Board Policy Manual

SHENANDOAH COMMUNITY SCHOOL DISTRICT

KERRI NELSON

Shenandoah Community Schools does not illegally discriminate on the basis of race, color, national origin, gender, gender identity, disability, religion, creed, age (for employment), marital status (for programs), sexual orientation, gender 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 the district's Equity Coordinator, Aaron Burdorf, Shenandoah CSD 601 Dr. Creighton Cir., Shenandoah, IA. 51601, 712-246-2520, burdorfa@shencsd.com

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INTRODUCTION

This policy manual contains the policies of the board of directors of the Shenandoah Community School District. Policy development is a dynamic, ongoing process. New problems, issues, and needs give rise to the continuing need to develop new policies or to revise existing ones.

How To Use This Policy Manual

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

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

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

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

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

How To Find A Policy

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

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

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

-R This symbol following a policy code number indicates the statement is an administrative regulation rather than a board policy. These statements appear on yellow paper.

-E This symbol following a policy code number indicates the statement is an exhibit rather than a board policy. These statements appear on green paper.

Legal Reference: This sign indicates the legal references. They tell the user where the user may find the statutes, case law, attorney general opinions, or administrative rules that give authority to a policy.

Cross Reference: Many policies in the manual related to other policies in the manual. Cross references are provided to assist the user in finding all of the related policies.

Inquiries about the policies included in this manual may be directed to the board members or to the superintendent by telephone at (712) 246-1581 or by writing the school district at 304 W. Nishna Road, Shenandoah, IA 51601.

THE SCHOOL DISTRICT (Series 100)

100 LEGAL STATUS OF THE SCHOOL DISTRICT

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

This school corporation is located in Page, Fremont, Mills and Montgomery Counties, and its affairs are conducted by elected school officials, the Shenandoah Community School District Board of Directors. This school corporation has exclusive jurisdiction over school matters in the territory of the school district.

Legal Reference: Iowa Code §§ 274.1, .2, .6, .7; 278.1(9); 279.8; 594A (2009).
Cross Reference: 200 Legal Status of the Board of Directors

Approved 8-8-94 Reviewed 11/07/16 Revised 9-14-09

101 EDUCATIONAL PHILOSOPHY OF THE SCHOOL DISTRICT

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

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

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

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

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

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

Approved 8/8/94 Reviewed 11/07/16 Revised 9/14/09

101.1 MISSION STATEMENT

The Shenandoah Community School District, in partnership with families and the community, will provide each student an educational environment that maximizes his or her potential to become responsible, successful citizens and lifelong learners in an ever-changing world.

Approved 8/8/94 Reviewed 11/07/16 Revised 11/11/13

102 SCHOOL DISTRICT INSTUCTIONAL ORGANIZATION

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

Elementary: Pre-kindergarten through fourth grade will attend at the PK-8 Building in Shenandoah. Middle School: Fifth grade through eighth grade will attend at the PK-8 Building in Shenandoah.
High School: Ninth grade through twelfth grade will attend at the Shenandoah High School in Shenandoah.

Alternative High School, otherwise known as the Flex Ed Center, will serve students in grades 9-12 at the High School.

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

Legal Reference: Iowa Code §§ 256.11, .11A; 275.1; 279.11; 280.14 (2009).

Cross Reference: 501 Student Attendance

Approved 8/8/94 Reviewed 7/10/17 Revised 7/10/17

103 EQUAL EDUCATIONAL OPPORTUNITY

It is the goal of the board to develop a healthy, social, intellectual, emotional, and physical self-concept in the students enrolled in the school district. Each student attending school will have the opportunity to use 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 Shenandoah Community School 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. The belief in equal education opportunity serves as a guide for the board and employees in making decisions related to school 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 any questions or a grievance related to this policy please contact Aaron Burdorf, Equity Coordinator, 601 Dr. Creighton Cir., Shenandoah, IA 51601, (712) 246-2520, burdorfa@shencsd.com.

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

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

Inquires by students regarding compliance with equal educational opportunity and affirmative action laws and policies, including but not limited to complaints of discrimination, are directed to the Affirmative Action Coordinator by writing to the Affirmative Action Coordinator, Aaron Burdorf, Shenandoah Community School District, 601 Dr. Creighton Cir, Shenandoah, IA 51601; or by telephoning (712) 246-2520.

Inquiries by students regarding compliance with equal educational opportunity and affirmative action laws and policies, including but not limited to complaints of discrimination, may also be directed in writing to the Director of the Region VII office of Civil Rights, U.S. Department of Education, John C. Kluczynski Federal Building, 230 S. Dearborn St., 37th Floor, Chicago, IL, 60604 (312) 730-1560, fax (312) 730-1576 OCR.Chicago@ed.gov, the Iowa Civil Rights Commissioner, https://icrc.iowa.gov, (515) 281-4121 or the Iowa Dept. of Education, Grimes State Office Bldg., 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.

This is a mandatory policy.

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

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

NOTE: Some conduct that falls under a school's equal educational opportunity policy also may trigger responsibilities under the state's anti-bullying/anti-harassment laws. By limiting the response to a specific

application of its equal educational opportunity policy and the accompanying grievance procedures, a school may fail to properly consider whether the alleged conduct also results in bullying and/or harassment.

Legal Reference:
20 U.S.C. §§ 1221 *et seq.*
20 U.S.C. §§ 1681 *et seq.*
20 U.S.C. §§ 1701 *et seq.*
29 U.S.C. § 206 *et. seq.*
29 U.S.C. § 794.
42 U.S.C. §§ 2000d and 2000e.
42 U.S.C. §§ 12101 *et seq.*
34 C.F.R. Pt. 100.
34 C.F.R. Pt. 104.
Iowa Code §§ 216.6; 216.9; 256.11; 280.3.
281 I.A.C. 12.

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

Approved 8/8/94 Reviewed 4/12/21 Revised 4/12/21

103.E1 SECTION 504 NOTICE OF NONDISCRIMINATION

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

(Title) Equity Coordinator, Aaron Burdorf

(Where Located) Shenandoah K-8 Building

(Telephone Number) (712) 246-2520

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

Approved 1/11/99 Reviewed 6/22/20 Revised 6/22/20

Code No. 103. E2

103.E2 GRIEVANCE FORM FOR COMPLAINTS OF DISCRIMNATION OR NON-COMPLIANCE WITH FEDERAL OR STATE REGULATIONS REQUIRING NON- DISCRIMINATION

I,_____, am filing this grievance because

_____
_____
_____
_____
_____
_____
_____
_____
_____

(Attach additional sheets if necessary)

Describe incident or occurrence as accurately as possible:

_____
_____
_____
_____
_____
_____
_____
_____
_____

(Attach additional sheets if necessary)

Signature_____

Address_____

Phone Number_____

If student, Name_____Grade Level_____

Attendance Center_____

Approved 1/11/99 Reviewed 6/22/20 Revised 11/07/16

103.E3 GRIEVANCE DOCUMENTATION

Name of Individual Alleging Discrimination or Non-Compliance:

_____

Grievance Date:_____

State the nature of the complaint and the remedy requested:

_____
_____
_____
_____
_____
_____
_____
_____
_____

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

_____
_____
_____
_____
_____
_____
_____
_____
_____

Signature of Principal or Supervisor:_____

Approved 1/11/99 Reviewed 6/22/20 Revised 11/07/16

Code No. 103.E4

DISCRIMINATION COMPLAINT FORM

Date of complaint: _____

Name of Complainant: _____

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

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

Date and place of alleged incident(s): _____

_____

_____

Names of any witnesses (if any): _____

Nature of discrimination, harassment, or bullying alleged (check all that apply):

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

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

_____

_____

_____

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

Signature: _____ Date: _____

103.E4 SECTION 504 STUDENT AND PARENTAL RIGHTS

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

- Participation of your child in school district programs and activities, including extracurricular programs and activities, to the maximum extent appropriate, free of discrimination based upon the student's disability and at the same level as students without disabilities;
- Receipt of free educational services to the extent they are provided students without disabilities;
- Receipt of information about your child and your child's educational programs and activities in your native language;
- Notice of identification of your child as having a qualifying disability for which accommodations may need to be made and notice prior to evaluation and placement of your child and right to periodically request a re-evaluation of your child;
- Inspect and review your child's educational records including a right to copy those records for a reasonable fee. You also have a right to ask the school district to amend your child's educational records if you feel the information in the records is misleading or inaccurate should the school district refuse to amend the records, you have a right to a hearing and to place an explanatory letter in your child's file explaining why you feel the records are misleading or inaccurate;

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

(Title) Equity Coordinator, Aaron Burdorf

(Where located) Shenandoah K-8 Building (Telephone No.) 712-246-2520

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

Approved 1/11/99 Reviewed 6/22/20 Revised6/22/2020

103.R1 GRIEVANCE PROCEDURE

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

Level One Principal, Immediate Supervisor or Personal Contact Person
(Informal and Optional-may be bypassed by the grievant)

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

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

Level Two-Compliance Officer

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

Level Three-Superintendent/Administrator

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

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

Level Four-Appeal to Board

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

The Compliance Officer is:

Name Equity Coordinator, Aaron Burdorf

Office Address Shenandoah K-8 Building

Phone Number (712) 246-2520

Office Hours 8:00 a.m. – 4:00 p.m.

Approved 1/11/99 Reviewed 6/22/20 Revised 6/22/20

104 THE PEOPLE AND THEIR SCHOOL DISTRICT

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

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

Legal Reference: Iowa Code § 279.8 (2009).

Cross Reference:
- 209.1 AD HOC Committee
- 215 Public Participation in the Board Meetings
- 401.15 Employee Political Activity
- 402.6 Employee Relations to the Public
- 504.7 Student Work/Intern Programs
- 703.1 Budget Planning
- 901 Public Communications
- 904.2 Community Resource Persons and Volunteers

Approved 8/8/94 Reviewed 6/22/20 Revised 9/14/09

104.1 ANTI-HARASSMENT/BULLYING POLICY

Harassment and bullying of students, employees, officers, board directors and volunteers are against federal, state and local policy, and are not tolerated by the board. The board is committed to providing all students, employees, officers, board directors and volunteers 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, employees, officers, board directors or volunteers or by other students, employees, officers, board directors, or volunteers or by others such as parents, vendors, and persons doing business with the school district, will not be tolerated in the school or school district.

For the purpose of this policy, the term "volunteer" includes, but is not limited to, a person performing a service for the benefit of and at the request of the school district.

The board prohibits harassment, bullying, or hazing of students, employees, officers, board directors and volunteers based on any of the following actual or perceived traits or characteristics: age, color, creed, national origin, race, religion, marital status, sex, sexual orientation, gender, 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, employees, officers, board directors and volunteers are on property within the jurisdiction of the board; while on school-owned or school-operated vehicles; while attending or engaged in school-sponsored or school approved activities or functions regardless of location; 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 officer or board director is found to be in violation of this policy, the officer or director shall be subject to appropriate measures which may include public reprimand or removal from office, in accordance with applicable board policies and procedures and the law. 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.

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

Places the student, employee, officer, board director or volunteers in reasonable fear of harm to their person or property;

- Has a substantially detrimental effect on the student's, employee's, officer's, board director's or volunteer's physical or mental health;
- Has the effect of substantially interfering with the student's academic performance or an employee's, officer's, board director's or volunteer's work performance; or
- Has the effect of substantially interfering with the student's, employee's, officer's, board director's or volunteer'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 effect of causing injury, discomfort, fear, or suffering to the victim;
- Repeated remarks of demeaning nature that have the 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 effect of causing injury, discomfort, fear, or suffering to the victim;
- Demeaning jokes, stories, or activities directed at the victim that have the purpose or effect of causing injury, discomfort, fear, or suffering to the victim; and/or
- Unreasonable interference with a victim's performance or creation of an intimidating, offensive, or hostile learning or work 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 or the individual's work or employment;
- Submission to or rejection of the conduct by a student or school employee is used as the basis for academic decisions affecting that student or employment decisions affecting the individual; or
- The conduct has the purpose or effect of substantially interfering with the student's academic performance or individual's work performance, or creating an intimidating, hostile or offensive education or work 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.

To the extent provided in Iowa Code Section 280.28, 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.

Retaliation, reprisal, or false accusation 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. A school officer or board director found to have retaliated in violation of this policy shall be subject to measures up to, and including, public reprimand and removal from office, in accordance with applicable board policies and procedures and the law. 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. Other persons found to have retaliated in violation of this policy shall be subject to appropriate measures as determined by the school district.

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 alleging bullying or harassment at the school building level. The superintendent or designee will be responsible for handling all complaints of bullying and harassment at the district administration or board level.

It also is the responsibility of the superintendent, in conjunction with principals, to develop procedures regarding this policy. The superintendent also is responsible for organizing training programs for students, employees, school officers, board directors and volunteers. The training will include how to recognize harassment and what to do in case someone is bullied or 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. The superintendent shall report to the board on the progress of reducing bullying and harassment.

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

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

And a copy shall be made available to any person at the central administrative office at 304 West Nishna, Shenandoah, IA 51601

Legal References:	20 U.S.C. §§ 1221-1234i (2004). 29 U.S.C. § 794 (1994). 42 U.S.C. §§ 2000d-2000d-7 (2004). 42 U.S.C. §§ 12001 *et. seq.* (2004). Senate File 61, 1st Regular Session, 82nd General Assembly, (2007). Iowa Code §§ 216.9; 280.3 (2009). 281 I.A.C. 12.3(6). Morse v. Frederick, 127 S.Ct. 2618 (2007)
Cross References:	502 Student Rights and Responsibilities 503 Student Discipline 506 Student Records

Approved 10/8/07 Reviewed 6/22/20 Revised 11/07/16

104.E1 ANTI-BULLYING/HARASSMENT COMPLAINT FORM

Name of complainant: _____

Position of complainant: _____

Name of student or employee target: _____

Date of complaint: _____

Name of alleged harasser or bully: _____

Date and place of incident or incidents: _____

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

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

Description of misconduct: _____

_____

Name of witnesses (if any): _____

_____

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

_____

_____

Any other information: _____

_____

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

Signature: _____

Date: ____/____/_____

104.1E2 ANTI-BULLYING/HARASSMENT WITNESS DISCLOSURE FORM

Name of witness: _____

Position of witness: _____

Date of testimony, interview: _____

Description of incident witnessed: _____

_____

_____

_____

_____

Any other information: _____

_____

_____

_____

_____

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

Signature: _____

Date: _ /____/_____

104.1E3 DISPOSITION OF ANTI-BULLYING/HARASSMENT COMPLAINT FORM

Name of complainant: _____

Name of student or employee target: _____

Grade and building of student or employee: _____

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

_____

Date of initial complaint: _____

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

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

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: ____/____/_____

104.1R1 ANTI-HARASSMENT/BULLYING INVESTIGATION PROCEDURES

Individuals who feel that they have been harassed should:

Communicate to the bully/harasser that the individual expects the behavior to stop, if the individual is comfortable doing so. If the individual wants assistance communicating with the bully/harasser, the individual should ask a teacher, counselor, principal, or superintendent to help.

If the harassment does not stop, or the individual does not feel comfortable confronting the harasser, the individual should:

1. tell a teacher, counselor, principal or superintendent: and
2. write down exactly what happened, keep a copy and give another copy to the teacher, principal or superintendent 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 complainant said or did, either at the time or later;
   - how the complainant felt; and
   - how the bully/harasser responded.

