (ACA) or if the parent/guardians violate a term of the agreement, the student is deemed truant. For FIP students and non-FIP students, the school District notifies the county attorney when students are truant. When a student is deemed truant, for FIP students, DHS is again notified and DHS then initiates the process whereby FIP benefits are reduced.

First Reading Approved 3/12/2018

Second Reading Approved 4/9/2018

# 515 ATTENDANCE OF CLASSES AND INSTRUCTIONAL TIME

Attendance is required of all students in all regularly scheduled classes and instructional time. The superintendent shall, in cooperation with the school administration, staff, parents/guardians, and students, prepare rules and regulations to implement this policy.

Board Policy relating to attendance of classes and instructional time are found in the student handbooks. The student handbooks are approved on a yearly basis by the school board in the spring for the upcoming school year. Student handbooks can be found on the school WEB page.

First Reading Approved 3/12/2018

Second Reading Approved 4/9/2018

# 516 TRUANCY

Truancy is the act of being absent without an approved excuse.

Students are subject to disciplinary action for truancy. It shall be within the discretion of the principal or the superintendent, or either's designee, to determine, in the light of the circumstances, whether a student may make up work missed because of truancy.

The truancy officer shall investigate the cause for a student's truancy. If the truancy officer is unable to secure the truant student's attendance after three (3) documented occurrences per school year, the case shall be referred to the county attorney for mediation or prosecution.

The school will participate in mediation, if requested by the county attorney. The district's superintendent/designee shall represent the district in mediation. The district will monitor the student's compliance with the mediation agreement and will report violations of the mediation agreement to the county attorney.

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Second Reading Approved 4/9/2018

# 517 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 will include, but not be limited to, illness, family emergencies, medical appointments, religious instruction, and/or classes outside the student's attendance center and other reasons determined appropriate by the principal.

It is the responsibility of the superintendent, in conjunction with the principal, to develop administrative regulations regarding this policy.

First Reading Approved 3/12/2018

Second Reading Approved 4/9/2018

# 518 EMERGENCY SCHOOL CLOSINGS

The superintendent/designee shall have the authority to close schools because of extreme weather or other emergency conditions for the length of time the emergency exists. The superintendent/designee shall make provisions to publicly announce such closings via local media as soon as possible after the decision to close.

School shall be in session in accordance with Iowa law.

First Reading Approved 3/12/2018

Second Reading Approved 4/9/2018

# 519 STUDENT ATTENDANCE RECORDS

As part of the school District's records, the daily attendance of each student is recorded and maintained on file with the permanent records of the Board secretary. It is the responsibility of the principals to ensure that such reports are filed with the Board secretary, who is the custodian of school records.

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Second Reading Approved 4/9/2018



# 520 STUDENT RECORDS

The Board recognizes the importance of maintaining student records and preserving their confidentiality. For purposes of this policy and other policies relating to student records, student is defined as an enrolled individual in a pre-kindergarten through twelfth grade, including children in school district-sponsored child care programs.

Student records containing personally identifiable information are kept confidential at collection, storage, disclosure, and destruction stages. The Board secretary is the custodian of student records. Student records may be maintained in the central administration office or administrative office of the student's attendance center.

Parents and eligible students will have access to the student's records during the regular business hours of the district. An eligible student is a student who has reached eighteen years of age or is attending an institution of post-secondary education at the post high school level. Parents of an eligible student are provided access to the student records only with the written permission of the eligible student unless the eligible student is defined as a dependent by the Internal Revenue Code. In that case, the parents may be provided access without the written permission of the student. A representative of the parents or eligible student, who has received written permission from the parents or eligible student, may inspect and review a special education student's records. Parents, other than parents of an eligible student, may be denied access to a student's records if the district has a court order stating such or when the district has been advised under the appropriate laws that the parents may not access the student records. Parents may inspect an instrument used for the purpose of collection of student personal information prior to the instrument's use.

A student record may contain information on more than one student. Parents will have the right to access the information relating to their student or to be informed of the information. Eligible students will also have the right to access the information relating to themselves or be informed of the information.

Parents and eligible students will have a right to access the student's records upon request without unnecessary delay and in no instance more than forty-five (45) calendar days after the request is made. Parents, an eligible student or an authorized representative of the parents will have the right to access the student's records prior to an Individualized Education Program (IEP) meeting or hearing.

Copies of student records will be provided if failure to do so would effectively prevent the parents or student from exercising the right to access the student records. Fees for copies of the records are waived if it would prevent the parents or student from accessing the records. A fee may not be charged to search or retrieve information from student records.

Upon the request of parents or an eligible student, the district will provide an explanation and

interpretation of the student records and a list of the types and locations of education records collected, maintained or used by the district.

If the parents or an eligible student believes the information in the student record is inaccurate, misleading or violates the privacy or other rights of the student, the parents or an eligible student may request that the district amend the student records. The district will decide whether to amend the student records within a reasonable time after receipt of the request. If the District determines an amendment is made to the student record, the district will make the amendment and inform the parents or the eligible student of the decision in writing.

If the District determines that amendment of the student's record is not appropriate, it will inform the parents or the eligible student of their right to a hearing before the hearing officer provided by the district. If the parents' and the eligible student's request to amend the student record is further denied following the hearing, the parents or the eligible student are informed that they have a right to place an explanatory letter in the student record commenting on the district's decision and/or setting forth the reasoning for disagreeing with the district. Additions to the student's records will become a part of the student record and be maintained like other student records. If the District discloses the student records, the explanation by the parents will also be disclosed.

Student records may be disclosed in limited circumstances without parental or eligible student's written permission. When a disclosure is made without parental or eligible student's written permission, it is disclosed on the condition that the student record will not be disclosed to a third party without the written permission of the parents or the eligible student. This disclosure may be made to the following individuals or under the following circumstances:

- to school officials within the 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 official school committees;
- to officials of another school District in which the student wishes to enroll, provided the other school District notifies the parents the student records are being sent and the parents have an opportunity to receive a copy of the records and challenge the contents of the records unless the annual notification includes a provision that records will automatically be transferred to new school Districts;
- to the U.S. Comptroller General, the U.S. Attorney General, the U.S. Secretary of Education or state and local educational authorities;
- in connection with financial aid for which the student has applied or which the student has received if the information is necessary to receive the financial aid;
- to organizations and/or their authorized representatives conducting audits, evaluations and/or studies to evaluate the effectiveness of education programs, provided the district has a written agreement with the organization conducting the audit, evaluation and/or study;
- 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 district and juvenile justice agencies;
- in connection with a health or safety emergency; or
- as directory information.

The superintendent will keep a list of the individuals and their positions who are authorized to view a special education student's records without the permission of the parents or the eligible student. Individuals not listed are not allowed access without parental or an eligible student's written permission. This list must be current and available for public inspection and updated as changes occur.

The superintendent will also keep a list of individuals, agencies, and organizations which have requested or obtained access to a student's records, the date access was given and their legitimate educational interest or purpose for which they were authorized to view the records. The superintendent, however, does not need to keep a list of the parents, authorized educational employees, officers and agencies of the district who have accessed the student's records. This list for a student record may be accessed by the parents, the eligible student, and the custodian of student records.

Permanent student records, including a student's name, address, phone number, grades, attendance record, classes attended, grade level completed and year completed may be maintained without time limitation. Permanent student records will be kept in a fire-safe vault.

When personally identifiable information, other than permanent student records, no longer needs to be maintained by the district to provide educational services to a special education student, the parents or eligible student are notified. This notice is normally given after a student graduates or otherwise leaves the district. If the parents or eligible student request that the personally identifiable information be destroyed, the district will destroy the records. Prior to the destruction of the records, the 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. In the absence of parents or an eligible student's request to destroy the records, the district must maintain the records for at least three years after an individual is determined to be no longer eligible for special education.

The 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 district will enter into an interagency agreement with the juvenile justice 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 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 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 district to the parties without parental consent or court order. Information contained in a student's permanent record may be disclosed by the 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 district and the agencies 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, guardian or legal or actual custodian. The district may discontinue information sharing with an agency if the district determines that the agency has violated the intent or letter of the agreement.

Agencies will contact the principal of the attendance center where the student is currently or was enrolled. The principal will then forward copies of the records within 10 business days of the request.

The district will provide training or instruction to employees about parents' and eligible students' rights under this policy. Employees will also be informed about the procedures for carrying out this policy.

It is the responsibility of the superintendent to annually notify parents and eligible students of their right to inspect and review the student's records. The notice is given in a parents' or eligible student's native language. Should the District collect personal information from students for the purposes of marketing or selling that information, the 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 district failed to comply with this policy. Complaints are forwarded to Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, Washington, D.C. 20202-5920.

# 520.1 USE OF STUDENT RECORDS REGULATIONS

Student records are all official records, files, and data directly related to students, including all material incorporated into each student's cumulative record folder and intended for school use or to be available to parties outside the school or school system specifically including, but not necessarily limited to: dates of attendance; academic work completed; level of achievement (grades, standardized test scores); attendance data; scores on standardized intelligence, aptitude, and psychological tests; interest inventory results; health data; family background information; teacher or counselor ratings and observations; and verified reports of serious or recurrent behavior patterns.

The intent of this regulation is to establish procedures for granting requests from parents for access to their child's records, use of the data, and procedures for its transmittal within forty-five (45) calendar days.

## A. Access to Records

- The parent or legal guardian of a student will have access to these records upon written request to the Board secretary and/or building administrator. The parent or legal guardian will have the opportunity to receive an interpretation of the records, have the right to question the data, and, if a difference of opinion is noted, shall be permitted to file a letter in the cumulative folder stating the dissenting person's position. If further challenge is made to the record, the normal appeal procedures established by school policy will be followed.
- A student, eighteen (18) years or older, has the right to determine who, outside the school system, has access to the records. Parents of students who are eighteen (18) years or older, but still dependents for income tax purposes may access the student's records without prior permission of the student.
- School officials having access to student records are defined as having a legitimate educational interest. A school official is a person employed by the District as an administrator, supervisor, instructor or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the school Board; a person or company with whom the District has contracted to perform a special task (such as an attorney, auditor, AEA 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 to External Parties

- To release student records to other school(s) in which the student intends to enroll, the parent, legal guardian or eligible student must be notified of the transfer and the kinds of information being released unless the district annually notifies parents that the records will be sent automatically.
- Student records may be released to official education and other government agencies only if allowed by state or federal law.
- To release student records to other persons or agencies, written consent and/or authorization shall be given by the parent, legal guardian or a student of majority age. This consent and/or authorization form will state which records are released, to whom they are released, and the reason for the release. A copy of the specific records being released will be made available to the person signing the release form if requested.
- Before furnishing student records in compliance with judicial orders or pursuant to any lawfully issued subpoena, the district will make a reasonable attempt to notify the parents, legal guardian or eligible student are notified in advance.
- Student records may be shared with juvenile justice agencies with which the district has an interagency agreement. This information is shared without prior parental consent. The agreement is a public document available for inspection.

#### C. Hearing Procedures

- Upon parental request, the district will hold a hearing regarding the content of a student's records which the parent believes to be inaccurate, misleading or in violation of the privacy rights of students.
- 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.
- The hearing officer may be an employee of the district so long as the employee does not have a direct interest in the outcome of the hearing.
- 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 of their choice at their own expense.
- 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.
- The parents may appeal the hearing officer's decision to the superintendent within five (5) calendar days if the superintendent does not have a direct interest in the outcome of the hearing.
- 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 five (5) calendar days. It is within the discretion of the Board to hear the appeal.

# 520.2 STUDENT RECORDS REQUEST FORM FOR PARENTS OR STUDENTS

The undersigned hereby requests permission to examine and/or receive copies of the \_\_\_\_\_ Community School District's official student records of:

\_\_\_\_\_  
(Legal Name of Student)

\_\_\_\_\_  
(Date of Birth)

The undersigned requests to examine and/or receive copies of the following official student records of the above student:

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

The undersigned certifies that they are the parent and/or legal guardian or of the above student or that they are the above student.

The undersigned (check one):

does want copies of the above-stated student records. I understand that the district may charge me a reasonable fee for copies.

does not want copies of the above-stated student records.

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Printed Name)

\_\_\_\_\_  
(APPROVED)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Address)

\_\_\_\_\_  
(City)

\_\_\_\_\_  
(State)

\_\_\_\_\_  
(Zip)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Title)

\_\_\_\_\_  
(Phone)

First Reading Approved 3/12/2018

Second Reading Approved 4/9/2018

# 520.3 STUDENT RECORDS REQUEST FORM FOR NON-PARENTS

The undersigned hereby requests permission to examine and/or receive copies of the \_\_\_\_\_ Community School District's official student records of:

\_\_\_\_\_  
(Legal Name of Student)

\_\_\_\_\_  
(Date of Birth)

The undersigned requests to examine and/or receive copies of the following official student records of the above student:

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

The undersigned certifies that they are the parent and/or legal guardian or of the above student or that they are the above student.

The undersigned certifies that they are (*check one*):

- (a) An official of another school system in which the student intends to enroll ( )
- (b) An authorized representative of the Comptroller General of the United States. ( )
- (c) An authorized representative of the Secretary of the U.S. Department of Education or U.S. Attorney General. ( )
- (d) An administrative head of an education agency as defined in Section 408 of the Education Amendments of 1974. ( )
- (e) An official of the Iowa Department of Education. ( )
- (f) A person connected with the student's application for, or receipt of, financial aid. (*specify details:* \_\_\_\_\_) ( )

The undersigned agrees that the information obtained will only be re-disclosed 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.

The undersigned (*check one*):

( ) does want copies of the above-stated student records. I understand that the district may charge me a reasonable fee for copies.

( ) does not want copies of the above-stated student records.



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(Signature)

# 520.4 AUTHORIZATION FOR RELEASE OF STUDENT RECORDS

The undersigned hereby authorizes the \_\_\_\_\_ Community School District and any of its agents to release official student records of:

(Legal Name of Student)

(Date of Birth)

(Name of Last School Attended)

(Dates of Attendance)

The undersigned specifically authorizes the release of the following official student records of the above student: *(If no records are specified, the undersigned authorized the release of all student records of the above student.)*

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The reason for the authorization: \_\_\_\_\_

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Copies of the records shall be furnished to the following *(check all that apply)*:

- the undersigned
- the student
- other *(please specify: \_\_\_\_\_)*

The undersigned has the following relationship to the student: \_\_\_\_\_

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Address)

\_\_\_\_\_  
(Printed Name)

\_\_\_\_\_  
(City, State, Zip Code)

\_\_\_\_\_  
(Phone Number)

First Reading Approved 3/12/2018

Second Reading Approved 4/9/2018

# 520.5 NOTIFICATION OF TRANSFER OF STUDENT RECORDS

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

Parent/Legal Guardian \_\_\_\_\_

Address \_\_\_\_\_ City, State, Zip Code \_\_\_\_\_

Please be notified that we have received a written statement that a student, \_\_\_\_\_  
(full legal name of student), who previously attended \_\_\_\_\_ Community  
School District, intends to enroll in \_\_\_\_\_ Community School District.

Please be further notified that the official student records of a student, \_\_\_\_\_  
(full legal name of student), which were previously held by \_\_\_\_\_  
Community School District, have been transferred to \_\_\_\_\_ Community  
School District.

The records may now be accessed by contacting the records custodian at \_\_\_\_\_  
Community School District.

If you desire a copy of such records furnished, please check here \_\_\_\_\_, and return this form to  
the undersigned at \_\_\_\_\_ Community School District. 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.

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Printed Name)

\_\_\_\_\_  
(Title)

\_\_\_\_\_  
(Agency)

First Reading Approved 3/12/2018

Second Reading Approved 4/9/2018

# 520.6 REQUEST FOR HEARING ON CORRECTION OF STUDENT RECORDS

To: \_\_\_\_\_

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

Board Secretary, Custodian of Records \_\_\_\_\_ Community School District

I, the undersigned, believe certain student records of a student, \_\_\_\_\_ (*full legal name of student*), a student at \_\_\_\_\_ Community School District to be inaccurate, misleading or in violation of the student's rights under state and federal law.

The student records which I believe are inaccurate, misleading or in violation of the student's rights under state and federal law are:

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The reason(s) I believe these student records to be inaccurate, misleading or in violation of the student's rights under state and federal law are:

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I have the following relationship to the student: \_\_\_\_\_

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)

\_\_\_\_\_  
(Address)

\_\_\_\_\_  
(Printed Name)

\_\_\_\_\_  
(City, State, Zip Code)

\_\_\_\_\_  
(Phone Number)

First Reading Approved 3/12/2018

Second Reading Approved 4/9/2018

# 520.7 ANNUAL NOTICE REGARDING STUDENT RECORDS

The Family Educational Rights and Privacy Act (FERPA) affords parents and students over eighteen (18) years of age ("eligible students") certain rights with respect to the student's education records, including the following rights:

- 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.
- The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate or misleading or in violation of the student's privacy rights.
  - Parents or eligible students may ask the school District to amend a record that they believe is inaccurate or misleading. They should write the school principal, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading.
  - If the District decides not to amend the record as requested by the parent or eligible student, the District will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.
- The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent.
  - One exception which permits disclosure without consent is disclosure to school officials with legitimate educational interests. A school official is a person employed by the District as an administrator, supervisor, instructor or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the school Board; a person or company with whom the District has contracted to perform a special task (such as an attorney, auditor, AEA employee, medical consultant or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee or student assistance team or assisting another school official in performing his or her tasks.
  - A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.
  - Upon request, the District discloses education records without consent to officials of another school District in which a student seeks or intends to enroll. (Note:

FERPA requires a school District to make a reasonable attempt to notify the parent or eligible student of the records request unless it states in its annual notification that it intends to forward records on request).

- The right to inform the school District that the parent does not want directory information to be released. Directory information can be released without prior parental consent. Any student over the age of eighteen or parent not wanting this information released to the public must make object in writing by October 1st, to the principal. The objection needs to be renewed annually.
  - “Directory information” includes: name, address, telephone number, date and place of birth, e-mail address, grade level, enrollment status, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, the most recent previous educational agency or institution attended by the student, student ID number that is displayed on a student identification card (provided it cannot be solely used to access the student’s educational records), user ID or other unique personal identifier that is displayed on a student identification card (provided it cannot be solely used to access the student’s educational records), photograph and other likeness, and other similar information.
  - Even though student addresses and telephone numbers are not considered directory information in every instance, military recruiters and post-secondary educational institutions may legally access this information without prior parental consent. Parents not wanting military recruiters or post-secondary institutions to access the information must ask the District to withhold the information. Also, Districts that provide post-secondary institutions and potential employers access to students must provide the same right of access to military recruiters.
- 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, 20202-5920.

The District may share any information with the Parties contained in the student’s permanent record which is directly related to the juvenile justice systems’ 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 a court order. Information contained in a student’s permanent record may be disclosed by the School District to the parties after adjudication only with parental consent or a court order. Information shared pursuant to the agreement shall be used solely for determining the programs and services appropriate to the needs of the student or student’s family or coordinating the delivery of programs and services to the student or student’s family. Information shared under the agreement is not admissible in any court proceedings which take place prior to a disposition hearing, unless written consent is obtained from a student’s parent, guardian or legal or actual custodian. Information obtained



from others shall not be used for the basis of disciplinary action of the student. This agreement only governs a school district's ability to share information and the purposes for which that information can be used.

The purpose for the sharing of information prior to a student's adjudication is 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 designated to correct behaviors that lead to truancy, suspension, and expulsions and to support students in successfully completing their education.

The party requesting the information will contact the principal of the building in which the student is currently enrolled or was enrolled. The principal will forward the records within ten (10) business days of the request.

Confidential information shared between the Parties and the District shall remain confidential and shall 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, guardian or legal or actual custodian nor can it be used as the basis for disciplinary action of the student.

Frist Reading Approved 3/12/2018

Second Reading Approved 4/9/2018

# 521 STUDENT DIRECTORY INFORMATION

Student directory information is designed to be used internally within the school District. For purposes of this policy and other policies relating to student directory information, student is defined as an enrolled individual in a pre-kindergarten through twelfth grade, including children in school district-sponsored child care programs. Directory information is defined in the annual notice. It may include the student's name, address, telephone number, date and place of birth, e-mail address, grade level, enrollment status, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, the most recent previous educational agency or institution attended by the student, student ID number that is displayed on a student identification card (provided it cannot be solely used to access the student's educational records), user ID or other unique personal identifier that is displayed on a student identification card (provided it cannot be solely used to access the student's educational records), photograph and other likeness, and other similar information.

The school District may designate that certain directory information is available to specific parties and/or for a specific purpose.

Prior to developing a student directory or to giving general information to the public, parents of students, including those open enrolled out of the school district and parents of children homeschooled 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.

First Reading Approved 3/12/2018

Second Reading Approved 4/9/2018

# 521.1 USE OF STUDENT DIRECTORY INFORMATION

The student handbook or similar publication given to each student which contains general information about the school shall contain the following statement, which shall be published at least annually in a prominent place or in a newspaper of general circulation in the school district:

The following information may be released to the public as follows in regard to any individual student of the school district as needed. Any student over the age of eighteen or parent not wanting this information released to the public must make objection in writing by October 1<sup>st</sup> of this school year to the principal. The objection needs to be renewed annually.

Name, address, telephone number, date and place of birth, e-mail address, grade level, enrollment status, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, the most recent previous educational agency or institution attended by the student, student ID number that is displayed on a student identification card (provided it cannot be solely used to access the student's educational records), user ID or other unique personal identifier that is displayed on a student identification card (provided it cannot be solely used to access the student's educational records), photograph and other likeness, and other similar information.

Dated \_\_\_\_\_, 20\_\_.

First Reading Approved 3/12/2018

Second Reading Approved 4/9/2018

# 522 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 is the responsibility of the superintendent, in conjunction with the principal, to develop administrative rules regarding student photographs.

First Reading Approved 3/12/2018

Second Reading Approved 4/9/2018

# 523 STUDENT LIBRARY CIRCULATION RECORDS

Student library circulation records are designed to be used internally to assist in the orderly administration of the school District libraries. As a general rule, student library circulation records are considered confidential records and will not be released without parental consent. Individuals who may access such records include a student's parents, the student, authorized licensed employees, authorized government officials from the U.S. Comptroller General, the Secretary of Education, the Commissioner and Director of the National Institute of Education, and the Assistant Secretary for Education and State Education Department.

Appropriate authorities in a health or safety emergency may access the student's library circulation records without the approval or the notification of the student's parents. Parents may not access records, without the student's permission, of a student who has reached the age of majority or who is attending a post-secondary educational institution unless the student is considered a dependent for tax purposes.

It is the teacher-librarian's responsibility, as the person maintaining the student library circulation records, to approve requests for access to student library circulation records. Students' library circulation records may be accessed during the regular business hours of the school District. If copies of documents are requested, a fee for such copying is charged.

It is the responsibility of the superintendent/designee, in conjunction with the teacher or teacher-librarian, to develop administrative regulations regarding this policy.

First Reading Approved 3/12/2018

Second Reading Approved 4/9/2018

# 524 GRADUATION REQUIREMENTS

Board Policy relating to graduation requirements are found in the student handbook. The student handbooks are approved on a yearly basis by the school board in the spring for the upcoming school year. Student handbooks can be found on the school WEB page.

First Reading Approved 3/12/2018

Second Reading Approved 4/9/2018

# 525 EARLY GRADUATION REQUIREMENTS

Board Policy relating to early graduation requirements are found in the student handbooks. The student handbooks are approved on a yearly basis by the school board in the spring for the upcoming school year. Student handbooks can be found on the school WEB page.

First Reading Approved 3/12/2018

Second Reading Approved 4/9/2018

# 526 COMMENCEMENT

Students who have met the requirements for graduation will be allowed to participate in the commencement activities provided they abide by the proceedings organized by the school District. It is the responsibility of the principal to solicit input from each graduating class regarding the proceedings for their commencement.

Failure of a student to participate in commencement will not be a reason for withholding the student's final progress report or diploma certifying the student's completion of high school.

First Reading Approved 3/12/2018

Second Reading Approved 4/9/2018



# 527 COURSE REQUIREMENTS

Board Policy relating to course requirements are found in the student handbooks. The student handbooks are approved on a yearly basis by the school board in the spring for the upcoming school year. Student handbooks can be found on the school WEB page.

First Reading Approved 3/12/2018

Second Reading Approved 4/9/2018

# 528 REGISTRATION REQUIREMENTS

The following are the registration and course load requirements for students of Moravia Community School District High School:

- Students may be given a proficiency and/or achievement test to determine eligibility for any class. A standard of proficiency may also be required for a student to attend a regular program of studies.
- For all students enrolled in a regular high school program of studies the following requirements must be met:
  - All students must be registered for a minimum of 6 class periods per week. This is referred to as the student's "course load."
  - No student may perform in any outside activities unless successfully passing all subjects. Eligibility is determined at the end of each quarter. A student may participate in any activity during the school day without having to meet this standard; however, he/she would not be eligible to participate in any performance or activity other than during the school hours, designated as being from 8:00 a.m. until 4:00 p.m., Monday through Friday.
  - No student may participate in any activity if the student has an unexcused absence on the day of the event. The student must be present the last half of the day in order to be eligible to participate in any activity.
- Other Board Policy relating to registration requirements are found in the student handbooks. The student handbooks are approved on a yearly basis by the school board in the spring for the upcoming school year. Student handbooks can be found on the school WEB page.

First Reading Approved 3/12/2018

Second Reading Approved 4/9/2018

# 529 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 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.

First Reading Approved 3/12/2018

Second Reading Approved 4/9/2018

# 530 STUDENT HEALTH AND IMMUNIZATION CERTIFICATES

Students desiring to participate in athletic activities or enrolling in kindergarten or first grade in the District will have a physical examination by a licensed physician, and will provide proof of such an examination to the 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 District.

A certificate of health stating the results of a physical examination and signed by the physician is on file at the attendance center. Each student will 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 in kindergarten or any grade in elementary school in the District will have, at a minimum, a dental screening performed by a licensed medical professional (physician, nurse, physician assistant, dentist, dental hygienist) sometime between the student turning three (3) years of age and four (4) months following the student's enrollment in the District, and will provide proof of such a screening to the District. Students enrolling in any grade in high school in the District will have, at a minimum, a dental screening performed by a licensed dentist or dental hygienist sometime between one (1) year prior to the student's enrollment in the District and four (4) months following the student's enrollment in the District, and will provide proof of such a screening to the District.

Parents or guardians of students enrolling in kindergarten in the District shall be provided a student vision card provided by the Iowa optometric association and as approved by the department of education. The goal of the District is that every child receives an eye examination by age seven, as needed.

The superintendent shall ensure the district works with the Iowa Department of Public Health by notifying the IDPH of kindergarten enrollees and transfer students as required by IDPH, comparing the list from IDPH of students not yet blood lead tested, and sharing required communications and any necessary referral information with parents of students who have not yet complied with the blood lead testing requirement in Iowa law.

Students enrolling for the first time in the school District will 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 certification and immunization requirements in this policy will be allowed only for medical, religious or undue burden 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.

First Reading Approved 3/12/2018

Second Reading Approved 4/9/2018

# 531 ADMINISTRATION OF MEDICATION TO STUDENT

Students may be required to take medication during the school day. Medication shall be administered only by the school nurse or a qualified designee. A qualified designee is a person who has been trained under the State Department of Health guidelines. Training and continued supervision shall be documented and kept on file at school.

Some students may need prescription and nonprescription medication to participate in their educational program. These students shall receive medication concomitant with their educational program. When administration of the medication requires ongoing professional health judgment, an individual health plan shall be developed by the licensed health personnel with the student and the student's parent.

Students may be required to take medication during the school day. Medication is administered by the school nurse, or in the nurse's absence, by a person who has successfully completed an administration of medication course reviewed by the Board of Pharmacy Examiners. The course is conducted by a registered nurse or licensed pharmacist. A record of course completion will be maintained by the school District.

Students who have demonstrated competence in administering their own medications may self-administer their medication as long as all other relevant portions of this policy have been complied with by the student and the student's parent or guardian. A written statement by the student's parent/guardian shall be on file requesting co-administration of medication, when competence has been demonstrated.

Medication will not be administered without written authorization that is signed and dated from the parent and the medication must be in the original container which is labeled by the pharmacy or the manufacturer with the name of the child, name of the medication, the time of the day which it is to be given, the dosage, and the duration. Written authorization will also be secured when the parent requests student co-administration of medication when competency is demonstrated. When administration of the medication requires ongoing professional health judgment, an individual health plan will be developed by the licensed health personnel with the student and the student's parents. A written record of the administration of medication procedure must be kept for each child receiving medication including the date; student's name; prescriber or person authorizing the administration; the medication and its dosage; the name, signature, and title of the person administering the medication; and the time and method of administration 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 kept confidential.