COMPLAINT PROCEDURE

An individual who believes that the individual has been harassed or bullied will notify the building principal or designee for all complaints at the school building level. The superintendent or designee will be responsible for handling all complaints of bullying and harassment at the district administration or board level. The alternate investigator is the Equity Coordinator, Assistant Principal or designee. 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. However, completion of a complaint on the Harassment/Bullying Complaint form is not mandatory for purposes of investigating a complaint. The complainant shall be given a copy of the completed complaint form. Information received during the investigation is kept confidential to the extent possible.

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

INVESTIGATION PROCEDURE
Level One

The building principal (or designee), for harassment or bullying occurring at the school building level, and the superintendent (or designee), for harassment or bullying occurring at the district administration or board level, will assign an investigator. The investigator will be designated by the building principal or superintendent and can be a supervisor, a building or district administrator, or a designated level 1 investigator for Chapter 102 complaints. The complainant should be informed of these choices and given the opportunity for input into the choice of investigator assigned to the complaint. Once assigned, the investigator will reasonably and promptly commence the investigation. The investigator will interview the complainant and the alleged harasser/bully. The alleged harasser/bully may file a written statement in response to the complaint. The investigator may also interview witnesses and consider other evidence as deemed appropriate. Upon completion of the investigation, the investigator will make written findings and conclusions as to each allegation of harassment or bullying and report the findings and conclusions to the principal (or designee), superintendent (or designee) or board president (or

designee), depending upon whether the alleged harassment or bullying occurred at the school building or district administration or board level. The investigator will provide a copy of the written findings and conclusions of the investigation to the principal (or designee), superintendent (or designee) or board president (or designee), as appropriate.

Following receipt of the investigator's report, the principal, superintendent, or board president designee, as appropriate, may investigate further, if deemed necessary, and make a determination of any appropriate additional steps, which may include discipline or other remedial action.

Prior to the determination of the appropriate discipline or other remedial action, the principal, superintendent, or designee, as appropriate, may, at his/her discretion, interview the complainant and the alleged harasser/bully. The principal, superintendent, or designee, as appropriate, 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/bully and the investigator will receive notice as to the conclusion of the investigation. The principal, superintendent, or designee, as appropriate will maintain a log of information necessary to comply with Iowa Department of Education reporting procedures.

Level Two

If the complaint is not resolved at level one to the satisfaction of the complainant or the alleged harasser/bully, the grievant(s) may appeal the findings to the superintendent or appropriate designee. The filing of the level two complaint must be within fifteen (15) working days from the date of the conclusion of the level one investigation and must be made in writing using the anti-harassment/bullying complaint form stating the nature of the grievance. The grievant may request a meeting concerning the complaint with the superintendent or designee. A parent or guardian may accompany a minor student. The superintendent or designee shall investigate the complaint and attempt to resolve it. A written report from the superintendent or designee regarding action taken will be sent to the involved parties within fifteen (15) working days after receipt of the level two complaint.

POINTS TO REMEMBER IN THE INVESTIGATION

- Evidence uncovered in the investigation is treated as confidential, to the extent possible.
- Complaints must be taken seriously and investigated.
- No retaliation will be taken against individuals involved in the investigation process.
- Individuals who retaliate will be subject to discipline as appropriate.
- The totality of the circumstances will be considered in determining whether conduct constitutes harassment or bullying in violation of this policy.
- Students, employees, officers, board directors, and volunteers are expected to fully and fairly cooperate in any investigation.

CONFLICTS

If the designated investigator is the subject of or a witness to the incident or is otherwise personally affected by the complaint procedures related to the incident, an alternate investigator shall investigate the complaint. If the building principal, superintendent, or designee involved in the investigation procedure and resolution of the complaint is the subject of or a witness to the incident or is otherwise personally affected by the complaint procedures related to the incident, an alternate administrator shall serve as a substitute.

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

The Superintendent for the school district is responsible for ensuring the proper implementation of this policy and

procedures.

The Superintendent: Dr. Kerri Nelson
Address: 304 West Nishna, Shenandoah, IA 51601 Phone Number: (712) 246-1581

105 LONG-RANGE NEEDS ASSESSMENT

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

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

Reviewed 11/07/16

106 DISCRIMINATION AND HARASSMANT BASED ON SEX PROHIBITED

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

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

Any individual with questions about the District's Title IX policy and procedures, or who would like to make a report or file a formal complaint of sex discrimination or sexual harassment may contact the District's Title Coordinator, Aaron Burdorf, JK-8 Principal & Equity Coordinator, Shenandoah JK-8, 601 Dr. Creighton Circle, Shenandoah, IA 51601, (712) 246-2520, email burdorfa@shencsd.com.

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

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

Approved 10/12/20 Reviewed _____ Revised _____

BOARD OF DIRECTORS (Series 200)

200.1 ROLE OF THE BOARD OF DIRECTORS

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

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

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

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

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

Approved 8/8/94 Reviewed 11/7/16 Revised 10/12/09

200.2 ORGANIZATION OF THE BOARD OF DRECTORS

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

The board is organized for the purpose of setting policy and providing general direction for the school district. The board will hold its organizational meeting each year at the first regular meeting following the canvass of votes. The outgoing 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 outgoing board will adjourn and the new board will then begin. The 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 of the new board.

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

Cross Reference:
- 100 Legal Status of the School District
- 200.3 Powers of the Board of Directors
- 202 Board of Directors' Members
- 206.1 President
- 206.2 Vice-President
- 211.1 Annual Meeting

Approved 8/8/94 Reviewed 11/7/16 Revised 10/12/09

200.2R1 ORGANIZATIONAL MEETING PROCEDURES

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

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

Meeting Procedure

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

Final Meeting of the Retiring Board

1. Call to order.
2. Roll call.
3. Approval of minutes of previous meeting(s).
4. Communications.
5. Visitors.
6. Unfinished business.
   (a) Current claims and accounts (for the retiring board to authorize).
   (b) Other items. If any members of the board feels the board should consider any unfinished business, even if only to identify it as unfinished business, the member should address the issue at this time.
7. Review of election results. The board secretary will present the county auditor's official report on the latest elections. Official results are recorded in the minutes.
8. Adjournment of the retiring board.

Organizational Meeting of the New Board

1. Board secretary, as president pro tem, will preside over the meeting until a new board president is elected.
2. Call to order.
3. Roll call.
4. Oath of office. The board secretary will administer the oath to new members if the new members have not taken the oath office before the organizational meeting as stated in Board Policy 202.2
5. Election of a president of the board. The president pro tem calls for nominations; nominations need not be seconded. The board will then vote on the nominations. The secretary will announce the result of the vote, and the secretary will administer the oath of office to the newly elected president and the newly elected president will assume the chair.
6. Election of the vice-president. The president of the board will call for nominations; the nominations need not be seconded. The board will then vote on the nominations. The president will announce the results and administer the oath of office to the vice-president.

Other items of business at the organizational meeting may include:

7. Board resolution of appreciation recognizing the public service rendered by retiring board members.
8. Determination of dates, times, and places for regular meetings of the board.
9. Board resolution to define the operating rules and practices that will be followed by the new board.
10. Board resolution to authorize the interim payment of bills pursuant to policy 705.5
11. Communications.
12. Visitors.
13. Superintendent's report.
14. Adjournment.

Vacancies in Officer Positions

If any office of the board should become vacant between organizational meetings, such office will be filled by the remaining members of the board in accordance with this policy.

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

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

Approved 12/13/04 Reviewed 11/7/16 Revised 10/10/01

200.3 POWERS OF THE BOARD OF DIRECTORS

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

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

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

Legal Reference: Board of Directors of Ind. School Dist. Of Waterloo v. Green,
259 Iowa 1260, 147 N.W.2d 854 (1967)
Iowa Code §§ 28E; 274.1-2; 279.8 (20099
281 I.A.C.12.1(2).
1990 Op. Att'y Gen. 66.

Cross Reference:
100 Legal Status of the School District
200.4 Responsibilities of the Board of Directors
210 Board of Directors' Management Procedures

Approved 8/8/94 Reviewed 11/7/16 Revised 10/12/09

200.4 RESPONSIBILITIES OF THE BOARD OF DIRECTORS

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

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

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

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

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

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

Approved 8-8-94 Reviewed 11/07/16 Revised 9-14-09

201 BOARD OF DIRECTORS' ELECTIONS

The school election takes place on the second Tuesday in September of odd-number years. Each school election is used to elect citizens to the board to maintain a five-member board and to address other questions that must be submitted to the voters.

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

If a vacancy occurs on the board it may be filled by appointment within 30 days of the vacancy. If the board does not fill the vacancy by appointment, the board secretary will call a special election to fill the vacancy. Candidates for a seat created by a vacancy must file their nomination papers 30 days before the special election.

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

Legal Reference: Iowa Code §§ 39; 45; 47-53; 56-57; 63, 69; 274.7; 277; 278.1, 279.7 (2009).

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

Approved 8-8-94 Reviewed 11/07/16 Revised 9-14-09

202.1 QUALIFICATIONS

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

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

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

Legal Reference:	Iowa Code §§ 63; 68B; 277.4, .27; 279.7A	
(2009) Cross Reference:	201	Board of Directors' Elections
	202.4	Vacancies
	203	Board of Directors' Conflict of Interest

Approved 8-8-94 Reviewed 11/07/16 Revised 9-14-09

202.2 OATH OF OFFICE

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

Each newly-elected board member will take the oath of office prior to any action taken as a school official. The oath of office is taken by each new board member elected at the annual school election at or before the organizational meeting of the board. In the event of an appointment of 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.

> "Do you solemnly swear that you will support the Constitution of the United States and Constitution of the State of Iowa, and that you will faithfully and impartially to the best of your ability discharge the duties of the office of_____(naming the office) in Shenandoah Community School District as now and hereafter required by law?"

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

Cross Reference:
- 200.2 Organization of the Board of Directors
- 201 Board of Directors' Elections
- 202 Board of Directors Members
- 204 Code of Ethics
- 206 Board of Directors' Officers

Approved 8-8-94 Reviewed 11/07/16 Revised 9-14-09

202.3 TERM OF OFFICE

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

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

Legal Reference: Iowa Code §§ 69.12; 274.7; 279.6-.7
(2009) Cross Reference: 201 Board of Directors' Elections
202 Board of Directors Members

Approved 8-8-94 Reviewed 11/07/16 Revised 9-14-09

202.4 VACANCIES

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

If a vacancy occurs prior to the expiration of a term of office, the vacancy will be filled by board appointment within 30 days of the vacancy. The newly-appointed board member will hold the position until the next scheduled school election. At that time the appointed board member may run for three-year term, if one is available, or run for the remainder of the unexpired term.

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

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

Cross Reference:
201 Board of Directors' Elections
202.1 Qualifications
202.3 Term of Office

Approved 8-8-94 Reviewed 11/07/16 Revised 9-14-09

202.5 INDIVIDUAL AUTHORITY

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

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

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

Legal Reference: School Dist. Of Soldier Tp., Crawford Co. v. Moeller, 247 Iowa 239, 73 N.W.2d 43 (1955).
Beers v. Lasher, 209 Iowa 1158, 229 N.W. 821 (1930).
Andrew v. Stuart Savings Bank, 204 Iowa 570, 215 N.W. 807 (1927).
Iowa Code §§ 274.7; 379.8 (2009)

Cross Reference: 204 Code of Ethics
211 Board of Directors' Meetings

Approved 8-8-94 Reviewed 11/07/16 Revised 9-14-09

203 BOARD OF DIRECTORS' CONFLICT OF INTEREST

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

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

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

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

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

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

(4) If the outside employment or activity is 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.

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

non-school district employer of these individuals is a party to the contract.

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

Legal Reference: Iowa Code §§ 55; 68B, 71.1; 277.27; 279.7A; 301.28 (2009).

1990 Op. Att'y Gen. 37.
1988 Op. Att'y Gen. 21.
1986 Op. Att'y Gen. 10.
1984 Op. Att'y Gen. 23.
1982 Op. Att'y Gen. 302.
1978 Op. Att'y Gen. 295.
1976 Op. Att'y Gen. 89.
1974 Op. Att'y Gen. 137.
1936 Op. Att'y Gen. 237.

Cross Reference:

201	Board of Directors' Elections
202.1	Qualifications
204	Code of Ethics
219.3	Board of Directors' Member Compensation and Expenses
221	Gifts to Board of Directors
401.4	Nepotism

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204 CODE OF ETHICS

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

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

AS A SCHOOL BOARD MEMBER:

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

IN MEETING MY RESPONSIBILITY TO MY SCHOOL DISTRICT COMMUNITY

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

IN MY RELATIONSHIP WITH SUPERINTENDENT AND EMPLOYEES

1. I will function, in meeting the legal responsibility that is mine, as a part of a legislative, policy- forming body, not as an administrative officer.
2. I will recognize that it is my responsibility, together with that of my fellow board members, to see the school district is properly run and not to run them myself.
3. I will expect the school district to be administered by the best-trained technical and professional people it is possible to procure within the financial resources of the school district.
4. I will recognize the superintendent as executive officer of the board.
5. I will work through the administrative employees of the board, not over or around them.
6. I will expect the superintendent to keep the board adequately informed through oral and written reports.
7. I will vote to employ employees only after the recommendation of the superintendent has been received.
8. I will insist that contracts be equally binding on teachers and the board.
9. I will give the superintendent power commensurate with the superintendent's responsibility and will not in any way interfere with, or seek to undermine, the superintendent's authority.
10. I will give the superintendent friendly counsel and advice.
11. I will present any personal criticism of employees to the superintendent.
12. I will refer complaints to the proper administrative officer.

TO COOPERATE WITH OTHER SCHOOL BOARDS

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

Legal Reference: Iowa Code §§ 21.6(3)(d); 68B; 69; 277.28; 279.7A, 279.8, 301.28 (2009).

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

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205 BOARD SECURITY AND PROTECTION

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

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

Legal Reference: Iowa Code §§ 21.7; 279.8; 716.7 (2009)

Cross Reference: 212 Open Meeting
215 Public Participation on Board Meetings

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205.1 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 school district community. In carrying out the duties and responsibilities of their office, board members will act in good faith.

The school 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 school district will not save harmless or indemnify board members for punitive damages.

Legal Reference: Wood v. Strickland, 420 U.S. 308 (1975).
42 U.S.C. §§ 1983, 1985 (1994).
Iowa Code ch. 670 (2009).

Cross Reference: 709 Insurance Program

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206.1 PRESIDENT

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

The president of the board is elected by a majority vote at the organizational meeting of (September or October board meeting of even-numbered years) to serve a one-year term of office.

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

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

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

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

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

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206.2 VICE-PRESIDENT

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

The vice-president of the board will be elected by a majority vote at the organizational meeting each year to serve a one-year term of office.

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

Legal Reference: Iowa Code § 279.5 (2009).

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

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206.3 SECRETARY-TREASURER

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

A board secretary-treasurer may be appointed from employees, other than a position requiring a teaching certificate, or from the public. To finalize the appointment, the board secretary-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 board secretary-treasurer, as custodian of school district records, to preserve and maintain the records and documents pertaining to the business of the board; to keep complete minutes of special and regular board meetings, including closed sessions; to keep a record of the results of regular and special elections; to keep an accurate account of school funds; to sign warrants drawn on the school funds after board approval; and collect data on truant students. The board secretary-treasurer will also be responsible for filing the required reports with the Iowa Department of Education.

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

In the event the board secretary-treasurer is unable to fulfill the responsibilities set out by the board and the law, the secretary pro-tem will assume those duties until the board secretary-treasurer is able to resume the responsibility or a new board secretary-treasurer is appointed.