The school nurse, or in the nurse's absence, the person who has successfully completed an administration of medication course reviewed by the Iowa Board of Pharmacy Examiners will have access to the medication which will be kept in a secured area. Students may carry medication only with the approval of the parents and building principal of the student's attendance center. Emergency protocol for medication-related reactions will be in place.

The superintendent is responsible, in conjunction with the school nurse, for developing rules and regulations governing the administration of medication, prescription and nonprescription, including emergency protocols, to students and for ensuring persons administering medication have taken the prescribed course and periodically review the prescribed course. Annually, each student is provided with the requirements for administration of medication at school.

First Reading Approved 3/12/2018

Second Reading Approved 4/9/2018

# 531.1 ADMINISTRATION OF MEDICATION TO STUDENT REGULATIONS

No over-the-counter medication shall be administered at school, unless the school has the parent/guardian's written permission.

Prescription medication will be disbursed to students during a school day only if the following requirements are met:

- Medication must be in the original container, from the pharmacy with the directions clearly stated. This serves two purposes: signifies permission from the doctor and includes directions from the pharmacist. Pharmacists will supply another labeled container for school upon request when the prescription is filled. NO BAGGIES OR ENVELOPES WILL BE ACCEPTED AT SCHOOL.
- Parents/guardians must give written authorization for the administration of the medication.

Students are to bring all medications to the school office immediately upon their arrival at school. Students are not to carry over-the-counter medications with them during the school day unless approved by the school nurse. Students are not to carry prescription medication with them during the school day unless ordered by the physician and cleared by the school nurse.

Medication on school premises shall be kept in a locked container in a limited access storage space. Only appropriate personnel shall have access to the locked container. Each school or facility shall designate in writing the specific locked and limited access space within each building to store pupil medication. More specifically, the following requirements shall be followed:

- In each building in which a full-time registered nurse is assigned, access to medication locked in a designated space shall be under the authority of the nurse.
- In each building in which a less than full-time registered nurse is assigned, access to the medication shall be under the authority of the principal.

Emergency protocols for medication-related reactions shall be posted.

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 information shall be confidential information and shall be available to school personnel with parental authorization.

The superintendent/designee shall be responsible, in conjunction with the school nurse, to develop rules and regulations governing the administration of medication, prescription and non-prescription, to students. Students and parents/guardians shall be provided with the requirements for medication procedures by the school annually.

First Reading Approved 3/12/2018

Second Reading Approved 4/9/2018

# 531.2 PARENTAL AUTHORIZATION AND RELEASE FORM FOR THE ADMINISTRATION OF MEDICATION TO STUDENT

The undersigned(s) are the parent(s), guardian(s), or person(s) in charge of \_\_\_\_\_ (student's full legal name), who is in the \_\_\_\_\_ grade at the \_\_\_\_\_ building in the Moravia Community School District.

It is necessary that the above student receive the following medication(s), at the following frequencies, for the following time period (*Attach additional sheets if necessary*):

(a) \_\_\_\_\_

(Medication)

\_\_\_\_\_  
(Frequency (*i.e., once at noon, etc.*))

Beginning on \_\_\_\_\_ and continuing through \_\_\_\_\_.

(Duration)

\_\_\_\_\_ I hereby request the Moravia Community School District, or its authorized representative, to administer the above-named medication to my child named above and agree to:

- Submit this request to the principal or school nurse;
- Personally ensure that the medication is received by the principal or school nurse administering it in the container in which it was dispensed by the prescribing physician or licensed pharmacist or is in the manufacturer's container;
- Personally ensure that the container in which the medication is dispensed is marked with the medication name, dosage, interval dosage, and date after which no administration should be given.

OR

\_\_\_\_\_ I hereby authorize my child to self-administer his/her medication as he/she has shown the competency to do so. I hereby agree to:

- Submit this request to the principal or school nurse;
- Personally ensure that
  - the medication is received by the principal or school nurse administering it in the container in which it was dispensed by the prescribing physician or licensed pharmacist or is in the manufacturer's container; or
  - the medication will be kept in the student's possession but only with prior written permission from the parent and principal.
- Personally ensure that the container in which the medication is dispensed is marked with the medication name, dosage, interval dosage, and date after which no administration should be given.

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(Signature of Parent/Guardian)  
(Date)

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(Printed Name of Parent/Guardian)  
(Phone Number)

First Reading Approved 3/12/2018

Second Reading Approved 4/9/2018

# 532 STUDENT EXPOSURE TO IRRITANTS AND ALLERGENS

Students may be exposed to irritants that pose a risk to the student's health and safety during the school day. Parents and students shall take all precautions to ensure that they are not exposed to such irritants and/or allergens.

If the parent(s) requests a meeting, the District will meet with the parent(s) and/or student to discuss the student's exposure to irritant(s) and/or allergen(s), and, if appropriate, develop a plan to limit the above student's exposure to irritant(s) and/or allergen(s). Every such plan to avoid exposure shall include a completed Parental Identification of Student Irritant and/or Allergen Form and a completed Parental Authorization and Release Form for the Administration of Medication to Student.

The District cannot guarantee that the student will never be exposed to such irritants and/or allergens. If a student is exposed to such an irritant and/or allergen and/or suffers from an allergic reaction, the District may administer medication to the student as necessary according to its policies and procedures.

First Reading Approved 3/12/2018

Second Reading Approved 4/9/2018

# 532.1 PARENTAL IDENTIFICATION OF STUDENT IRRITANT AND/OR ALLERGEN FORM

The undersigned(s) are the parent(s), guardian(s), or person(s) in charge of \_\_\_\_\_ (student's full legal name), who is in the \_\_\_\_\_ grade at the \_\_\_\_\_ building in the Moravia Community School District.

I am requesting that the above student should not be exposed to or should be minimally exposed to the following irritant(s) and/or allergen(s) because such irritant(s) and/or allergen(s) pose a risk to the student's health and safety during the school day: *(Attach additional sheets if necessary)*:

(a) Irritant and/or Allergen: \_\_\_\_\_

Why Requesting Limited Exposure (*i.e., identified allergy, doctor's request, other reason*):

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

Possible Exposure Symptom(s): \_\_\_\_\_

\_\_\_\_\_

Proposed Plan for Limiting Exposure: \_\_\_\_\_

\_\_\_\_\_

## Parental Authorization and Release Form for the Administration of Medication to Student:

\_\_\_\_\_ I have completed a Parental Authorization and Release Form for the Administration of Medication to Student so that the \_\_\_\_\_ Community School District, or its

authorized representative, may administer medicine to the above-named student in the case of exposure to an irritant or an allergic reaction.

-OR-

\_\_\_\_\_ I have NOT completed a Parental Authorization and Release Form for the Administration of Medication to Student, and do not intend to do such.

Meeting with District Regarding Limiting Student Exposure to Irritant(s) and/or Allergen(s):

\_\_\_\_\_ I wish to request a meeting with the District to discuss the above student's exposure to irritant(s) and/or allergen(s), and, if appropriate, develop a plan to limit the above student's exposure to irritant(s) and/or allergen(s).

-OR-

\_\_\_\_\_ I DO NOT wish to request a meeting with the District to discuss the above student's exposure to irritant(s) and/or allergen(s).

---

(Signature of Parent/Guardian)  
(Date)

---

(Printed Name of Parent/Guardian)  
(Phone Number)

First Reading Approved 3/12/2018

Second Reading Approved 4/9/2018

## 533 COMMUNICABLE DISEASES

Students with a communicable disease will be allowed to attend school provided their presence does not create a substantial risk of illness or transmission to other students or employees.

The term "communicable disease" will mean an infectious or contagious disease spread from person to person, or animal to person, or as defined by law.

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

The health risk to immunodepressed students is determined by their personal physician. The health risk to others in the school District environment from the presence of a student with a communicable disease is determined on a case-by-case basis by the student's personal physician, a physician chosen by the school District or public health officials.

A student shall notify the superintendent or the school nurse when the student learns the student has a communicable disease. It shall be the responsibility of the superintendent, when the superintendent or school nurse, upon investigation, has knowledge that a reportable communicable disease is present, to notify the Iowa Department of Public Health. Health data of a student is confidential and it shall not be disclosed to third parties, except in cases of reportable communicable diseases.

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

First Reading Approved 3/12/2018

Second Reading Approved 4/9/2018

# 533.1 COMMUNICABLE DISEASE CHART

## CONCISE DESCRIPTIONS AND RECOMMENDATIONS FOR

### EXCLUSION OF CASES FROM SCHOOL

DISEASE	Usual Interval Between Exposure and First Symptoms of Disease	MAIN SYMPTOMS	Minimum Exclusion From School
<i>*Immunization is available</i>			
CHICKENPOX*	13 to 17 days	Mild symptoms and fever. Pocks are "blisterly." 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 Erythema (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	2 to 10 days (commonly 3 to 4 days)	Headache, nausea, stiff neck, fever.	Until physician permits return.
MENINGITIS			
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	Tiny burrows in skin caused by mites.	Until 24 hours after treatment.

reexposure

SCARLET FEVER	1 to 3 days	Sudden onset, vomiting, sore throat, fever, later fine rash (not on face). Rash usually with first infection.	24 hours after antibiotics started and no fever.
SCARLATINA			
STREP THROAT			
WHOOPING COUGH* (PERTUSSIS)	7 to 10 days	Head cold, slight fever, cough, characteristic whoop after 2 weeks.	5 days after start of antibiotic treatment.

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Second Reading Approved 4/9/2018

# 533.2 REPORTABLE INFECTIOUS DISEASES

While the school district is not responsible for reporting, the following infectious diseases are required to be reported to the state and local public health offices:

Acquired Immune Deficiency Syndrome (AIDS)	Leprosy	Rubella (German measles)
Amebiasis	Leptospirosis	Rubeola (measles)
Anthrax	Lyme disease	Salmonellosis
Botulism	Malaria	Shigellosis
Brucellosis	Meningitis (bacterial or viral)	Tetanus
Campylobacteriosis	Mumps	Toxic Shock Syndrome
Chlamydia trachomatis	Parvovirus B 19 infection (fifth disease and other complications)	Trichinosis
Cholera		Tuberculosis
Diphtheria		Tularemia
E. Coli 0157:h7	Pertussis (whooping cough)	Typhoid fever
Encephalitis		Typhus fever
Giardiasis	Plague	Venereal disease
Hepatitis, viral (A,B, Non A-Non-B, Unspecified)	Poliomyelitis	Chancroid
	Psittacosis	Gonorrhea
	Rabies	Granuloma Inguinale
Histoplasmosis	Reye's Syndrome	Lymphogranuloma Venereum

Human Immunodeficiency	Rheumatic fever	Syphilis
Virus (HIV) infection	Rocky Mountain	Yellow fever
other than AIDS	spotted fever	
Influenza	Rubella (congenital	
Legionellosis	syndrome)	

Any other disease which is unusual in incidence, occurs in unusual numbers of circumstances, or appears to be of public health concern, e.g., epidemic diarrhea, food or waterborne outbreaks, acute respiratory illness.

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Second Reading Approved 4/9/2018

# 534 STUDENT ILLNESS OR INJURY AT SCHOOL

When a student becomes ill or is injured at school, the school District will attempt to notify the student's parents as soon as possible.

The school District, while not responsible for medical treatment of an ill or injured student, will have employees present administer emergency or minor first aid if possible. An ill or injured child will be turned over to the care of the parents or qualified medical employees as quickly as possible.

It is the responsibility of the principal to file an accident report with the superintendent within twenty-four hours after the student is injured.

Annually, parents are required to complete a medical emergency authorization form indicating the procedures to be followed, if possible, in an emergency involving their child. The authorization form will also include the phone numbers of the parents and alternative numbers to call in case of an injury or illness.

The superintendent is responsible, in conjunction with the school nurse, to develop rules and regulations governing the procedure in the event a student should become ill or be injured at school.

First Reading Approved 3/12/2018

Second Reading Approved 4/9/2018

# 534.1 STUDENT ILLNESS OR INJURY AT SCHOOL ACCIDENT REPORT FORM

Date and Time of Incident: \_\_\_\_\_

Location of Incident: \_\_\_\_\_

Parent's Phone Number: \_\_\_\_\_

Alternate Parent's Phone Number: \_\_\_\_\_

Name of Student: \_\_\_\_\_

Address of Student: \_\_\_\_\_

Please write a brief description of what occurred:

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Please list any eyewitnesses to what occurred (attach statements, if any, to this report):

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Please indicate what procedure was taken to resolve the incident:

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

# 535 STUDENT SPECIAL HEALTH SERVICES

The Board recognizes that some special education students need special health services during the school day. These students will receive special health services in conjunction with their individualized education program.

The superintendent, in conjunction with licensed health personnel, will establish administrative regulations for the implementation of this policy.

First Reading Approved 3/12/2018

Second Reading Approved 4/9/2018

# 535.1 STUDENT SPECIAL HEALTH SERVICES REGULATIONS

Some students who require special education need special health services in order to participate in the educational program. These students will receive special health services in accordance with their individualized educational program.

## A. Definitions

Assignment and delegation - occurs when licensed health personnel, in collaboration with the education team, determine the special health services to be provided and the qualifications of individuals performing the health services. Primary consideration is given to the recommendation of the licensed health personnel. Each designation considers the student's special health service. The rationale for the designation is documented. If the designation decision of the team differs from the licensed health professional, team members may file a dissenting opinion.

Co-administration - the eligible student's participation in the planning, management and implementation of the student's special health service and demonstration of proficiency to licensed health personnel.

Educational program - includes all school curricular programs and activities both on and off school grounds.

Education team - may include the eligible student, the student's parent, administrator, teacher, licensed health personnel, and others involved in the student's educational program.

Health assessment - health data collection, observation, analysis, and interpretation relating to the eligible student's educational program.

Health instruction - education by licensed health personnel to prepare qualified designated personnel to deliver and perform special health services contained in the eligible student's health plan. Documentation of education and periodic updates are on file at school.

Individual health plan - the confidential, written, preplanned, and ongoing special health service in the educational program. It includes assessment, planning, implementation, documentation, evaluation, and a plan for emergencies. The plan is updated as needed and at least annually. Licensed health personnel develop this written plan with the education team.

Licensed health personnel - includes licensed registered nurse, licensed physician, and other licensed health personnel legally authorized to provide special health services and medications.



Prescribe - licensed health personnel legally authorized to prescribe special health services and medications.

Qualified designated personnel - persons instructed, supervised, and competent in implementing the eligible student's health plan.

Special health services - includes, but is not limited to, services for eligible students whose health status (stable or unstable) requires:

- Interpretation or intervention,
- Administration of health procedures and health care, or
- Use of a health device to compensate for the reduction or loss of a body function.

Supervision - the assessment, delegation, evaluation, and documentation of special health services by licensed health personnel. Levels of supervision include situations in which licensed health personnel are:

- Physically present;
- Available at the same site; or
- Available on call.

B. Licensed health personnel will provide special health services under the auspices of the school. Duties of the licensed personnel include the duty to:

1. Participate as a member of the education team;
2. Provide the health assessment;
3. Plan, implement, and evaluate the written individual health plan;
4. Plan, implement, and evaluate special emergency health services;
5. Serve as liaison and encourage participation and communication with health service agencies and individuals providing health care;
6. Provide health consultation, counseling, and instruction with the eligible student, the student's parent, and the staff in cooperation and conjunction with the prescriber;
7. 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;
8. Report unusual circumstances to the parent, school administration, and prescriber;

9. Assign and delegate to, instruct, provide technical assistance, and supervise qualified designated personnel; and
  10. Update knowledge and skills to meet special health service needs.
- C. Prior to the provision of special health services the following will be on file:
1. Written statement by the prescriber detailing the specific method and schedule of the special health service, when indicated;
  2. Written statement by the student's parent requesting the provision of the special health services;
  3. Written report of the preplanning staffing or meeting of the education team; and
  4. Written individual health plan available in the health record and integrated into the IEP or IFSP.
- D. Licensed health personnel, in collaboration with the education team, will determine the special health services to be provided and the qualifications of individuals performing the special health services. The documented rationale will include the following:
1. 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;
  2. Determination that the special health service, task, procedure or function is part of the person's job description;
  3. Determination of the assignment and delegation based on the student's needs;
  4. Review of the designated person's competency; and
  5. Determination of initial and ongoing level of supervision required to ensure quality services.
- E. Licensed health personnel will supervise the special health services, define the level of supervision, and document the supervision.
- F. Licensed health personnel will instruct qualified designated personnel to deliver and perform special health services contained in the eligible individual health plan. Documentation of instruction and periodic updates are on file at school.
- G. Parents will provide the usual equipment, supplies, and necessary maintenance for

such. The equipment is stored in a secure area. The personnel responsible for the equipment are designated in the individual health plan. The individual health plan will designate the role of the school, parents, and others in the provision, supply, storage, and maintenance of necessary equipment.

First Reading Approved 3/12/2018

Second Reading Approved 4/9/2018

# 536 STUDENT WELLNESS PLAN

The Moravia Community School District promotes healthy students by supporting wellness, good nutrition and regular physical activity as a part of the total learning environment. The district supports a healthy environment where students learn and participate in positive dietary and lifestyle practices. By facilitating learning through the support and promotion of good nutrition and physical activity, schools contribute to the basic health status of students. Improved health optimizes student performance potential.

The district provides a comprehensive learning environment for developing and practicing lifelong wellness behaviors. The entire school environment, not just the classroom, shall be aligned with healthy school district goals to positively influence a student's understanding, beliefs and habits as they relate to good nutrition and regular physical activity.

The district will provide nutritional education and engage in nutrition promotion that:

- is offered at each building as part of a sequential, comprehensive, standards-based program designed to provide students with the knowledge and skills necessary to promote and protect their health;
- 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 nutritional practices;
- emphasizes caloric balance between food intake and physical activity;
- links with meal programs, other foods, and nutrition-related community services; and
- includes training for teachers and other staff.

## **Physical Activity**

- A. The district will provide at least thirty (30) minutes of physical activity per day for students in kindergarten through fifth grade. The district will provide at least one-hundred twenty (120) minutes of physical activity per week for students in sixth through twelfth grade.
- B. Physical Education
  - The district will provide physical education that:
    - is for all students in kindergarten through twelfth grade;
    - is taught by a certified physical education teacher;

- includes students with disabilities; students with special health-care needs may be provided with alternative educational settings; and
- engages students in moderate to vigorous activity during physical education class time.

C. Daily Recess

- Elementary schools will provide recess for students that:
  - is at least twenty (20) minutes a day;
  - is preferably outdoors;
  - encourages moderate to vigorous physical activity; and
  - discourages extended periods (i.e., periods of two (2) 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.

D. Physical Activity and Discipline

- Employees should not use physical activity (e.g., running laps, pushups) as disciplinary action. Withholding opportunities for physical activity (e.g., recess, physical education) is discouraged.

Other Activities that Promote Student Wellness

A. 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 District will:

1. Integrate physical activity into classroom settings, by doing the following:
  - i. Offering classroom health education that compliments physical education by reinforcing the knowledge and self-management skills needed to maintain a physically active lifestyle and to reduce time spent on sedentary activities;
  - ii. Discouraging sedentary activities, such as watching television, playing computer games, etc.;
  - iii. Providing opportunities for physical activity to be incorporated into other subject lessons; and
  - iv. Encouraging classroom teachers to provide short physical activity breaks between lessons or classes, as appropriate.

2. Market food in school in a manner consistent with nutritional education and health promotion, by doing the following:
    - i. Limiting food and beverage marketing to the promotion of foods and beverages that meet the nutritional standards for meals or for foods and beverages sold individually;
    - ii. Prohibiting school-based marketing of brands promoting predominantly low-nutrition foods and beverages;
    - iii. Promoting healthy foods, including fruits, vegetables, whole grains, and low-fat dairy products; and
    - iv. Marketing activities that promote healthful behaviors.
  3. Communicate with parents regarding providing students with a healthy diet and daily physical activity, by doing the following:
    - i. Sending home nutrition information and post nutrition tips on a school web site;
    - ii. Encouraging parents to pack healthy lunches and snacks and to refrain from including beverages and foods that do not meet the established nutritional standards for individual foods and beverages;
    - iii. Providing parents a list of foods that meet the school district's snack standards, ideas for healthy celebrations/parties, rewards, and fundraising activities;
    - iv. Asking parents or guardians to notify the school if their student has any food allergies or special dietary requirements;
    - v. Providing information about physical education and other physical activity opportunities before, during, and after the school day;
    - vi. Supporting parents' efforts to provide their children with opportunities to be physically active outside of school; and
    - vii. Sharing information about physical activity and physical education through a web site and/or newsletter.
- B. The district will also provide instruction concerning cardiopulmonary resuscitation (CPR) to all students, so that each student has completed instruction in CPR prior to their high school graduation. The district may offer this instruction as it deems appropriate, including offering it through its physical education program.

### Other Activities that Promote Staff Wellness

A. The district values the health and well being of every staff member. Staff members are encouraged to plan and implement activities that support efforts to maintain a healthy lifestyle.

### Plan for Measuring Implementation of the Wellness Plan and Nutrition Guidelines

A. Wellness Policy Committee.

1. The district will establish a local wellness policy committee that may be comprised of any of the following: representatives of the board; representatives of the district; parents; students; representatives of the school food authority; and nutrition/wellness experts, including teachers of physical education and/or school health professionals.
2. The wellness policy committee and/or an individual designated by the committee will implement, monitor and evaluate/ measure the wellness policy. This committee and/or individual will report annually to the board and to the general public regarding these efforts.

B. Implementation

1. The committee and/or the designee will inform and update the public, including parents, students and the general community, about the content and implementation of the district's wellness policy.
2. Each school and the district as a whole will periodically measure prepare reports regarding implementation of the district's wellness policy. This report shall describe how the school and/or district are striving to implement the goals outlined in the policy.

C. Monitoring.

1. The superintendent, the principal at each school, and the committee and/or designee will ensure compliance with established district-wide nutritional and physical activity wellness policies.
2. Additionally, the following actions will occur:
  - a. food service staff, at the school or district level, will ensure compliance with nutritional policies within food service areas and will report on this matter to the superintendent or principal;
  - b. the school district will report on the most recent USDA School Meals Initiative (SMI) review findings and any resulting changes;

- c. the Food Service Director and/or the superintendent will develop a summary report on school district-wide compliance with the school district's wellness policy, based on input from schools within the school district; and
- d. the report will be provided to the school board and also distributed to the district.

D. Policy Review

1. To help with the initial development of the district's wellness policy, each school in the school district has conducted a baseline assessment of the school's existing nutritional and physical activity environments and practices. The results of those school-by-school assessments will be compiled at the school district level to identify and prioritize needs.
2. Periodic assessments will be conducted to review implementation and compliance, to assess progress, and to determine areas in need of improvement. As part of that review, the committee and/or designee will do the following:
  - a. generally consider whether there exists an environment that supports healthy eating and physical activity;
  - b. review the nutritional and physical activity policies and practices to determine compliance with the district's wellness policy;
  - c. consider the extent to which the district's wellness policy compares to the model local wellness policy;
  - d. describe the progress the district has made in complying with its wellness policy and in comparing to the model local wellness policy;
  - e. provide to the board any recommended updates to the district's wellness policy.

The committee and/or designee will make the assessment available to the general public. The board will revise the wellness policies and develop plans to facilitate their implementation.

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Second Reading Approved 4/9/2018



# 537 STUDENT WELLNESS PLAN – NUTRITION GUIDELINES

## School Meals

- A. Meals served by the district to students will:
1. be appealing and attractive to students;
  2. be served in clean and pleasant settings;
  3. meet, at a minimum, nutrition requirements established by state and federal law;
  4. offer a variety of fruits and vegetables;
  5. include low-fat and fat-free milk and nutritionally equivalent non-dairy alternatives (as defined by the USDA);
  6. encourage serving of whole grain products; and
  7. accommodate alternatives for those students with allergies that meet the above guidelines as closely as possible.
- B. Breakfast
1. To ensure that all students have breakfast, either at home or at school, in order to meet their nutritional needs and enhance their ability to learn, schools will notify parents and students of the availability of the district's breakfast program and encourage parents to provide a healthy breakfast for their children.
- C. Beverages
1. The district will seek to provide water without added caloric sweeteners; fruit and vegetable juices and fruit-based drinks that contain at least 50 percent fruit juice and that do not contain additional caloric sweeteners; unflavored or flavored low-fat or fat-free milk; and nutritionally equivalent non-dairy beverages (as defined by the USDA).
- D. Free and Reduced-Price Meals
1. The 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-priced meals. Toward this end, the district will utilize electronic identification and payment systems and promote the availability of meals to all students.

E. Sharing of Food

1. The district prohibits students from sharing foods or beverages with one another during meal or snack times, given concerns about allergies, spreading of germs and communicable diseases, and other restrictions on student diets.

F. Meal Times and Scheduling

1. The district will do the following:
  - a. provide students with adequate and appropriate time for meals;
  - b. schedule meal periods at appropriate times, e.g., lunch should be scheduled between 11 a.m. and 1 p.m.;
  - c. provide students access to hand washing or hand sanitizing before they eat meals or snacks; and
  - d. take reasonable steps to accommodate the tooth-brushing regimens of students with special oral health needs (e.g., orthodontia or high tooth decay risk).

G. Qualification of Food Service and Staff

1. Qualified nutrition professionals will administer the meal programs. As part of the district's responsibility to operate a food service program, the district will provide continuing professional development for all nutrition professionals and provide staff development programs and training programs for the Food Service Director, kitchen managers, and cafeteria workers, according to their level of responsibility.

Other Food Available at School

A. Food Sold Outside the Meal

- a. Examples include vending machine, a la carte and sales foods.
- b. Elementary Schools. The food service program will approve and provide all food and beverage sales to students in elementary schools. To this end, the following is true:
  - a. food in elementary schools will be sold as balanced meals, given young student's limited nutrition skills; and
  - b. food and beverages sold individually will be limited to low-fat and non-fat milk, fruits and non-fried vegetables and occasional extra entrée.

3. Middle School and High School. All foods and beverages sold individually outside the reimbursable meal programs including those sold through a la carte lines and machines during the school day, will meet the following nutrition and portion size standards:
- a. Foods. A food item sold individually will:
    - i. have no more than 400 calories, for entrée items, and no more than 200 calories, for side items;
    - ii. have no more than 600 milligrams of sodium, for entrée items, and no more than 400 milligrams of sodium, for side items;
    - iii. have no more than 10 percent of its calories from saturated fat (excluding reduced fat cheese);
    - iv. have no more than 0.5 gram of trans fat per serving;
    - v. have no more than 35 percent of its calories from total fat (excluding nuts, seeds, peanut butter and other nut butters);
    - vi. have no more than 35 percent of its calories from sugar (excluding fruits and yogurts).
  - b. Beverages. A beverage sold individually will fit within the following requirements:
    - i. The beverage sold may be any of the following:
    - ii. unflavored or flavored low-fat or fat-free milk;
    - iii. 100 percent fruit and vegetable juices with no added sweeteners;
    - iv. water with no added non-nutritive sweeteners;
    - v. The beverage sold will not be a soda or other carbonated beverage.
  - c. Portion Size. Limit portion sizes of foods and beverages sold individually to those listed below:
    - i. One and one-half ounces for chips, crackers, popcorn, cereal, trail mix, nuts, seeds, dried fruit or jerky;
    - ii. One ounce for cookies;
    - iii. Two ounces for cereal bars, granola bars, pastries, muffins, doughnuts, bagels, and other bakery items;

- iv. Four fluid ounces for frozen desserts, including, but not limited to, low-fat or fat-free ice cream;
- v. Eight ounces for non-frozen yogurt;
- vi. Twelve fluid ounces for beverages, excluding water and milk; and
- vii. The portion size of a la carte entrees and side dishes, including potatoes, will not be greater than the size of comparable portions offered as part of meals. Fruits and non-fried vegetables are exempt from portion-size limits.

B. Snacks

- 1. Snacks served during the school day will make a positive contribution to students' diets and health. The district will disseminate a list of suggested snack items to teachers and parents. The district encourages parents and teachers to provide food that is commercially packaged or comes from a commercial bakery.
- 2. Each school will be encouraged to evaluate their celebration practices that involve food during the school day. The district will disseminate a list of healthy party ideas to parents and teachers.