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

Legal Reference:	Iowa Code §§ 12B.10; 12C; 64; 277.27; 279.3, .5, .7, .31-.33, .35; 291.2-.4, .6-.15; 299.10, .16 (2009). 281 I.A.C. 12.3(1). 1978 Op. Att'y Gen. 328.
Cross Reference:	202.2 Oath of Office 211.1 Annual Meeting 218 Board of Directors' Records 704.3 Investments 707 Fiscal Reports 708 Care, Maintenance and Disposal of School District Records

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207 BOARD OF DIRECTORS' LEGAL COUNSEL

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 school 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 school district. The board president may contact and seek advice from the school 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 school 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 school district.

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

Cross Reference: 200.3 Powers of the Board of Directors
202.5 Individual Authority

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208 BOARD OF DIRECTORS' SELF-EVALUATION

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

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

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

Legal Reference: Iowa Code § 279.8 (2009).

Cross Reference: 217 Board of Directors' Relationships

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209.1 AD HOC COMMITTEES

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

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

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

Legal Reference: Iowa Code §§ 21; 279.8; 280.12(2) (2009).
281 I.A.C. 12.3(3), .3(8); .5(8).
O.A.G., Nov. 18, 1993

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

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209.1E1 AD HOC COMMITTEES EXHIBIT

Ad Hoc Committee Purpose and Function

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

Role of an Ad Hoc Committee Member

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

Ad Hoc Committee Membership

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

210.1 DEVELOPMENT OF POLICY

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

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

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

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

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

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210.2 ADOPTION OF POLICY

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

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

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

Legal Reference:	Iowa Code § 279.8 (2009) 281 I.A.C. 12.3(2). 1970 Op. Att'y Gen. 287.
Cross Reference:	200.3 Powers of the Board of Directors 200.4 Responsibilities of the Board of Directors 210 Board of Directors' Management Procedures

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210.3 DISSEMINATION OF POLICY

A board policy manual is housed in the Central Administration office and online at www.shenandoah.k12.ia.us. Each board member may have a personal copy of the board policy manual. Persons wishing to review the board policy manual may contact the board secretary, who will have a board policy manual available for public inspection, or direct them to the on-line version at www.shenandoah.k12.ia.us.

It is the responsibility of the board secretary to ensure copies of new and revised policy statements are on-line and in the policy manual at the Central Administration office no later than the first regular board meeting following the policy's adoption. Copies of changes in board policy will also be included in or attached to the minutes of the meetings in which the final action was taken to adopt the new or changed policy.

Legal Reference:	Iowa Code §§ 277.31; 279.8 (2009). 281 I.A.C. 12.3(2).
Cross Reference:	200.4 Responsibilities of the Board of Directors 210 Board of Directors' Management Procedures

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210.4 SUSPENSION OF POLICY

Generally, the board will follow board policy and enforce it equitably. The board, and only the board, may, in extreme emergencies of a very unique nature, suspend policy. It is within the discretion of the board to determine when an extreme emergency of a very unique nature exists.

Board policy will not be suspended by the administration or employees. Board policy may only be suspended by the board. Reasons for suspension of board policy will be documented in board minutes.

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

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

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210.5 ADMINISTRATION IN THE ABSENCE OF POLICY

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

It 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.

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

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

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210.6 REVIEW AND REVISION OF POLICY

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

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

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

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

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

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210.7 REVIEW OF ADMINISTRATIVE REGULATIONS

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

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

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

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

Cross Reference:
- 101 Educational Philosophy of the School District
- 200.4 Responsibilities of the Board of Directors
- 210 Board of Directors' Management Procedures

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211.1 ANNUAL MEETING

Each year after August 31 and prior to the organizational meeting of the board, the board will hold its annual meeting.

At the annual meeting, the board will examine the financial books and settle the secretary's and treasurer's statements for the fiscal year ending the preceding June 30. As part of the annual reports, the treasurer will present affidavits from depository banks.

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

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

Cross Reference:
206.3 Secretary-Treasurer
701.1 Fiscal Reports
701.2 Depository of Funds

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211.2 REGULAR MEETING

The regular meeting time and date will be set by the board at its organizational meeting. The regular meetings of the board will be held on the second Monday of each month at the Administration Center, 304 West Nishna Road.

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

Legal Reference:	Iowa Code §§ 21.3, .4; 279.1 (2009). 1980 Op. Att'y Gen. 148.
Cross Reference:	200.1 Organization of the Board of Directors 211 Board of Directors' Meetings

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211.3 SPECIAL MEETING

It may be necessary for the board to conduct a special meeting in addition to the regularly scheduled board meeting. Special meetings may be called by the president of the board or by the board secretary at the request of a majority of the board. Should a special meeting be called, public notice 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. Emergency meetings will only be held when an issue cannot wait twenty-four hours necessary for a special meeting. The reason for the emergency meeting and why notice in its usual manner could not be given will be stated in the minutes.

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

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

Cross Reference: 200.2 Organization of the Board of Directors

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211.4 WORK SESSIONS

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

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

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

Cross Reference: 212 Open Meetings

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211.5 MEETING NOTICE

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

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

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

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

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

Cross Reference: 200.2 Organization of the Board of Directors
214.1 Board Meeting Agenda

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211.6 QUORUM

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

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

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

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

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

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211.7 RULES OF ORDER

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

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

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

The purpose of modified rules adopted by the board are:

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

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

Cross Reference:214.1 Board Meeting Agenda

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211.8 METHOD OF VOTING

In keeping with the public nature of the meeting, votes by the board shall be roll call votes.

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

Legal Reference: Iowa Code §§ 21.3; 279.8 (2009)
Cross Reference: 206.3 Secretary-Treasurer
213 Closed Sessions

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212 OPEN MEETINGS

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

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

Cross Reference:
213 Closed Sessions
214 Board of Directors' Meeting Agenda
703.1 Budget Planning

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213 CLOSED SESSIONS

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

Exceptions to the Open Meetings Law

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

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

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

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

1. To review or discuss records which are required or authorized by state or federal law to be kept confidential or to be kept confidential as a condition for the board's possession or receipt of federal funds.
2. To discuss strategy with legal counsel in matters presently in litigation, or where litigation is imminent, if disclosure would be likely to prejudice or disadvantage the board.
3. To discuss whether to conduct a hearing for suspension or expulsion of a student, unless an open meeting is requested by the student or the parent of the student.
4. To evaluate the professional competency of an individual whose appointment, hiring, performance, or discharge is being considered when a closed session is necessary to prevent needless and irreparable injury to that individual's reputation and that individual requests a closed session.
5. To discuss the purchase of particular real estate, but only when premature disclosure could be reasonably expected to increase the price the board would have to pay for the property.

Exemptions to the Open Meetings Law

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

1. Negotiating sessions, strategy meetings of public employers or employee organizations, mediation and the deliberative process of arbitration;
2. To discuss strategy in matters relating to employment conditions of employees not covered by the collective bargaining law;
3. To conduct a private hearing relating to the recommended termination of a teacher’s contract. However,

the private hearing in the teacher's contract termination will be recorded verbatim by a court reporter; and

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

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

Cross Reference: 209.1 Ad Hoc Committees
211 Open Meetings

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214.1 BOARD MEETING AGENDA

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

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

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

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

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

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

Cross Reference:
206 Board of Directors' Officers
212 Board of Directors' Meetings
211.5 Meeting Notice
214.2 Order of Regular Board Meeting
215 Public Participation in Board Meetings
218 Board of Directors' Records
901.1 Public Examination of School District Records

Approved 8/8/94 Reviewed 11/07/16 Revised 10/12/09

214.2 ORDER OF THE REGULAR BOARD OF DIRECTORS' MEETING

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

1. Call to order
2. Roll call and determination of quorum
3. Open forum
4. Welcome to audience
5. Recognition
6. Reports
7. Consent agenda approved
   A. Minutes
   B. Secretary's reports
   C. Claims and accounts
   D. Activity and food service accounts
   E. Transportation reports
   F. Personnel
   G. Open enrollment
   H. Routine agreements
8. Unfinished business
9. Action Items
10. Discussion
11. Closed sessions
12. Information items
13. Adjournment

The agenda required by the open meetings law should be included with the notice given at least 24 hours before the meeting and shall be specific enough to properly inform the public of the business before the board. The agenda can be amended within the 24-hour notice period only if good cause exists requiring action on an issue. If such matters are added, as much advance notice as possible should be given to the public and the media. This is not meant to prevent the board or members of the public from introducing items for discussion only such as during the open or public forum. Action on discussion items, however, must normally be deferred to a subsequent meeting when the legally required notice can be given.

Legal Reference: Iowa Code ch. 21 (2009).

Cross Reference:
- 211 Board of Directors' Meetings
- 214.1 Board of Director's Meeting Agenda
- 215 Public Participation in Board Meetings
- 218 Board of Directors' Records
- 901.1 Public Examination of School District Records

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214.3 CONSENT AGENDAS

In order for a more efficient administration of board meetings, the board may elect to use a consent agenda for the passage o non-controversial items or items of a similar nature. Such agenda items might include ministerial tasks such as, but not limited to, the approval of the agenda, approval of previous minutes, approval of bills, approval of reports, etc. These items might also include similar groups of decisions such as, but not limited to, approval of staff contracts, approval of maintenance details for the school buildings and grounds, open enrollment requests or approval of various schedules.

By using a consent agenda, the board has consented to the consideration of certain items as a group under one resolution. Items may be removed from the consent agenda at the request of a board member.

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

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

Cross Reference:

206	Board of Directors' Officers
211	Board of Directors' Meetings
214.2	Order of Regular Board of Directors' Meetings
215	Public Participation in Board Meetings
218	Board of Directors' Records
901.1	Examination of School District Records

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215 PUBLIC PARTICIPATION IN BOARD MEETINGS

The board recognizes the importance of citizen participation in school district matters. In order to assure citizens are heard and board meetings are conducted efficiently and in an organized manner, the board will set time aside for citizen participation, either at a specific time during the meeting or during the discussion of agenda items. The board will only receive the petitions and not act upon them or their contents. The board has the discretion to limit the amount of time set aside for public participation.

If the pressure of business or other circumstances dictate, the board president may decide to eliminate this practice for that meeting. The board president will recognize these individuals to make their comments at the appropriate time. 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 the comments, or another individual causing disruption may be asked to leave the board meeting.

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

Legal Reference: Iowa Code §§ 21; 22; 279.8 (2009)

Cross Reference:
- 205.1 Board Security and Protection
- 205.2 Board Member Liability
- 214.1 Board Meeting Agenda
- 216 Public Hearings
- 309 Communication Channels
- 401.5 Employee Complaints
- 402.5 Public Complaints About Employees
- 502.6 Student Complaints and Grievances
- 903 Public Participation In the School District

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215.1 GENERAL COMPLAINTS BY CITIZENS

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

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

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

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

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

Legal Reference: Iowa Code § 279.8 (2009)

Cross Reference:
214.1 Board Meeting Agenda
215 Public Participation in Board Meetings
402.5 Public Complaints About Employees
502.6 Student Complaints and Grievances

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216 PUBLIC HEARINGS

Public hearings may be held on school 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 for 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.

Legal Reference: Iowa Code §§ 24.9; 279.8, .10; 297.22 (2009).

Cross Reference: 214Board of Directors' Meetings
601.1 School Calendar
703.1 Budget Planning

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217.1 BOARD OF DIRECTORS AND SUPERINTENDENT

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

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

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

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

Cross Reference: 302.1 Administration and Board of Directors
303 Superintendent

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217.2 BOARD OF DIRECTORS AND EMPLOYEES

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

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

Legal Reference: Iowa Code § 20; 279 .8, .12-18 (2009)

Cross Reference:
- 401.5 Employee Complaints
- 401.7 Employee Relations to the Administration and to the Board
- 401.8 Employee Involvement in Decision Making
- 402.5 Public Complaints About Employees

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217.3 BOARD OF DIRECTORS AND ADJOINING DISTRICT BOARD OF DIRECTORS

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

Legal Reference: Iowa Code §§ 28E; 273 .8(2); 279.8; 280.13A, .15(2009)
1978 Op. Att'y Gen. 224.

Cross Reference: 410.2 Shared Licensed Employees

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217.4 BOARD OF DIRECTORS AND AREA EDUCATION AGENCY

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

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

Legal Reference: Iowa Code §§ 28E; 273; 279.8; (2009)
1978 Op. Att'y Gen. 224.

Cross Reference: 603.3 Special Education

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217.5 BOARD OF DIRECTORS AND ELECTED OFFICIALS

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

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

Legal Reference: Iowa Code §§ 68B; 279.8; (2009)
Cross Reference: 221 Gifts to the Board of Directors

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218 BOARD OF DIRECTORS' RECORDS

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.

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

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

Legal Reference:	Iowa Code §§ 21; 22; 279.8, .35, .36; 279.6, .7; 618.3 (2009) 281 I.A.C. 12.3(1) 1982 Op. Att'y Gen. 215. 1974 Op. Att'y Gen. 403. 1952 Op. Att'y Gen. 133.
Cross Reference:	206.3 Secretary-Treasurer 212 Open Meetings 213 Closed Sessions 902 Press, Radio, and Televisions News Media

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218.1E1 BOARD MEETING MINUTES

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

With respect to format the following is offered as a guideline:

1. The minutes should be typewritten on single sheets of durable white paper.
2. Pages should be numbered—use of the corporate type minute book is suggested.
3. Each item of business should have a brief topical heading in the right margin and motions should be numbered consecutively and annotated.
4. An index should be prepared for each year.
5. All minutes should be signed by the proper officers of the board.
6. A duplicate set of minutes should be kept.
7. The original minutes-book should be secured in a fire-proof safe, vault or file in the central administration office.
8. The duplicate set should be kept in a designated place in the central administration office or be otherwise readily available for inspection following approval by the board.

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

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

At the organizational meeting in September/October, the minutes should reflect the following:

26. Appointment of a temporary chairperson if not specified in policy.
27. Oath of office administered to newly elected board members.
28. Nominations taken for the office of president and vice-president.
29. Election of the president and vice-president, the votes and the oath of office administered to the president and vice-president.

219.1 ASSOCIATION MEMBERSHIP

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

Legal Reference: Iowa Code § 279.38 (2009).

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

Approved 8/8/94 Reviewed 11/07/16 Revised 10/12/09

219.2 BOARD OF DIRECTORS' MEMBER DEVELOPMENT AND TRAINING

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

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

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

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

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219.3 BOARD OF DIRECTORS' MEMBER COMPENSATION AND EXPENSES

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

Prior to reimbursement of actual and necessary expenses, the board member must submit a detailed receipt indicating the date, purpose and nature of the expense for each claim item. 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 school district no later than ten working days following the date of the expense. In exceptional circumstances, the board may allow a claim without proper receipt. Written documentation explaining the exceptional circumstances will be maintained as part of the school 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 school 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.

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

Cross Reference:
- 203 Board of Directors' Conflict of Interest
- 401.12 Employee Travel Compensation
- 401.16 Credit Cards
- 705.5 Payment for Goods and Services

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219.4 NEW BOARD OF DIRECTORS MEMBER ORIENTATION

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

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

Legal Reference: Iowa Code § 279.8 (2009)

Cross Reference: 219.1 Associate Membership

219.2 Board of Directors' Member Development and Training

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219.5 ACTIVITY PASSES FOR BOARD MEMBERS

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

It shall be the responsibility of the superintendent to ensure board members receive activity passes.