C. Foods and Beverages at School-Sponsored Events

- 1. Foods and beverages made available and/or sold at school-sponsored events that occur outside of the school day are encouraged to meet the nutrition standards for meals and for foods and beverages outlined in this policy.

Food Safety

- A. All foods made available on campus will adhere to food safety and security guidelines.
- B. All foods made available through food service will comply with the state and local food safety and sanitation regulations. Hazard Analysis and Critical Control Points (HACCP) plans and guidelines are implemented to prevent food illness in schools.
- C. For the safety and security of the food and facility, access to the food service operations are limited to food service staff and authorized personnel.

Nutrition Promotion and Education

- A. The District will promote general nutrition and the specific nutritional goals and requirements outlined in this policy by doing any and/or all of the following:

1. Promote nutrition and/or provide nutrition education at each grade level by including and incorporating general nutritional standards and the provisions of this nutritional policy into the teaching curriculum;
2. Promote educational learning activities, specifically participatory activities, which focus on nutrition (i.e., preparing nutritious food, attending field trips, planting a garden, etc.);
3. Develop nutrition extra-curricular and/or curricular programs that relate to the school lunch program and emphasize health choices within the school lunch program;
4. Provide nutrition training for administrators, teachers and other staff members.

#### Other Aspects of Wellness Plan – Nutrition Guidelines

##### A. Fundraising Activities

1. To support student health and school nutrition-education efforts, school fundraising groups' activities will be encouraged to use non foods or foods that are compliant to the school's wellness policies. The District will make available a list of ideas for fundraising activities.

##### B. Rewards

1. The District will discourage the use of foods or beverages, especially those that do not meet the nutrition standards for foods and beverages sold individually, as rewards for academic performance or good behavior, and will not withhold food or beverages (including food served through meals) as a discipline.

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Second Reading Approved 4/9/2018

# 538 STUDENT INSURANCE

Students will 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 is borne by the student. Participation in the insurance health and accident plan is not a contract with the school district, but rather, a contract between the insurance company and the student.

Students participating in extracurricular athletics are required to have health and accident insurance. The student will bring written proof of insurance or participate in the health and accident insurance program selected by the school district.

First Reading Approved 3/12/2018

Second Reading Approved 4/9/2018

# 539 EMERGENCY PLANS AND DRILLS

Students will be informed of the appropriate action to take in an emergency. Emergency drills for fire, weather, and other disasters are conducted each school year. Fire and tornado drills are each conducted regularly during the academic school year with a minimum of two before December 31 and two after January 1. A crisis drill is conducted a minimum of once per year.

Each attendance center will develop and maintain a written plan containing emergency and disaster procedures. The plan will be communicated to and reviewed with employees. Employees will participate in emergency drills. Licensed employees are responsible for instructing the proper techniques to be followed in the drill.

The emergency plan shall include:

- assignment of employees to specific tasks and responsibilities;
- instructions relating to the use of alarm systems and signals. If combination visual and auditory warning devices do not exist, the plan shall include specific provisions for warning individuals with hearing impairments;
- information concerning methods of fire containment;
- systems for notification of appropriate persons and agencies;
- information concerning the location and use of fire fighting equipment;
- specification of evacuation routes and procedures;
- posting of plans and procedures at suitable locations throughout the facility;
- evacuation drills which include the actual evacuation of individuals to safe areas;
- an evaluation for each evacuation drill.

First Reading Approved 3/12/2018

Second Reading Approved 4/9/2018

# 540 STUDENT APPEARANCE

The District and the Board believe 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 come to school looking clean and neat, dressed in a manner which is accepted as being in good taste, and consistent with an attitude and atmosphere that is conducive to study and learning. Extreme hairstyle and dress that is unduly immodest, distracting or inappropriate for a school environment will not be allowed. Clothing or other apparel promoting or referring products illegal for use by minors, (i.e. alcohol, tobacco, drugs) and/or clothing displaying obscene material or profanity or referring to inappropriate or prohibited conduct are not allowed. Low riding pants and low cut tops are not acceptable. Bare midribs will not be acceptable for boys or girls. Clothes with holes or tears in inappropriate places are not acceptable. Hats or any head coverings may not be worn in the building during school time. Any accessories deemed unsafe (such as chains or jewelry/accessories with spikes) will not be allowed.

It is the responsibility of the superintendent, in conjunction with the principals, to develop administrative regulations regarding this policy.

While the primary responsibility for appearance lies with the students and their parents, appearance disruptive to the educational 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.

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Second Reading Approved 4/9/2018



# 541 STUDENT LOCKERS

Student lockers are the property of the District. Students shall use the lockers assigned to them by the District for storing their school materials and personal belongings necessary for attendance at school. It shall be the responsibility of students to keep their assigned lockers clean and undamaged.

To ensure students are properly maintaining their assigned lockers, the principal/designee 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.

First Reading Approved 3/12/2018

Second Reading Approved 4/9/2018

# 542 POSSESSION OF WEAPONS

The Board believes weapons, look-a likes, other dangerous objects and any instrument used as a weapon in 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 District premises or property within the jurisdiction of the District.

District facilities are not an appropriate place for weapons, look-a-likes, dangerous objects or any instrument used as a weapon. Weapons, look-a-likes, other dangerous objects, and any instrument used as a weapon shall be taken from students and others who bring them onto District property or onto property within the jurisdiction of the District or from students who are within the control of the District. Students bringing a weapon, look-a-like, other dangerous object or any instrument used as a weapon onto school property or onto property within the jurisdiction of the school may be suspended or expelled from school.

Parents/guardians of students found to possess a weapon, look-a-like, dangerous object or any instrument used as a weapon on school property shall be notified of the incident. Confiscation of weapons, look-a-likes, dangerous objects or any instruments used as a weapon shall be reported to the law enforcement officials, and students shall be subject to disciplinary action including suspension or expulsion.

Students bringing firearms to school or knowingly possessing firearms at school shall be expelled for not less than one year. The superintendent/designee shall have 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.

For purposes of this policy, the term "dangerous object" includes any instrument or device designed primarily for use in inflicting death or injury upon a human being or animal, and which is capable of inflicting death upon a human being when used in the manner for which it was designed. The term "dangerous object" also includes any instrument or device or any sort whatsoever which is actually used in such a manner as to indicate that the individual intends to inflict death or injury upon the other, and which, when so used, is capable of inflicting death upon a human being. In addition, dangerous objects or any instrument used as a weapon in the school includes any object used to intimidate, coerce, scare or threaten a student, school district employee or visitor. Dangerous objects therefore include, but are not limited to, clubs, nunchakus, brass knuckles, knives regardless of blade length, stun guns, BB and pellet guns, toy guns used or displayed as real guns, and unloaded guns.

Weapons, firearms or other dangerous objects under the control of law enforcement officials

shall be exempt from this policy. The principal may allow authorized persons to display weapons or other dangerous objects or look-a-likes for educational purposes. Such a display shall also be exempt from this policy. It shall be the responsibility of the superintendent/ designee, in conjunction with the principal, to develop administrative regulations regarding this policy.

First Reading Approved 3/12/2018

Second Reading Approved 4/9/2018

# 543 POSSESSION OR USE OF ILLEGAL CONTROLLED SUBSTANCE

The District and the Board recognize the following as serious violations of the school's disciplinary policy:

- Possessing, drinking, or being under the influence of alcoholic beverages on school property or at school sponsored or approved events off the school grounds at any time, including official school events at other schools;
- Possessing, distributing, using, or being under the influence of illegal drugs on school property or at school sponsored or approved events off the school grounds at any time, including official school events at other schools;
- Possessing, distributing, or using drug paraphernalia on school property or at school sponsored or approved events off the school grounds at any time, including official school events at other schools.

Each violation of this policy shall be reviewed by the appropriate administrator within a reasonable time after the alleged violation. Both the student and their parents shall have the opportunity to discuss the matter with the administrator before the administrator makes a decision.

The penalty for such violations may include suspension or expulsion. Participation in activities, including practices, shall also be prohibited during any period of suspension or expulsion. A student suspended or expelled under this policy will be allowed to return to classes upon completion of the suspension/expulsion period and enrollment in a program of substance abuse evaluation with an agency approved by the District. It shall be the responsibility of the student and/or their parent to enroll in the program of substance abuse evaluation.

School officials will notify law enforcement when a student is suspected of possessing, using, distributing or selling any illegal controlled substance on school property or at school sponsored or approved events off the school grounds at any time, including official school events at other schools, unless reporting would jeopardize the District's at-risk or student assistance program. Such reports must be made before the incident becomes part of the student's record, i.e., before it is written down.

This policy does not affect nor rescind policies in effect for students who may also be disciplined through the activity policies of the athletic department or other departments.

First Reading Approved 3/12/2018

Second Reading Approved 4/9/2018

# 544 USE OF MOTOR VEHICLES

Rules and regulations concerning student-driven vehicles in addition to state motor vehicle laws shall be established by the building principal. Motor vehicles should not be used during school hours unless special permission is given by the parent, principal or designee. The privilege of driving during school hours may be withdrawn by the building principal/designee from the student if the student fails to comply with state law or rules and regulations as established by the principal/designee.

First Reading Approved 3/12/2018

Second Reading Approved 4/9/2018

# 545 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 is 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 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, non prescription 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 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. 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 present 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 is the responsibility of the superintendent, in conjunction with the principals, to develop administrative regulations regarding this policy.

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# 545.1 SEARCH AND SEIZURE REGULATIONS

## I. General Searches

A. Reasonable and Articulate 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 gender of the student;
3. The nature of the infraction; and
4. The existence of an 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. 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 gender as the student and with another adult witness of the same gender 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 gender as the student, with an adult of the same gender present unless the health or safety of students will be endangered by the delay which may be caused by following these procedures.

#### B. Locker and Desk Inspections

1. Although school lockers and desks are temporarily assigned to individual students, they remain the property of the school district at all times. The school district has a reasonable and valid interest in insuring the lockers and desks are properly maintained. For this reason, lockers and desks are subject to unannounced inspections and students have no legitimate expectations of privacy in the locker or desk. Periodic inspections of all or a random selection of lockers or desks may be conducted by school officials in the presence of the student or another individual. Any contraband discovered during such searches will be confiscated by school officials and may be turned over to law enforcement officials.

2. 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

1. 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.

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Second Reading Approved 4/9/2018



# 546 QUESTIONING OF STUDENTS

School District officials and employees may interview students during the school day. Generally, persons other than parents and school District officials and employees may not interview students during the school day. For purposes of this policy, the school juvenile court officer shall be considered a school employee.

Requests from law enforcement officers and from persons other than parents, school District officials, and employees to interview students are made through the principal's office. Upon receiving a request, it is the responsibility of the principal to determine whether the request will be granted. Generally, prior to granting a request, the principal will 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 determine 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.

First Reading Approved 3/12/2018

Second Reading Approved 4/9/2018

# 546.1 QUESTIONING OF STUDENTS REGULATIONS

## I. Investigation Conducted in the Educational Environment

### A. Interviews Initiated by School Administrators

- Conducted by Administrators
  - Principals shall have the authority to conduct investigations and to question students pertaining to infractions of school rules, whether or not the alleged conduct is a violation of criminal law.
- Conducted by Law Enforcement Officers
  - The principal/designee shall determine when the necessity exists that law enforcement officers be contacted to conduct an investigation of alleged criminal behavior.
  - The principal/designee may request that law enforcement officers conduct an investigation of alleged criminal behavior during school hours. A reasonable attempt shall be made to contact the student's parents, guardian or representative prior to questioning of students by law enforcement officers. Such contacts or attempted contacts with parents, guardian or representative shall be documented by the administrator involved. In the absence of a student's parents, guardian or representative during any questioning of such students, the principal or other designated certificated school staff person shall be present.
  - If the investigation has centered on any particular student suspected of such alleged criminal activity, the procedure of taking students into custody by the police set forth in Section II shall be followed to the extent that they do not interfere with reasonable law enforcement procedures.

### B. Interviews Initiated by Law Enforcement Officers

- Although cooperation with law enforcement officers will be maintained, it should not normally be necessary for law enforcement officers to initiate and conduct any investigation and questioning on the school premises during school hours pertaining to criminal activities unrelated to the operation of the school. Only in demonstrated emergency situations, when law enforcement officers find it absolutely necessary, will they be voluntarily permitted to conduct such an investigation during school hours. These circumstances should ordinarily be limited to those in which delay might result in danger to any person, or flight from the jurisdiction of a person reasonably suspected of a crime or destruction of evidence.
- In such cases, the officers shall be requested to obtain prior approval of the

principal/designee before beginning such an investigation on school premises. The administrator shall document the circumstances of such investigations as soon as practicable. Alleged criminal behavior related to the school environment brought to the principal's attention by law enforcement officers shall be dealt with under Iowa law.

### C. Questioning of Students During Investigation

- Violations of School Rules
  - In instances where school rules have allegedly been violated, the principal/designee may contact the suspected rule violator or potential witness to the infraction.
  - The suspected student shall be advised orally or in writing of the nature of the alleged offense and of the evidence, if any, against the student.
  - In questioning a potential student witness to an alleged disciplinary infraction, care should be taken by the administrator to insure that there is a reasonable likelihood that the student was indeed a witness.
- Violations of Criminal Law
  - During an investigation of violation of school rules, it may come to the attention of the administrator that the investigated activity may also be a violation of criminal law. In proceeding with the investigation, the principal/designee can attempt to ascertain whether there is sufficient justification to believe that a criminal offense was committed that warrants contacting law enforcement officials.
  - Where a suspected violation of criminal law has occurred on the school grounds, involving the operation of the school or during a school-sponsored activity, law enforcement officials may be notified and their presence requested for the questioning of suspected students. Unless circumstances dictate otherwise, questioning of the student shall not begin or continue until the law enforcement officers arrive. Reasonable attempts shall be made to contact a student's parents, guardian or representative who, unless an emergency exists, shall be given the opportunity to confer with the student and to be present with the student during such questioning. The administrator shall document the contact or attempted contact with the student's parents, guardian or representative. The law enforcement officers may wish to advise the student of his/her legal rights.

## II. Taking a Student into Custody

A. Students may not be released to law enforcement authorities voluntarily by school officials unless the student has been placed under arrest or unless the parent, guardian or representative and the student agrees to the release. Administrators shall make reasonable objections to law enforcement authorities who attempt to remove students

from school without placing them under arrest or without the acquiescence of the parent, guardian or representative and the student. When students are removed from school for any reason by law enforcement authorities, reasonable efforts will be made to contact the student's parents, guardian or representative immediately. Such effort shall be documented. The superintendent's office shall be notified immediately of any removal of a student from school by law enforcement officers under any circumstances.

B. Where it is necessary to take a student into custody on school premises, and the time permits, the law enforcement officer shall be requested to contact the school principal/designee and relate the circumstances necessitating such action. When possible, the principal/designee shall have the student summoned to the principal's office where the student may be taken into custody.

C. When an emergency exists, the school principal/designee may summon law enforcement officials to the school to take a student into custody.

D. When a student has been taken into custody or arrested on school premises without prior notification to the principal/designee, the school staff present shall encourage the law enforcement officers to notify the principal/designee of the circumstances as quickly as possible. In the event that the officers decline to notify the principal/designee, the school staff members present shall immediately notify the principal/designee.

E. If possible, parents, guardian or representative of the student shall be notified by the principal or other school administrator before the student is taken into custody by law enforcement officers or as quickly thereafter as can be accomplished. The administrator shall document such notification or attempted notification.

### III. Disturbance of School Environment

A. Law enforcement officers may be requested to assist in controlling disturbances of the school environment which the principal or other school administrator has found to be unmanageable by school personnel or has the potential of causing harm to students and other persons or to property. Such potential of possible harm includes members of the general public who have exhibited inappropriate or illegal conduct on school premises or at a school event held on school property and who have been requested to leave by an administrator, but have refused or failed to do so.

### IV. Disseminating and Reviewing Policies

A. This policy shall regularly be disseminated to staff members. School staff members shall be apprised of the contents of these provisions as they are updated, and at least annually.

B. School administrators are encouraged to meet at least annually with local law enforcement officials to discuss the District's policy and rules regarding law enforcement contacts with the District. Law enforcement officials will be asked to instruct their staffs as to the terms of the school's policy and rules.

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Second Reading Approved 4/9/2018

# 547 DUE PROCESS RIGHTS OF STUDENTS

When violations of statutes, regulations or school rules require the disciplining of a student, the following elements of procedural due process will be present:

- The student will be provided with accurate information regarding rules and regulations, either in written form or through verbal instruction by teachers or administrators;
- The student will be made aware of the specific behaviors giving rise to any proposed penalty or disciplinary action; AND
- The student will be offered an opportunity to express their views to the decision-making authority regarding the incident.

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Second Reading Approved 4/9/2018

# 548 STUDENT FEES, FINES AND CHARGES

Students may be assessed fines, charges or fees for the materials needed in a course, for overdue school materials, for participating in activities or for misuse of school property.

The superintendent/designee shall inform the Board of the dollar amount to be charged to students or others for 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/guardian.

Fines or charges assessed for damage or loss to school property are not fees and will not be waived.

It shall be the responsibility of the superintendent, in conjunction with the principal, to develop administrative regulations regarding this policy.

First Reading Approved 3/12/2018

Second Reading Approved 4/9/2018

# 549 FEE WAIVER 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 (including receiving free or reduced price lunch), Family Investment Program (FIP), Supplemental Security Income (SSI) guidelines or transportation assistance under open enrollment. Students in foster care are also eligible for full waivers.

2. Partial Waivers. A student will be granted a partial waiver of fees charged by the school District if the student or the student's parents meet the financial eligibility criteria for reduced price meals offered under the Child Nutrition program. (*A partial waiver is based on the same percentage as the reduced price meals.*)

3. Temporary Waivers. A student may be eligible for a temporary waiver of fees charged by the District in the event the student's parents are facing financial difficulty. Temporary waivers may be applied for at any time throughout the school year and will not extend beyond the end of the school year.

B. Application. Parents or students eligible for a fee waiver will make an application on the form provided by the school District. Applications may be made at any time but must be renewed annually.

C. Confidentiality. The school District will treat the application and application process as any other student record and student confidentiality and access provisions will be followed.

D. Notice. The school District will annually notify parents and students of the waiver. The following information will be included in registration materials.

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Second Reading Approved 4/9/2018



# 549.1 FEE WAIVER FORM

Dear Parent or Guardian,

If your child(ren) qualify for free or reduced price meals, you may also be eligible for other benefits. One of the benefits is free or reduced textbook and other class fees. (This does not include activity pass fees.) Complete this form and return with your application for free/reduced price meals.

YES, I wish to apply for a waiver of payment of textbook and other school fees (not activity pass fees) for my student(s). School personnel may release my student(s) free and reduced-price meal eligibility status to determine eligibility for school fee waivers.

I understand that, if I apply for a waiver of fees, I will be releasing information that will show that I applied for free and reduced-price school meals for my child(ren). I give up my rights to confidentiality for textbook and other school fees. This authorization is in effect for one (1) year. I understand that I may revoke this release in writing at any time.

NO, I do not wish to apply for a waiver of payment of textbook and other school fees for my student(s).

I certify that I am the parent/guardian of the child(ren) for whom application is being made.

\_\_\_\_\_  
Printed Name of Parent/Guardian

\_\_\_\_\_  
Signature of Parent/Guardian

\_\_\_\_\_  
Date Signed

First Reading Approved 3/12/2018

Second Reading Approved 4/9/2018

# 550 CO-CURRICULAR ACTIVITIES

Participation in school activities is a privilege. School activities provide the benefits of promoting additional interests and abilities in students during their school years and for their lifetimes.

Students may participate in interscholastic athletics, music, speech, and other contests or events approved by the administration subject to the rules and regulations which govern participation in general for each event or contest. Any such events must be supervised by licensed school personnel.

The District is affiliated and pays dues as a member of the Iowa FFA Association, Iowa State Music Association, Iowa State Speech Association, Iowa High School Athletic Association, the Iowa High School Girls' Athletic Union, and the Iowa Association of Student Councils. Therefore, the school is subject to all the rules and regulations of these associations and the Department of Education.

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 will keep records of violations of this policy.

Furthermore, a student may not violate the rules and regulations of the state associations and/or the discipline policy of the District or any rules and regulations pertaining to eligibility for extra-curricular activity, without jeopardizing the student's continued participation as it may apply.

It is 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.

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Second Reading Approved 4/9/2018

# 550.1 CO-CURRICULAR ACTIVITIES REGULATIONS

The rules and regulations of the District and state associations shall be in effect for all events in which students participate, representing the District, during or after school hours, either on school premises or off school premises for events considered school sponsored or school approved activities. This policy includes athletics, speech, drama, music, academic competitions, FFA competitions, FCCLA activities, cheerleading, dance, homecoming royalty and other royalty, speaker at graduation and other school related events, competitive conference activities or performing or participating in any activity as a representative of the District.

Penalties for violations after school hours or at designated places for events will be the same as during regularly scheduled school hours or on school premises except where a special discipline policy has been specified. This includes particular rules and regulations established by the Department of Education, director of the activity, special temporary restrictions imposed on the students prior to this scheduled event, and any other mandates determined by the administration.

Additionally, the executive Boards of the Iowa High School Athletic Association (IHSAA) and the Iowa Girls High School Athletic Union (IGHSAU) may sanction member and associate member schools that permit or allow participation in any event by a person in violation of the eligibility rules or by a student who has been suspended from school and/or school activities in accordance with local rules.

## General Co-curricular Activities Policies

1. Students who participate in the above co-curricular activity programs are subject to the rules and policies governing activity eligibility participation and the training and conduct rules set down by the coach or sponsor, twenty-four hours per day, year round. Students may be declared ineligible from activity participation by the athletic director, principal or the superintendent/designee for violation of any of these rules and policies.
2. The principal/designee shall be responsible for informing coaches/sponsors of which students are not eligible for participation.
3. A student with an unexcused absence during any part of the school day or who was not present the last half of the school day will not be eligible for activity participation on the day of the absence, unless approved by the principal/designee.
4. Freshmen (ninth grade students) may not participate in junior varsity football and basketball or varsity interscholastic athletic competition in any sport or cheerleading except with

the recommendation of the coach/sponsor, and, approval of the athletic director/principal, in consultation with the parents or guardians.

5. Beyond the freshman year, a coach may cut a student from an athletic activity before the first contest by notifying the athletic director/principal and the parents/guardians of the reason why the participant is being cut.
6. A student will not be penalized for non-participation (practice or contests) during regularly scheduled vacation periods, if that student is excused from these by his/her parent or guardian. Communication between the parent/guardian, athletic director, and coach is required prior to a participant's absence that will occur during a scheduled vacation period.
7. A student may not be dropped from practice or competition during the season or during tournament play unless he/she has violated the Districts or coach's good conduct rules or the Department of Education eligibility rules. In the event that a student is to be removed for this cause, the athletic director/principal will be notified and will be a part of the decision and the appropriate action. The parent/guardian shall be notified of the action taken.
8. If a student drops one activity for good cause during the season, he/she will not be penalized for participation in any succeeding activity for which he/she is eligible for the same good cause offense.
9. Athletic directors, coaches, and sponsors have the prerogative to establish reasonable training and conduct rules, when not in conflict with District policy and regulations, for a particular co-curricular activity or competition, all of which must be followed by the participants, including but not limited to, the special rules below. Those rules shall be sent to the students' parents/guardians before the activity commences.

#### Department of Education Co-curricular Activities Policies

##### A. Eligibility Rules

1. Eligibility may be compromised if any of the following are true:
  - a. You do not have a physician's certificate of fitness issued this school year.
  - b. You have attended high school for more than eight (8) semesters (twenty days of attendance or playing in one contest constitutes a semester). Middle school students who have completed more than four (4) semesters in 7<sup>th</sup> or 8<sup>th</sup> grade may not be eligible to participate in middle school activities.
  - c. You were not enrolled in high school last semester or if you entered school this semester later than the second week of school and were not enrolled in school immediately prior to enrolling at the high school. (Not applicable to the middle school.)

- d. You have changed schools this semester, except upon like change of residence of your parents/guardians. (Not applicable to the middle school.)
- a. You have been declared ineligible under a prior school District's Good Conduct Rule, and then, without having completed the full period of ineligibility at that school, transfer to the high school. You may not be eligible for interscholastic competition at the high school until the full period of ineligibility has been completed. Once that time period of ineligibility has been completed, you are then immediately eligible for interscholastic competition at the high school as far as any Good Conduct Rule is concerned.
- b. You have competed on an outside school team as a team member or as an individual while out for a sport during that particular sport season without the previous written consent of your current coach, athletic director, and parent/guardian with the exception of dance.
- c. You have ever trained with a college squad or have participated in a college event.
- d. Your habits and conduct both in and out of school are such as to make you unworthy to represent the ideals, principles, and standards of your school.

B. Scholarship Rules for Athletics

1. Application of Scholarship Rules

- a. Scholarship Rules apply to all member and associate member schools that belong to the IHSAA and the IGHSAA. Schools may not allow ineligible or suspended students to participate. The IHSAA and the IGHSAA have the power to impose sanctions upon schools that do not enforce Scholarship rules.
- b. In addition, Scholarship Rules apply to all students who are members of any recognized District Activity.

2. Requirements

- a. All students must be enrolled and in good standing in a school that is a member or associate member in good standing of the organization sponsoring the event. Each student shall be passing all coursework for which credit is given and shall be making adequate progress toward graduation requirements at the end of the first quarter, second quarter, first semester, third quarter, fourth quarter, and second semester.
- b. All students must be under twenty (20) years of age.

- c. All students shall be enrolled students of the school in good standing. The student shall receive credit in at least four subjects, each of one period or hour, or the equivalent thereof. They shall receive credit in all courses for which a letter grade is given. Grades will be checked at the end of each grading period as defined in (a) above.
- i. Coursework taken under the provisions of Iowa Code chapter 261C, postsecondary enrollment options, for which a school District or accredited nonpublic school grants academic credit toward high school graduation shall be used in determining eligibility. No student shall be denied eligibility if the student's school program deviates from the traditional two-semester school year.
- ii. Dual credit courses from community colleges will count toward the four-credit class requirement, and failure of such courses will result in violation of eligibility standards.
- d. A student who has had four or more successful non-failing (no "F"s) grading periods (quarters) after the grading period in which the student did not pass all coursework is eligible.
- e. For block scheduling classes, the grading period may be the end of nine (9) weeks if that is when the grade is recorded on the transcript. Each block scheduled course is the equivalent of two traditional courses. Thus, at a minimum, students must receive credit in at least two block courses during any grading period
- f. If a student does not meet the Eligibility Standard, then s/he will not be allowed to represent the school for thirty (30) consecutive calendar days in all co-curricular activities and competitions as defined in paragraph (a) of this policy. S/he is ineligible to dress for and compete in the next athletic contests and competitions in which the athlete is a contestant for thirty (30) consecutive calendar days. The thirty (30) Day Rule applies to all levels of high school athletics, and not just varsity competition. The thirty (30) consecutive calendar days of ineligibility begin on the earliest date when the IGHSAU or the IHSAA allows games to begin for each sport. If the sport is in mid-season, then the period of ineligibility begins at 3:40 P.M. the afternoon of the 3<sup>rd</sup> weekday following the end of the grading period.
- g. If at the time the student has a failure, and he/she is out for a sport and the season ends before the thirty (30) days are served, the days carryover to the next sport he/she participates in.
- h. Subject to the provision below regarding contestants in interscholastic baseball or softball, if at the end of any grading period a contestant is given a failing grade in any course for which credit is awarded, the contestant is ineligible to dress for

and compete in the next occurring interscholastic athletic contests and competitions in which the participant is a contestant for thirty (30) consecutive calendar days. The thirty (30) calendar days begin at 3:40 the afternoon of the 3<sup>rd</sup> weekday following the end of the grading period.

- i. At the end of a grading period that is the final grading period in a school year, a contestant, in interscholastic baseball or softball who receives a failing grade in any course for which credit is awarded, is ineligible to dress for and compete in interscholastic baseball or softball for the thirty (30) consecutive calendar days. The thirty (30) calendar days begin at 3:40 the afternoon of the 3<sup>rd</sup> weekday following the end of the grading period. If the season expires prior to thirty (30) consecutive calendar days elapsing, the period of ineligibility will carry over to the beginning of the next sport in which the student participates.
- j. A student with a disability who has an individualized education program shall not be denied eligibility on the basis of scholarship if the student is making adequate progress, as determined by school officials, towards the goals and objectives on the student's individualized educational program.
- k. All member schools shall provide appropriate interventions and necessary academic supports for students who fail or who are at risk to fail, and shall report to the department regarding those interventions on the comprehensive school improvement plan (CSIP).
- l. An incomplete (I) will be considered a failure. At the time the incomplete (I) becomes a passing grade, eligibility will be reinstated.
- m. A student is academically eligible upon entering the ninth grade.
- n. No student shall be eligible to participate in any given interscholastic athletic sport if the student has engaged in that sport professionally.
- o. The local superintendent/designee of schools, with the approval of the local Board of education, may give permission to a dropout student to participate in athletics upon return to school if the student is otherwise eligible under these rules.

C. After-Hours, Off-Premises Special Rules

1. Application- The following rules cover students in grades 5-12. These after hours, off-premises special rules will be printed in the Student Handbook given to each student in grades 5-12 when school opens in the fall. A Student Handbook will also be issued to each new student who registers after the school year begins.
2. General Rule- The Board, the administration, and other employees of the District,

have no control or responsibility for any student when the student is in the custody and control of his/her parents, guardian, or other non-school related agency except as explained below.

3. Exceptional Rules- The Board and administration have determined the following specific policies as exceptions to the immediately preceding paragraph:

a. Training and Conduct Rules- The sponsors and coaches must establish reasonable training and conduct rules for the activities for which they have been given responsibility. These rules must be approved by the principal or athletic director. They must be distributed to each participant before the activity commences. A student who registers late will receive the rules when he/she starts. Violation of any of these training and conduct rules may be just cause for eliminating a student from the activity or restricting participation.

b. Participation in Criminal or Unlawful Activity- Students who represent the District in extra-curricular activities are expected to characterize high standards of conduct. Students who participate in any conduct which, in Iowa, is illegal, whether or not an arrest or conviction occurs, except simple misdemeanor traffic violation may be suspended from activity participation if an investigation by school officials if they determine the student has committed a violation of the rules. They may be penalized in the manner described in the following section on alcohol and controlled substances. Upon each offense of a criminal or otherwise unlawful activity, the student shall be referred to the Building Assistance Team.

c. Alcohol, Tobacco and Controlled Substances- Involvement with alcohol, tobacco and/or other illegal substances classified as controlled substances is deemed a most serious offense. The Board and administration will impose severe penalties when it has been determined a participant has been involved in the use, sale, distribution or possession of the same. Severe penalties will also be imposed on those who inhabit an environment or are in attendance where an illegal act(s) related to alcohol and/or controlled substances occur(s), including, but not limited to: (i) alcohol being possessed, distributed or consumed by people not of legal age to do so and (ii) possession, sale, distribution or consumption of illegal substances. Since rules for participation in activities carry over outside of school hours and school-sponsored events, parents and concerned agencies must cooperate with the school in eliminating alcohol, tobacco, and controlled substance use and abuse.

4. Penalties- When it has been determined that a student has violated the rules regarding (b) or (c) in sub-section (3) above, the student shall be penalized as follows:

a. Repeat offenses shall be calculated by counting backward from the date of the current violation. Two (2) calendar years shall be used in determining the number



of offenses that apply.

- b. First Offense: Four-week (28 calendar days) suspension from scheduled co-curricular competition or performance. This four week suspension will be shortened to two weeks (14 calendar days) if the student reports the incident to a coach, sponsor, activities/athletic director, or principal prior to any one of the above's awareness of the incident.
- c. Second Offense: Ten weeks (70 calendar days) suspension from all cocurricular competition or performance. student suspended for a second time under this policy will be eligible to participate in cocurricular activities and competition after five weeks (35 days) if he/she reports the incident to a coach, sponsor, activities/athletic director, or principal prior to any one of the above's awareness of it.
- d. Third Offense: A minimum of 18 weeks (126 calendar days) suspension from participation in all co-curricular competition and performance.
- e. The suspensions described above will commence at the time the student makes a school coach, sponsor, athletic director or principal aware of the infraction or at the time an investigation by the athletic director or the principal determines by the finding of fact that the student has violated this policy.

#### D. Scheduling of Events

- 1. The Board and administration realizes that the amount of participation in co-curricular activities does limit the amount of time a student may spend on academic preparation and progress. Therefore, the following are considered as appropriate limitations:
  - a. Scheduled contests will conform at all times to the state association rulings and adhere to recommendations made by these agencies.
  - b. The activities and/or athletic director will be responsible for the scheduling of all high school activities and the athletic director will be responsible for scheduling athletic events at the middle school. All schedules must be approved by the middle or high school principal.

# 551 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, will set forth the guidelines for the student government's elections, operations, and other elements of the government.

First Reading Approved 3/12/2018

Second Reading Approved 4/9/2018

# 552 STUDENT ORGANIZATIONS

Secondary and/or student-initiated curriculum-related organizations and secondary and/or student-initiated non-curriculum-related organizations are encouraged.

## Curriculum-Related Organizations

It will be the responsibility of the principal to determine whether a student group is curriculum-related. One or more of the following questions will be answered affirmatively if the group is curriculum-related:

- Is the subject matter of the group actually taught in a regularly offered course?
- Will the subject matter of the group soon be taught in a regularly offered course?
- Does the subject matter of the group concern the body of courses as a whole?
- Is participation in the group required for a particular course?
- Does participation in the group result in academic credit?

Secondary and/or student-initiated curriculum-related student organizations, upon receiving permission from the principal, may use the school District facilities for meetings and other purposes during non-instructional time.

Non-instructional time will mean any time before the first period of the day and after the last period of the day in which any student attends class. Meetings will not interfere with the orderly conduct of the education program or other school District operations. It is within the discretion of the principal to determine whether the meetings will interfere with the orderly conduct of the education program or other school District operations. Activities relating to any part of the education program will have priority over the activities of another organization.

Employees are assigned to monitor approved meetings and may interact with curriculum-related organizations.

## Non-Curriculum-Related Organizations

Secondary and/or student-initiated non-curriculum-related organizations are provided access to meeting space and school District facilities. Only students may attend and participate in meetings of non-curriculum-related organizations. Such attendance is strictly voluntary and student-initiated. As a means of determining whether a student's attendance is voluntary, the principal may require parental consent for the student to attend the meetings.

Employees will be assigned to monitor approved meetings. Employees will not participate in the meeting or assist in planning, criticizing, or encouraging attendance.

It is the responsibility of the superintendent, in conjunction with the principal, to develop administrative regulations regarding this policy.

First Reading Approved 3/12/2018

Second Reading Approved 4/9/2018

# 553 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 expressions made by students in the exercise of free speech, including student expression in official school publications, is not an expression of official school policy. The District, the Board, and the District employees or officials are not liable in any civil or criminal action for any student expression made or published by students, unless the District employees or officials have interfered with or altered the content of the student speech or expression.

Official school publications are free from prior restraint by District 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 of societies of journalism.

Persons, other than students, who believe they have been aggrieved by student expression in a student-produced official school publication will follow the grievance procedure outlined in this policy manual. Students who believe their freedom of expression in a student-produced official school publication has been restricted will follow the grievance procedure outlined in this policy manual.

The superintendent is responsible for developing a student publications code. This code will include, but not be limited to, reasonable rules including time, place, and manner of restrictions. The superintendent will also be responsible for distributing this policy and the student publications code to the students and their parents.

First Reading Approved 3/12/2018

Second Reading Approved 4/9/2018

# 553.1 STUDENT PUBLICATIONS CODE

## A. Official School Publications

1. 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 will express, publish or distribute in an official school publication material which is:
  - a. obscene;
  - b. libelous;
  - c. slanderous; or
  - d. encourages students to:
    - i. commit unlawful acts;
    - ii. violate school rules;
    - iii. cause the material and substantial disruption of the orderly and efficient operation of the school or school activity;
    - iv. disrupt or interfere with the education program;
    - v. interrupt the maintenance of a disciplined atmosphere; or
    - vi. infringe on the rights of others.
2. Official school publications are produced under the supervision of a faculty advisor.

## C. Responsibilities of Students

1. Students writing or editing official school publications will 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 will strive to achieve professional standards of accuracy, fairness, objectivity, and thoroughness in each and every aspect of official school publications.

3. Students will strive to achieve professional standards of grammar, usage, punctuation, and spelling for clarity and accuracy of official school publications.

D. Responsibilities of Faculty Advisors

1. Faculty advisors will 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

1. Student expression in an official school publication will not be deemed to be an expression of the school District. The school District, the Board, and the employees or officials are not liable in any civil or criminal action for any student expression made or published by students unless the employees or officials have interfered with or altered the content of the student expression. The liability, if any, is only to the extent of interference or alteration of the speech or expression.

F. Appeal Procedure

1. Students who believe they have been unreasonably restricted in their exercise of expression in an official student publication will seek review of the decision through the student grievance procedure.
2. Persons who believe they have been aggrieved by a student-produced official student publication will file their complaint through the citizen grievance procedure.

G. Time, Place and Manner of Restrictions on Official School Publication

1. Official student publications may be distributed in a reasonable manner on or off school premises.
2. Distribution in a reasonable manner will 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 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.

First Reading Approved 3/12/2018

Second Reading Approved 4/9/2018



# 554 SOCIAL EVENTS

All social events shall be under the control and supervision of licensed school personnel. Approval for an event shall be secured from the principal/activities director or designee of the building involved and placed on the school calendar before any public announcement is made. Hours, behavior, and activities related to social events shall be reasonable and proper.

First Reading Approved 3/12/2018

Second Reading Approved 4/9/2018

# 555 ATTENDANCE OF EVENTS OUTSIDE OF SCHOOL DISTRICT

Events in which students participate during school hours or as representatives of the District, but at places outside of the school District must be sponsored and supervised by licensed school personnel. Rules of behavior shall be the same as at any in-school activity or event.

The District has no control or responsibility for any school child when the child is in the custody and control of his parents/guardians or other agencies.

First Reading Approved 3/12/2018

Second Reading Approved 4/9/2018

# 556 PARENT/GUARDIAN INVOLVEMENT

The District recognizes that parental involvement, referring to the involvement of any caregiver who assumes responsibility for nurturing and caring for children, including parents, grandparents, aunts, uncles, foster parents, step-parents, etc., is important to academic achievement. Studies demonstrate that when parents are involved in their children's education, the attitudes, behaviors and achievements of students are positively enhanced.

Parents and families provide the primary educational environment for children; consequently, parents are vital and necessary partners with the educational communities throughout their children's school career. Although parents come to the schools with diverse cultural backgrounds, primary languages and needs, universally all parents want what is best for their children. School Districts and schools, in collaboration with parents, teachers, students, and administrators, must establish and develop efforts that enhance parental involvement and reflect the needs of students, parents, and families in the communities which they serve.

In order to enhance parental involvement, the District will promote six essential elements:

1. Communication between home and school is regular, two-way, and meaningful: Effective communication requires school-initiated contact with the parent and parent-initiated contact with the school where both parties provide vital information about a child's strengths, challenges, and accomplishments. Open communication is encouraged any time. Other communications are done each quarter of the school year. When Title I placement is made parents are notified and additional conferences are held and continue until a student's services are discontinued. To effectively communicate, both parties must be aware of issues such as cultural diversity and language differences and appropriate steps must be taken to allow clear communication for all participants. Transitions/ orientations from grade to grade are provided for all students K-12.
2. Responsible parenting is promoted and supported: The family plays a primary role in a child's education, and schools must respect and honor traditions and activities unique to a community's cultural practices and beliefs. Parents are linked to programs and resources within the community that provide support services to families. A jointly developed school/parent compact on how parents, the staff, and students share responsibility for improved achievement is distributed through K-3 elementary children in the fall of the year for parents to review and sign and return. The compact is also in the elementary handbook and reviewed at annual meetings. At the time of placement of a student in Title I, parents are given the Title I requirements, standards, and assessments through parent-teacher meetings and conferences.
3. Parents play an integral role in assisting student learning: Educators recognize and acknowledge parents' roles as the integral and primary facilitator of their children's education. Research demonstrates that student achievement increases when parents are actively involved in the learning process. Parents are encouraged to participate as volunteers in the school setting.

4. Schools are open and inviting to parents and families and are actively seeking parental support and assistance for school programs: Parents are welcome in the school and their support and assistance are sought. Capitalizing on the expertise and skills of the parents strengthens the family, school, and community partnership.

5. Parents are full partners in the decisions that affect children and families: Parents and educators have a joint responsibility to make informed decisions related to all aspects of the education provided to the community's youth. The role of parents in shared decision-making should be continually evaluated, refined, and expanded. Title I teachers continue their involvement with parents through newsletters, surveys, and conferences while their children remain in the program.

6. Community resources are made available to strengthen school programs, family practices and student learning: Schools and parents will cultivate relationships with additional members of the community in order to promote and effectively increase educational opportunities for children. Together, parents, educators and community members will join efforts toward identifying and promoting community resources and innovative programs for strengthening schools, families and student learning. Annual Title I meetings are held and parents of all Title I students in public and private schools are notified.

Providing all children in the community with equal access to quality education is a primary goal. It is vital that all partners (parents, educators, communities, etc.) have the opportunity to provide input and offer resources to meet this goal. These partnerships are mutually beneficial. Developing cooperative efforts and linking access to resources will ensure improved academic achievement for all students, as well as quality schools.

The Board will review this policy annually. The superintendent is responsible for notifying parents of this policy annually or within a reasonable time after it has been amended during the school year. It is the responsibility of the superintendent to develop administrative regulations regarding this policy.

First Reading Approved 3/12/2018

Second Reading Approved 4/9/2018

# 557 CUSTODY AND PARENTAL RIGHTS

Disagreements between family members are not the responsibility of the school District. The school District will not take the "side" of one family member over another in a disagreement about custody or parental rights. Court orders that have been issued are followed by the school District. It is the responsibility of the person requesting an action by the school District to inform and provide the school District the court order allowing such action.

This policy does not prohibit an employee from listening to a student's problems and concerns.

It is the responsibility of the superintendent to ensure employees remain neutral in a disagreement about custody and parental rights.

First Reading Approved 3/12/2018

Second Reading Approved 4/9/2018

# 558 PARENT/GUARDIAN – TEACHER CONFERENCES AND STUDENT PROGRESS REPORTS

The Board recognizes the following objectives or purposes of a system of reporting to parents and/or guardians regarding the status of the student:

- To inform parents/guardians of the progress made by their students.
- To bring parents/guardians into closer understanding of the expectations of the school.
- To record for students their growth or achievement.
- To assist students in evaluating their growth or achievement.
- To assist the student, parent/guardian, and the school in working cooperatively for the welfare of the student.

Reporting shall be done at nine-week intervals. At the end of each nine weeks the parent/guardian shall be sent a report card. Conferences between parent/guardian and teachers will be held at the request of parent/guardian or as the teacher or principal/designee deem advisable.

Parent/guardian(s) of all students doing unsatisfactory work will receive a progress report at the mid-point of each nine-week period. All parent/guardian(s) of students who have received an unsatisfactory mid-term must be informed of the possibility of failure in a course not later than two (2) weeks before the close of the semester. The teacher shall notify the student and the parent/guardian.

Parent/Guardian-Teacher conferences shall be scheduled in grades kindergarten through high school a minimum of twice a school year, at the end of the first quarter and during the second semester. At the end of the other two nine-week periods a report card shall be sent to the parent/guardian, and a conference will not normally be required.

First Reading Approved 3/12/2018

Second Reading Approved 4/9/2018

# 559 RETENTION AND PROMOTION

The District recognizes that not all students grow and develop at the same rate and that some students may need more time at a particular level. Whenever a student at any grade level from kindergarten through fifth grade is not achieving up to expectation, the professional staff and parent/guardian shall consider retention.

Generally, retention is more appropriate at lower grade levels; however, retention in any grade through grade five (5) is acceptable if done in the best interest of the student. In all cases, parent/guardian(s) and staff should work together in reaching a decision.

In rare instances, it may be in a student's best interest to promote or "skip" the student over a grade. This should only be done after extensive evaluation and consultation with all concerned.

Retention and promotion shall be carried out according to rules and regulations set forth in this policy.

First Reading Approved 3/12/2018

Second Reading Approved 4/9/2018

# 559.1 RETENTION AND PROMOTION REGULATIONS

The following are rules and regulations that shall govern the procedures under which administrators, teachers and any other staff personnel concerned with retention and promotion shall operate:

## Kindergarten through Fifth Grade

### A. Criteria to be Considered

- Academic Achievement;
- Intellectual Ability;
- Social Maturity;
- Emotional Maturity;
- Physical Development;
- Chronological Age;
- Language Development; and
- Attendance.

### B. Procedures

- The classroom teacher will inform the principal/designee of his/her intent to discuss retention/promotion with parents/guardians before the parents/guardians are approached.
- The classroom teacher will hold a face-to-face conference with the parents/ guardians to initiate the possibility of retention/promotion.
- If possible, initial discussions with parents/guardians regarding retention/promotion should take place during the first semester.
- The parents/guardians and teacher should consider the student's attitude regarding retention/promotion before the final decision is made.
- Parents/guardians and staff should strive to make a final decision by the end of the third quarter, but in no case later than the last school day of the year.
- The classroom teacher, parents/guardians, and principal/designee shall reach a joint decision regarding retention/promotion of the student. However, in the event of a disagreement, the parents/guardians shall have the final decision regarding retention since they have ultimate responsibility for their student's education.
- Students shall not be retained more than one time during their school experience.
- The classroom teacher's recommendation to retain a student shall be placed in writing in the student's cumulative record regardless of the final decision. This written record shall list the reasons for the recommendation. This written recommendation will remain a part of the cumulative record but will not be a part of the permanent record. The parents/guardians' signature to indicate they have seen the written recommendation



shall be incorporated into the record.

Sixth Grade through Eighth Grade

A. Criteria to be Considered

- Academic Achievement
- Intellectual Ability
- Social Maturity
- Emotional Maturity
- Physical Development
- Chronological Age
- Language Development
- Attendance
- Failure to successfully complete the Moravia Community School District Success Program.

B. Procedures

- The Success Program will be the first step in the retention procedure. Students who fail to complete the Success Program will be required to take the courses failed during the next school year.
- If more than two (2) courses are failed after completing the Summer Success Program, a meeting to discuss full-grade retention will be held between the parent/guardians and the building principal.
- The parent/guardians and the building principal will reach a joint decision regarding retention of the student. However, in the event of a disagreement, the parent/guardians shall have the final decision regarding the grade level placement of the students. Students will be required to repeat course work failed in the previous school year prior to being promoted to course work at the next grade level.
- All eighth (8th) grade course work must be completed at a passing level before students can enroll in that subject area at the Moravia Community School District High School.
- It shall be the responsibility of the superintendent, along with the middle school and high school principals, to develop the Success Program.

First Reading Approved 3/12/2018

Second Reading Approved 4/9/2018

# 560 TESTING, EVALUATION AND SURVEY 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, 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;
- sexual 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).

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.

First Reading Approved 3/12/2018

Second Reading Approved 4/9/2018

# 561 STUDENT HONORS AND AWARDS

Any regularly enrolled student may be considered for honors or awards awarded by the school. Qualifications for such awards shall be established by licensed school personnel who have been delegated the responsibility by the superintendent or the building principal.

First Reading Approved 3/12/2018

Second Reading Approved 4/9/2018

# 562 CLASS OR GROUP GIFTS TO SCHOOL

Student groups may make expenditures for gifts to the District upon securing the recommendation of the building principal/designee and the approval of the superintendent/designee. Gifts may be accepted and acknowledged by the superintendent/designee acting for the Board.

First Reading Approved 3/12/2018

Second Reading Approved 4/9/2018

# 563 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 three (3) 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 (5) days after speaking with the principal.

If the matter is not satisfactorily resolved by the superintendent, the student may ask to have the matter placed on the Board agenda of a regularly scheduled Board meeting in compliance with Board policy.

First Reading Approved 3/12/2018

Second Reading Approved 4/9/2018

# 600 GOALS AND OBJECTIVES OF THE EDUCATION PROGRAM

The goals and objectives of the school district are designed to achieve the mission statement of the school district. Short-term and long-term objectives for the education program will be reviewed annually by the board. These objectives will reflect the results of the needs assessment, recommendations from the superintendent, changes in law, and any other relevant factors. Annually, the board will report regarding the progress toward the achievement of the goals and objectives of the education program.

First Reading Approved 4/9/18

Second Reading Approved 5/14/18

# 601 SCHOOL CALENDAR

The school calendar shall accommodate the education program of the school district. The school calendar shall be for a minimum of 187 days and include, but not be limited to, the days for student instruction, staff development, in-service days, and teacher conferences.

The academic school year for students shall be for a minimum of 1080 hours in the school calendar. The academic school year for students may not begin prior to August 23 unless a waiver is obtained from the Iowa Department of Education. Employees may be required to report to work at the school district prior to this date.

Special education students may attend school on a school calendar different from that of the regular education program consistent with their Individualized Education Program.

The board, in its discretion, may excuse graduating seniors from up to five days of instruction after the school district requirements for graduation have been met. The board may also excuse graduating seniors from making up days missed due to inclement weather if the student has met the school district's graduation requirements.

It shall be the responsibility of the superintendent to develop the school calendar for recommendation, approval, and adoption by the board annually. The board may amend the official school calendar when the board considers the change to be in the best interests of the school district's education program.

First Reading Approved 4/9/18

Second Reading Approved 5/14/18

# 602 SCHOOL DAY

The student school day for grades one through twelve shall consist of a minimum of six 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. The minimum school day shall meet the requirements as established for the operation of accredited schools. The board may define the number of days kindergarten will be held and the length of each school day for the students attending kindergarten. The school day shall consist of a schedule as recommended by the superintendent and approved by the board.

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 those hours of the day during which school was in session will count toward the 1,080 total hours required. It shall be the responsibility of the superintendent to inform the board annually of the length of the school day.

First Reading Approved 4/9/18

Second Reading Approved 5/14/18



# 603 EMERGENCY SCHOOL CLOSINGS

The superintendent of schools for the District or the superintendent's designee shall have the authority to close schools because of extreme weather or other emergency conditions for the length of time the conditions exist. The superintendent shall make provisions to publicly announce such closings via available mass communication media as soon as possible after the decision to close. Every reasonable effort shall be made to have students attend the total amount of school days or hours annually as specified by statute, state departmental rules, and local school board policy. Updated: January 25, 2016

First Reading Approved 4/9/2018

Second Reading Approved 5/14/2018

# 604 CURRICULUM DEVELOPMENT

Curriculum development shall be an ongoing process in the school district. Each curriculum area shall be reviewed and revised when necessary according to the timelines set out by the superintendent. These timelines will provide for periodic review of each curriculum area.

The superintendent shall be responsible for curriculum development and for determining the most effective way of conducting research of the school district's curriculum needs and a long-range curriculum development program. In making recommendations to the board, the superintendent shall propose a curriculum that will:

- fulfill the mission, beliefs, and vision of the school district;
- reflect current research and best practice;
- reflect the educational and operational assessments of the school district;
- identify Standards, Benchmarks, and Critical Objectives for each course or grade level;
- articulate courses of study from kindergarten through grade twelve;
- provide for continual assessment of a student's progress;
- improve instructional practice;
- meet the long and short range student achievement goals found in the District's School Improvement Plan;
- meet the requirements of the Iowa Department of Education in meeting General Accreditation Standards.

It shall be the responsibility of the superintendent to keep the board apprised of necessary curriculum changes and revisions and to develop administrative regulations for curriculum development.

First Reading Approved 4/9/18

Second Reading Approved 5/14/18

# 605 CURRICULUM ADOPTION

Curriculum of the school district will be recommended by the superintendent and approved by the board.

The District's Curriculum Plan shall contain a framework that describes 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 shall:

- be data driven;
- review both standardized and district assessment data for existing standards, benchmarks, and critical objectives;
- identify the strengths and weaknesses (gap analysis);
- study and identify best instructional practices;
- identify and develop research that demonstrates how students learn best;
- focus on developing plans that address weaknesses;
- provide ongoing staff development;
- describe procedures for purchase of instructional materials;
- communicate with both the external and internal customers using data; and
- continually assess changes in curriculum.

First Reading Approved 4/9/18

Second Reading Approved 5/14/18

# 606 CURRICULUM EVALUATION

When deemed necessary by the superintendent and whenever a new program is proposed, the board will review the curriculum to determine its strengths and weaknesses. The board may authorize the superintendent to appoint an ad hoc advisory committee to review the curriculum.

The board shall review the student performance on standardized tests, district created assessments, courses, and other indicators of student achievement as it related to the District's Standards and Benchmarks and Critical Objectives. It shall be the responsibility of the superintendent to provide the board/parents/community with the assessment scores on an annual basis.

First Reading Approved 4/9/18

Second Reading Approved 5/14/18

# 607 ADULT EDUCATION

The board recognizes that the general objectives of post-high school and adult education programs shall be the same as those of other levels of public education. These general objectives include the preparation of individuals for democratic citizenship, providing individuals with means for economic improvement and cultural development, and the enrichment of the personal lives of all the participating individuals.

The post-high school and adult education programs shall be administered by the school district's administrative staff. The physical facilities of the school district shall be made available for use in these programs when there is no conflict with regular school activities.

Recommendations for extension and expansion of adult education programs shall be made through the prescribed lines of authority and shall be presented to the board by the superintendent.

First Reading Approved 4/9/18

Second Reading Approved 5/14/18

# 608 BASIC INSTRUCTION PROGRAM

The basic instruction program shall include the courses required for each grade level by the State Department of Education. The instructional approach will be nonsexist and multicultural. The board may, in its discretion, offer additional courses in the instruction program for any grade level.

Each instruction program shall be 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.

First Reading Approved 4/9/18

Second Reading Approved 5/14/18

# 609 SUMMER SCHOOL INSTRUCTION

Generally, only Driver's Education will be offered during summer school. However, the board, in its discretion, may offer summer school for one or more courses and student activities for students who need additional assistance and instruction or for enrichment in those areas.

Upon receiving a request for summer school, the board shall weigh the benefit to the students and the school district as well as the school district's budget and availability of licensed employees to conduct summer school. The decision whether the school district will offer summer school shall be within the discretion of the board.

First Reading Approved 4/9/18

Second Reading Approved 5/14/18

# 610 SPECIAL EDUCATION

The board recognizes some students have different educational needs than other students. The board shall provide a free appropriate education program and related services to students identified in need of special education. Special education services will be provided from birth until the appropriate education is completed, age twenty-one or the maximum age allowable in accordance with the law. Students requiring special education shall attend regular education classes, participate in non-academic and extracurricular services and activities and receive services in a regular education setting to the maximum extent possible 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 Individualized Education Programs (IEP) 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 age 3 through 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.

First Reading Approved 4/9/18

Second Reading Approved 5/14/18



# 611 MULTICULTURAL/GENDER FAIR EDUCATION

Students will have an equal opportunity for a quality education without discrimination, regardless of their race, religion, socioeconomic status, color, sex, marital status, national origin, sexual orientation, gender identity or disability. The education program will be free of discrimination and provide equal opportunity for students and will foster knowledge of, respect, and appreciation for the historical and contemporary contributions of diverse cultural groups, as well as men and women, to society with special emphasis on Asian-Americans, African-Americans, Hispanic-Americans and persons with disabilities. It will also reflect the wide variety of roles open to both men and women and provide equal opportunity to both sexes.

First Reading Approved 4/9/18

Second Reading Approved 5/14/18

# 612 HEALTH EDUCATION

Students shall receive, as part of their health education, instruction about personal health; food and nutrition; environmental health; safety and survival skills; consumer health; family life; human growth and development; substance abuse and non-use, including the effects of alcohol, tobacco, drugs, and poisons on the human body; human sexuality; self-esteem; stress management; interpersonal relationships; emotional and social health; health resources; prevention and control of disease; communicable diseases, including sexually transmitted diseases and Acquired Immune Deficiency Syndrome; and current crucial health issues. The purpose of the health education program is to help each student protect, improve, and maintain physical, emotional, and social well-being.

The instruction provided shall be adapted in 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 that 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.

First Reading Approved 4/9/18

Second Reading Approved 5/14/18

# 613 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 in the class or grade in which each is taught.

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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 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

First Reading Approved 4/9/18

Second Reading Approved 5/14/18

# 614 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, provided such excuse fits within federal and state laws.

Students in grades nine through twelve may also be excused from physical education courses if the student is enrolled in academic courses not otherwise available or the student has obtained a physical education waiver for a semester because the student is actively involved in an athletic program. Twelfth grade students may also be excused from physical education courses if the student is enrolled in a cooperative, work study or other educational program authorized by the school which requires the student's absence from school. Students who will not participate in physical education must have a written request or statement from the parents.