Legal Reference: Iowa Code § 279.8 (2009)

Cross Reference: 219 Board of Directors' Member Services

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220 SCHOOL VISITATION BY BOARD OF DIRECTORS

Board members are always welcome to visit the school building to observe the operations of the school district. Board members shall notify the central administration office when they are in the building for board-related business.

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

Legal Reference: Iowa Code § 279.8 (2009)
Cross Reference: 202.5 Individual Authority

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221 GIFTS TO BOARD OF DIRECTORS

Board members may receive a gift on behalf of the school 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 school district's jurisdiction.

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

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

wedding anniversary;

- Payment of salary or expenses by a board member's employer or the firm in which the board member is a member for the cost of attending a meeting of a subunit of an agency when the board member whose expenses are being paid serves on a board, commission, committee, council or other subunit of the agency and the board member is not entitled to receive compensation or reimbursement of expenses from the school district;
- Gifts other than food, beverages, travel and lodging received by a board member which are received from a person who is a citizen of a country other than the United States and is given during a ceremonial presentation or as a result of a custom of the other country and is of personal value only to the board member; or
- Actual registration costs for informational meetings or sessions which assist a public official or public employee in the performance of the person's official functions. The costs of food, drink, lodging and travel are not "registration costs" under this paragraph. Meetings or sessions which a public official or public employee attends for personal or professional licensing purposes are not "informational meetings or sessions which assist a public official or public employee in the performance of the person's official functions" under this paragraph.

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.

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

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

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222 NEGOTIATIONS

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

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

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

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

Legal Reference: Burlington Community School District v. PERB; 268 N.W.2d 517 (Iowa 1978) Iowa Code §§ 20.17; 21.9 (2009)
621 I.A.C.6.
1982 Op. Att'y Gen. 162.

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

Approved 8/8/94 Reviewed 11/07/16 Revised 10/12/09

ADMINISTRATION (Series 300)

300 ROLE OF SCHOOL DISTRICT ADMINISTRATION

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

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

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

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

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

Approved 8/8/94 Reviewed 11/07/16 Revised 9/14/09

301.1 MANAGEMENT

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

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

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

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

Approved 8/8/94 Reviewed 11/07/16 Revised 9/14/09

301.2 MANAGEMENT TEAM

The board and the administration of the school district believe in and endorse the concept of "team Management." This is an expression of the commitment to the belief that participatory management will result in comprehensive and efficient solutions to local educational concerns.

Decisions made by the management team in a collaborative way have more quality due to the inclusion of diverse approaches and greater quantity of informational input. There is more understanding of the decision and its rationale and a great commitment to the solution by team members. Group decision making improves the cohesiveness of attitudes, and favorable attitudes tend to be associated with high productivity.

The administrative team consists of the superintendent, the building principals, assistant principal and any other employees assigned administrative responsibilities whose day-to-day functions include the recruitment, the evaluation, and the recommendation of release and retention of employees.

The management team is more encompassing than the administrative team and includes all members of the board and the administrative team.

The board is responsible for making the final decision in all matters pertaining the school district policy. The board delegates the responsibility for the operation of schools to the superintendent and hence to other school administrators.

The superintendent is the chief executive officer for the board and the leader of the administrative team. These two roles are joined as the superintendent convenes meeting of the management team to discuss district policy development, administrative procedures and other matters as shall be brought to the superintendent's attention or which the superintendent deems appropriate. The management team shall convene from time to time when the board or the superintendent calls a meeting.

All members of the administrative team are accountable to the superintendent for their performance. All administrators are responsible for administering their areas of operation as defined by board policy and in keeping with the goals and objectives of the school district. The building administrator is responsible for administering an educational unit in accordance with the individual's management document.

All members of the management team have the responsibility for exercising full expression during the decision-making process which leads to recommendations for board action on policy matters. Those members of the team who shall be directly affected by the team's action shall be specifically called upon to provide the team with necessary information as well as their professional judgment as to the effects of the various proposed actions. An attempt will be made by all team members to reach mutual agreement on areas discussed.

Guidelines for implementation of this policy shall be a primary management team concern. These guidelines shall include, but not be limited to, the following:

- Procedures for convening the team;
- Procedures for implementing in-service management team training;
- Procedures for establishing team evaluation;
- Procedures for establishing administrator benefit concerns;
- Procedures for establishing administrator evaluation; and
- Procedures for implementing goals and objectives of the school district.

Legal Reference: Iowa Code § 279.8 (2009).
281 I.A.C. 12.3(3).

Cross Reference: 301 Administrative Structure
302 Administration Relationships

Approved 8/8/94 Reviewed 11/07/16 Revised 9/14/09

302.1 ADMINISTRATION AND BOARD OF DIRECTORS

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

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

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

Legal Reference: Iowa Code §§ 279.8, .20, .21 (2009).
281 I.A.C. 12.4(4).

Cross Reference:
301 Administrative Structure
302 Administration Relationships
306 Policy Implementation

Approved 8/8/94 Reviewed 11/07/16 Revised 9/14/09

302.2 ADMINISTRATION AND EMPLOYEES

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

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

Legal Reference: Iowa Code §§279.8, .20, .21, .23, .24 (2009).
281 I.A.C. 12.4.

Cross Reference:
301 Administrative Structure
302 Administration Relationships
306 Policy Implementation

Approved 8/8/94 Reviewed 11/07/16 Revised 9/14/09

302.3 ADMINISTRATION AND ADJOINING DISTRICT ADMINISTRATION

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

Legal Reference: Iowa Code §§ 28E; 257.11, .11A; 279.8; 280.13A, .15 (2009).

Cross Reference:
- 301 Administrative Structure
- 302 Administration Relationships
- 306 Policy Implementation
- 410.2 Shared Licensed Employees

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302.4 ADMINISTRATION AND AREA EDUCATION AGENCY

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

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

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

Legal Reference: Iowa Code §§ 28E; 279.8 (2009)

Cross Reference:
- 217.4 Board of Directors and Area Education Agency
- 301 Administrative Structure
- 302 Administration Relationships
- 306 Policy Implementation

Approved 8/8/94 Reviewed 11/07/16 Revised 9/14/09

303.1 SUPERINTENDENT QUALIFICATIONS, RECRUITMENT, APPOINTMENT

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

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

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

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

Legal Reference:
29 U.S.C. §§ 621-634 (1994).
42 U.S.C. §§ 2000e *et seq*. (1994).
Iowa Code §§ 21.5(1)(i); 35C; 216; 279.8, .20 (2009).
281 I.A.C. 12.4(4).
1980 Op. Att'y Gen. 367.

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

Approved 8/8/94 Reviewed 11/07/16 Revised 9/14/09

303.2 SUPERINTENDENT CONTRACT AND CONTRACT NONRENEWAL

The length of the contract for employment between the superintendent and the board is determined by the board. The contract will begin on July 1 and end on June 30. The contract will state the terms of employment.

The first two years of a contract issued to a newly employed superintendent is considered a probationary period. The board may waive this period or the probationary period may be extended for an additional year upon the consent of the superintendent. In the event of termination of a probationary or non-probationary contract, the board will afford the superintendent appropriate due process, including notice by May 15. The superintendent and board may mutually agree to terminate the superintendent's contract at any time.

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

It is the responsibility of the board to provide the contract for the superintendent.

If the superintendent wishes to resign, to be released from a contract, or to retire, the superintendent must comply with board policies dealing with retirement, release or resignation.

Legal Reference:
Cook v Plainfield Community School District, 301 N.W.2d 771 (Iowa App. 1980).
Board of Education of Fort Madison Community School District v. Youel, 282 N.W.2d 677 (Iowa 1979).
Briggs v Board of Directors of Hinton Community School District, 282 N.W.2d 740 (Iowa 1979).
Luse v. Waco Community School District of Henry Co., 258 Iowa 1087, 141 N.W.2d 607 (1966).
Iowa Code §§ 21.5(1)(i); 279.20, .22-.25 (2009).
281 I.A.C. 12.4(4).

Cross Reference:
303 Superintendent
305 Reduction in Administrative Positions

Approved 8/8/94 Reviewed 11/07/16 Revised 9/14/09

303.3 SUPERINTENDENT SALARY AND OTHER COMPENSATION

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

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

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

Legal Reference: Iowa Code §§ 279.8, .20 (2009).
1984 Op. Att'y Gen. 47.

Cross Reference: 303 Superintendent
401.12 Employees Travel Compensation

Approved 8/8/94 Reviewed 11/07/16 Revised 9/14/09

303.4 SUPERINTENDENT DUTIES

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

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

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

- Interprets and implements all board policies and all state and federal laws relevant to education;
- Supervises, either directly or through delegation, all activities of the school system according to, and consistent with, the policies of the board;
- Represents the board as a liaison between the school district and the community;
- Establishes and maintains a program of public relations to keep the public well-informed of the activities and needs of the school district, effecting a wholesome and cooperative working relationship between the school district and the community;
- Attends and participates in all meetings of the board, except when the superintendent has been excused, and makes recommendations affecting the school district;
- Reports to the board on such matters as deemed material to the understanding and proper management of the school district or as the board may request;
- Assumes responsibility for the overall financial planning of the district and for the preparation of the annual budget, and submits it to the board for review and approval;
- Establishes and maintains efficient procedures and effective controls for all expenditures of school district funds in accordance with the adopted budget, subject to the direction and approval of the board;
- Files, or causes to be filed, all reports required by law;
- Makes and records assignments and transfers of all employees pursuant to their qualifications;
- Establishes guidelines for organization of the teaching, administrative, and other licensed staff;
- Selects, hires, and promotes all licensed staff with the approval of the Board of Directors; Selects, hires, and promotes all non-licensed district employees within the limits of budgetary provisions
- Recommends to the board, for final action, the promotion, salary change, demotion, or dismissal of any employee;
- Prescribes rules for the classification and advancement of students, and for the transfer of students from one building to another in accordance with board policies;
- Summons employees of the school district to attend such regular and occasional meetings as are necessary to carry out the education program of the school district;
- Supervises methods of teaching, supervision, and administration in effect in the schools;
- Attends such conventions and conferences as are necessary to keep informed of the latest educational trends;
- Accepts responsibility for the general efficiency of the school system, for the development of the employees, and for the educational growth and welfare of the students;
- Defines educational needs and formulates policies and plans for recommendation to the board;
- Makes administrative decisions necessary for the proper functioning of the school district;
- Responsible for scheduling the use of buildings and grounds by all groups and/or organizations;
- Acts as the purchasing agent for the board, and establishes procedures for the purchase of books, materials and supplies;
- Approves vacation schedules for employees;
- Conducts period district administration meetings; and,

- Performs other duties as may be assigned by the board.
- Supervises the establishment or modification of the boundaries of school attendance and transportation areas subject to approval of the board.
- Directs studies of buildings and sites, taking into consideration population trends and the educational and cultural needs of the district in order to ensure timely decisions by the board and the electorate regarding construction and renovation projects.

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

Legal Reference: Iowa Code §§ 279.8, .20, 23A (2009).
281 I.A.C. 12.4(4).

Cross Reference:
210 Board of Directors' Management Procedures
301 Administrative Structure
302 Superintendent

Approved 8/8/94 Reviewed 11/07/16 Revised 9/14/09

303.5 SUPERINTENDENT EVALUATION

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

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

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

The formal evaluation will be based upon the following principles:

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

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

Legal Reference: Wedergren v. Board of Directors, 307 N.W.2d 12 (Iowa 1981).
Iowa Code §§ 279.8, .20, .23, .23A (2009).
281 I.A.C. 12.3(4).

Cross Reference: 213 Closed Sessions
Superintendent

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303.6 SUPERINTENDENT PROFESSIONAL DEVELOPMENT

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

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

The superintendent will report to the board after an event.

Legal Reference: Iowa Code § 279.8 (2009).
281 I.A.C. 12.7.

Cross Reference: 304.7 Administrator Professional Development
401.12 Employee Travel Compensation

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303.7 SUPERINTENDENT CIVIC ACTIVITIES

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

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

Legal Reference: Iowa Code § 279.8 (2009).
1990 Op. Att'y Gen. 79.

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

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303.8 SUPERINTENDENT CONSULTING/OUTSIDE EMPLOYMENT

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

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

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

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

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304.1 ADMINISTRATIVE POSITIONS

The school district will have, in addition to the superintendent, a principal responsible for high school, middle school and elementary school assigned annually by contract. Administrative duties will also be assigned as Activities/Athletic Director, Curriculum Director, Business Manager, and any other as deemed necessary by the board, annually by contract. These administrators will work closely with the superintendent in the day-to- day operations of the school district.

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

Legal Reference: Iowa Code §§ 279.8, .20, .21, .23-.24 (2009).
281 I.A.C. 12.4.

Cross Reference: 301 Administrative Structure
303 Administrative Employees

Approved 8/8/94 Reviewed 11/07/16 Revised 9/14/09

304.2 ADMINISTRATOR QUALIFICATIONS, RECRUITMENT, APPOINTMENT

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

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

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

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

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

Legal Reference: Iowa Code §§ 279.8, .21 (2009).
281 I.A.C. 12.4.
1980 Op. Att'y Gen. 367.

Cross Reference: 304 Administrative Employees

Approved 8/8/94 Reviewed 11/07/16 Revised 9/14/09

304.3 ADMINISTRATOR CONTRACT AND CONTRACT NONRENEWAL

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

The first two years of a contract issued to a newly employed administrator will be considered a probationary period. The board may waive this period. The probationary period may be extended for an additional year upon the consent of the administrator. In the event of termination of a probationary or non-probationary contract, the board will afford the administrator appropriate due process, including notice by May 15. The administrator and board may mutually agree to terminate the administrator's contract.

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

It is the responsibility of the superintendent to create a contract for each administrative position.

Administrators who wish to resign, to be released from a contract, or to retire, must comply with board policies regarding the areas of resignation, release or retirement.

Legal Reference:
Cook v Plainfield Community School District, 301 N.W.2d 771 (Iowa App. 1980).
Board of Education of Fort Madison Community School District v Youel, 282 N.W.2d 677 (Iowa 1979).
Briggs v Board of Education of Hinton Community School District, 282 N.W.2d 740 (Iowa 1979).
Iowa Code §§ 279.20, .22-.25 (2009).
281 I.A.C. 12.4(4), .4(7).

Cross Reference:
303 Superintendent
303 Reduction in Administrative Positions

Approved 8/8/94 Reviewed 11/07/16 Revised 9/14/09

304.4 ADMINISTRATOR SALARY AND OTHER COMPENSATION

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

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

Legal Reference: Iowa Code § 279.21 (2009).
1984 Op. Att'y Gen. 47.

Cross Reference: 304 Administrative Employees

Approved 8/8/94 Reviewed 11/07/16 Revised 9/14/09

304.5 ADMINISTRATOR DUTIES

Administrators will be hired by the board to assist the superintendent in the day-to-day operations of the school district.

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

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

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

Legal Reference: Iowa Code §§ 279.8, .21, .23A (2009).
281 I.A.C. 12.4(5), .4(6), .4(7).

Cross Reference: 301 Administrative Structure
304 Administrative Employees

Approved 8/8/94 Reviewed 11/07/16 Revised 9/14/09

304.6 ADMINISTRATOR EVALUATION

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

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

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

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

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

Legal Reference: Iowa Code §§ 279.8, .21-.23A (2009).
281 I.A.C. 12.3(4).

Cross Reference: 302.1 Administration and Board of Directors
304 Administrative Employees

Approved 8/8/94 Reviewed 11/07/16 Revised 9/14/09

304.7 ADMINISTRATOR PROFESSIONAL DEVELOPMENT

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

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

The administrator will report to the superintendent after an event.