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# 615 CAREER EDUCATION

Preparing students for careers is one goal of the education program. Career education will be written into the education program for grades kindergarten through twelve. This education shall include, but not be limited to, awareness of self in relation to others and the needs of society, exploration of employment opportunities, experiences in personal decision-making, and experiences of integrating work values and work skills into their lives.

It shall be the responsibility of the superintendent to assist licensed employees in finding ways to provide career education in the education program. Special attention should be given to courses of vocational education nature. The board, in its review of the curriculum, shall review the means in which career education is combined with other instructional programs.

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Second Reading Approved 5/14/18

# 616 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.

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# 617 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 teacher to present a 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 teacher 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.

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# 618 INSTRUCTIONAL MATERIALS SELECTION

The board recognizes that the selection of instructional materials is a vital component of the school district's curriculum. The board has sole discretion to approve instructional materials for the school district. The board delegates its authority to determine which instructional materials will be utilized and purchased by the school district to licensed employees. The licensed employees will work closely together to ensure vertical and horizontal articulation of textbooks in the education program.

The board may appoint an ad hoc committee for the selection of instructional materials. The committee may be composed of school district employees, parents, students, community members or representatives of community groups. In reviewing current instructional materials for continued use and in selecting additional instructional materials, the licensed employees will consider the current and future needs of the school district as well as the changes and the trends in education and society. It is the responsibility of the superintendent to report to the board the action taken by the selection committee. In making its recommendations to the superintendent, the licensed employees will recommend materials which:

- Support the educational philosophy, goals and objectives of the school district;
- Consider the needs, age, and maturity of students;
- Are within the school district's budget;
- Foster respect and appreciation for cultural diversity and difference of opinion;
- Stimulate growth in factual knowledge and literary appreciation;
- Encourage students to become decision-makers, to exercise freedom of thought and to make independent judgment through the examination and evaluation of relevant information, evidence and differing viewpoints;
- Portray the variety of careers, roles, and lifestyles open to persons of both sexes; and
- Increase an awareness of the rights, duties, and responsibilities of each member of a multicultural society.

In the case of textbooks, the board will make the final decision after a recommendation from the superintendent. The criteria stated above for selection of instructional materials will also apply to the selection of textbooks. The superintendent may appoint licensed employees to assist in the selection of textbooks.

Gifts of instructional materials must meet these criteria stated above for the selection of instructional materials.

First Reading Approved 4/9/18

Second Reading Approved 5/14/18



# 619 SELECTION OF INSTRUCTIONAL MATERIALS

## I. Responsibility for Selection of Instructional Materials

- A. The board is responsible for matters relating to the operation of the 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 multimedia materials (not equipment), whether considered text materials or library materials. The board retains the final authority for the approval of textbooks.
  
- C. While selection of materials may involve many people including principals, teachers, teacher-librarians, students, parents, and community members, the responsibility for coordinating the selection of most instructional materials and making the recommendation for the purchase rests with licensed employees.
  
- D. Responsibility for coordinating the selection of text materials for distribution to classes will rest with the licensed employees, principals, and superintendent. For the purpose of this rule the term "text materials" includes textbooks and other printed and unprinted 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 is formed and appointed in compliance with the board policy.
  - 1. The superintendent will inform the committee as to their role and responsibility in the process.

2. The following statement will be provided 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.

II. Material selected for use in libraries and classrooms will meet the following guidelines:

A. Religion - Material will represent the major religions in a factual, unbiased manner. The primary source material of the major religions is considered appropriate, but material which advocates rather than informs, or is designed to sway reader judgment regarding religion, will not be included in the school libraries or classrooms.

B. Racism - Material will 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 from an individual.

C. Sexism - Material will reflect sensitivity to the needs, rights, traits and aspirations of men and women without preference or bias.

D. Age - Material will recognize the diverse contributions of various age groups and portray the continuing contributions of maturing members of society.

E. Ideology - Material will 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 will not be selected with the intention to sway reader judgment and is related to the maturity level of the intended audience.

F. Profanity and Sex - Material is subjected to a test of literary merit and reality by the teacher-librarians 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 will 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 is recommended for purchase by licensed employees, in consultation with administrative staff, school library staff, students or an

ad hoc committee as appointed by the board. The material recommended for purchase is approved by the appropriate building administrator.

1. The materials selected will 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 are consistent with stated principles of selection. These principles are:

- a. To select materials, within established standards that 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 will 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 findings 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. Non-book, including software and electronically available materials –
    - 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 non-book materials should:
    - a. Depict instances of fully integrated grouping and settings to indicate equal status and non-segregated 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 interests?
  - 8. Will it help develop aesthetic tastes and appreciation?
  - 9. Will it serve the needs of students with special needs?
  - 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 is within the discretion of the board.

5. In order to provide a current, highly usable collection of materials, teacher-librarians will ensure 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 reviewing and eliminating instructional materials will be done according to established and accepted standards for determining the relevance and value of materials in a given context.

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Second Reading Approved 5/14/2018



# 620 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.

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Second Reading Approved 5/14/18

# 621 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.

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Second Reading Approved 5/14/18

# 622 RECONSIDERATION OF INSTRUCTIONAL MATERIALS RECONSIDERATION REQUEST FORM

Request for re-evaluation of printed or multi-media 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: \_\_\_\_\_

Date of Publication: \_\_\_\_\_

Multimedia Material, If Applicable:

Title: \_\_\_\_\_

Producer: \_\_\_\_\_

Type of material (filmstrip, motion picture, etc.): \_\_\_\_\_

Person Making the Request Represents: (circle one)

Self

Group or Organization

Name and Address of Group or Organization: \_\_\_\_\_

1. What brought this item to your attention?
  
2. To what in the item do you object? (please be specific -- cite pages, frames, etc.)
  
3. In your opinion, what harmful effects upon students might result from use of this item?
  
4. Do you perceive any instructional value in the use of this item?
  
5. Did you review the entire item? If not, what sections did you review?
  
6. Should the opinion of any additional experts in the field be considered?

Yes \_\_\_\_\_

No \_\_\_\_\_

If yes, please list specific suggestions:

7. To replace this item, do you recommend other material which you consider to be of equal or superior quality for the purpose intended?
  
8. Do you wish to make an oral presentation to the Review Committee?

Yes \_\_\_\_\_ (a) Please contact the Superintendent

(b) Please be prepared at this time to indicate the approximate length of time your presentation will require.

Minutes \_\_\_\_\_

No \_\_\_\_\_

The committee will review your request and notify you if your request is granted; however, there is no guarantee that each and every request will be granted, either in terms of appearing before the committee or in receiving the amount of time requested.

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

First Reading Approved 4/9/18

Second Reading Approved 5/14/18

# 623 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.

- The school official or employee receiving a complaint regarding instructional materials will try to resolve the issue informally. The materials generally will remain in use pending the outcome of the reconsideration procedure.
  - 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.
  - 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 teacher-librarian who can identify and explain the use of the material.
- 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.
- 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 teacher-librarian of the attendance center. If, after consultation with the principal or teacher-librarian, the individual desires to file a formal complaint, the principal or teacher-librarian will assist in filling out a Reconsideration Request Form in full and filing it with the superintendent.

## B. Request for Reconsideration

- 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.
- 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.
- 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.

- The superintendent will promptly file the objection with the reconsideration committee for re-evaluation.
- 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.
- The Reconsideration Committee
  - The reconsideration committee is made up of eight members.
    - One licensed employee designated annually, as needed, by the superintendent.
    - One teacher-librarian designated annually by the superintendent.
    - One member of the administrative team designated annually by the superintendent.
    - Three members of the community appointed annually, as needed, by the board.
    - Two high school students, selected annually by the high school principal.
  - The committee will select their chairperson and secretary.
  - The committee will meet at the request of the superintendent.
  - 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.
  - Notice of committee meetings is made public through appropriate publications and other communications methods.
  - The committee will receive the completed Reconsideration Request Form from the superintendent.
  - The committee will determine its agenda for the first meeting which may include the following:
    - Distribution of copies of the completed Reconsideration Request Form.
    - An opportunity for the individual or a group spokesperson to talk about or expand on the Reconsideration Request Form.
    - Distribution of reputable, professionally prepared reviews of the challenged instructional material if available.
    - Distribution of copies of the challenged instructional material as available.
  - 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.
  - 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.
  - 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.

- 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.
- Following the superintendent's decision with respect to the committee's recommendation, the individual or the chairperson of the reconsideration committee may appeal the decision to the board for review. Such appeal must be presented to the superintendent in writing within five days following the announcement of the superintendent's decision. The board will promptly determine whether to hear the appeal.
- 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.
- 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.
- 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.
- 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 must be of the same general qualifications as the member excused.

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# 624 SCHOOL LIBRARY

The school district will maintain a school library 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 school library is located to oversee the use of materials in the library. 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 review of library and instructional materials, and for the handling of challenges to either library or classroom materials.

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Second Reading Approved 5/14/18

# 625 APPROPRIATE USE OF COMPUTERS, COMPUTER-LIKE EQUIPMENT, COMPUTER NETWORK SYSTEMS, AND THE INTERNET

The board is committed to making available to students and staff members access to a wide range of electronic learning facilities, equipment, and software, including computers, computer-like equipment (such as tablets), computer network systems, and the internet. The goal in providing this technology and access is to support the educational objectives and mission of the school district and to promote resource sharing, innovation, problem solving, and communication. The District's computers, computer-like equipment, computer network and/or internet connection is not a public access service or a public forum. The District has the right to place reasonable restrictions on the material accessed and/or posted through the use of its computers, computer-like equipment, computer network and/or internet connection.

Access to the District's computers, computer-like equipment, computer network, and internet shall be available to all students and staff within the District. However, access is a privilege, not a right. Each student and staff member must have a signed acceptable use agreement on file prior to having access to and using the District's computers, computer-like equipment, computer network and the internet. The amount of time and type of access available for each student and staff member may be limited by the District's technology and the demands for the use of the District's technology. Even if students have not been given access to and/or use of the District's computers, computer-like equipment, computer network and the internet, they may still be exposed to information from the District's computers, computer-like equipment, computer network and/or the internet in guided curricular activities at the discretion of their teachers.

Every computer and/or computer-like equipment in the District having internet access shall not be operated unless internet access from the computer is subject to a technology protection measure (i.e. filtering software). The technology protection measure employed by the District shall be designed and operated with the intent to ensure that students are not accessing inappropriate sites that have visual depictions that include obscenity, child pornography or are otherwise harmful to minors. The technology protection measure may only be disabled for an adult's use if such use is for bona fide research or other lawful purposes.

The technology coordinator may close a user account at any time as required and administrators, faculty, and staff may request the technology coordinator to deny, revoke or suspend user accounts. Any user identified as a security risk or having a history of problems with computer systems may be denied access to the District's computers, the District's computer-like equipment, the District's computer network systems and the internet. Students and staff members will be instructed by the District's technology coordinator or other appropriate personnel on the appropriate use of the District's computers, computer-like equipment computer

network and the internet.

The use of the District's computers, computer-like equipment, computer network and internet access shall be for educational purposes only. Students and staff members shall only engage in appropriate, ethical, and legal utilization of the District's computers, computer network systems, and internet access. Student and staff member use of the District's computers, computer-like equipment, computer network and internet access shall also comply with all District policies and regulations. The following rules provide guidance to students and staff for the appropriate use of the District's computers, computer-like equipment, computer network and internet access.

Inappropriate use and/or access will result in the restriction and/or termination of the privilege of access to and use of the District's computers, computer-like equipment, computer network and internet access and may result in further discipline for students up to and including expulsion and/or other legal action and may result in further discipline for staff members up to and including termination of employment and/or other legal action. The District's administration will determine what constitutes inappropriate use and their decision will be final. Inappropriate use of the District's computers, computer-like equipment, computer network and internet access includes, but is not limited to a violation of the following rules:

- Do not make or disseminate offensive or harassing statements or use offensive or harassing language including disparagement of others based on 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. Do not swear, use vulgarities or any other inappropriate language. Be polite and follow the same privacy, ethical, educational, and other considerations observed regarding other forms of communication.
- Do not access, create or disseminate any material that is obscene, libelous, indecent, vulgar, profane or lewd; any material regarding products or services that are inappropriate for minors including products or services that the possession and/or use of by minors is prohibited by law; any material that constitutes insulting or fighting words, the very expression of which injures or harasses others; and/or any material that presents a clear and present likelihood that, either because of its content or the manner of distribution, 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 will cause the violation of lawful school regulations.
- Do not disseminate or solicit sexually oriented messages or images.
- Do not transmit your credit card information or other personal identification information, including your home address or telephone number from any District computer without prior permission from the building principal, the superintendent or other appropriate personnel. Do not publish personal or private information about yourself or others on the internet without prior written permission. Do not repost a message that was sent to you privately without permission of the person who sent the message. If any information is to be provided regarding students, it should be limited to the student's first name and the initial of the student's last name only. Do not arrange or agree to meet with someone

met online.

- Do not use the District's computers, computer-like equipment and/or computer network systems to participate in illegal activities. Illegal activities include, but are not limited to, gambling, fraud, and pornography.
- Do not subscribe to or access listservs, bulletin boards, online services, e-mail services, social networking sites (i.e., myspace, facebook, twitter) or other similar services without prior permission from the technology coordinator or other appropriate personnel.
- Do not use, possess or attempt to make or distribute illegal/unauthorized copies of software or other digital media. Illegal/unauthorized software or other digital media means any software or other digital media that has been downloaded or copied or is otherwise in the user's possession or being used without the appropriate registration and/or license for the software or in violation of any applicable trademarks and/or copyrights, including the payment of any fees to the owner of the software or other digital media.
- Do not alter, modify, corrupt or harm in any way the computer software stored on the District's computers or computer network systems. Do not install any software on the hard drive of any District computer or on the District's computer network systems or run any personal software from either floppy disk, CD-ROM, DVD, flash drives or other storage media or alter or modify any data files stored on the District's computers, computer-like equipment or computer network systems without prior permission and/or supervision from the technology coordinator or other appropriate personnel.
- Do not download any programs or files from the internet without prior permission from the District's technology coordinator or other appropriate personnel. Any programs or files downloaded from the internet shall be strictly limited only to those that you have received permission from the technology coordinator or other appropriate personnel to download.
- Do not use any encryption software from any access point within the District.
- Do not access the internet from a District computer and/or computer-like equipment using a non-District internet account.
- Do not share a personal user account with anyone. Do not share any personal user account passwords with anyone or leave your account open or unattended.
- Do not access the District's computers, computer-like equipment or computer network systems or use the District's internet connection from a non-District computer without prior authorization from the technology coordinator or other appropriate personnel.
- Do not use an instant messenger service or program, internet relay chat or other forms of direct electronic communication or enter a chat room while using the District's computers, computer-like equipment, computer network systems and/or the District' internet connection.
- Do not disable or circumvent or attempt to disable or circumvent filtering software without prior permission from the District's technology coordinator or other appropriate personnel.
- Do not play any games or run any programs that are not related to the District's educational program.

- Do not vandalize the District's computers, computer-like equipment or its computer network systems. Vandalism is defined as any attempt to harm, modify, deface or destroy physical computer equipment, computer-like equipment or the computer network and any attempt to harm or destroy data stored on the District's computer equipment, computer-like equipment or the computer network or the data of another user. All users are expected to immediately report any problems or vandalism of computer equipment to the administration, the technology coordinator or the instructor responsible for the equipment.
- Do not commit or attempt to commit any act that disrupts the operation of the District's computers, computer-like equipment or computer network systems or any network connected to the internet, including the use or attempted use or possession of computer viruses or worms or participation in hacking or other unlawful/inappropriate activities on line. Users must report any security breaches or system misuse to the administration or technology coordinator. Do not demonstrate any security or other network problems to other users; give your password to another user for any reason; and/or use another individual's account. Do not attempt to log on to any device as a system administrator.
- Do not use the network in such a way that you would disrupt the use of the network by other users or would waste system resources (e.g. listening to internet radio, printing web pages without prior permission from the technology coordinator or other appropriate personnel, staying on the network longer than is necessary to obtain needed information).
- Do not use the District's computers, computer-like equipment and/or computer network systems for any commercial or for-profit purposes, personal or private business, (including but not limited to shopping or job searching), product advertisement or political lobbying.
- Do not use the District's computers, computer-like equipment, computer network systems and/or the internet to access, download, transmit, and/or disseminate any material in violation of any federal or state law, copyrighted material, obscene material, hate literature, material protected by trade secret, computer viruses and/or worms, offensive material, spam e-mails, any threatening or harassing materials, and/or any material that will cause a material and substantial disruption of the proper and orderly operation and discipline of the school or school activities. If a user encounters potentially inappropriate information, the user shall immediately terminate contact with such information and notify the technology coordinator or other appropriate personnel of the contact with inappropriate information.
- Do not plagiarize information accessed through the District's computer; computer-like equipment, computer network systems and/or the internet. Students and staff shall obtain permission from appropriate parties prior to using copyrighted material that is accessed through the District's computer, computer network systems, and/or the internet.

The District will, within the curriculum currently being offered, include age-appropriate content related to children's use of the internet. This may include anti-bullying and harassment

considerations, social networking considerations and other considerations involving internet usage.

Although reasonable efforts will be made to make sure students will be under supervision while on the network, it is not possible to constantly monitor individual students and what they are accessing on the network. Some students may encounter information that may not be of educational value and/or may be inappropriate. If a student encounters such information, the student should terminate access to the information immediately and notify supervisory personnel or other appropriate personnel of what occurred.

Students will be able to access the District's computers, computer-like equipment and computer network systems, including use of the internet, through their teachers and/or other appropriate supervisors. Individual electronic mail addresses (*will/will not*) be issued to students. Students will not be allowed to use e-mail except under very specific, limited educational circumstances. If a student has an electronic mail address that has been set up outside of school, the student will not be permitted to access that e-mail account or use that address to send and receive mail at school.

Parents will be required to sign a permission form to allow their students to access the District's computers, computer-like equipment, computer network systems and the internet. Students and staff members will sign a form acknowledging they have read and understand the District's policies and regulations regarding appropriate use of the District's computers, computer-like equipment, computer network systems and the internet; that they will comply with the policies and regulations; and understand the consequences for violation of the policy or regulations. Prior to publishing any student work and/or pictures on the internet, the District will obtain written permission from the student's parents to do so.

The District has the right, but not the duty, to monitor any and all aspects of its computers, computer-like equipment, computer network systems and internet access including, but not limited to, monitoring sites students and staff visit on the internet and reviewing e-mail. The administration and the technology coordinator shall have both the authority and right to examine all computer and computer-like equipment and internet activity including any logs, data, e-mail, computer disks and/or other computer related records of any user of the system. The use of e-mail is limited to District and educational purposes only. Students and staff waive any right to privacy in anything they create, store, send, disseminate or receive on the District's computers, computer-like equipment and computer network systems, including the internet.

No warranties, expressed or implied, are made by the District for the computer technology and internet access being provided. Although the District has taken measures to implement and maintain protection against the presence of computer viruses, spyware, and malware on the District's computers, computer network systems, and internet access, the District cannot and does not warranty or represent that the District's computers, computer-like equipment, computer network systems or internet access will be secure and free of computer viruses, spyware or malware at all times. The District, including its officers and employees, will not be responsible

for any damages including, but not limited to, the loss of data, delays, non-deliveries, misdeliveries or service interruptions caused by negligence or omission. Individual users are solely responsible for making backup copies of their data. The District is not responsible for the accuracy of information users access on the internet and is not responsible for any unauthorized charges students or staff members may incur as a result of their use of the District's computers, computer-like equipment, computer network systems, and/or internet access. Any risk and/or damages resulting from information obtained from the District's computers, computer-like equipment, computer network systems, and/or internet access is assumed by and is the responsibility of the user.

Students, parents, and staff members may be asked from time to time to sign a new consent and/or acceptable use agreement to reflect changes and/or developments in the law or technology. When students, parents, and staff members are presented with new consent and/or acceptable use agreements to sign, these agreements must be signed for students and/or staff to continue to have access to and use of the District's computers, computer-like equipment, computer network systems, and the internet.

The interpretation, application, and modification of this policy are within the sole discretion of the school district. Any questions or issues regarding this policy should be directed to the Superintendent, any building principal or the technology coordinator. The board will review and update this policy as necessary. The district will maintain this policy at least five (5) years after the termination of funding pursuant to the Children's Internet Protection Act (CIPA) or E-rate.

First Reading Approved 4/9/18

Second Reading Approved 5/14/18

# 626 IMPLEMENTATION OF TECHNOLOGY PROTECTION MEASURES REGARDING THE USE OF THE DISTRICT'S COMPUTERS, COMPUTER-LIKE EQUIPMENT, COMPUTER NETWORK SYSTEMS, AND INTERNET ACCESS

The purpose of this policy is to provide a safe environment for students through the use of technology protection measures (i.e. filtering software) to enhance education in the school district.

The internet is an ever expanding resource that adds large quantities of content on a daily basis. However, some of the content is inappropriate for student use and may even be harmful to students' health, safety and welfare. Therefore, the school district has determined that it will establish this policy to limit student access to certain undesirable topics, including but not limited to, information and images that are obscene, constitute child pornography or are otherwise harmful to minors. Since it is not feasible for the school district to continually monitor the content of the internet, the school district will employ technology protection measures in the form of internet filtering software in an attempt to block access to these types of harmful and inappropriate materials.

The school district's implementation of internet filtering software does not guarantee that students will be prevented from accessing materials that may be considered inappropriate and/or harmful. However, it is a meaningful effort on the part of the school district to prevent students from accessing inappropriate and/or harmful materials on the internet. The school district makes no guarantee that the filtering software will be available at all times or that the filtering software will block all inappropriate and/or harmful material.

If there is an accessible Uniform Resource Locator [URL] that may be inappropriate, students, staff, and parents may request a review by designated district personnel, by completing an Add URL to Blocked Status Form. Upon review, the technology coordinator or other appropriate personnel will make a determination about blocking access to that site. If there is an educationally valuable URL that is blocked, students, staff, and parents may fill out the Remove URL from Blocked Status Form. The technology coordinator or other appropriate personnel will



review the request and make a determination about unblocking the site.

Staff members may request that the internet filtering software be disabled for bona fide research or other lawful purposes. A Bona Fide Research Form will need to be filled out and reviewed by the technology coordinator or other appropriate personnel before the internet filtering software is disabled.

First Reading Approved 4/9/18

Second Reading Approved 5/14/18

# 627 LAPTOP COMPUTER AND/OR TABLET POLICY

The school district has laptop computers and/or tablets for its faculty members and/or students to use inside and outside of school in order to enhance, enrich, and facilitate learning and teaching and to aid in administrative duties and school communications. All laptop computers, tablets and related equipment are school district property. The use of the district's laptop computers, tablets and related equipment shall be subject to all of the terms and conditions set out in the district's policies on appropriate use of computers, computer-like equipment, computer network systems, and the internet.

## Faculty Members' Use of District's Laptop Computer and/or Tablet

Prior to using the district's laptop computers, tablets and related equipment, faculty members will sign a Staff Laptop Computer and/or Tablet Acceptance Form and Consent to Use of the District's Computers, Computer-Like Equipment, Computer Network Systems, and Internet Access and agree to all outlined policies before being issued a laptop computer and/or tablet. Faculty members shall not attempt to install software or hardware or change the system configuration, including any network settings, on any district laptop computer and/or tablet without prior consultation with the district's administration. Faculty members shall not attempt to change or modify in any way any related equipment that they are issued with the district's laptop computer and/or tablet.

Faculty members shall protect district laptop computers, tablets and related equipment from damage and theft. Each faculty member shall be responsible for any damage to the laptop computer, tablet and related equipment they have been issued from the time it is issued to them until the time it is turned back in to the district, including damage to the computer, tablet, related equipment or the computer's hardware and/or software (including labor costs). Faculty members who choose to store school data, such as grades, tests or exams, on district laptop computers and/or tablets are required to back up this data on the district's network as a safety precaution against data loss.

## Students' Use of District's Laptop Computer and/or Tablet

Prior to using the district's laptop computers, tablets and related equipment, a parent/guardian and/or the student will sign a Consent to Student Use of the District's Computers, Computer-Like Equipment, Computer Network Systems, and Internet Access and agree to all outlined policies before being issued a laptop computer and/or tablet.

Students shall protect district laptop computers, tablets and related equipment from damage and theft. Each student shall be responsible for any damage to the laptop computer, tablet and related equipment they have been issued from the time it is issued to them until the time it is

turned back in to the district, including damage to the computer, tablet, related equipment or the computer's hardware and/or software (including labor costs).

First Reading Approved 4/9/18

Second Reading Approved 5/14/18

# 628 STAFF LAPTOP COMPUTER AND/OR TABLET ACCEPTANCE FORM AND CONSENT TO USE OF THE DISTRICT'S COMPUTERS, COMPUTER-LIKE EQUIPMENT, COMPUTER NETWORK SYSTEMS, AND INTERNET ACCESS

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

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

Computer and/or Tablet Serial # \_\_\_\_\_

Computer Equipment Description and Serial # \_\_\_\_\_

I hereby certify that I have received, read, understand and agree to all of the terms and conditions in the \_\_\_\_\_ Community School District's Appropriate Use of Computers, Computer-Like Equipment, Computer Network Systems, and the Internet policy.

I understand that the laptop computer, tablet, and related equipment I am being issued is the property of the \_\_\_\_\_ Community School District. I will return the laptop computer and/or tablet and any related equipment I am issued in the same condition in which receive it, excluding normal wear and tear and unforeseen system breakdowns, i.e. hard drive failure, etc. I understand that I am responsible for any damage or loss of any component of the laptop computer, tablet, and/or related equipment I am issued. In case of damage or loss, I agree that I will replace any damaged or lost component and/or equipment with components and/or equipment of equal value and functionality as approved by the District's administration.

I accept full responsibility for my use of the district's computers, computer-like equipment, computer network systems, and the internet through the District in accordance with the terms, conditions, and guidelines as stated by the District in its policies and regulations and as set out in federal and state law. I understand that violation of these provisions will result in the

restriction and/or termination of my ability to use the District's computers, computer-like equipment (such as tablets), computer network systems, and internet access and may result in further discipline up to and including termination of my employment with the District and/or other legal action.

I will not hold the District responsible in any way for materials accessed through the District's computers, computer-like equipment, computer network systems, and/or the District's internet access. I relieve the \_\_\_\_\_ Community School District and its officers and employees from any and all financial responsibility that may be incurred by my use of the District's computers, computer-like equipment, computer network systems, and the internet.

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Signature

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Printed Name

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Date

First Reading Approved 4/9/18

Second Reading Approved 5/14/18

# 629 CONSENT TO STUDENT USE OF THE DISTRICT'S COMPUTERS, COMPUTER-LIKE EQUIPMENT, COMPUTER NETWORK SYSTEMS, AND INTERNET ACCESS

I, \_\_\_\_\_, am the parent or guardian of \_\_\_\_\_, who is in \_\_\_\_\_ grade.

I hereby certify that I have received, read, understand and agree to the \_\_\_\_\_ Community School District's Appropriate Use of Computers, Computer-Like Equipment, Computer Network Systems, and the Internet Policy.

I recognize that although the \_\_\_\_\_ Community School District has taken measures to restrict access to controversial materials, it cannot guarantee that students will be protected from accessing any controversial materials during the student's use of the District's computers, computer-like equipment, computer network systems, and the internet.

I accept full responsibility for my student's use of the District's computers, computer-like equipment, computer network systems, and the internet through the District in accordance with the terms, conditions, and guidelines as stated by the District in its policies and regulations and as set out in federal and state law. I relieve the \_\_\_\_\_ Community School District and its officers and employees, from any and all financial responsibility that may be incurred by my student's use of the District's computers, computer-like equipment, computer network systems, and the internet.