Legal Reference: Iowa Code § 279.8 (2009).
281 I.A.C. 12.7.

Cross Reference: 303.6 Superintendent Professional Development
401.12 Employee Travel Compensation

Approved 8/8/94 Reviewed 11/07/16 Revised 9/14/09

304.8 ADMINISTRATOR CIVIC ACTIVITIES

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

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

Legal Reference: Iowa Code § 279.8 (2009).
1990 Op. Att'y Gen. 79.

Cross Reference: 303.7 Superintendent Civic Activities

Approved 8/8/94 Reviewed 11/07/16 Revised 9/14/09

304.9 ADMINISTRATOR CONSULTING/OUTSIDE EMPLOYMENT

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

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

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

Cross Reference: 304.3 Administrator Contract and Contract Nonrenewal
304.5 Administrator Duties

Approved 8/8/94 Reviewed 11/07/16 Revised 9/14/09

305 REDUCTION IN ADMINISTRATIVE POSITIONS

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

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

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

Legal Reference: In re Waterloo Community School District, 338 N.W.2d 153 (Iowa 1983).
Olds v Board of Education, Nashua Community School District, 334 N.W.2d 765 (Iowa App. 1983).
Iowa Code §§ 279.8, .21, .23, .24 (2009).

Cross Reference: 303 Superintendent
304 Administrative Employees

Approved 8/8/94 Reviewed 11/07/16 Revised 9/14/09

306.1 DEVELOPMENT AND ENFORCEMENT OF ADMINISTRATIVE REGULATIONS

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

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

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

It is the responsibility of the superintendent to enforce administrative regulations.

Legal Reference: Iowa Code § 279.8 (2009).

Cross Reference: 210 Board of Directors' Management Procedures
306.2 Monitoring of Administrative Regulations

Approved 8/8/94 Reviewed 11/07/16 Revised 9/14/09

306.2 MONITORING OF ADMINISTRATIVE REGULATIONS

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

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

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

Cross Reference: 210 Board of Directors' Management Procedures
306.1 Development and Enforcement of Administrative Regulations

Approved 8/8/94 Reviewed 11/07/16 Revised 9/14/09

307 ADMINISTRATOR CODE OF ETHICS

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

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

The professional school administrator:

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

Legal Reference: Iowa Code § 279.8 (2009).
282 I.A.C. 13.

Cross Reference: 404 Employee Conduct and Appearance

Approved 8/8/94 Reviewed 11/07/16 Revised 9/14/09

308 SUCCESSION OF AUTHORITY TO THE SUPERINTENDENT

In the absence of the superintendent, it is the responsibility of the other administrators to assume the superintendent's duties. The succession of authority to the superintendent is in this order: an administrator in the district with superintendent licensure, followed by an administrator designated by the board.

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

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

Legal Reference: Iowa Code § 279.8 (2009).
281 I.A.C. 12.4(4).

Cross Reference: 303 Superintendent

Approved 8/8/94 Reviewed 11/07/16 Revised 9/14/09

309 COMMUNICATION CHANNELS

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

If resolution is not possible by any of the above, individuals may bring it to the attention of the superintendent within 5 school days of their discussion with the principal. If there is no resolution or plan for resolution by the superintendent within 10 school days of the individual's discussion with the superintendent, the individual may ask to have the question or problem placed on the board agenda.

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

Legal Reference: Iowa Code § 279.8 (2003).

Cross Reference:
215.1 General Complaints by Citizens
401.5 Employee Complaints
502.6 Student Complaints and Grievances
504.3 Student Publications
900 Principles and Objectives for Community Relations

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EMPLOYEES (Series 400)

400 ROLE OF AND GUIDING PRINCIPLES FOR EMPLOYEES

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

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

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

Approved 08/08/94 Reviewed 08/14/17 Revised 11/14/05

401.1 EMPLOYEE ORIENTATION

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

New employees will be required to assume the responsibilities of their position immediately. The administration and the immediate supervisor shall be available to answer questions.

Legal Reference: Iowa Code §§ 20; 279.8 (2009)

Cross Reference:
- 401.7 Employee Relations to the Administration and to the Board
- 402.6 Employee Relations to the Public
- 404 Employee Conduct and Appearance

Approved 08/08/94 Reviewed 08/14/17 Revised 05/10/10

401.2 EQUAL EMPLOYMENT OPPORTUNITY

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

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

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

Prior to a final offer of employment for any district position, the district shall conduct background checks of the applicant(s) as required by law. The district shall also conduct or ensure the requisite follow-up background checks are conducted of employees at least every five years as required by law. An employee shall not be charged for background checks, except as permitted by Iowa law. The district reserves the right to conduct background checks for volunteers prior to initial service or at any time thereafter.

Advertisements and notices for vacancies within the district will contain the following statement: "The Shenandoah Community School District is an equal employment opportunity/affirmative action employer." The statement will also appear on application forms.

Inquiries by employees or applicants for employment regarding compliance with equal employment opportunity and affirmative action laws and policies, including but not limited to complaints of discrimination, will be directed to the Affirmative Action Coordinator by writing to the Affirmative Action Coordinator, Shenandoah Community School District, 304 West Nishna Road, Shenandoah, Iowa 51601; or by telephoning (712) 246-1581.

Inquiries by employees or applicants for employment regarding compliance with equal employment opportunity and affirmative action laws and policies, including but not limited to complaints of discrimination, may also be directed in writing to the Equal Employment Opportunity Commissions, Milwaukee Area Office, Reuss Federal Plaza, 310 West Wisconsin Ave., Suite 800, Milwaukee, WI., 53203-2292, (800) 669-4000 or TTY (800) 669-6820. http://www.eeoc.gov/field/milwaukee/index.cfm or the Iowa Civil Rights Commission, 400 E. 14th Street, Des Moines, Iowa, 50319-1004, (515) 281- 4121 or 1-800-457-4416, http://www.state.ia.us/government/crc/index.html. This inquiry or complaint to the federal office may be done instead of, or in addition to, an inquiry or complaint at the local level.

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

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

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

Approved 08/08/94 Reviewed 08/14/17 Revised 07/16/13

401.3 EMPLOYEE CONFLICT OF INTEREST

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

Employees have access to information and a captive audience that could award the employee personal or financial gain. No employee may solicit other employees or students for personal or financial gain to the employee without the approval of the superintendent. If the approval of the superintendent is given, the employee must conduct the solicitations within the conditions set by the superintendent.

Further, the superintendent may, upon five days notice, require the employee to cease such solicitations as a condition of continued employment.

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

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

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

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:

1. Cease the outside employment or activity; or
2. 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 interest of the outside employment activity.

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

It is the responsibility of each employee to be aware of and take the necessary action to eliminate a potential

conflict of interest should it arise.

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

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

Approved 08/08/94 Reviewed 08/14/17 Revised 11/14/11

401.4 NEPOTISM

More than one family member may be an employee of the school district. One family member employed by the school district may not be supervised or evaluated by another family member employed by the school district.

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

Legal Reference: Iowa Code §§ 20; 71; 277.27; 279.8 (2009).

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

Approved 08/08/94 Reviewed 08/14/17 Revised 05/10/10

401.5 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. Complaints will never be made in the presence of other employees, students or outside persons.

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

Legal Reference: Iowa Code §§ 20.7, .9; 279.8 (2009)

Cross Reference: 309 Communication Channels
402.5 Public Complaints about Employee

Approved 08/08/94 Reviewed 08/14/17 Revised 05/10/10

401.6 EMPLOYEE RECORDS

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

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

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

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

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

Legal Reference: Iowa Code Chs. 20,21,22,91B (2009)

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

Approved 08/08/94 Reviewed 08/14/17 Revised 09/12/11

401.6R1 EMPLOYEE RECORDS REGULATION

Employee Personnel Records Content

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

2. Employee health and medical records are kept in a file separate from the employee's personnel records. Health and medical records may contain, but are not limited to:
   - Medical professional signed physical form.
   - Sick or long-term disability leave days.
   - Worker's compensation claims.
   - Reasonable accommodation made by the school district to accommodate the employee's disability.
   - Employee's medical history.
   - Employee emergency names and numbers.
   - Family and medical leave request forms.

3. The following are considered public personnel records available for inspection:
   - The name and compensation of the individual, including any written agreement establishing compensation or any other terms of employment, except for that information that is otherwise protected. “Compensation” includes the value of benefits conferred including, but not limited to: casualty, disability, life or health insurance, other health or wellness benefits, vacation, holiday and sick leave, severance payments, retirement benefits and deferred compensation;
   - The dates the individual was employed by the government body;
   - The positions the individual holds or has held with the government body;
   - The educational institutions attended by the individual, including any diplomas and degrees earned, and the names of the individuals pervious employers, positions previously held and dates of previous employment;
   - The fact that the individual was discharged as the result of a final disciplinary action upon the exhaustion of all applicable contractual, legal and statutory remedies; and,
   - Personal information in confidential personnel records of government bodies relating to student employees shall only be released pursuant to the Family Educational Privacy Rights Act (FERPA.)

Applicant File Records Content

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

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

- Affirmative action form, if submitted.

Record Access

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

Employee Record Retention

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

Approved 08/08/94 Reviewed 08/14/17 Revised 09/12/11

401.7 EMPLOYEE RELATIONS TO THE ADMINISTRATION AND TO THE BOARD

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

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

Legal Reference: Iowa Code § 279.8 (2009)

Cross Reference 401.5 Employee Complaints
401.9 Employee Involvement in Decision Making

Approved 08/08/94 Reviewed 08/14/17 Revised 09/12/11

401.8 EMPLOYEE INVOLVEMENT IN DECISION MAKING

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

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

Legal Reference: Iowa Code § 279.8 (2009).

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

Approved 08/08/94 Reviewed 08/14/17 Revised 09/12/11

401.9 USE OF SCHOOL DISTRICT FACILITIES & EQUIPMENT BY EMPLOYEES

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

Employees may use the school district facilities for nonschool-sponsored events when it does not interfere with the delivery of the education program. Employees must have the permission of the appropriate supervisor, do it on their own time and must pay for the materials used. An employee's request will not supersede a prior request. The employee will be responsible for ensuring the building is in the condition it was found. For non-educational business, the employee will be responsible to meet the requirements set out by the principal when the request is granted.

Legal Reference: Iowa Code §§ 256.12; 279.8; 297.9 (2009).

Cross Reference: 905 Use of School District Facilities & Equipment

Approved 08/08/94 Reviewed 08/14/17 Revised 09/12/11

401.10 USE OF SCHOOL DISTRICT MATERIALS FOR INTERNAL COMMUNICATIONS

School district materials are purchased and used for the delivery of the education program. Employees may use school district materials and equipment for internal communication among themselves when the communication is directly related to the education program. Communications distributed to or between employees shall also be distributed to the building principal and the superintendent.

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

Legal Reference: Iowa Code § 279.8 (2009)

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

Approved 08/08/94 Reviewed 08/14/17 Revised 09/12/11

401.11 TRANSPORTING OF STUDENTS BY EMPLOYEES

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

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

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

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

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

Approved 08/08/94 Reviewed 08/14/17 Revised 05/10/10

401.12 EMPLOYEE TRAVEL COMPENSATION

Employees traveling on behalf of the school district and performing approved school district business will be reimbursed for their actual and necessary expenses. Actual and necessary travel expenses will include, but not be limited to, transportation and/or mileage costs, lodging expenses, meal expenses and registration costs. It shall be the responsibility of the superintendent to determine whether the requested trip is appropriate school district business for which actual and necessary expenses should be reimbursed to the employee.

The school district may pay the transportation costs for travel between school buildings during the performance of the employee's duty.

Standard mileage rates will be determined by the Internal Revenue Service (IRS) guidelines.

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

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

Approved 08/08/94 Reviewed 08/14/17 Revised 01/13/14

401.13 EMPLOYEE ACTIVITY PASSES

Passes for employees and their guest to school sponsored activities will be available to employees for working two school activities for no additional compensation. The employee may opt out of receiving a pass and working two school activities. An employee who receives a pass and does not work two school activities by the end of the fiscal year will be required to repay the district for the cost of the pass for the employee and guest.

Legal Reference: Iowa Code § 279.8 (2009).

Cross Reference:

Approved 08/08/94 Reviewed 08/14/17 Revised 03/10/14

401.14 RECOGNITION FOR SERVICE OF EMPLOYEES

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

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

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

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

Approved 08/08/94 Reviewed 08/14/17 Revised 05/10/10

401.15 EMPLOYEE POLITICAL ACTIVITY

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

Violation of this policy may be grounds for disciplinary action.

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

Cross Reference:
- 401.3 Employee Conflict of Interest
- 409.5 Licensed Employee Political Leave
- 414.5 Classified Employee Political Leave

Approved 08/08/94 Reviewed 08/14/17 Revised 05/10/10

401.16 CREDIT CARDS

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

School credit cards shall not be used for purchasing goods for personal use, for non-school matters, or for school related purchases that have not been authorized in advance. Violating any of these restrictions may result in discipline up to and including termination of employment. The use of a credit card for personal purchases may also violate the criminal code of Iowa and may be deemed misconduct in office.

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

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

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

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

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

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

Approved 08/08/94 Reviewed 08/14/17 Revised 09/12/11

401.17 STAFF TECHNOLOGY USE/SOCIAL NETWORKING

Computers are a powerful and valuable education and research tool and, as such, are an important part of the instructional program. In addition, the school district depends upon computers as an integral part of administering and managing the schools' resources, including the compilation of data and recordkeeping for personnel, students, finances, supplies and materials. This policy outlines the board's expectations in regard to these different aspects of the school district's computer resources.

Employees must conduct themselves in a manner that does not disrupt from or disrupt the educational process and failure to do so will result in discipline, up to and including, discharge.

General Provisions

The superintendent is responsible for designating a Technology Director who will oversee the use of school district computer resources. The Technology Director will prepare in-service programs for the training and development of school district staff in computer skills, appropriate use of computers and for the incorporation of computer use in subject areas.

The superintendent, working with appropriate staff, shall establish regulations governing the use and security of the school district's computer resources. The school district will make every reasonable effort to maintain the security of the system. All users of the school district's computer resources, including students, staff and volunteers, shall comply with this policy and regulation, as well as others impacting the use of school equipment and facilities. Failure to comply may result in disciplinary action, up to and including discharge, as well as suspension and/or revocation of computer access privileges.

Usage of the school district's computer resources is a privilege, not a right, and that use entails responsibility. All information on the school district's computer system is considered a public record. Whether there is an exception to keep some narrow, specific *content* within the information confidential is determined on a case by case basis. Therefore, users of the school district's computer network must not expect, nor does the school district guarantee, privacy for e-mail or use of the school district's computer network including web sites visited. The school district reserves the right to access and view any material stored on school district equipment or any material used in conjunction with the school district's computer network.

The superintendent, working with the appropriate staff, shall establish procedures governing management of computer records in order to exercise appropriate control over computer records, including financial, personnel and student information. The procedures will address:

- passwords,
- system administration,
- separation of duties,
- remote access,
- data back-up (including archiving of e-mail),
- record retention, and
- disaster recovery plans.

Social Networking or Other External Web Sites

For purposes of this policy any web site, other than the school district web site or school-school district sanctioned web sites, are considered external web sites. Employees shall not post confidential or proprietary information, including photographic images, about the school district, its employees, students, agents or other on any external web site without consent of the superintendent. The employee shall adhere to all applicable privacy and confidentiality policies adopted by the school district when on external web sites. Employees shall not use the school district logos, images, iconography, etc. on external web sites. Employees shall not use school district time

property on external sites that are not in direct-relation to the employee's job. Employees, students and volunteers need to realize that the Internet is not a closed system and anything posted on an external site may be viewed by others, all over the world. Employees, students and volunteers who don't want school administrators to know their personal information, should refrain from exposing it on the Internet. *[Employees should not connect with students via external web sites without consent of the superintendent.]* Employees, who would like to start a social media site for school district sanctioned activities, should contact the superintendent.

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

Legal Reference: Iowa Code § 279.8 (2011).
281 I.A.C. 13.35, .26

Cross Reference:

104	Anti-Bullying/Harassment
306	Administrator Code of Ethics
401.11	Employee Orientation
407	Licensed Employee Termination of Employment
413	Classified Employee Termination of Employment
605	Instructional Materials

Approved 07/11/11 Reviewed 08/14/17 Revised 07/11/11

401.17R1 STAFF TECHNOLOGY USE REGULATION

General

The following rules and regulations govern the use of the school district's computer network system, employee access to the Internet, and management of computerized records:

- Employees will be issued a school district e-mail account. Passwords must be changed periodically.
- Each individual in whose name an access account is issued is responsible at all times for its proper use.
- Employees are expected to review their e-mail regularly throughout the day, and shall reply promptly to inquiries with information that the employee can reasonably be expected to provide.
- Communications with parents and/or students must be made on a school district computer, unless in the case of an emergency, and should be saved and the school district will archive the e-mail records according to procedures developed by the Technology Director
- Employees may access the Internet for education-related and/or work-related activities.
- Employees shall refrain from using computer resources for personal use, including access to social networking sites.
- Use of the school district computers and school e-mail address is a public record. Employees cannot have an expectation of privacy in the use of the school district's computers.
- Use of computer resources in ways that violate the acceptable use and conduct regulation, outlined below, will be subject to discipline, up to and including discharge.
- Use of the school district's computer network is a privilege, not a right. Inappropriate use may result in the suspension or revocation of that privilege.
- Off-site access to the school district computer network will be determined by the superintendent in conjunction with appropriate personnel.
- All network users are expected to abide by the generally accepted rules of network etiquette. This includes being polite and using only appropriate language. Abusive language, vulgarities and swear words are all inappropriate.
- Network users identifying a security problem on the school district's network must notify appropriate staff. Any network user identified as a security risk or having a history of violations of school district computer use guidelines may be denied access to the school district's network.

Prohibited Activity and Uses

The following is a list of prohibited activity for all employees concerning use of the school district's computer network. Any violation of these prohibitions may result in discipline, up to and including discharge, or other appropriate penalty, including suspension or revocation of a user's access to the network.

- Using the network for commercial activity, including advertising, or personal gain.
- Infringing on any copyrights or other intellectual property rights, including copying, installing, receiving, transmitting or making available any copyrighted software on the school district computer network. *See Policy 605.7*, *Use of Information Resources* for more information.
- Using the network to receive, transmit or make available to others obscene, offensive, or sexually explicit material
- Using the network to receive, transmit or make available to others messages that are racist, sexist, and abusive or harassing to others.
- Use of another's account or password.
- Attempting to read, delete, copy or modify the electronic mail (e-mail) of other system users.
- Forging or attempting to forge e-mail messages.
- Engaging in vandalism. Vandalism is defined as any malicious attempt to harm or destroy school district equipment or materials, data of another user of the school district's network or of any of the entities or

other networks that are connected to the Internet. This includes, but is not limited to, creating and/or placing a computer virus on the network.

- Using the network to send anonymous messages or files.
- Revealing the personal address, telephone number or other personal information of oneself or another person.
- *[Using the network for sending and/or receiving personal messages.]*
- Intentionally disrupting network traffic or crashing the network and connected systems.
- Installing personal software or using personal disks on the school district's computers and/or network without the permission of the [*insert title*.]
- Using the network in a fashion inconsistent with directions from teachers and other staff and generally accepted network etiquette.

Other Technology Issues

Employees with personal cell phones should not be using the phones for school district business. Employees should contact students and their parents through the school district computer or phone unless in the case of an emergency or with prior consent of the principal. Employees should not release their cell phone number, personal e-mail address, etc. to students or their parents. Employees, who are coaches or sponsors of activities, may create a text list of students and parents in order to communicate more effectively as long as the texts go to all students and the principal is included in the text address list.

Approved 07/11/11 Reviewed 08/14/17 Revised 07/11/11

402.1 RELEASE OF CREDIT INFORMATION

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

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

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

Cross Reference: 401.6 Employee Records
901.1 Public Examination of School District Records

Approved 08/08/94 Reviewed 08/14/17 Revised 07/12/10

402.2 CHILD ABUSE REPORTING

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

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

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've taken the course within the previous five years. The course will be re-taken at least every five years.

NOTE: For more information, please visit the "Report Abuse and Fraud" section of the Iowa Department of Human Services' website, located at http://dhs.iowa.gov/report-abuse-and-fraud.

NOTE: Please remember there are two types of reporters identified in Iowa law: mandatory reporters and permissive reporters. Mandatory reporters are those individuals who are required by law to report suspected incidents of child abuse when they become aware of such incidents within the scope of their employment or professional responsibilities. Permissive reporters are not required by law to report abuse, but may choose to report to the Iowa Department of Human Services. While all licensed school employees, teachers, coaches and paraeducators are mandatory reporters within the scope of their profession, they are considered permissive reporters outside the scope of their profession.

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

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

Approved 08/08/94 Reviewed 06/19/17 Revised 06/19/17

402.2R1 CHILD ABUSE REPORTING REGULATION

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

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

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

Child Abuse Defined

"Child abuse" is defined as:

- Any nonaccidental physical injury, or injury which is at variance with the history given of it, suffered by a child as the result of the acts or omissions of a person responsible for the care of the child.
- The commission of a sexual offense with or to a child ... as a result of the acts or omissions of the person responsible for the child... Sexual offense includes sexual abuse, incest, and sexual exploitation of a minor.
- The failure on the part of a person responsible for the care of a child to provide for the adequate food, shelter, clothing or other care necessary for the child's welfare when financially able to do so. A parent or guardian legitimately practicing religious beliefs who does not provide specified medical treatment for a child for that reason alone will not be considered abusing the child ...
- The acts or omissions of a person responsible for the care of a child which allow, permit or encourage the child to engage in acts prohibited pursuant to *Iowa Code*, section 725.1 which deals with prostitution.
- Any mental injury to a child's intellectual or psychological capacities evidenced by an observable and substantial impairment in the child's ability to function within the child's normal range of performance and behavior as the result of the acts or omissions of a person responsible for the care of the child, if the impairment is diagnosed by a licensed physician or qualified mental health professional
- An illegal drug is present in a child's body as a direct and foreseeable consequence of the acts of omissions of the person responsible for the care of the child.

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

Reporting Procedures

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

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

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

- name and address of the person making the report.

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

Approved 08/08/94 Reviewed 08/14/17 Revised 07/12/10

402.3 ABUSE OF STUDENTS BY SCHOOL DISTRICT EMPLOYEES

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

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

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

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

Legal Reference: Iowa Code §§ 232.67, .70, .73, .75; 235A; 272A; 280.17; 709; 728.12(1) (2009).
281 I.A.C. 12.3(6), 102; 103.
441 I.A.C. 155; 175.
1980 Op. Att'y Gen. 275.

Cross Reference:
402.2 Child Abuse Reporting
403.7 Harassment
503.5 Corporal Punishment
507 Student Health and Well-Being

Approved 08/08/94 Reviewed 08/14/17 Revised 07/12/10

402.3E1 ABUSE OF STUDENTS BY SCHOOL DISTRICT EMPLOYEES
Complaint of Injury to or Abuse of a Student by a School District Employee

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

Student's name and address: _____

_____

Student's telephone no.: _____

Student's school: _____

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

_____

_____

Allegation is of _____Physical abuse _____sexual abuse*

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

_____

_____

_____

_____

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

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

_____

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

_____ Yes _____No Telephone Number _____

Has any professional person examined or treated the student as a result of the incident?_____yes_____no
_____unknown

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

_____

_____

Has anyone contacted law enforcement about this incident?_____yes_____no

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

_____
_____
_____
_____
_____

Your name, address and telephone number:

_____

Relationship to student: _____

_____ _____
Complainant Signature Witness Signature

_____ _____
Date Witness Name (please print)

_____
Witness Address

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

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

402.3E2 ABUSE OF STUDENTS BY SCHOOL DISTRICT EMPLOYEES
Report of Level I Investigation

Student's name: _____

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

Student's address: _____

Student's school: _____

Name of accused school employee: _____ Building: _____

Name and address of person filing report:

_____

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

_____

Date report of abuse was filed: _____ _____ _____

Allegation is of _____ Physical abuse _____ sexual abuse*

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

_____
_____
_____
_____
_____
_____

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

_____
_____
_____
_____

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

____ Yes_____No Was the right exercised?_____Yes ____No

Were audio tapes made of any interviews? _____yes _____no

Were video tapes made of any interviews? _____yes _____no

Was any action taken to protect the student during or as a result of the investigation?_____yes_____no

If yes, describe:

____student excused from school____school employee placed on leave

____student assigned to different class_____other (please specify)

Level I investigator's conclusions:

____ The complaint is being dismissed for lack of jurisdiction.

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

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

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

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

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

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

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

____ Complaint was withdrawn.

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

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

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

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

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

Current status of investigation:

___ Closed. No further investigation is warranted.

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

___ Deferred to law enforcement officials.

___ Turned over to Level II investigator.

Other comments: _____

_____

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

_____ _____

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

_____ _____

Signature of investigator Date

402.3R1 ABUSE OF STUDENTS BY SCHOOL DISTRICT EMPLOYEES REGULATION

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

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

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

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

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

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

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

Physical Abuse Allegations

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

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

confidential nature of the proceedings, to the student and other persons involved in the investigation.

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

The written investigative report will include:

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

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

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

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

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

1. Using reasonable and necessary force, not designed or intended to cause pain:
    a. To quell a disturbance or prevent an act that threatens physical harm to any person.
    b. To obtain possession of a weapon or other dangerous object within a pupil's control.
2. For the purposes of self-defense or defense of others as provided for in Iowa Code § 704.3.
3. For the protection of property as provided for in Iowa Code §§ 704.4, .5.
4. To remove a disruptive pupil from class, or any area of school premises or from school- sponsored activities off school premises.
5. To prevent a student from the self-infliction of harm.
6. To protect the safety of others.
7. Using incidental, minor, or reasonable physical contact to maintain order and control.
8. In determining the reasonableness of the contact or force used, the following factors are considered:
9. The nature of the misconduct of the student, if any, precipitating the physical contact by the school employee.
10. The size and physical condition of the student.
11. The instrumentality used in making the physical contact.
12. The motivation of the school employee in initiating the physical contact.
13. The extent of injury to the student resulting from the physical contact.

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

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

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

Sexual Abuse

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

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

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

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

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

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

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

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

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

The investigator will retain the original and provide a copy of the investigative report to the school employee named in the report, the school employee’s supervisor and the name student’s parent or guardian. The person

filing the report, if not the student's parent or guardian, is notified only that the Level I investigation has been concluded and of the disposition or anticipated disposition of the case.

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

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

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

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

402.4 GIFTS TO EMPLOYEES

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

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

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

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

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

- Payment of salary or expenses by the school district for the cost of attending a meeting of a subunit of an agency when the employee whose expenses are being paid serves on a board, commission, committee, council or other subunit of the agency and the employee is not entitled to receive compensation or reimbursement of expenses from the school district for attending the meeting; or
- Gifts other than food, beverages, travel and lodging received by an employee which are received from a person who is a citizen of a country other than the United States and is given during a ceremonial presentation or as a result of a custom of the other country and is of personal value only to the employee.
- Actual registration costs for informational meetings or sessions which assist a public official or public employee in the performance of the person's official functions. The costs of food, drink, lodging and travel are not "registration costs" under this paragraph. Meetings or sessions which a public official or public employee attends for personal or professional licensing purposes are not "informational meetings or sessions which assist a public official or public employee in the performance of the person's official functions" under this paragraph.

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

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

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

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

Cross References: 221 Gifts to Board of Directors
401.3 Employee Conflict of Interest

Approved 08/08/94 Reviewed 08/14/17 Revised 07/12/10

402.5 PUBLIC COMPLAINTS ABOUT EMPLOYEES

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

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

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

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

Legal Reference: Iowa Code § 279.8 (2009).

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

Approved 08/08/94 Reviewed 08/14/17 Revised 07/12/10

402.6 EMPLOYEE RELATIONS TO THE PUBLIC

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

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

Legal Reference: Iowa Code § 279.8 (2009).

Cross Reference:
- 303.7 Superintendent Civic Activities
- 304.8 Administrator Civic Activities
- 903 Public Participation in the School District
- 904 Community Activities Involving Students

Approved 08/08/94 Reviewed 08/14/17 Revised 07/12/10

402.7 EMPLOYEE OUTSIDE EMPLOYMENT

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

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

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

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

Cross Reference:
- 401.3 Employee Conflict of Interest
- 407.6 Licensed Employee Reduction in Force
- 408.3 Licensed Employee Tutoring
- 413.5 Classified Employee Dismissal

Approved 08/08/94 Reviewed 08/14/17 Revised 07/12/10

402.8 EMPLOYEE TELEPHONE CALLS

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

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

Classroom and office telephones are available for personal telephone calls. These telephones may only be used for local personal telephone calls; all other calls, including long-distance calls, must be paid for by the employee. It shall be the responsibility of the employee to exercise discretion in making and receiving telephone calls during working hours.

Legal Reference: Iowa Code §§ 20.9; 279.8 (2009)

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

Approved 08/08/94 Reviewed 08/14/17 Revised 07/12/10

402.9 SOLICITATIONS FROM OUTSIDE

Generally, employees should be free from solicitations at their place of employment. No organization or individuals, including employees, may solicit or distribute flyers or other materials within school district facilities or on school district grounds without approval of the superintendent.

No employee shall be made responsible, or assume responsibility, for the collection of money or the distribution of fund drive literature within the school district unless such activity is voluntary and has been approved by the superintendent.

Legal Reference: Iowa Code §§ 279.8 (2009)

Cross Reference:
- 401.15 Employee Political Activity
- 504.6 Student Fund-Raising
- 904 Community Activities Involving Students

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402.10 PAYMENT OF WAGES

Employees hired after April 1, 2005 must use direct deposit of their payroll check to a bank of their choice. Those employees hired before April 1, 2005 are strongly encouraged to use direct deposit to a bank of their choice.

Persons who do not have a bank account may petition the board to be paid by check. If the board grants permission, those employees must pick up their checks at the Central Office, 304 W. Nishna Rd., on the 20th of the month during normal working hours.

Legal Reference: Iowa Code

Cross Reference:

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403.1 EMPLOYEE PHYSICAL EXAMINATIONS

Good health is important to job performance. Employees will present evidence of good health, in the form of a physical examination report, prior to their employment with the school district. A physical examination report is required at least every three years thereafter.

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

The cost of the initial examination will be paid by the employee. The form, indicating the employee is able to perform the duties for which the employee was hired must be returned prior to payment of salary.

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

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

Legal Reference: 29 C.F.R. Pt. 1910.1030 (2002).
Iowa Code §§ 20.9; 279.8, 321.376 (2009).
281 I.A.C. 12.4(14); 43.15 -.20.