My child may have access to internet: \_\_\_\_\_ Yes \_\_\_\_\_ No

I hereby give the District permission to publish my child's work, picture, and/or first name on the internet through the District's web site. \_\_\_\_\_ Yes \_\_\_\_\_ No

\_\_\_\_\_  
PARENT/GUARDIAN SIGNATURE

\_\_\_\_\_  
DATE

If you have consented to your child's use of the District's computers, computer-like equipment, computer network systems, and internet access, please have your child review and sign the following:

I have read the \_\_\_\_\_ Community School District's Appropriate Use of Computers, Computer-Like Equipment, Computer Network Systems, and the Internet policy and agree to abide by its provisions. I understand that violation of these provisions will result in the restriction and/or termination of my ability to use the District's computers, computer-like equipment, computer network systems, and internet access and may result in further discipline up to and including expulsion and/or other legal action. I agree to be responsible for payment of costs incurred by accessing any internet services that have a cost involved.

\_\_\_\_\_

STUDENT SIGNATURE

\_\_\_\_\_

DATE

First Reading Approved 4/9/18

Second Reading Approved 5/14/18

# 630 USE OF INFORMATION RESOURCES

In order for students to experience a diverse curriculum, the board encourages employees to supplement their regular curricular materials with other resources. In so doing, the board recognizes that federal law makes it illegal to duplicate copyrighted materials without authorization of the holder of the copyright, except for certain exempt purposes. Severe penalties may be imposed for plagiarism, unauthorized copying or using of media, including, but not limited to, print, electronic and web-based materials, unless the copying or using conforms to the "fair use" doctrine. Under the "fair use" doctrine, unauthorized reproduction of copyrighted materials is permissible for such purposes as criticism, comment, news reporting, teaching, scholarship or research providing that all fair use guidelines are met.

While the school district encourages employees to enrich the learning programs by making proper use of supplementary materials, it is the responsibility of employees to abide by the school district's copying procedures and obey the requirements of the law. In no circumstances shall it be necessary for school district staff to violate copyright requirements in order to perform their duties properly. The school district will not be responsible for any violations of the copyright law by employees or students. Violation of the copyright law by employees may result in discipline up to, and including, termination. Violation of the copyright law by students may result in discipline, up to and including, suspension or expulsion.

Parents or others who wish to record, by any means, school programs or other activities need to realize that even though the school district received permission to perform a copyrighted work does not mean outsiders can copy it and re-play it. Those who wish to do so should contact the employee in charge of the activity to determine what the process is to ensure the copyright law is followed. The school district is not responsible for outsiders violating the copyright law or this policy.

Any employee or student who is uncertain as to whether reproducing or using copyrighted material complies with the school district's procedures or is permissible under the law should contact the teacher-librarian who will also assist employees and students in obtaining proper authorization to copy or use protected material when such authorization is required.

It is the responsibility of the superintendent, in conjunction with the principal to develop administrative regulations regarding this policy.

First Reading Approved 4/9/18

Second Reading Approved 5/14/18



# 631 USE OF INFORMATION RESOURCES REGULATION

Employees and students may make copies of copyrighted materials that fall within the following guidelines. Where there is reason to believe the material to be copied does not fall within these guidelines, prior permission shall be obtained from the publisher or producer with the assistance of the librarian. Employees and students who fail to follow this procedure may be held personally liable for copyright infringement and may be subject to discipline by the board.

Under the "fair use" doctrine, unauthorized reproduction of copyrighted materials is permissible for such purposes as criticism, comment, news reporting, teaching, scholarship or research. Under the fair use doctrine, each of the following four standards must be met in order to use the copyrighted document:

- Purpose and Character of the Use - The use must be for such purposes as teaching or scholarship.
- Nature of the Copyrighted Work - The type of work to be copied.
- Amount and Substantiality of the Portion Used - Copying the whole of a work cannot be considered fair use; copying a small portion may be if these guidelines are followed.
- Effect of the Use Upon the Potential Market for or value of the Copyrighted Work - If resulting economic loss to the copyright holder can be shown, even making a single copy of certain materials may be an infringement, and making multiple copies presents the danger of greater penalties.

## Authorized Reproduction and Use of Copyrighted Material Reminders

- Materials on the Internet should be used with caution since they may, and likely are, copyrighted.
- Proper attribution (author, title, publisher, place and date of publication) should always be given.
- Notice should be taken of any alterations to copyrighted works, and such alterations should only be made for specific instructional objectives.
- Care should be taken in circumventing any technological protection measures. While materials copied pursuant to fair use may be copied after circumventing technological protections against unauthorized copying, technological protection measures to block access to materials may not be circumvented.

In preparing for instruction, a teacher may make or have made a single copy of:

- A chapter from a book;
- An article from a newspaper or periodical;

- A short story, short essay or short poem; or,
- A chart, graph, diagram, drawing, cartoon or picture from a book, periodical or newspaper.

A teacher may make multiple copies not exceeding more than one per pupil, for classroom use or discussion, if the copying meets the tests of "brevity, spontaneity and cumulative effect" set by the following guidelines. Each copy must include a notice of copyright.

- Brevity
  - A complete poem, if less than 250 words and two pages long, may be copied: excerpts from longer poems cannot exceed 250 words;
  - Complete articles, stories or essays of less than 2500 words or excerpts from prose works less than 1000 words or 10% of the work, whichever is less may be copied; in any event, the minimum is 500 words;
  - Each numerical limit may be expanded to permit the completion of an unfinished line of a poem or prose paragraph;
  - One chart, graph, diagram, drawing, cartoon or picture per book or periodical issue may be copied. "Special" works cannot be reproduced in full; this includes children's books combining poetry, prose or poetic prose. Short special works may be copied up to two published pages containing not more than 10 percent of the work.
- Spontaneity - Should be at the "instance and inspiration" of the individual teacher when there is not a reasonable length of time to request and receive permission to copy.
- Cumulative Effect - Teachers are limited to using copied material for only one course for which copies are made. No more than one short poem, article, story or two excerpts from the same author may be copied, and no more than three works can be copied from a collective work or periodical column during one class term. Teachers are limited to nine instances of multiple copying for one course during one class term. Limitations do not apply to current news periodicals, newspapers and current news sections of other periodicals.

### Copying Limitations

Circumstances will arise when employees are uncertain whether or not copying is prohibited. In those circumstances, the librarian should be contacted. The following prohibitions have been expressly stated in federal guidelines:

- Reproduction of copyrighted material shall not be used to create or substitute for anthologies, compilations or collective works.
- Unless expressly permitted by agreement with the publisher and authorized by school district action, there shall be no copying from copyrighted consumable materials such as workbooks, exercises, test booklets, answer sheets and the like.
- Employees shall not:

- Use copies to substitute for the purchase of books, periodicals, music recordings, consumable works such as workbooks, computer software or other copyrighted material. Copy or use the same item from term to term without the copyright owner's permission;
- Copy or use more than nine instances of multiple copying of protected material in anyone term;
- Copy or use more than one short work or two excerpts from works of the same author in any one term;
- Copy or use protected material without including a notice of copyright. The following is a satisfactory notice: NOTICE: THIS MATERIAL MAY BE PROTECTED BY COPYRIGHT LAW.
- Reproduce or use copyrighted material at the direction of someone in higher authority or copy or use such material in emulation of some other teacher's use of copyrighted material without permission of the copyright owner.
- Require other employees or students to violate the copyright law or fair use guidelines.

#### Authorized Reproduction and Use of Copyrighted Materials in the Library

A library may make a single copy or three digital copies of:

- An unpublished work in its collection;
- A published work in order to replace it because it is damaged, deteriorated, lost or stolen, provided that an unused replacement cannot be obtained at a fair price.
- A work that is being considered for acquisition, although use is strictly limited to that decision. Technological protection measures may be circumvented for purposes of copying materials in order to make an acquisition decision.

A library may provide a single copy of copyrighted material to a student or employee at no more than the actual cost of photocopying. The copy must be limited to one article of a periodical issue or a small part of other material, unless the library finds that the copyrighted work cannot be obtained elsewhere at a fair price. In the latter circumstance, the entire work may be copied. In any case, the copy shall contain the notice of copyright and the student or staff member shall be notified that the copy is to be used only for private study, scholarship or research. Any other use may subject the person to liability for copyright infringement.

#### Authorized Reproduction and Use of Copyrighted Music or Dramatic Works

Teachers may:

- Make a single copy of a song, movement, or short section from a printed musical or dramatic work that is unavailable except in a larger work for purposes of preparing for instruction;
- Make multiple copies for classroom use of an excerpt of not more than 10% of a printed

musical work if it is to be used for academic purposes other than performance, provided that the excerpt does not comprise a part of the whole musical work which would constitute a performable unit such as a complete section, movement, or song;

- In an emergency, a teacher may make and use replacement copies of printed music for an imminent musical performance when the purchased copies have been lost, destroyed or are otherwise not available,
- Make and retain a single recording of student performances of copyrighted material when it is made for purposes of evaluation or rehearsal;
- Make and retain a single copy of excerpts from recordings of copyrighted musical works for use as aural exercises or examination questions; and,
- Edit or simplify purchased copies of music or plays provided that the fundamental character of the work is not distorted. Lyrics shall not be altered or added if none exist.

Performance by teachers or students of copyrighted musical or dramatic works is permitted without the authorization of the copyright owner as part of a teaching activity in a classroom or instructional setting. The purpose shall be instructional rather than for entertainment.

Performances of non-dramatic musical works that are copyrighted are permitted without the authorization of the copyright owner, provided that:

- The performance is not for a commercial purpose;
- None of the performers, promoters or organizers are compensated; and,
- Admission fees are used for educational or charitable purposes only.

All other musical and dramatic performances require permission from the copyright owner. Parents or others wishing to record a performance should check with the sponsor to ensure compliance with copyright.

#### Recording of Copyrighted Programs

Television programs, excluding news programs, transmitted by commercial and non-commercial television stations for reception by the general public without charge may be recorded off-air simultaneously with broadcast transmission (including simultaneous cable retransmission) and retained by a school for a period not to exceed the first forty-five (45) consecutive calendar days after date of recording. Upon conclusion of this retention period, all off-air recordings must be erased or destroyed immediately. Certain programming such as that provided on public television may be exempt from this provision; check with the librarian or the subscription database, e.g. unitedstreaming.

Off-air recording may be used once by individual teachers in the course of instructional activities, and repeated once only when reinforcement is necessary, within a building, during the first 10 consecutive school days, excluding scheduled interruptions, in the 45 calendar day retention period. Off-air recordings may be made only at the request of and used by individual teachers and may not be regularly recorded in anticipation of requests. No broadcast program may be recorded off-air more than once at the request of the same teacher, regardless of the

number of times the program may be broadcast. A limited number of copies may be reproduced from each off-air recording to meet the legitimate needs of teachers. Each additional copy shall be subject to all provisions governing the original recording.

After the first ten consecutive school days, off-air recordings may be used up to the end of the 45 calendar day retention period only for evaluation purposes, i.e., to determine whether or not to include the broadcast program in the teaching curriculum. Permission must be secured from the publisher before the recording can be used for instructional purposes after the 10 day period.

Off-air recordings need not be used in their entirety, but the recorded programs may not be altered from their original content. Off-air recordings may not be physically or electronically combined or merged to constitute teaching anthologies or compilations. All copies of off-air recordings must include the copyright notice on the broadcast program as recorded.

#### Authorized Reproduction and Use of Copyrighted Computer Software

Schools have a valid need for high-quality software at reasonable prices. To assure a fair return to the authors of software programs, the school district shall support the legal and ethical issues involved in copyright laws and any usage agreements that are incorporated into the acquisition of software programs. To this end, the following guidelines shall be in effect:

- All copyright laws and publisher license agreements between the vendor and the school district shall be observed;
- Staff members shall take reasonable precautions to prevent copying or the use of unauthorized copies on school equipment;
- A back-up copy shall be purchased, for use as a replacement when a program is lost or damaged. If the vendor is not able to supply a replacement, the school district shall make a back-up copy that will be used for replacement purposes only;
- A copy of the software license agreement shall be retained by the technology director or librarian; and,
- A computer program may be adapted by adding to the content or changing the language. The adapted program may not be distributed.

#### Fair Use Guidelines for Educational Multimedia

Students may incorporate portions of copyrighted materials in producing educational multimedia projects such as videos, Power Points, podcasts and web sites for a specific course, and may perform, display or retain the projects.

Educators may perform or display their own multimedia based instructional activities. These projects may be used:

- In face-to-face instruction;

- In demonstrations and presentations, including conferences;
- In assignments to students;
- For remote instruction if distribution of the signal is limited;
- Over a network that cannot prevent duplication for fifteen days, after fifteen days a copy may be saved on-site only: or,
- In their personal portfolios.

Educators may use copyrighted materials in a multimedia project for two years, after that permission must be requested and received.

The following limitations restrict the portion of any given work that may be used pursuant to fair use in an educational multimedia project:

- Motion media: ten percent or three minutes, whichever is less;
- Text materials: ten percent or 1,000 words, whichever is less;
- Poetry: an entire poem of fewer than 250 words, but no more than three poems from one author or five poems from an anthology. For poems of greater than 250 words, excerpts of up to 250 words may be used, but no more than three excerpts from one poet or five excerpts from an anthology;
- Music, lyrics and music video: Up to ten percent, but no more than thirty seconds. No alterations that change the basic melody or fundamental character of the work;
- Illustrations, cartoons and photographs: No more than five images by an artist, and no more than ten percent or fifteen images whichever is less from a collective work;
- Numerical data sets: Up to ten percent or 2,500 field or cell entries, whichever is less;

Fair use does not include posting a student or teacher's work on the Internet if it includes portions of copyrighted materials. Permission to copy shall be obtained from the original copyright holder(s) before such projects are placed online. The opening screen of such presentations shall include notice that permission was granted and materials are restricted from further use.

First Reading Approved 4/9/18

Second Reading Approved 5/14/18

# 632 STUDENT PRODUCTION OF MATERIALS AND SERVICES

Materials and services produced by students at the expense of the school district are to be the property of the school district. Materials and services produced by students at the student's expense, except for incidental expense to the school district, are to be the property of the student. It shall be the responsibility of the superintendent to determine incidental expense.

First Reading Approved 4/9/18

Second Reading Approved 5/14/18

# 633 STUDENT FIELD TRIPS AND EXCURSIONS

The principal may authorize field trips and excursions when such events contribute to the achievement of education goals of the school district. The school district will provide transportation for field trips and excursions.

In authorizing field trips and excursions, the principal shall consider the financial condition of the school district, the educational benefit of the activity, the inherent risks or dangers of the activity, and other factors deemed relevant by the superintendent. Written parental permission will be required prior to the student's participation in field trips and excursions. The superintendent and Board's approval will be required for field trips and excursions outside the state. Board approval will be required for field trips and excursions which involve unusual length or expense.

Field trips and excursions are to be arranged with the principal well in advance and a detailed schedule and budget must be submitted by the employee to the principal along with the request for authorization of the field trip or excursion. The school district will be responsible for obtaining a substitute teacher if one is needed. Following field trips and excursions, the teacher may be required to submit a written summary of the event.

First Reading Approved 4/9/18

Second Reading Approved 5/14/18



# 634 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.

First Reading Approved 4/9/18

Second Reading Approved 5/14/18

# 635 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

- Identify student health needs:
  - Provide individual initial and annual health assessments.
  - Provide needed health screenings.
  - Maintain and update confidential health records;
  - Communicate (written, oral, electronic) health needs as consistent with confidentiality laws.
- Facilitate student access to physical and mental health services:

- Link students to community resources and monitor follow through.
- Promote increased access and referral to primary health care financial resources such as Medicaid, HAWK-I, social security, and community health clinics.
- Encourage appropriate use of health care.
- Provide for student health needs related to educational achievement:
  - Manage chronic and acute illnesses.
  - Provide special health procedures and medication including delegation, training, and supervision of qualified designated school personnel.
  - 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).
  - Provide urgent and emergency care for individual and group illness and injury.
  - Prevent and control communicable disease and monitor immunizations.
  - Promote optimal mental health.
  - Promote a safe school facility and a safe school environment.
  - Participate in and attend team meetings as a team member and health consultant.
- Promote student health, well-being, and safety to foster healthy living:
  - Provide developmentally appropriate health education and health counseling for individuals and groups.
  - Encourage injury and disease prevention practices.
  - Promote personal and public health practices.
  - Provide health promotion and injury and disease prevention education.
- Plan and develop the student health services program collaboratively with the superintendent, school nurse, and school health team:
  - Gather and interpret data to evaluate needs and performance.
  - Establish health advisory council and school health team.
  - Develop health procedures and guidelines.
  - Collaborate with staff, families, and community.
  - Maintain and update confidential student school health records.
  - Coordinate program with all school health components.
  - Coordinate with school improvement.
  - Evaluate and revise the health service program to meet changing needs.
  - Organize scheduling and direct health services staff.
  - Develop student health services annual status report.
  - Coordinate information and program delivery within the school and between school and major constituents.
  - 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.
  - 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.

First Reading Approved 4/9/18

Second Reading Approved 5/14/18

# 700 PURPOSE OF NON-INSTRUCTIONAL AND BUSINESS SERVICES

The school district's non-instructional services and business operations assist in the delivery of the education program and include, but are not limited to, transportation, the school nutrition program, and child care. The board, as it deems necessary, will provide additional non-instructional services to support the school district's education program. It shall be the goal of the board to provide non-instructional services and to conduct its business operations in an efficient manner.

First Reading Approved 1/11/23

Second Reading Approved 2/8/23

# 701 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.

First Reading Approved 1/11/23

Second Reading Approved 2/8/23

# 702 TRANSFER OF FUNDS

When the necessity for a fund has ceased to exist, the balance may be transferred to another fund or account by board resolution. School district monies received without a designated purpose may be transferred in this manner. School district monies received for a specific purpose or upon vote of the people may only be transferred by board resolution when the purpose for which the monies were received has been completed. Voter approval is required to transfer monies to the general fund from the capital projects fund and debt service fund. It is the responsibility of the board secretary to make recommendations to the board regarding transfers and to provide the documentation justifying the transfer.

First Reading Approved 1/11/23

Second Reading Approved 2/8/23

# 703 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
- State penny sales tax fund

Proprietary fund type:

- Enterprise fund
  - School nutrition fund
  - Child care fund
- Internal service fund

Fiduciary funds:

- Trust or agency funds
  - Expendable trust funds
  - Nonexpendable trust funds
  - Agency funds
  - Pension trust funds

Account groups:

- General fixed assets account group
- General long-term debt account group

As necessary the board may, by board resolution, create additional funds within the governmental, proprietary and fiduciary fund types. The resolution shall state the type of fund,



name of the fund, and purpose of the fund.

The general fund is used primarily for the education program. Special revenue funds are used to account for monies restricted to a specific use by law. Proprietary funds account for operations of the school district operated similarly to private business, and they account for the costs of providing goods and services provided by one department to other departments on a cost reimbursement basis. Fiduciary funds are used to account for monies or assets held by the school district on behalf of, or in trust for, another entity. The account groups are the accounting records for fixed assets and long-term debt.

It is the responsibility of the superintendent to implement this policy and bring necessary changes in the maintenance of the school district's financial records to the attention of the board.

First Reading Approved 1/11/23

Second Reading Approved 2/8/23

## 704 ACCOUNTING PRACTICES

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.

Governmental Accounting Standards Board (GASB) Statement No. 54 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 is not restricted or committed.

It is the responsibility of the superintendent to make recommendations to the board regarding fund balance designations.

First Reading Approved 1/11/23

Second Reading Approved 2/8/23

# 705 CASH IN SCHOOL BUILDINGS

The amount of cash that may be kept in each school building for any one day shall be sufficient for that day's operations. Funds raised by students shall be kept in the central until the funds can be deposited in the student activity fund.

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 is the responsibility of the superintendent to determine the amount of cash necessary for each day's operations and to comply with this policy.

First Reading Approved 1/11/23

Second Reading Approved 2/8/23

# 706 BUDGET PLANNING

Prior to certification of the budget, the board will review the projected revenues and expenditures for the school district and make adjustments where necessary to carry out the education program within the revenues projected.

A budget for the school district shall be prepared annually for the board's review. The budget shall include the following:

- the amount of revenues from sources other than taxation;
- the amount of revenues to be raised by taxation;
- an itemization of the amount to be spent in each fund; and,
- a comparison of the amount spent and revenue received in each fund for like purposes in the two prior fiscal years.

It shall be the responsibility of the superintendent to prepare the budget for review by the board prior to the April 15 deadline each year.

Prior to the adoption of the proposed budget by the board, the public shall be apprised of the proposed budget for the school district. Prior to the adoption of the proposed budget by the board, members of the school district community shall have an opportunity to review and comment on the proposed budget. A public hearing for the proposed budget of the board shall be held each year in sufficient time to file the adopted budget no later than April 15.

The proposed budget filed by the board with the board secretary and the time and place for the public hearing on the proposed budget shall be published in a newspaper designated for official publication in the school district. It shall be the responsibility of the board secretary to publish the proposed budget and public hearing information at least ten days but no more than twenty 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 is 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.

First Reading Approved 1/11/23

Second Reading Approved 2/8/23

# 707 SPENDING PLAN

The budget of the school district is the authority for the expenditures of the school district for the fiscal year for which the budget was adopted and certified. It is the responsibility of the superintendent to operate the school district within the budget.

First Reading Approved 1/11/23

Second Reading Approved 2/8/23

# 708 LOCAL – STATE – FEDERAL – MISCELLANEOUS REVENUE

Revenues of the school district are received by the board treasurer. Other persons receiving revenues on behalf of the school district will promptly turn them over to the board treasurer.

Revenue, from whatever source, is accounted for and classified under the official accounting system of the school district. It is 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 will not be used for private gain or political purposes.

Tuition fees received by the school district are deposited in the general fund. The tuition fees for kindergarten through twelfth grade during the regular academic school year are 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 are 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 are deposited in the general fund. It is 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 are deposited in the general fund. It is 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 are placed in the fund which was used to account for the acquisition of the property. If the school district is unable to determine which fund was used to account for the acquisition of the property or if the fund no longer exists in the school district, the proceeds from the sale or disposition of real property are placed in the physical plant and equipment levy fund. The proceeds from the sale or disposition of other school district property are 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, audio recordings, software, educational equipment, and supplies.

It is the responsibility of the superintendent to bring to the board's attention additional sources of revenue for the school district.

First Reading Approved 1/11/23

Second Reading Approved 2/8/23

## 709 SALE OF BONDS

The board may conduct an election for the authority to issue bonded indebtedness. Revenues generated from an approved bond issue are used only for the purpose stated on the ballot. Revenues received from the issuing of bonded indebtedness are deposited into the capital projects fund. 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. Use of excess funds in the account for another purpose requires the approval of the voters in the school district community

First Reading Approved 1/11/23

Second Reading Approved 2/8/23



# 710 INVESTMENTS

School district funds in excess of current needs shall be invested in compliance with this policy. The goals of the school district's investment portfolio in order of priority are:

- To provide safety of the principal;
- To maintain the necessary liquidity to match expected liabilities; and
- To obtain a reasonable rate of return.

In making investments, the school district shall exercise the care, skill, prudence, and diligence under the circumstances then prevailing that a prudent person acting in a like capacity and familiar with such matters would use to meet the goals of the investment program.

School district funds are monies of the school district, including operating funds. Operating funds of the school district are funds which are reasonably expected to be used during a current budget year or within fifteen months of receipt. When investing operating funds, the investments must mature within three hundred and ninety-seven days or less. When investing funds other than operating funds, the investments must mature according to the need for the funds.

The board authorizes the treasurer to invest funds in excess of current needs in the following investments:

- Interest bearing savings, money market, and checking accounts at the school district's authorized depositories;
- Qualified investment pools, including, but not limited to, Iowa Schools Joint Investment Trust Program (ISJIT);
- Obligations of the United States government, its agencies and instrumentalities; and,
- Certificates of deposit and other evidences of deposit at federally insured Iowa depository institutions.

It shall be the responsibility of the treasurer to oversee the investment portfolio in compliance with this policy and the law.

It shall 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 board requests it, it shall be the responsibility of the treasurer to bring a contract with an outside person to invest school district funds, to advise on investments, to direct investments, to act in a fiduciary capacity or to perform other services to the board for review and approval. The treasurer shall also provide the board with information about and verification of the outside person's fiduciary bond. Contracts with outside persons shall include a clause requiring the

outside person to notify the school district within thirty days of any material weakness in internal structure or regulatory orders or sanctions against the outside person regarding the services being provided to the school district and to provide the documents necessary for the performance of the investment portion of the school district audit. The compensation of the outside persons shall not be based on the performance of the investment portfolio.

The treasurer shall be responsible for reporting to and reviewing with the board at its regular meetings the investment portfolio's performance, transaction activity, and current investments including the percent of the investment portfolio by type of investment and by issuer and maturities. The report shall also include trend lines by month over the last year and year-to-year trend lines regarding the performance of the investment portfolio. It shall also be the responsibility of the treasurer to obtain the information necessary to ensure that the investments and the outside persons doing business with the school district meet the requirements outlined in this policy.

It shall be the responsibility of the superintendent to deliver a copy of this policy to the school district's depositories, auditor, and outside persons doing investment business with the school district.

It shall also be the responsibility of the superintendent, in conjunction with the treasurer, to develop a system of investment practices and internal controls over the investment practices. The investment practices shall be designed to prevent losses, to document the officers' and employees' responsibility for elements of the investment process, and address the capability of the management.

First Reading Approved 1/11/23

Second Reading Approved 2/8/23

# 711 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 a gift, grant or bequest furthers the interests of the school district.

Gifts, grants, and bequests shall be approved by the board. Once a gift, grant or bequest has been approved by the board, a board member or the superintendent may accept the gift, grant or bequest 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.

First Reading Approved 1/11/23

Second Reading Approved 2/8/23

# 712 STUDENT ACTIVITIES FUND

Revenue raised by students or from student activities shall be deposited and accounted for in the student activities fund. This revenue is the property of and shall be under the financial control of the board. Students may use this revenue for purposes approved by the superintendent.

Whether such revenue is collected from student contributions, club dues or special activities or result from admissions to special events or from other fund-raising activities, all funds shall be under the jurisdiction of the board and under the specific control of the superintendent. They shall 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 superintendent's 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 when a class graduates or an activity is discontinued.

First Reading Approved 1/11/23

Second Reading Approved 2/8/23

# 713 PURCHASING – BIDDING

The board supports economic development in Iowa, particularly in the school district community. As permitted by law, purchasing preference shall be given to Iowa goods and services from a locally-owned business located within the school district or Iowa-based if the cost and other considerations are relatively equal and meet the required specifications. However, when spending federal Child Nutrition Funds, geographical preference is allowed only for unprocessed agricultural food items as a part of response evaluation. Other statutory purchasing preferences will be applied as provided by law, including goals with regard to procurement from certified targeted small businesses, minority-owned businesses, and female owned businesses.

Prior to August 15 of each year and after analyzing the school district's anticipated procurement level for the current fiscal year, the school board will set a goal of ten percent of the anticipated procurement level to be purchased from certified targeted small businesses. In determining the procurement level, the cost of utilities (heat, electricity, telephone, and natural gas) and employees'; costs will not be included. After the goal has been established, the superintendent will file the required Targeted Small Business Procurement form with the Department of Education by August 15.

By July 31 of each year, the superintendent will file a report with the Department of Education outlining purchases of goods and services from targeted small businesses for the previous fiscal year.

The school board and superintendent will encourage targeted small businesses which are not certified with the Department of Inspections and Appeals to become certified targeted small businesses.

## Goods and Services

The board shall enter into goods and services contract(s) as the board deems to be in the best interest of the school district. It shall be the responsibility of the superintendent to approve purchases, except those requiring board approval or as provided by in law. 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.

Purchases for goods and services requiring shall conform to the following:

- The superintendent shall have the authority to authorize purchases without prior board approval and without competitive request for proposals, quotations, or bids for goods and services up to \$5,000.

- For goods and services costing at least \$5,000 and up to \$10,000, the superintendent shall receive proposals, quotations, or bids for the goods and services to be purchased prior to board approval. The quotation process may be informal, and include written or unwritten quotations.
- For goods and services exceeding, \$10,000., the competitive request for proposal (RFP) or competitive bid process shall be used and received prior to board approval. RFPs and bids are formal, written submissions via sealed process.

In the event that only one quotation or bid is submitted, the board may proceed if the quotation or bid meets the contract award specifications.

The contract award shall be based on the total cost considerations including, but not limited to the following:

- The cost of the goods and services being purchased;
- Availability of service and/or repair;
- The targeted small business procurement goal and other statutory purchasing preferences; and
- Other factors deemed relevant by the board.

The board may elect to exempt certain professional services contracts from the thresholds and procedures outlined above.

The thresholds and procedures related to purchases of goods and services do not apply to public improvement projects.