Cross Reference: 403 Employees' Health and Well-Being

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403.2 EMPLOYEE INJURY ON THE JOB

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

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

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

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

Legal Reference: Iowa Code §§ 85; 279.40; 613.17 (2009).
1972 Op. Att'y Gen. 177.

Cross Reference:
403 Employees' Health and Well-Being
406.5 Licensed Employee Group Insurance Benefits
409.2 Licensed Employee Personal Illness Leave
412.3 Classified Employee Group Insurance Benefits
414.2 Classified Employee Personal Illness Leave

Approved 08/08/94 Reviewed 08/14/17 Revised 08/09/10

403.3 COMMUNICABLE DISEASES - EMPLOYEES

Employees with a communicable disease will be allowed to perform their customary employment duties provided they are able to perform the essential functions of their position and their presence does not create a substantial risk of illness or transmission to students or other employees. The term "communicable disease" 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 immunosuppressed employees is determined by their personal physician. The health risk to others in the school district environment from the presence of an employee with a communicable disease is determined on a case-by-case basis by the employee's personal physician, a physician chosen by the school district or public health officials.

An employee who is at work and who has a communicable disease which creates a substantial risk of harm to a student, coworkers, or others at the workplace will report the condition to the Superintendent any time the employee is aware that the disease actively creates such risk.

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

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.

Legal Reference: School Board of Nassau County v. Arline, 480 U.S. 273 (1987).
29 U.S.C. §§ 794, 1910 (1994).
42 U.S.C. §§ 12101 *et seq.* (1994).
45 C.F.R. Pt. 84.3 (2002).
Iowa Code chs. 139; 141 (2009).
641 I.A.C. 1.2-.7.

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

Approved 08/08/94 Reviewed 08/14/17 Revised 07/12/10

403.3E1 HEPATITIS B VACCINE INFORMATION AND RECORD

The Disease

Hepatitis B is a viral infection caused by the Hepatitis B virus (HBV) which causes death in 1-2% of those infected. Most people with HBV recover completely, but approximately 5-10% become chronic carriers of the virus. Most of these people have no symptoms, but can continue to transmit the disease to others. Some may develop chronic active hepatitis and cirrhosis. HBV may be a causative factor in the development of liver cancer. Immunization against HBV can prevent acute hepatitis and its complications.

The Vaccine

The HBV vaccine is produced from yeast cells. It has been extensively tested for safety and effectiveness in large scale clinical trials.

Approximately 90 percent of healthy people who receive two doses of the vaccine and a third dose as a booster achieve high levels of surface antibody (anti-HBs) and protection against the virus. The HBV vaccine is recommended for workers with potential for contact with blood or body fluids. Full immunization requires three doses of the vaccine over a six-month period, although some persons may not develop immunity even after three doses.

There is no evidence that the vaccine has ever caused Hepatitis B. However, persons who have been infected with HBV prior to receiving the vaccine may go on to develop clinical hepatitis in spite of immunization.

Dosage and Administration

The vaccine is given in three intramuscular doses in the deltoid muscle. Two initial doses are given one month apart and the third dose is given six months after the first.

Possible Vaccine Side Effects

The incidence of side effects is very low. No serious side effects have been reported with the vaccine. Ten to 20 percent of persons experience tenderness and redness at the site of injection and low grade fever. Rash, nausea, joint pain, and mild fatigue have also been reported. The possibility exists that other side effects may be identified with more extensive use.

CONSENT OF HEPATITIS B VACCINATION

I have knowledge of Hepatitis B and the Hepatitis B vaccination. I have had an opportunity to ask questions of a qualified nurse or physician and understand the benefits and risks of Hepatitis B vaccination. I understand that I must have three doses of the vaccine to obtain immunity. However, as with all medical treatment, there is no guarantee that I will become immune or that I will not experience side effects from the vaccine. I give my consent to be vaccinated for Hepatitis B.

Signature of Employee (consent for Hepatitis B vaccination) Date

Signature of Witness Date

REFUSAL OF HEPATITIS B VACCINATION

I understand that due to my occupational exposure to blood or other potentially infectious materials I may be at risk of acquiring the Hepatitis B virus infection. I have been given the opportunity to be vaccinated with Hepatitis B vaccine at no charge to myself. However, I decline the Hepatitis B vaccination at this time. I understand that by declining this vaccine, I continue to be at risk of acquiring Hepatitis B, a serious disease. If in the future I continue to have occupational exposure to blood or other potentially infectious materials and I want to be vaccinated with the Hepatitis B vaccine, I can receive the vaccination series at no charge to me.

Signature of Employee (refusal for Hepatitis B vaccination) Date

Signature of Witness Date

I refuse because I believe I have (check one)

_____started the series _____completed the series

RELEASE FOR HEPATITIS B MEDICAL INFORMATION

I hereby authorize_____(individual or organization holding Hepatitis B records and address) to release to the _____
Community School District, my Hepatitis B vaccination records for required employee records.

I hereby authorize release of my Hepatitis B status to a health care provider, in the event of an exposure incident.

_____ _____
Signature of Employee Date

_____ _____
Signature of Witness Date

CONFIDENTIAL RECORD

Employee Name (last, first, middle) _____ Social Security No. _____

Job Title: _____

	Hepatitis B Vaccination Date	Lot Number	Site	Administered by
1				
2				
3				

Additional Hepatitis B status information:

Post-exposure incident: (Date, time, circumstances, route under which exposure occurred)

Identification and documentation of source individual:

Source blood testing consent:

Description of employee's duties as related to the exposure incident:

Copy of information provided to health care professional evaluating an employee after an exposure incident:

Attach a copy of all results of examinations, medical testing, follow-up procedures, and health care professional's written opinion.

Training Record: (date, time, instructor, location of training summary)

403.3R1 UNIVERSAL PRECAUTIONS REGULATION

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

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

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

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

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

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

- Wear gloves.
- Clean up the spill with paper towels or other absorbent material.
- Use a solution of one part household bleach to one hundred parts of water (1:100) or other EPA-approved disinfectant and use it to wash the area well.

- Dispose of gloves, soiled towels and other waste in a plastic bag.
- Clean and disinfect reusable supplies and equipment.

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

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

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

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

403.4 HAZARDOUS CHEMICAL DISCLOSURE

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

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

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

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

Legal Reference: 29 C.F.R. Pt. 1910; 1200 *et seq*. (2009).
Iowa Code chs. 88; 89B (2003).
347 I.A.C. 120.

Cross Reference: 403 Employees' Health and Well-Being
802 Maintenance, Operation, Management

Approved 08/08/94 Reviewed 08/14/17 Revised 07/12/10

403.5 SMOKING AND NONSMOKING EMPLOYEE WORK AREAS

School district facilities and grounds, including school vehicles, are off limits for tobacco or nicotine use, including the use of look-a-likes where the original would include tobacco or nicotine. This requirement extends to students, employees and visitors. This policy applies at all times, including school-sponsored and non-school-sponsored events. Persons failing to abide by this request are required to extinguish their smoking material, dispose of the tobacco, nicotine or other product or leave the school district premises immediately.

Employees who violate this policy may be subject to disciplinary action. It is the responsibility of the administration to enforce this policy.

Legal Reference: Goals 2000: Educate America Act, Pub. L. No. 103-227, 108 Stat. 125 (1994).
House File 2212, Iowa General Assembly (2008)
Iowa Code §§ 142D; 279.8, .9; 297 (2011).

Cross Reference: 403 Employees' Health and Well-Being
502.9 Smoking – Drinking - Drugs

Approved 08/08/94 Reviewed 08/14/17 Revised 07/16/13

403.6 EMPLOYEE WELLNESS PROGRAM

The board recognizes the contribution of good health to the performance and well-being of the employee and the school district. The board supports and encourages a wellness program.

It shall be the responsibility of the superintendent, in conjunction with the school nurse, to develop, oversee, and maintain a wellness program.

Legal Reference: Iowa Code § 279.8 (2009).

Cross Reference: 403 Employees' Health and Well-Being

Approved 08/08/94 Reviewed 08/14/17 Revised 07/12/10

403.8 SUBSTANCE-FREE WORKPLACE

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

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

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

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

Legal Reference: 41 U.S.C. §§ 701-707 (1994).
42 U.S.C. §§ 12101 *et seq.* (1994).
34 C.F.R. Pt. 85 (2002).
Iowa Code §§ 123.46; 124; 279.8 (2009).

Cross Reference: 502.9 Smoking – Drinking – Drugs

Approved 08/08/94 Reviewed 08/14/17 Revised 07/12/10

403.8E1 SUBSTANCE-FREE WORKPLACE NOTICE TO EMPLOYEES

EMPLOYEES ARE HEREBY NOTIFIED it is a violation of the Substance-Free Workplace policy for an employee to unlawfully manufacture, distribute, dispense, possess, use, or be under the influence of in the workplace any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana or any other controlled substance or alcohol, as defined in Schedules I through V of section 202 of the Controlled Substances Act (21 U.S.C. 812) and as further defined by regulation at 21 C.F.R. 1300.11 through 1300.15 and Iowa Code Chapter 204.

"Workplace" is defined as the site for the performance of work done in the capacity as a employee. This includes school district facilities, other school premises or school district vehicles. Workplace also includes non-school property if the employee is at any school-sponsored, school-approved or school-related activity, event or function, such as field trips or athletic events where students are under the control of the school district or where the employee is engaged in school business.

Employees who violate the terms of the Substance-Free Workplace policy may be required to successfully participate in a substance abuse treatment program approved by the board. The superintendent retains the discretion to discipline an employee for violation of the Substance-Free Workplace policy. If the employee fails to successfully participate in such a program the employee is subject to discipline up to and including termination.

EMPLOYEES ARE FURTHER NOTIFIED it is a condition of their continued employment that they comply with the above policy of the school district and will notify their supervisor of their conviction of any criminal drug statute for a violation committed in the workplace, no later than five days after the conviction.

SUBSTANCE-FREE WORKPLACE ACKNOWLEDGMENT FORM

I,_____, have read and understand the Substance-Free Workplace policy. I understand that if I violate the Substance-Free Workplace policy, I may be subject to discipline up to and including termination or I may be required to participate in a substance abuse treatment program. If I fail to successfully participate in a substance abuse treatment program, I understand I may be subject to discipline up to and including termination. I understand that if I am required to participate in a substance abuse treatment program and I refuse to participate, I may be subject to discipline up to and including termination. I also understand that if I am convicted of a criminal drug offense committed in the workplace, I must report that conviction to my supervisor within five days of the conviction.

_____ _____

(Signature of Employee) (Date)

403.8R1 SUBSTANCE-FREE WORKPLACE REGULATION

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

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

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

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

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

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403.9 DRUG AND ALCOHOL TESTING PROGRAM

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

The employees operating a school vehicle as described above are subject to pre-employment drug testing and random, reasonable suspicion and post-accident drug and alcohol testing. Employees operating school vehicles shall not perform a safety-sensitive function within four hours of using alcohol. Employees governed by this policy shall be subject to the drug and alcohol testing program beginning the first day they operate or are offered a position to operate school vehicles and continue to be subject to the drug and alcohol testing program as long as they may be required to perform a safety-sensitive function as it is defined in the administrative regulations. Employees with questions about the drug and alcohol testing program may contact the school district contact person, the school nurse located at the K-8 school.

Employees who violate the terms of this policy are subject to discipline up to and including termination. Employees who violate this policy bear the personal and financial responsibility, as a condition of continued employment, to successfully participate in a substance abuse evaluation and a substance abuse treatment program if recommended by the substance abuse professional. Employees who fail to or refuse to successfully participate in a substance abuse evaluation or recommended substance abuse treatment program may be subject to discipline up to and including termination.

It is the responsibility of the superintendent to develop administrative regulations to implement this policy in compliance with the law. The superintendent will inform applicants of the requirement for drug and alcohol testing in notices or advertisements for employment.

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

Legal Reference:
American Trucking Association, Inc., v. Federal Highway Administration, 51 Fed. 3rd 405 (4th Cir. 1995).
49 U.S.C. §§ 5331 et seq. (1994).
42 U.S.C. §§ 12101 (1994).
41 U.S.C. §§ 701-707 (1996).
49 C.F.R. Pt. 40; 382; 391.81-123 (2002).
34 C.F.R. Pt. 85 (2002).
Local 301, Internat'l Assoc. of Fire Fighters, AFL-CIO, and City of Burlington, PERB No. 3876 (3-26-91).
Iowa Code §§ 124; 279.8; 321.375(2); 730.5 (2009).

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

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403.9R1 DRUG AND ALCOHOL TESTING PROGRAM REGULATION

This administrative regulation supports the Drug and Alcohol Testing Program policy. It also establishes and explains the requirements of the school district's drug and alcohol testing program required for employees operating school vehicles. Note the Drug and Alcohol Testing Program Definitions, Code No. 403.9R2.

A. Questions regarding the drug and alcohol testing program policy, its supporting administrative regulations or the drug and alcohol testing program may be directed to the school district contact person, school nurse at the K-8 School.
B. Covered Drivers
    1. A driver is covered by the drug and alcohol testing program if the driver:
        a. Drives a vehicle transporting sixteen or more personas, including the driver, OR drives a vehicle weighing over twenty-six thousand one pounds; and
        b. Required to hold a commercial driver's license for the driver position.
    2. Covered drivers include:
        a. Applicants seeing a position as a driver;
        b. Full time, regularly employed drivers;
        c. Casual, intermittent, occasional or substitute drivers; and
        d. Lease drivers and independent, owner-operator contractors who are either directly employed by or under lease to a school district or who operate a school vehicle at the direction of or with the consent of a school district.
    3. Drivers are subject to the drug and alcohol testing program and its requirements throughout the year, including the times when school is not in session or when the driver is on leave.
C. Prohibited Driver Conduct
    1. Drivers shall not report to duty or remain on duty with a 0.04 alcohol concentration or greater.
    2. Drivers shall not report to duty or remain on duty when using any drug except:
        a. When a licensed medical practitioner has advised the driver that the drug does not adversely affect the river's ability to safely operate a school vehicle; and
        b. The school district is informed in writing of the medication and licensed medical practitioner's opinion.
    3. Drivers shall not use alcohol at least four hours prior to, or during the performance of, a safety-sensitive function.
    4. Drivers shall not possess alcohol while on duty. This includes possessing prescriptions and over- the-counter medicines containing alcohol unless the packaging seal is unbroken.
    5. Drivers required to take a post-accident alcohol test shall not sue alcohol within eight hours following the accident or prior to undergoing a post-accident alcohol test, whichever comes first.
    6. Drivers shall not refuse to submit to a drug or alcohol test. A refusal to test is considered a positive test requiring the driver to bear the personal and financial responsibility to undergo a substance abuse evaluation as a condition of continued employment and subjecting the driver to discipline up to and including termination.
    7. Drivers shall not report for duty or remain on duty performing a safety-sensitive function if the driver has a positive drug test result.
D. Alcohol Testing Procedures
    1. Driver's breath or saliva is tested for alcohol.
    2. The screening alcohol test is conducted with an evidentiary breath testing device or a saliva testing device.
        a. The screening breath alcohol or saliva test determines whether the driver's alcohol concentration is less than 0.02. The confirmation alcohol test is conducted only by an evidentiary breath alcohol testing device to determine whether the driver can continue to perform a safety-sensitive function.
        b. A confirmation alcohol test result of less than 0.02 alcohol concentration allows the driver to continue to perform a safety-sensitive function.

c. A confirmation alcohol test result of 0.02 alcohol concentration but less than 0.04 alcohol concentration requires the driver to cease performing a safety-sensitive function for twenty- four hours.
d. A confirmation alcohol test result of 0.04 breath alcohol concentration or greater requires the driver to cease performing a safety-sensitive function and undergo a substance abuse evaluation.