### Public Improvements

The board shall enter into public improvement contract(s) as the board deems to be in the best interest of the school district. Public improvement means a building or construction work which is constructed under the control of a governmental entity and for which either of the following applies: (1) is paid for in whole or in part with funds of the governmental entity or (2) a commitment has been made prior to construction by the governmental entity to pay for the building or construction work in whole or in part with funds of the governmental entity, This includes a building or improvement constructed or operated jointly with any public or private agency.

The school district shall follow all requirements, timelines, and processes detailed in Iowa law related to public improvement projects. The thresholds regarding when competitive bidding or

competitive quotations is required will be followed. Competitive bidding is required for public improvement contracts exceeding the minimum threshold stated in law. Competitive quotations are required for public improvement projects that exceed the minimum threshold amount stated in law, but do not exceed the minimum set for competitive bidding. The board shall approve competitive bids and competitive quotations. If the total cost of the public improvement does not warrant either competitive bidding or competitive quotations, the school district may nevertheless proceed with either of these processes, if it so chooses.

The award of all contracts for the public improvement shall be awarded to the lowest responsive, responsible bidder. In the event of an emergency requiring repairs to a school district facility that exceed bidding and quotation thresholds, the school district will follow board policy regarding emergency repairs to school district facilities.

The school district shall comply with all federal and state laws and regulations required for procurement, including the selection and evaluation of contractors.

First Reading Approved 1/11/23

Second Reading Approved 2/8/23

# 714 PURCHASING ON BEHALF OF EMPLOYEES

Generally, the school district will not purchase items on behalf of employees. The school district may in unusual and unique circumstances do so. It is within the discretion of the board to determine when unique and unusual circumstances exist.

No purchase will be made unless the employee has paid the school district all amounts related to the purchase, including any taxes or other expenses, prior to the school district making the purchase. Any issues with the purchase or delivery of the item (delays in shipping, damage to items in shipping, errors or deficiencies in filling an order, etc.) are solely the responsibility of the employee to address. Any refunds, credits or rebates provided to the employee related to the purchase will be provided to the school district by the employee.

First Reading Approved 1/11/23

Second Reading Approved 2/8/23



# 715 PAYMENT FOR GOODS AND SERVICES

The board authorizes the issuance of warrants for 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 shall 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 shall be the responsibility of the secretary to bring claims to the board for approval. Thereafter, paid claims shall be entered on record in the regular minutes of the secretary.

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.

First Reading Approved 1/11/23

Second Reading Approved 2/8/23

# 716 APPROPRIATE USE OF PUBLIC FUNDS

## Public Purpose

School district funds are to be expended only for legitimate public purposes and not for private personal gain for which services of comparable value have not been rendered to the school district. This is a requirement of the Iowa Constitution.

All funds received by the school district are considered public funds and must be used to support the educational mission of the school district. The best test to use when determining whether the expenditure is appropriate is called the public scrutiny test. The test is whether the tax-paying public would view the expenditure as necessary to support public education. If employees question whether an expenditure is appropriate, it may very well not be appropriate. Employees should contact their supervisor if they have any questions about appropriate expenses.

The board supports appropriate expenditures of school district funds for school district officers, directors, employees, and volunteers, as these are commonly granted benefits in public and private organizations which aid in recruitment of personnel, promote improvement of staff morale and cooperation, and assist in building a commitment to the school district, thus assisting in creating a more productive learning environment. The following are considered appropriate expenditures provided they are awards or tokens from the school district; not from the department or building level:

1. Food items, refreshments, and/or mementoes from the school district for employee recruitment or recognition for service to the school district.
2. School district retirement appreciation function and or item to recognize retiring employees.
3. Recognition items upon the end of service by a board member.
4. School district volunteer appreciation events.
5. Food items and refreshments for board members and staff during board meetings and/or work sessions.
6. Food items and refreshments for board committees, superintendent committees or committee meetings that include participation from the public during the meeting.

School district awards or tokens of recognition shall be determined by the superintendent or designee in advance and shall be paid for with school district funds under the control of the superintendent or designee. Public funds should not be used for the purchase of department or building level staff awards or tokens of recognition.

## Sales Tax Exempt

The school district is Iowa sales tax exempt. All items purchased by a public school for the school's own use, qualify for an exemption from sales tax if the items purchased relate to the educational process. When making purchases, the staff member must inform the vendor that the purchase is sales tax exempt. A vendor can request a tax exemption form from the school district. The school district will not reimburse for sales tax paid on purchases made on behalf of the school district. When purchasing meals in Iowa, an effort must be made to have the meal purchase Iowa sales tax-exempt. Staff members must inform the restaurant before the order is placed that you are with the school district and that the purchase should be sales tax exempt. If the restaurant is unable to comply and the purchase is within the school district meal limits, the purchase will be an appropriate expense for reimbursement.

## Examples of Appropriate and Inappropriate Use of Public Monies

This section identifies specific practices and procedures to be followed by all school district employees when using public funds. The following list is intended to provide examples and may not be all inclusive.

### FOOD AND REFRESHMENTS

#### A. Alcohol

The purchase of alcohol is never an acceptable use of public monies.

#### B. Meetings, Trainings, and Professional Development

Meals and snacks are normally a personal expense. Any meal or snack paid for with public funds must be a reasonable price and an integral part of employment duties. Meals and snacks can be paid for with public funds if:

1. The meeting is four (4) hours or more and separate breaks would be disruptive to the meeting objectives.
2. The meeting is a breakfast, lunch or dinner meeting where the meeting is shorter than four hours in duration and attendance during meal time(s) is a requirement of an employee's job duties. The amount paid per meal shall not exceed \$14 per person; exceptions may be approved by the superintendent or designee.
3. Tips for meals are allowed but should not exceed 15%.

#### C. Board Meetings

The board meets at a time that is intended to be convenient for the general public. Meetings routinely span the normal dinner hour. Serving meals of reasonable value to board members and staff required to attend board meetings is considered an appropriate expense.

#### D. Coffee and Beverages

Coffee and other beverages are normally a personal expense. A voluntary collection can be made from those who desire to have coffee and other

beverages in the school/department. Except for meetings, trainings, and professional development (Item B), Board meetings (Item C), and public areas (Item H)), coffee and beverages shall not be purchased with public funds.

#### E. Employee Break Room Supplies

Public funds should not be used to stock supplies such as plastic ware and paper products in employee break rooms. A voluntary collection can be made from those who desire to have such supplies.

#### F. Individual Receptions

Receptions for individual employees should never be paid from public funds. This includes retirement dinners, staff meals, welcome aboard receptions, and similar gatherings where food and/or refreshments may be served. Voluntary collections can be taken from those attending such gatherings.

#### G. Acceptable Occasions

The superintendent or designee may determine that the serving of food or refreshments is appropriate for selected occasions. The annual retirement reception for all school district employees is one example.

#### H. Public Areas

In some cases, a building or part of a building is routinely open to the public for conducting school district business. Having refreshments of nominal value available to members of the public, such as coffee and other nominal snacks/beverages, are considered a courtesy and are authorized in these specific locations.

#### I. Student Incentives

Incentives purchased for qualifying groups of students from public funds as part of an initiative, program, or recognition (e.g., rewards, honor roll) shall be of nominal value and authorized by the school administrator.

### GIFTS

#### A. Employee Gifts

Expenditures of public funds for gifts or gift cards to staff and employees are not authorized. This includes gifts purchased for staff birthdays or other personal occasions. Voluntary collections from staff would be an acceptable way of purchasing employee gifts.

#### B. Tokens/Clothing

The purchase of tokens of appreciation, or personal clothing (e.g., coffee mugs, pens, tote bags, T-shirts/apparel, etc.) is not authorized.

## FLOWERS

### A. Sympathy and Congratulations

The use of public funds for the purchase of flowers is restricted to exceptional occasions where a public expression of sympathy or congratulations has been determined by the superintendent or designee to be in the best interests of the school district. Written expressions of condolence are encouraged for all other occasions where flowers are not appropriate.

### B. Individual Achievements

Unless they are part of an award or graduation ceremony, flowers are not appropriate for individual achievements.

### C. School Activities

Flowers/decorations purchased for proms, dances, homecomings, etc., may be purchased out of school activity funds if authorized by the school administrator.

## AWARDS AND RECOGNITIONS

### A. School District Awards and Recognitions

At times, awards or recognitions are appropriate for presentation to school district staff for years of service. School district awards or recognitions shall be determined by the superintendent or designee in advance and shall be paid for with school district funds. Public funds should not be used for the purchase of department or building level staff awards or recognitions.

### B. External Awards and Recognitions

At times, awards are appropriate for presentation to people (e.g., volunteers) or organizations external to the school district. External awards or recognitions shall be determined by the superintendent or designee in advance.

## BREAK ROOM EQUIPMENT

Microwaves, refrigerators, coffee pots, toaster ovens and other similar equipment items may be procured with public funds for use in public reception areas and employee break rooms. Otherwise, these items must be purchased with personal funds. In all instances, all fire marshal safety restrictions must be observed. These items are not authorized in classrooms and offices.

## HOLIDAY PARTIES, DECORATIONS, AND CARDS

### A. Holiday Decorations

Office holiday decorations shall not be purchased with public funds.

### B. Holiday Cards

Holiday cards shall not be purchased with public funds.

### C. Holiday Parties

Staff holiday parties and meals are a personal expense. Voluntary collections may be taken to fund holiday events. Public funds shall not be used for holiday parties.

### STUDENT ACTIVITY FUNDS

Student activity funds are public funds and are to be used to finance a program of co-curricular school activities supplementing, but not replacing, the activities provided by the school district. Student activity funds are derived from the student body as a whole and shall be so expended to benefit the student body as a whole.

First Reading Approved 1/11/23

Second Reading Approved 2/8/23

# 717 PAYROLL PERIODS

The payroll period for the school district is monthly. Employees are paid on the 15<sup>th</sup> day of each month. If his day is a holiday, recess or weekend, the payroll is paid on the last working day prior to the holiday, recess or weekend.

It is the responsibility of the board secretary to issues payroll to employees in compliance with this policy.

First Reading Approved 1/11/23

Second Reading Approved 2/8/23

# 718 PAYROLL DEDUCITONS

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.

Employees may elect to have payments withheld for school district-related and mutually agreed upon group insurance coverage, and/or tax sheltered annuity programs. Requests for these deductions will be made in writing to the superintendent. Requests for purchase or change of tax-sheltered annuities may be made by September 1.

It is the responsibility of the superintendent to determine which additional payroll deductions will be allowed.

First Reading Approved 1/11/23 Second Reading Approved 2/8/23



# 719 PAY DEDUCTIONS

The school 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 school 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.

The school 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 school district will not make pay deductions that violate either the federal or state laws.

Any employee who believes that the school district has made an inappropriate deduction or has failed to make proper payment regarding wages or benefits is encouraged to immediately consult with the appropriate supervisor. Alternatively, any employee may file a formal written complaint with the business manager. Within 15 business days of receiving the complaint, the superintendent 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.

First Reading Approved 1/11/23

Second Reading Approved 2/8/23

# 720 SECRETARY'S REPORT

The board secretary will report to the board each month the receipts, disbursements, and balances of the various funds. The report will be written form and sent to the board with the agenda for the board meeting.

First Reading Approved 1/11/23

Second Reading Approved 2/8/23

# 721 TRESASURER'S ANNUAL REPORT

At the annual meeting, the treasurer will give the annual report stating the amount held over, received, paid out, and on hand in the general and schoolhouse funds. This report is in written form and sent to the board with the agenda for the board meeting. The treasurer will also furnish the board with a sworn statement from each depository showing the balance then on deposit.

It is the responsibility of the treasurer to submit this report to the board annually.

First Reading Approved 1/11/23

Second Reading Approved 2/8/23

# 722 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 is the responsibility of the board secretary to publish these reports in a timely manner.

First Reading Approved 1/11/23

Second Reading Approved 2/8/23

# 723 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.

First Reading Approved 1/11/23

Second Reading Approved 2/8/23

# 724 INTERNAL CONTROLS

The board expects all board members, employees, volunteers, consultants, vendors, contractors, students, and other parties maintaining any relationship with the school district to act with integrity, due diligence, and in accordance with all laws in their duties involving the school district's resources. The board is entrusted with public dollars and no one connected with the school district should do anything to erode that trust.

Internal control is the responsibility of all employees of the school district. The superintendent, business manager, and board secretary shall be responsible for developing internal controls designed to prevent and detect fraud, financial impropriety or fiscal irregularities within the school district subject to review and approval by the board. Administrators shall be alert for any indication of fraud, financial impropriety or irregularity within the administrator's area of responsibility.

Any employee who suspects fraud, impropriety or irregularity shall report their suspicions immediately to the employee's immediate supervisor and 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.

Fraud, financial improprieties or irregularities include, but are not limited to:

- Forgery or unauthorized alteration of any document or account belonging to the school 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 school 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 school district.
- Destroying, removing or inappropriately using school 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 school 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 school 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.

First Reading Approved 1/11/23

Second Reading Approved 2/8/23

# 725 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 \$10,000. 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 \$10,000 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, and 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 will also be the responsibility of the superintendent to educate employees about this policy and its supporting administrative regulations.



## A. Capital Assets Management System

The superintendent, and/or other designated staff, shall:

1. Conduct the capital assets physical count;
2. Develop the capital assets listing;
3. Tag capital assets included in the capital assets management system with a bar code identification number;
4. Make a recommendation of a computer software program for managing the capital assets management system;
5. Enter the necessary data into the capital assets management system and compile the appropriate reports;
6. Develop forms and procedures for maintaining the integrity of the capital assets management system; and,
7. Maintain responsibility for an accurate 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. Capital assets purchased under a capital lease are valued at historical cost of their net present value of the minimum lease payments on the addition/acquisition date.
4. The historical cost of capital assets must include capitalized interest.

## C. Annual capital assets listing reconciliation

1. The superintendent, and/or other designated staff, in conjunction with the capital assets management team, will conduct an annual capital assets physical count to develop the annual capital assets listing in a manner similar to the initial capital assets listing process in B above. At least every three years, someone other than the person in custody of the capital assets in the building/department/room will perform the capital assets physical count for the building/department/room.
2. Upon completion of the annual capital assets listing, the capital assets listing is reconciled to the capital assets management system data base.
3. Capital assets found to have been excluded from the data base are added to the capital assets management system. The capital assets management system process should be reviewed to prevent future incidents of excluding a capital asset.

4. Capital assets unaccounted for are reported to the superintendent who contacts the supervisor of and the individual in charge/control/custody of the capital asset. The individual in charge/control/custody of the capital asset has thirty days to account for the capital asset.
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 \$10,000. 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.
  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:
  - 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:
    - i. Balance sheet accounting/class code;
    - ii. Purchasing fund, function and depreciation function;
    - iii. Bar code tag identification number;
    - iv. Description of the capital asset;
    - v. Historical cost or other;
    - vi. Location;
    - vii. Current year depreciation/expense; and,
    - viii. 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.

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 \$10,000 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.

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.

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 \$10,000, 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.

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Second Reading Approved 2/8/23

# 726 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 and board secretary 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
- Open meeting minutes of the Board of Directors
  - Permanently
- Annual audit reports
  - Permanently
- Annual budget
  - Permanently
- Permanent record of individual pupil
  - Permanently
- School election results
  - Permanently
- Real property records (e.g., deeds, abstracts)
  - Permanently
- Records of payment of judgments against the school district
  - 20 years
- Bonds and bond coupons
  - 11 years after maturity, cancellation, transfer, redemption, and/or replacement
- Written contracts
  - 10 years
- Cancelled warrants, check stubs, bank statements, bills, invoices, and supporting records
  - 5 years
- Federal programs
  - 5 years
- Recordings and minutes of closed meetings
  - 1 year



- Program grants
  - Determined by the grant
- Non-payroll personnel records
  - 5 years after leaving the school district
- Employee records except payroll and salary records
  - Minimum of 1 year after termination of employment
- Employment application records
  - Minimum of 1 year after position is filled
- Employee payroll and salary records
  - Minimum of 3 years after payment
- School district nutrition program accounts/records
  - 3 years after submission of the final claim for reimbursement

In the event that any federal or state agency requires a record be retained for a period of time longer than listed above for audit purposes or otherwise, the record shall be retained beyond the listed period as long as is required for the resolution of the issue by the federal or state agency.

Official personnel records shall be housed in the central administration office of the school district. These 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 non-consumable 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 administration office of the attendance center where the student attends.

Permanent records shall be housed in a fire resistant safe or vault or electronically with a secure backup file. The building administrator shall be responsible for keeping these records current. Permanent records of students who have graduated or are no longer enrolled in the school district shall be housed in the central administration office and will be retained permanently. These records will be maintained by the superintendent. Special education records shall be maintained in accordance with law.

The superintendent may convert school district records to an electronic format and may destroy paper copies of the records once converted. A properly authenticated electronic reproduction of a paper record meets the same legal requirements as the original record.

# 727 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 at least once every three years. Insurance will only be purchased through legally licensed Iowa insurance agents.

The school district may 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 \$5,000 unless such insurance is required by statute or contract.

The board may retain a private organization for capital 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 superintendent shall be responsible for maintaining the capital assets management system, processing claims, and maintaining loss records.

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Second Reading Approved 2/8/23

# 728 SCHOOL FOOD SERVICE PROGRAM

The school district will operate a school nutrition program in each attendance center. The school nutrition program services will include meals through participation in the National School Lunch Program. Students may bring their lunches from home and purchase milk or juice and other incidental items.

School nutrition 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 superintendent 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 nutrition program is operated on a non-profit basis. The revenues of the school nutrition program will be used only for the operation or improvement of the program. Supplies of the school nutrition program shall only be used for the school nutrition program.

The board will set, and periodically review, the prices for school nutrition programs. It shall be the responsibility of the superintendent to make recommendations regarding the prices of school nutrition programs, in accordance with federal and state law.

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.

The school district shall comply with all federal and state law and regulations required for procurement, including the selection and evaluation of contractors.

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Second Reading Approved 2/8/23

# 729 FREE OR REDUCED COST MEALS ELIGIBILITY

Students enrolled and attending school in the school district, who meet United States Department of Agriculture eligibility guidelines, will be provided the nutrition program services at no cost or at a reduced cost. The school district shall make reasonable efforts to prevent the overt identification of students who are eligible for free and reduced-price meals.

The school district shall at least twice annually notify all families of the availability and eligibility criteria, and applications procedures for free and reduced-price meals in accordance with state and federal law.

It shall be the responsibility of the food service director to determine the eligibility of students for free or reduced cost school nutrition programs, in accordance with criteria established by state and federal law. If school district personnel have knowledge of a student who is in need of free or reduced-price meals, school district personnel should contact the food service director.

If a student owes money for five or more meals, the building principal may contact the student's parent or guardian to provide information regarding the application for free or reduced-price meals. The school district is encouraged to provide reimbursable meals to students who request reimbursable meals unless the student's parents or guardian has specifically provided written direction to the school district to withhold a meal from the student.

Employees will be required to purchase tickets for meal consumed.

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# 730 VENDING MACHINES

Food and beverages sold individually outside the school nutrition program during the school day will meet the nutritional guidelines established by the school district and as required by state or federal law. Vending machines in the school building are the responsibility of the building principal. Purchases from the vending machines will not be made one-half hour prior to, during or one-half hour after the service of meals unless permission has been granted by the principal.

First Reading Approved 1/11/23

Second Reading Approved 2/8/23

# 731 MEAL CHARGES

In accordance with state and federal law, the 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

All meal purchases are to be prepaid before meal service begins. Payment is accepted in the school district office by check or cash and is added to the student account at time of payment. Students who do not have sufficient funds shall not be allowed to charge seconds on meals or a la carte items until additional money is deposited in the student account.

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.

## 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 letter. Negative balances of more than \$100, not paid prior to the end of the semester will be turned over to the superintendent or designee for collection. Options may include collection agencies, small claims court, or any other legal method permitted by law.

## Unpaid Student Meals Account

The school district will establish an unpaid student meals account in a school nutrition fund. Funds from private sources and funds from the school 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 school 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 was communicated to households and staff will be retained.

First Reading Approved 1/11/23

Second Reading Approved 2/8/23

# 732 STUDENT SCHOOL TRANSPORTATION ELIGIBILITY

Elementary and middle school students living more than two miles from their designated school attendance center and high school students living more than three miles from their designated attendance center shall receive 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 weighted funds or IDEA federal funds designated for special education purposes.

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 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, enroute to and from the special education location.
- 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 district 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 district 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 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.

First Reading Approved 1/11/23

Second Reading Approved 2/8/23

# 733 CONDUCT ON SCHOOL TRANSPORTATION

All persons utilizing school district transportation will conduct themselves in an orderly manner fitting to their age level and maturity with mutual respect and consideration for the rights of the school district vehicle driver and the other passengers.

The school district vehicle driver will have the authority to maintain order on the school district vehicle. It is the responsibility of the driver to report misconduct to the building administrator.

Students and employees who fail to behave in an orderly manner may be subject to disciplinary measures. Other persons who fail to behave in an orderly manner may be asked to leave the school district transportation and may no longer be permitted to use the school district transportation. The building principal has the authority to suspend transportation privileges for students or employees or implement other appropriate discipline.

The board supports the use of video cameras on school district vehicles used for transportation to and from school as well as for field trips, curricular or extracurricular events, and other events. The video cameras will be used to monitor behavior and may be used as evidence in a student or employee disciplinary proceeding or in determining appropriate consequences for other individuals. The video recordings will be maintained as required by state and federal law.

First Reading Approved 1/11/23

Second Reading Approved 2/8/23

# 734 INCLEMENT WEATHER

School district buses will not operate when weather conditions due to fog, rain, snow, ice or other natural elements make such operation unsafe. Because weather conditions may vary throughout the school district and may change quickly, the best judgment will be used that is possible with the information available.

The final judgment as to when conditions are unsafe to operate will be made by the superintendent or the superintendent's designee. The superintendent or superintendent's designee may be assisted by the actual on location decisions and reports of the drivers.

Several drivers each year may be specially designated to report weather and road conditions by radio when requested to do so. Other drivers and students will be notified by commercial radio, local television stations, and school district alerts when school is cancelled or temporarily delayed. When school is cancelled because of weather anywhere in the school district, all schools will be closed.

When weather conditions deteriorate during the day after school has begun, cancellation notices will be announced by commercial radio, local television stations, and school district alerts. 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 their parents.

When, in the judgment of the driver, weather conditions present a hazard when loading or unloading students, the driver will contact the superintendent or the superintendent's designee for instructions. If the superintendent and/or superintendent design is not available, the driver will exercise the best judgment under the circumstances to address the situation.

First Reading Approved 1/11/23

Second Reading Approved 2/8/23

# 735 STUDENT TRANSPORTATION FOR EXTRACURRICULAR ACTIVITIES

The board, in its discretion, may provide school district transportation for extracurricular activities including, but not limited to, transporting student participants and other students to and from extracurricular events.

Students participating in extracurricular events, other than those held at the school district facilities, may be transported to the extracurricular event by school district transportation vehicles or by another means approved by the superintendent. Students attending extracurricular events, other than those held at the school district facilities, may be transported to the extracurricular event by school district transportation vehicles.

Students, who are provided transportation in school district transportation vehicles for extracurricular events, shall ride both to and from the event in the school district 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.

First Reading Approved 1/11/23

Second Reading Approved 2/8/23

# 736 TRANSPORTATION OF NONRESIDENT AND NONPUBLIC SCHOOL STUDENTS

The board has sole discretion to determine the method to be utilized for transporting non-resident and non-public school students. Non-resident students paying tuition may be, and resident students attending a non-public school accredited by the State Department of Education will be, transported on an established public school vehicle route as long as such transportation does not interfere with resident public students' transportation. Non-resident and non-public school students shall obtain the permission of the superintendent prior to being transported by the school district.

Parents of resident students who provide transportation for their children attending a non-public school accredited by the Iowa Department of Education will be reimbursed at the established state rate. This reimbursement shall be paid only if the school district receives the funds from the state. If less than the amount of funds necessary to fully reimburse parents of the non-public school students is received by the school district, the funds shall be prorated.

The charge to the non-resident students shall be determined based on the student's pro rata share of the actual costs for transportation. The parents of these students shall be billed for the student's share of the actual costs of transportation. The billing shall be according to the schedule developed by the superintendent. It shall be the responsibility of the superintendent to determine the amount to be charged and report it to the board secretary for billing.

Continued transportation of non-resident and non-public school students on a public school vehicle route will be subject to resident public school students' transportation needs. The superintendent shall make a recommendation annually to the board regarding the method to be used. In making a recommendation to the board, the superintendent shall consider the number of students to be transported, the capacity of the school district vehicles, the financial condition of the school district, and other factors deemed relevant by the board or the superintendent.

Non-resident and non-public school students shall be subject to the same conduct regulations as resident public students as prescribed by board policy, and to other policies, rules or regulations developed by the school district regarding transportation of students by the school district.

First Reading Approved 1/11/23

Second Reading Approved 2/8/23

# 737 TRANSPORTATION OF NON-SCHOOL GROUPS

School district vehicles may be made available to local non-profit entities which promote cultural, educational, civic, community, or recreational activities for transporting to and from non-school-sponsored activities within the state as long as the transportation does not interfere with or disrupt the education program of the school district and does not interfere with or delay the transportation of students. The local non-profit entity must pay the cost of using the school district vehicle as determined by the superintendent. Prior to making the school district transportation vehicle available to the local non-profit entity, the school bus signs shall be covered and the flashing warning lamps and the stop arm made inoperable.

It is the responsibility of the superintendent to develop administrative regulations for use of school district transportation vehicles to transport students and other to school-sponsored events within the state and for application for, use of, and payment for using the school district transportation vehicles by local nonprofit entities for a non-school-sponsored activity.

First Reading Approved 1/11/23

Second Reading Approved 2/8/23

# 738 SCHOOL BUS SAFETY INSTRUCTION

The school district shall conduct school bus safe riding practices instruction and emergency safety drills at least 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.

All school personnel and designees must wear seat belts while operating school district and private vehicles for school district functions. All school district personnel must use the tire protective cage when inflating or deflating a tire used on school district buses and tractors.

First Reading Approved 1/11/23

Second Reading Approved 2/8/23

# 739 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. Therefore, the board encourages all individuals operating school district vehicles to limit the time the vehicle is idling.

First Reading Approved 1/11/23

Second Reading Approved 2/8/23



# 740 SCHOOL BUS PASSENGER RESTRAINTS

The school district shall utilize three-point lap-shoulder belts on school district buses as required by state law. All three-point lap-shoulder belts available on school district buses will be used by passengers when the vehicle is in any non-stationary gear.

All students will receive instruction on the proper use of seat belts during the twice annual bus safety drills. Students who may require assistance in using seat belts should ask the bus driver for help, so that all students are safely belted in their seat before the bus is in motion. Drivers will announce prior to the bus leaving that each student needs to be in their seat with the seat belt fastened.

Students refusing to use seat belts create a safety concern for themselves and others and are subject to school district disciplinary actions. Repeated refusal to wear seat belts can result in suspension from bus riding privileges.

First Reading Approved 1/11/23

Second Reading Approved 2/8/23

# 800 OBJECTIVES OF 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 district buildings and sites and to notify the board of areas in need of improvement.

First Reading Approved 1/11/23

Second Reading Approved 2/8/23

# 801 BUILDINGS AND 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.

First Reading Approved 1/11/23

Second Reading Approved 2/8/23

# 802 BUILDINGS AND SITE 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 the 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.

First Reading Approved 1/11/23

Second Reading Approved 2/8/23

# 803 EDUCATIONAL SPECIFICATIONS FOR BUILDINGS AND SITES

Buildings and sites considered for purchase or construction by the school district 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 shall 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 shall be consistent with the education program and 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 shall be appointed.

The education specifications shall 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 shall be the responsibility of the superintendent to make a recommendation to the board regarding the specifications of buildings and sites.

First Reading Approved 1/11/23

Second Reading Approved 2/8/23

# 804 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 acquisition of sites.

First Reading Approved 1/11/23

Second Reading Approved 2/8/23

# 805 AWARD OF CONSTRUCTION CONTRACTS

The board supports economic development in Iowa, particularly in the school district community. Purchases by the school district will be made in Iowa for Iowa goods and services from locally-owned businesses located within the school district or from Iowa-based companies which offer good or services if the cost and other considerations are relative equal and they meet the required specifications.

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 Area Education Agency administrator will certify that the emergency repairs are necessary to prevent the closing of a school. The superintendent will comply with the competitive quotation process for those projects subject to the competitive quotations law. The school district will determine the process for obtaining quotation for projects below the competitive quote limit. The superintendent will recommend to the board a quotation for the project for approval subject to the legal requirements governing the award of contracts based upon quotations.

The award of construction contracts will generally be made to the lowest responsive, responsible bid or quotation. 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 or quotation other than the lowest bid or quotation. The board will have the right to reject any or all bids or quotations, 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 to the board regarding which bid or quotation to accept and the reason for the superintendent's recommendation.

First Reading Approved 1/11/23

Second Reading Approved 2/8/23

# 806 FINANCING SITES AND CONSTRUCTION

The board will, as needed, use any means of financing construction and site purchases provided for under law. The board may also use money received from gifts, donations, and bequests and money derived from the sale of school district buildings and/or sites.

First Reading Approved 1/11/23

Second Reading Approved 2/8/23



## 807 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 is the responsibility of the superintendent, in cooperation with administration, faculty, and maintenance personnel, to maintain the school district buildings and sites. As part of this responsibility, a maintenance schedule will be created and adhered to in compliance with this policy.

First Reading Approved 1/11/23

Second Reading Approved 2/8/23

## 808 REQUESTS FOR IMPROVEMENTS

Generally, except for emergency situations, requests for improvements or repairs are made to the superintendent by building principals and the head custodian. Requirements for requests outlined in the maintenance schedule will 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 will be followed.

First Reading Approved 1/11/23

Second Reading Approved 2/8/23

# 809 EMERGENCY REPAIRS

In the event of an emergency requiring repairs in excess of the statutory minimums required by law, to a school district facility are necessary to correct or control the situation and to prevent the closing of school, the provisions relating to bidding will not apply.

It is the responsibility of the superintendent to obtain certification from the Area Education Agency administrator stating such repairs were necessary to prevent the closing of school.

It is the responsibility of the superintendent to notify the board as soon as possible considering the circumstances of the emergency.

First Reading Approved 1/11/23

Second Reading Approved 2/8/23

# 810 BUILDINGS AND SITES ADAPTATION FOR PERSONS WITH DISABILITES

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 will 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.

First Reading Approved 1/11/23

Second Reading Approved 2/8/23

# 811 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 will 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 will be reported to the local law enforcement authorities.

First Reading Approved 1/11/23

Second Reading Approved 2/8/23

# 812 ENERGY CONSERVATION

In concert with the board's goal to utilize public funds in an effective and efficient manner, employees and students will 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, appropriately regulating the temperature of the facility, particularly when it is not in use, and keeping windows and doors properly closed or open, depending upon weather conditions.

It is the responsibility of the superintendent to develop energy conservation guidelines for employees and students. Employees and students will abide by these guidelines.

First Reading Approved 1/11/23

Second Reading Approved 2/8/23

# 813 DIPOSITION OF EQUIPMENT

School district property, such as equipment, furnishings or supplies or any other property that is not real property (hereafter equipment), will be disposed of when it is determined to be of no further use to the school district. It is the objective of the school district in disposing of the equipment to achieve the best available price or most economical disposal.

Equipment having a value of less than \$25,000 will be disposed of in a manner determined by the superintendent or designee. The disposal of equipment in this manner will be published in a newspaper having general circulation in the school district.

A public hearing will be held regarding the disposal of the equipment with a value of \$25,000 or more prior to the board's final decision. The board will adopt a resolution announcing the proposed disposal and will publish notice of the time and place of the public hearing. A description of the property will be in the resolution. Notice of the public hearing will be published at least once, but not less than ten (10) days and not more than twenty (20) days, prior to the hearing date. Upon completion of the public hearing, the board may make a final determination on the proposal contained in the resolution.

Proceeds from the sale or disposition of equipment will be deposited into the fund which was used to account for the acquisition of the equipment. If the school district is unable to determine which fund was used to account for the acquisition of the equipment or if the fund no longer exists in the school district, the proceeds from the sale or disposition of equipment will be placed in the general fund.

First Reading Approved 1/11/23

Second Reading Approved 2/8/23

# 814 LEASE, SALE OR DISPOSAL OF SCHOOL DISTRICT BUILDINGS AND SITES

Decisions regarding the lease, sale or disposal of school district real property are made by the board. In making its decision the board will consider the needs of the education program and the efficient use of public funds.

Prior to the board's final decision regarding real property, a public hearing will be held. The board will adopt a resolution announcing the proposed sale which will contain notice of the time and place of the public hearing and the description of the property or locally known address. Notice of the time and place of the public hearing will be published at least once, but not less than ten (10) days and not more than twenty (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 law.

In the case of the demolition of a school district facility or structure, the board will follow all applicable laws regarding competitive bidding for the demolition project.

The superintendent is responsible for coordinating the action necessary for the board to accomplish the lease, sale or disposal of school district real property, including student-constructed buildings. It will also be the responsibility of the superintendent to make a recommendation to the board regarding the use of school district real property not being utilized for the education program.

Proceeds from the disposition of real property will be deposited into the fund which was used to account for the acquisition of the property. If the school district is unable to determine which fund was used to account for the acquisition of the property or if the fund no longer exists in the school district, the proceeds from the sale or disposal of real property will be placed in the physical plant and equipment levy fund. Proceeds from the lease of real property will be placed in the general fund.

First Reading Approved 1/11/23

Second Reading Approved 2/8/23



# 815 FACILITIES INSPECTIONS

A program for annual inspection, in addition to those conducted by authorized agencies, of the equipment, facilities, and grounds will be conducted as part of the maintenance schedule for school district buildings and sites. The results of this inspection will 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.

First Reading Approved 1/11/23

Second Reading Approved 2/8/23

# 816 WARNING SYSTEM AND EMERGENCY PLANS

The school district shall maintain a warning system designed to inform students, employees, and visitors in the facilities of an emergency. The system shall be maintained on a regular basis under the maintenance plan for the school district buildings and sites. Students shall be informed of this system according to board policy. Each classroom and office shall have a plan for helping those in need of assistance to safety during an emergency. This shall include, but not be limited to students and employees with disabilities. Licensed employees shall be responsible for instructing students on the proper techniques to be followed during an emergency.

First Reading Approved 1/11/23

Second Reading Approved 2/8/23

# 817 BOMB THREATS

As soon as a bomb threat is reported to the administration, the potentially affected area should be cleared immediately. A thorough search will be made by the appropriate school district or law enforcement officials. Employees and students will remain outside the potentially affected area until it is determined that danger no longer exists.

It is the responsibility of the superintendent to file a report or keep a report of each incident for the school district records.

First Reading Approved 1/11/23

Second Reading Approved 2/8/23

# 818 ASBESTOS CONTAINING MATERIAL

The board will implement the rules of the Asbestos Hazard Emergency Response Act (AHERA) and provide the necessary funding to implement the response actions as required. The board will appoint a designated person as required as well as provide required training for maintenance and custodial works. Each school district building will maintain a copy of the school district's asbestos management plan.

Friable and non-friable 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 non- asbestos containing materials.

First Reading Approved 1/11/23

Second Reading Approved 2/8/23

# 900 PRINCIPLES AND OBJECTIVES FOR COMMUNITY RELATIONS

Successful education programs require the support of the community. The board recognizes this support is dependent on the school district community's understanding of and participation in the efforts, goals, and programs of the school district.

The superintendent shall be responsible for initiating and administering a continuous program of communication within the community. The superintendent shall utilize school personnel and media in discharging this responsibility.

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 community as well as with agencies and organizations to best serve the welfare of its students.

First Reading Approved 7/13/2022

Second Reading Approved 8/15/2022

# 901 PUBLIC EXAMINATION OF SCHOOL DISTRICT RECORDS

Public records of the school district may be viewed by the public during the regular business hours of the administration offices of the school district. These hours are 8:00 a.m. to 4:00p.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. Persons wanting copies of public records may be assessed a fee for copies. The school district may require pre-payment of the costs prior to copy and mailing.

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.

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.

First Reading Approved 7/13/2022

Second Reading Approved 8/15/2022

# 902 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 is the spokesperson for the board, and the superintendent is the spokesperson for the school district. It is the responsibility of the superintendent, in consultation with the board president, to respond to inquiries from the news media about the school district.

Members of the news media seeking information about the school district will direct their inquiries to the superintendent. The superintendent will accurately and objectively provide the facts and board positions in response to inquiries from the news media about the school district.

First Reading Approved 7/13/2022

Second Reading Approved 8/15/2022

# 903 NEWS CONFERENCES AND INTERVIEWS

The board president, on behalf of the board and the superintendent on behalf of the school district, may hold a news conference or respond to a request for an interview with the news media. It is the responsibility of the board president and the superintendent to keep the board apprised of news conferences and interviews.

News conferences and interviews planned or pre-arranged for school district activities may include a representative of the board and the superintendent. News conferences for issues requiring an immediate response may be held by the superintendent. It is within the discretion of the superintendent to determine whether a news conference or interview is held to provide an immediate response to an issue.

School district personnel will refer interview requests and information requests from the news media to the superintendent. School district personnel may be interviewed or provide information about school district matters only after receiving permission from the superintendent or the superintendent's designee. It will be within the discretion of the superintendent to allow the news media to interview and to receive information from school district personnel.

First Reading Approved 7/13/2022

Second Reading Approved 8/15/2022



# 904 NEWS RELEASES

The superintendent, in consultation with the board president when appropriate, will determine when a news release about internal school district and board matters will be issued. In making this determination, the superintendent will strive to keep the media and the school district community accurately and objectively informed. Further, the superintendent will strive to create and maintain a positive image for the school district. It is 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 will be directed to the superintendent.

First Reading Approved 7/13/2022

Second Reading Approved 8/15/2022

# 905 LIVE BROADCAST OR RECORDING

Individuals may broadcast or record 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 is within the discretion of the superintendent to determine whether the request is unduly burdensome and whether the broadcast or recording will interfere with or disrupt the school district event.

Recording of classroom activities will be allowed at the discretion of the superintendent. Parents will be notified prior to recording of classroom activities.

First Reading Approved 7/13/2022

Second Reading Approved 8/15/2022

# 906 SCHOOL - COMMUNITY GROUPS

The board values the participation and the support of school district-community groups, including, but not limited to, 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 will 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 is the responsibility of the building principal and/or activity director to be the liaison with the school district-community groups affiliated with the building principal's attendance center.

First Reading Approved 7/13/2022

Second Reading Approved 8/15/2022

# 907 COMMUNITY RESOURCE PERSONS AND VOLUNTEERS

The board recognizes the valuable resource it has in the members of the school district community. When possible and in concert with the education program, members of the school district community may be asked to make presentations to the students or to assist employees in duties other than teaching when volunteering would be appropriate considering the needs of the educational program. The volunteer may be asked to agree to an appropriate background check as a condition of serving as a volunteer. The school district may officially recognize the contributions made by volunteers.

Recruitment, training, utilization, and the maintenance of records for the purposes of insurance coverage and/or recognition of school district volunteers is the responsibility of the superintendent.

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Second Reading Approved 8/15/2022

# 908 VISITORS TO SCHOOL DISTRICT BUILDINGS & SITES

The board welcomes the interest of parents and other members of the school district community and invites them to visit school district buildings and sites. Visitors, which include persons other than employees or students, must notify the principal of their presence in the facility upon arrival and sign in. Visitors who do not notify the principal of their presence in school district buildings or on sites may be considered trespassers.

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.

First Reading Approved 7/13/2022

Second Reading Approved 8/15/2022

# 909 PUBLIC CONDUCT ON SCHOOL PREMISES

School district sponsored or approved activities are an important part of the school district program and offer students the opportunity to participate in a variety of activities not offered during the regular school day. School district sponsored or approved activities are provided for the enjoyment and opportunity for involvement they afford the students.

The board expects that students, employees, and visitors will treat each other with respect, engage in responsible behavior, exercise self-discipline, and model fairness, equity, and respect. Individuals violating this policy will be subject to discipline. Students will be disciplined consistent with the student conduct policies and the law. Employees will be disciplined consistent with employee discipline policies and laws. Others will be subject to consequences according to this policy.

Individuals are permitted to attend school district sponsored or approved activities or visit school district premises 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 or disrupt the education program, enjoyment of the students participating, other individual or with the performance of student, employee, and officials supervising the school district or school district sponsored or approved activity. Individuals, like the student participants, are expected to display mature, responsible 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. Individuals will not be allowed to interfere with or disrupt the educational program or activity.

To protect the rights of students to participate in the education program or activities without fear of interference or disruption and to permit the school district officials, employees, and activity sponsors and officials of the school district sponsored or school district approved activities to perform their duties without interference or disruption, the following provisions are in effect:

- Abusive, verbal or physical conduct of individuals directed at students, school district officials, employees, officials and activity sponsors of school district sponsored or school district approved activities or at other individuals will not be tolerated.
- Verbal or physical conduct of individuals that interferes with the performance of students, school district officials, employees, officials and, activity sponsors of school district sponsored or school district approved activities will not be tolerated.
- The use of vulgar, obscene or demeaning expression directed at students, school district officials, employees, officials, and activity sponsors participating in a school district sponsored or school district 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 a school district sponsored or school district approved activity, the individual may be removed and may be excluded from school district premises by the superintendent. Law enforcement may be contacted for assistance.

If an individual has been excluded from school district premises by the superintendent, the individual may receive a written notice of exclusion. The notice will advise the individual of the school district's right to exclude the individual from school district premises and school district sponsored or school district approved activities and the duration of the exclusion. If the individual does not comply with the notice of exclusion, the individual will be asked to leave and will be advised that the individual's failure to leave may result in prosecution. The school district may obtain a court order for permanent exclusion from school district premises and future school district sponsored or school district approved activities.

First Reading Approved 7/13/2022

Second Reading Approved 8/15/2022

# 910 DISTRIBUTION OR DISPLAY OF MATERIALS

The board recognizes that students, employees, parents or citizens may want to distribute or display materials within the school district that are non-curricular. Noncurricular materials to be distributed or displayed must be approved by the building principal and meet certain standards prior to their distribution.

First Reading Approved 7/13/2022

Second Reading Approved 8/15/2022



# 911 DISTRIBUTION OR DISPLAY OF MATERIALS REGULATION

## I. Guidelines

Individuals, including students, may have the right to distribute or display on school district premises, at reasonable times and places, unofficial written material, petitions, buttons, badges or other insignia, except expression which:

- is obscene to minors;
- is libelous;
- contains indecent, vulgar, profane or lewd language;
- advertises any product or service not permitted to minors by law;
- 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, color, creed, religion, sex, gender identity, disability, age or ethnic origin);
- presents a clear and present likelihood that, either because of its content or the manner of distribution or display, it will cause a material and substantial disruption of the proper and orderly operation and discipline of the school district or school district activities, will cause the commission of unlawful acts or the violation of lawful school district regulations.

Distribution or display on school district premises of material in categories (a) through (d) above to any student is prohibited. Distribution or display on school premises of material in categories (e) and (f) above to a substantial number of students is prohibited.

## II. Procedures

Anyone wishing to distribute or display 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 the desired distribution or display time, together with the following information:

- The name and phone number of the person submitting the request, and if the person is a student, the student's grade and homeroom;
- The date(s) and time(s) of day of the intended display or distribution;
- The location(s) where the material will be displayed or distributed;
- The grade(s) of the 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 or display the material is denied, the

person submitting the request should be informed in writing of the reasons for the denial. Permission to distribute or display material does not imply approval of its contents by either the school district, 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 or displayed 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 or displayed in accordance with the time, place, and manner provisions in subsection III.

At every level of the process, the person submitting the request shall have the right to appear and present the reasons, supported by relevant witnesses and material, as to why distribution or display of the written material is appropriate.

Permission to distribute or display 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 or display of written materials is prohibited when it negatively affects the safety of students on school district premises or otherwise disrupts school district activities. The distribution or display of unofficial material shall be limited to a reasonable time, place, and manner as follows:

- The material shall be displayed at or distributed from a table set up for the purpose in a location designated by the principal. The location shall not block the safe flow of traffic, block the corridors or entrance ways or negatively affect the safety of students and shall give reasonable access to students.
- The material shall be distributed or displayed either before and/or after the regular instructional day.
- No written material may be displayed or distributed during and at the place of a normal school district activity if it is reasonably likely to cause a material and substantial disruption of the activity.

### IV. Definitions

The following definitions apply to the terms used in this policy:

- Obscene to minors is defined as:
  - 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;
  - 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
  - The material, taken as a whole, lacks serious literary, artistic, political or scientific value for minors.
- Minor means any person under the age of eighteen.
- Material and substantial disruption of a normal school activity is defined as follows:
  - Where the normal school activity is an educational program of the school 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.
  - Where the normal school district activity is voluntary in nature (including, without limitation, school district athletic events, school district plays and concerts, and lunch periods), material and substantial disruption is defined as student rioting, unlawful seizures of property, widespread shouting or boisterous demonstrations, sit-ins, stand-ins, walk-outs 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 forecast including past experience in the school district, current events influencing student activities and behavior, and instances of actual or threatened disruption relating to the written material in question.

- School district activities means any activity of students sponsored by the school district and includes, by way of example, but not limited to, classroom work, library activities, physical education classes, official assemblies and other similar gatherings, school district athletic contests, band concerts, school district plays, and in-school district lunch periods.
- School district premises means school district property and/or property within the jurisdiction of the school district and school district owned and/or operated transportation. School district premises includes, but is not limited to, school district buildings, school district grounds, school district busses, and locations under the jurisdiction of the school district where school district activities are held.
- Unofficial written material includes all written material except school district newspapers, literary magazines, yearbooks, and other publications funded and/or sponsored or authorized by the school district. Examples include leaflets, brochures, fliers, petitions, placards, and underground newspapers, whether written by students or others.
- Libelous is a false and unprivileged statement about a specific individual that tends to harm the individual's reputation or to lower him or her in the esteem of the community.

- 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 district which are generally frequented by students.

V. Disciplinary Action

Distribution or display 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 district premises immediately, and if necessary, local law enforcement officials will be contacted.

VI. Notice of Policy to Students

A copy of this policy will be published in student handbooks or posted conspicuously in school district buildings.

First Reading Approved 7/13/2022

Second Reading Approved 8/15/2022

# 912 TRANSPORTING STUDENTS IN PRIVATE VEHICLES

Generally, transporting students for school district purposes shall be done in a vehicle owned by the school district and driven by a school vehicle driver. Students may be transported, in extreme cases, by private vehicles for school district purposes. It shall be within the discretion of the superintendent or designee to determine when this is appropriate.

Individuals transporting students for school district purposes in private vehicles must have the permission of the superintendent or designee and meet all applicable requirements set by the school district. Private vehicles will be used only when:

:

- The vehicle used to transport the student(s) is in good condition and meets all applicable safety requirements;
- The driver transporting the student(s) possesses a valid drivers' license, must not be subject to any driver's license suspension, revocation, cancellation, denial or bar and have not committed an offense or act which, either alone or with previous offenses or acts, could result in license suspension, revocation, cancellation, denial or bar, and must be the owner of the vehicle or have the owner's permission to operate the vehicle;
- Proof of insurance has been supplied to the superintendent and the insurance satisfies the minimum coverage requirements for driving personal vehicles in the State of Iowa ; and
- The parents of the student(s) 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. If transportation is not provided by the school district, or if transportation provided by the school district is declined by the student or parent/guardian, then the responsibility and corresponding liability for transportation for school district purposes shall rest solely with the student and parent/guardian.

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

First Reading Approved 7/13/2022

Second Reading Approved 8/15/2022

# 913 ADVERTISING AND PROMOTION

The use of students' names and/or likenesses, employees' names and/or likenesses, the school district name and/or likeness, and/or the school district's buildings and sites for advertising and promoting products and/or services of entities and organizations operating for a profit shall be prohibited unless approval has been obtained from the board. Non-profit entities and organizations may be allowed to use students' names and/or likenesses, employees' names and/or likenesses, the school district name and/or likeness or the school district's buildings and sites if the purpose is educationally related, it is permitted under the law, and prior approval has been obtained from the board in accordance with board policies and procedures and the law.

First Reading Approved 7/13/2022

Second Reading Approved 8/15/2022

# 914 COMMUNITY USE OF SCHOOL DISTRICT FACILITIES AND EQUIPMENT

School district facilities and equipment will be made available to

local nonprofit entities which promote cultural, educational, civic, community or recreational activities. Entities shall include organizations, groups, 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 district-related activity, the use is consistent with the 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 shall be within the discretion of the superintendent to allow use of school district facilities and equipment on Sundays.

Entities who wish to use school district facilities or equipment must apply at the superintendent's office or with the designated person. It shall be 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 shall be 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 shall be supervised by an employee of the school district unless special prior arrangements are made with the superintendent. The school district employee shall not accept a fee from the entity using school district facilities and equipment. If appropriate, the school district may recoup the cost of paying the employee by charging a fee to the entity.

Entities that use school district facilities or equipment must leave the facilities or equipment in the same condition the facilities or equipment 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 Board may allow non-profit groups to use school district facilities and equipment without charge. While such groups may use the school district facilities and equipment without charge, they may be required to pay a custodial fee<sup>\*\*\*</sup>.

First Reading Approved 7/13/2022

Second Reading Approved 8/15/2022

# 915 Rental Agreement for Use of School Property

## Facility Rental Contract

Fee Schedule (All fees will be set by the school administration)

Kitchen: Up to \$35.00

Kitchen help: Up to \$16 per hour

Multi-Purpose room: Up to \$30.00  
when kitchen is used)

(District cook required

Kitchen and Multi Combined: Up to \$55.00  
\$18 per hour

Custodial Services: Up to

Large Gymnasium: Up to \$55.00  
supervision, and tear down)

(Includes set up,

Classrooms: \$10.00 per room

Sponsoring  
Organization: \_\_\_\_\_  
\_\_\_\_\_

Responsible Adult  
Supervisor: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Cell  
Phone: \_\_\_\_\_

Address: \_\_\_\_\_ City, State,  
Zip: \_\_\_\_\_

Date of Use: \_\_\_\_\_ Time  
Period: \_\_\_\_\_

Rooms to be used: \_\_\_\_\_ Fee: \_\_\_\_\_

\_\_\_\_\_ Fee: \_\_\_\_\_

\_\_\_\_\_ Fee: \_\_\_\_\_

\_\_\_\_\_ Fee: \_\_\_\_\_

\_\_\_\_\_ Fee: \_\_\_\_\_



Sub Total: \_\_\_\_\_

Number of hours needed for custodial services and supervision: \_\_\_\_\_

Fee: \_\_\_\_\_

Number of hours needed for kitchen help: \_\_\_\_\_

Fee: \_\_\_\_\_

Sub Total: \_\_\_\_\_

Total Fee Due: \_\_\_\_\_

All damages and services provided will be charged to the sponsoring organization.

Signature of Sponsoring Organization

representative: \_\_\_\_\_ date \_\_\_\_\_

Signature of School District

representative: \_\_\_\_\_ date \_\_\_\_\_

School Equipment Needed

Chairs: Y/N \_\_\_\_\_ Number required: \_\_\_\_\_ Podium: Y/N \_\_\_\_\_

Tables: Y/N \_\_\_\_\_ Number required: \_\_\_\_\_ Sound System: Y/N \_\_\_\_\_

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

\_\_\_\_\_

Please draw or explain the desired set up or needs for your event below:

First Reading Approved 7/13/2022

Second Reading Approved 8/15/2022

# 916 COMMUNITY USE OF SCHOOL DISTRICT FACILITIES AND EQUIPMENT INDEMNITY AND LIABILITY INSURANCE AGREEMENT

The undersigned, hereafter referred to as entity, states that it will hold the Moravia Community School District, hereafter referred to as school district, its board of directors, individual board members, employees, officers, agents, and representatives harmless from any and all damages and claims that may arise out of the entity's use of any facilities or equipment owned by the school district. In case any action is brought therefore against the school district, its board of directors, individual board members, employees, officers, agents or representatives, 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 attorney 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 for 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. Such insurance will include the Moravia Community School District as an additional named insured in the policy carried by the entity and described above.

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

\_\_\_\_\_  
District

First Reading Approved 7/13/2022

Second Reading Approved 8/15/2022

# 917 COMMUNITY USE OF SCHOOL DISTRICT FACILITIES AND EQUIPMENT REGULATION

- There shall be no alcoholic beverages brought to or consumed in school district facilities and on school district grounds.
- School facilities shall not be available until 1:00 P.M. on Sundays.
- The use of tobacco and nicotine products in school district facilities and on school district grounds, including in private vehicles parked on school district grounds shall be prohibited.
- A school district employee must be present while the school district facility or equipment is being used.
- After a school facility or equipment has been used by an entity, cleaning, including restoring the facility or equipment to the condition it was in prior to its use, will be done by school district employees assisted by a representatives from the entity. Fees for such work will be charged to the entity as part of the rental fee charged for the use of the facility or equipment . However, if excessive costs are involved in cleaning or otherwise restoring the facility 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.
- Entities are required to stay within the area of the school district facility and use only the school district equipment authorized by the school district for use by the entity. Other school district facilities or areas in the school district building or equipment are off limits to the entity.

•  
A cancellation after the facility or equipment is made ready for the entity shall be charged at the full rate. Cancellation made prior to that time shall be charged a minimum cancellation fee or the costs incurred to the school district in anticipation of the entity's use, whichever is greater

8. School district sponsored activities will always have priority over use of school district facilities and equipment requested by entities.

First Reading Approved 7/13/2022

Second Reading Approved 8/15/2022

# 918 Employee and Student Use of School District Facilities and Equipment

The board will permit school district employees to use school district facilities and equipment when such use is directly related to their employment. The board will permit students to use school district facilities and equipment when the facility or equipment is to be used in connection with their studies or extra-curricular activities. Proper controls will be established to ensure responsibility for, and return of, all such facilities and equipment in good condition.

The building principal and/or superintendent will approve the use of facilities and equipment and such use will be subject to the board's policies and rules regarding the use of school district facilities and equipment.

First Reading Approved 7/13/2022

Second Reading Approved 8/15/2022

# 919 TOBACCO-FREE ENVIRONMENT

The use of tobacco and nicotine products; including, but not limited to, cigarettes, nicotine chew, snus, dissolvables, electronic cigarettes, any electronic devices that can be used to deliver nicotine to the person inhaling from the device, any other look-alike products in which the original would include tobacco and/or nicotine and/or other nicotine products that are not approved by the Federal Drug Administration for tobacco cessation; on school district property; including in school district buildings, on school district grounds, in school district vehicles, or at any school district activity; is prohibited.

This requirement extends to students, employees, volunteers, and visitors. This policy applies at all times, including school district sponsored and non-school district sponsored events. Persons failing to abide by this policy are required to cease using the tobacco and/or nicotine product, properly dispose of the tobacco and/or nicotine product and refrain from using tobacco and/or nicotine products in the future. Persons failing to abide by the requirements of this policy will be required to leave the school district premises immediately. It is the responsibility of the administration to enforce this policy.

First Reading Approved 7/13/2022

Second Reading Approved 8/15/2022

# 920 UNMANNED AIRCRAFT – DRONES

The following policy applies to the extent not preempted by federal or state regulatory jurisdiction regarding unmanned aircraft. For purposes of this policy, the term unmanned aircraft means an aircraft that is operated without the possibility of direct human intervention from within or on the aircraft.

The school district believes in maintaining the safety, security, and privacy of students, employees, and visitors. In keeping with this belief, the use or possession of unmanned aircraft is prohibited on school district property or in the space above the property that reasonably can be considered part of the school district property.

The superintendent may make an exception to this policy in specific cases where the circumstances warrant such exception. In such situations and prior to approval, unmanned aircraft operators shall:

- Supply proof of insurance meeting liability limits established by the school district;
- Present appropriate registration and authorization issued by the Federal Aviation Administration (FAA);
- Sign an agreement holding the school district harmless from any claims by individuals, citations by governmental authorities or damage to property; and
- Meet additional requirements as determined appropriate by the school district.

If the unmanned aircraft are operated as part of the school district curriculum, prior to adoption into the curriculum, school district employees shall work with school district administration to ensure the appropriate insurance, registration, and authorizations are in place.

Unmanned aircraft shall be operated in accordance with Iowa High School Athletic Association and Iowa Girls High School Athletic Union policy.

Failure to abide by this policy may result in local, state, and federal penalties if applicable.

First Reading Approved 7/13/2022

Second Reading Approved 8/15/2022