3. Alcohol testing is conducted at collection sites which provide privacy to the driver and contain the necessary equipment, personnel and materials.
   a. Alcohol testing is conducted at a designated collection site unless the situation requires another location.
   b. In the event privacy cannot be assured, privacy will be provided to the extent practical.
4. Screening alcohol testing steps.
   a. Once the driver is notified to submit to an alcohol test, the driver must complete the Alcohol/Drug Test Notification Form and proceed immediately to the collection site. Collection site personnel contact the school district contact person immediately when a driver does not arrive at the specified time. Failure to arrive at the collection site in a timely manner is considered a refusal to test.
   b. Upon arrival, the driver must provide a photo identification. Repeated failure of the driver to produce a photo identification is considered insubordination as well as a refusal to test.
   c. The testing procedure is explained to the driver by the collection site person.
   d. The breath alcohol technician (BAT) or saliva test technician (STT) and the driver complete and sign the appropriate sections of the alcohol testing form.
   e. Evidentiary breath alcohol testing device procedures.
      1) The driver forcefully blows into the mouthpiece for at least six seconds or until an adequate amount of breath has been obtained.
      2) The screening alcohol test is stopped when the driver fails twice to provide an adequate amount of breath. In that case:
         a) A refusal of the driver to try a second time to provide adequate breath is considered a refusal to test.
         b) A physician analyzes the driver's inability to provide adequate breath.
         c) Failure to provide adequate breath is considered a refusal to test unless the physician determines a medical condition caused the failure to provide adequate breath.
      3) The results of the screening alcohol test are shared with the driver.
   f. Saliva alcohol testing device procedures.
      1) The driver and the STT review the expiration date of the saliva alcohol testing device, and if the date is valid, the packaging is opened.
      2) The driver or STT places the swab in the driver's mouth until the swab is completely saturated. If the alcohol test is started again, only the STT may place the swab in the driver's mouth.
      3) The saliva alcohol testing device is activated with the saturated swab in place.
      4) The saliva alcohol test is stopped when the driver fails twice to provide an adequate amount of saliva. In that case:
         a) The school district is informed.
         b) The driver must submit to a breath alcohol test immediately.
      5) The saliva testing device results are read two minutes, and no later than fifteen minutes, after the saliva testing device was activated.
      6) The results of the screening alcohol test are shared with the driver.
   g. The driver and breath alcohol technician or saliva test technician must sign the alcohol testing form following completion of the alcohol test. Failure to sign the form after the alcohol test is not considered a refusal to test. However, in the remarks section of the form, the BAT or STT notes the driver's refusal to sign.
   h. Screening alcohol test results.
      1) An alcohol test result of less than 0.02 alcohol concentration is reported to the school

2) An alcohol test result of less than 0.02 alcohol concentration is reported to the school district in a confidential manner and the driver may continue to perform a safety-sensitive function.
3) An alcohol test result of 0.02 alcohol concentration or more requires a confirmation alcohol test be performed between fifteen and thirty minutes after the screening test.
4) The BAT or STT provides the school district contact person with a copy of the alcohol testing form if written communication was not used to report the test results.

i. Potential incomplete or invalid screening alcohol tests are repeated with corrected procedures.

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

E. Drug Testing Procedures
   1. Driver's urine is tested for marijuana, cocaine, opiate, amphetamines and phencyclidine.
   2. A split specimen urine drug test, often called "split sample test," is used to conduct the drug test.
      a. A negative drug test result allows the driver to continue to perform a safety-sensitive function.
      b. A positive drug test result on the primary sample requires the driver to be removed from

performing a safety-sensitive function.

c. A positive drug test result on the primary sample allows the driver an opportunity to request the split sample be tested by another certified laboratory only 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.
d. A positive drug test result requires the driver to bear the personal and financial responsibility to undergo a substance abuse evaluation as a condition of continued employment.

3. Drivers taking medication at a licensed medical practitioner's direction may perform a safety-sensitive function if the licensed medical practitioner determines there is not an adverse affect on performing a safety-sensitive function and the school district is informed in writing of the medication and licensed medical practitioner's opinion.
4. Drug testing is conducted at collection sites which provide privacy to the driver and where the necessary equipment, personnel and material are located.
   a. Drug testing is conducted at a designated collection site unless the situation requires another location. Public restrooms can be used as collection sites in exceptional circumstances.
   b. In the event privacy cannot be assured, privacy is provided to the extent practical. However, direct observation is allowed if:
      1) Reasons exist to believe the driver may alter or substitute the specimen.
      2) The driver presents a specimen with a temperature outside the allowed range and does not provide an oral body temperature or the oral body temperature varies from the specimen provided.
      3) The last specimen provided by the driver was determined by the laboratory to not meet specific gravity and urine creatinine concentration criteria.
      4) The collection site person observes conduct of the driver to substitute or adulterate the specimen.
      5) The driver has previously been determined to have used a drug without medical authorization and the particular test is for follow-up testing upon or after return to duty.
   c. Direct observation is approved by the supervisor of the collection site person or the designated school district representative. Non-medical personnel performing direct observation must be of the same gender as the driver.
5. Drug testing steps.
   a. The school district contact person makes arrangements with the collection site for the test.
   b. Once the driver is notified to submit to a drug test, the driver must complete the Alcohol/Drug Test Notification Form and proceed immediately to the collection site. The collection site person contacts the school district contact person immediately when a driver does not arrive at the specified time. Failure to arrive at the collection site in a timely manner is considered a refusal to test.
   c. Upon arrival, the driver must provide a photo identification. Repeated failure of the driver to produce a photo identification is considered insubordination as well as a refusal to test. The driver may require the collection site person to provide proof of identification.
   d. The driver may keep his or her wallet but must remove any unnecessary outer garments, purses, briefcases and similar items at the request of the collection site person.
   e. Immediately prior to providing a urine specimen, the driver must wash his or her hands. The driver must then provide forty-five milliliters of urine and deliver it immediately to the collection site person.
      1) Drivers who cannot provide an adequate amount of urine receive instructions for drinking water and trying again.
      2) The drug test is stopped when the driver fails twice to provide an adequate amount of urine.
      3) Failure to provide adequate urine is considered a refusal to test unless the physician determines a medical condition caused the failure to provide adequate urine.
   f. The specimen is kept in view of the driver and the collection site person.

g. Upon receipt of the specimen, the collection site person immediately, and in no event later than four minutes from the time of urination, measure the temperature of the specimen.
h. The driver may volunteer to have his or her oral temperature taken to provide evidence against alteration or substitution if there is some question about the temperature of the specimen.
i. The collection site person inspects the specimen for color and other signs of contaminants and notes any unusual findings in the remarks section of the chain of custody form.
j. Another specimen is required as soon as possible under direct observation if adulteration or substitution is suspected by the collection site person. Specimens suspected of adulteration nor substitution are also sent to the laboratory for testing.
k. The specimen is divided in to the primary and the split specimen, sealed and labeled. The label is initialed by the driver.
l. The driver is required to read and sign the statement of the chain of custody form certifying the specimens are the driver's.
m. The collection site person is required to note on the chain of custody form any unusual behavior or appearance of the driver and any failure to cooperate.
n. The collection site person completes the chain of custody form and the driver signs the form indicating the collection is complete. Failure of the driver to sign the form after the drug test is not considered a refusal to test. However, the collection site person notifies the school district contact person and notes the driver's failure to sign on the form.
o. The specimens are packaged for shipping to the laboratory and are shipped immediately or placed in secure storage until they can be shipped.

6. Laboratory.
   a. The laboratory used by the school district's drug and alcohol testing program is certified by the U.S. Department of Health and Human Services (DHHS). Certified laboratories meet the testing procedures, personnel and record keeping requirements of the law.
   b. Upon arrival of the specimens at the laboratory, the split specimen is stored and the primary specimen is tested.
      1) A positive drug test result on the initial test of the primary specimen requires a confirmation drug test of the primary specimen.
      2) The split specimen is discarded if the primary specimen has a negative drug test result.
7. Medical Review Officer (MRO).
   a. The MRO may release drug testing records of a driver to unauthorized individuals only with the written consent of the driver.
   b. The MRO keeps a record of negative drug test results and reports negative drug test results to the school district, usually within two working days.
   c. The primary role of the MRO is to review and interpret positive drug test results to determine whether a legitimate explanation exists for the positive drug test result.
      1) After reviewing the chain of custody form and the laboratory drug test results, the MRO contacts the driver to discuss the positive drug test result prior to notifying the school district and to ask whether the driver requests a drug test of the split sample. The driver's request for a drug test of the split sample must be made within seventy-two hours of talking with the MRO.
      2) Upon request of the driver, the split specimen is sent to a second certified laboratory to test only for the drug found in the primary specimen.
      3) The MRO contacts the school district contact person for assistance if the driver cannot be reached.
      4) The school district contact person must confidentially inform the driver to contact the MRO.
      5) Upon contacting the driver, the school district contact person must inform the MRO that the driver was contacted.
      6) Drivers who cannot be contacted are placed on temporary medically unqualified status or medical leave.
   d. The MRO may verify a positive drug test without talking to the driver if:

1) The driver declines the opportunity to discuss the positive drug test.
2) The driver fails to contact the MRO within five days after the school district contact person has contacted the driver.
3) MRO verification of positive drug test results under these circumstances can be challenged by the driver if the driver presents the MRO with information documenting a serious illness, injury or other circumstances unavoidably preventing the driver from timely contacting the MRO. The MRO, based on this additional information, may find a legitimate explanation for the positive drug test result and declare the drug test negative.

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

F. Substance Abuse Professional
1. A substance abuse evaluation by a substance abuse professional is the personal and financial responsibility of the driver as a condition of continued employment when a driver has:
   a. A positive drug test;
   b. A positive alcohol test of 0.04 alcohol concentration or greater; or
   c. Otherwise violates the drug and alcohol testing program policy, its supporting documents or the law.
2. The substance abuse evaluation determines what assistance, if any, the driver needs in resolving problems with alcohol misuse and/or drug use.
3. A list of available substance abuse professionals to provide assistance to bus drivers is available through the school nurse.

G. Pre-employment Testing
1. Drivers shall submit to a drug test if a job offer is made. The job offer is contingent upon:
   a. A negative drug test result; and
   b. A signed written statement authorizing former employers to release all information on the driver related to drugs and alcohol.
2. Prior to allowing a driver to perform a safety-sensitive function, and no later than fourteen days after performing a safety-sensitive function, information must be obtained, or a good faith effort must have been made to obtain the information about the driver's drug and alcohol history.
   a. The following information must be obtained about the driver for the two year period preceding the date of the application.
      1) Alcohol test result of 0.04 alcohol concentration or greater;
      2) Positive drug test results; and
      3) Refusals to be tested.
   b. The information must be obtained, or a good faith effort made to obtain, the information if the driver is currently performing and will continue to perform a safety-sensitive function.
   c. The information must be obtained, or a good faith effort made to obtain, the information if the driver performed a safety-sensitive function and is no longer employed by the school district.
   d. The information does not need to be obtained if the driver did not perform a safety-sensitive function and is no longer employed by the school district.
   e. The school district may obtain information held by the prior employer for the two-year period preceding the date of application even if the information came from other employers.
   f. A good faith effort requires the school district to request and hopefully receive, the information prior to the driver driving and no later than fourteen days after first driving by taking the following steps:
      1) Obtain the driver's written consent immediately after a conditional employment offer is made.
      2) Send a completed consent for Release of Information signed by the driver to prior employers via certified mail.
      3) Contact the prior employers' drug and alcohol testing program managers about the status of

the request if no response is received within reasonable period.

4) Take appropriate action (i.e. follow-up with a SAP, terminate employment) if the information received, whether prior to or after the fourteen day period, requires.
5) Document and maintain the documentation of the steps taken to obtain the information when it is not received or the prior employer refuses to submit the information.

H. Random Testing
1. Annually, ten percent of the average number of drivers are selected for random alcohol tests and fifty percent of the average number of drivers are selected for random drug tests.
2. The drivers' identification numbers are selected by a scientific method giving each driver an equal chance to be selected.
3. Random tests are unannounced and spread throughout the year.
4. Drivers selected for **random alcohol testing** are notified just before, during or just after any performing a safety-sensitive function. The school district documents why some, if any, drivers were selected but not notified.
5. Drivers selected for **random drug testing** are notified at any time. The school district must document why some, if any, drivers were selected but not notified.
6. Once the driver is notified of being selected for a random test, the driver must proceed immediately to the collection site. However, drivers performing a safety-sensitive function must safely stop and proceed to the collection site as soon as possible.

I. Reasonable Suspicion Testing
1. A driver may be required to submit to a reasonable suspicion **drug** test at any time.
2. A driver may be required to submit to a reasonable suspicion **alcohol** test just before, during or just after the time the driver is required to be in compliance with the drug and alcohol testing program policy, its supporting documents or the law.
   a. A reasonable suspicion alcohol test is performed within two hours and no later than eight hours of determining reasonable suspicion.
   b. If the alcohol test is not given within two hours, the reasons for the delay must be documented.
   c. If the alcohol test is not given within eight hours, attempts to test are stopped and the reason for not testing must be documented.
3. A reasonable suspicion test request is made by an employee who received training to determine reasonable suspicion. The reasons for the reasonable suspicion must be documented within twenty-four hours or prior to the release of the test results. If more than one employee trained to determine reasonable suspicion observes the driver, that employee must also document their reasons.

J. Post-accident Testing
1. Drivers are subject to both post-accident drug and alcohol testing as soon as possible after an accident in which:
   a. A fatality, other than the driver, occurred.
   b. The driver was cited and bodily injury occurred to a person who, as a result of the injury, required immediate medical treatment away from the scene of the accident; or
   c. The driver was cited and one or more motor vehicles incurred disabling damage as a result of the accident, requiring a motor vehicle to be transported away from the accident scene by a tow truck or other motor vehicle.
      1) "Disabling damage" is damage which precludes the departure of a motor vehicle from the scene of the accident in its usual manner in daylight after simple repairs. It includes damage to motor vehicles that could have been driven but would have been further damaged if so driven.
      2) "Disabling damage" excludes damage which can be remedied temporarily:
         a) Tire disablement without other damage even if no spare tire is available.
         b) Headlight or taillight damage.
         c) Damage to turn signals, horn, or windshield wipers which make them inoperative.
2. Drivers must remain readily available for post-accident testing.

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

3. Alcohol testing requirements.
   a. The alcohol test is administered within two hours and no later than eight hours of the accident.
   b. The reasons for administering the test later than two hours after the accident must be documented.
   c. The reasons for not administering the test within eight hours of the accident must be documented.
   d. Drivers are prohibited from consuming alcohol for eight hours after the accident or until the alcohol test is completed.
4. Drug testing requirements.
   a. The drug test is administered as soon as possible and no later than 32 hours after the accident.
   b. The reasons for not administering the test must be documented.
5. Results of drug or alcohol testing conducted by law enforcement officers or other officials on the scene with independent authority to conduct such tests are presumed valid if the testing conforms to the law. The school district must receive a copy of the results to use them.

K. Return-to-duty/Follow-up Testing
1. Prior to returning to duty after a positive drug test, a positive alcohol test of 0.04 alcohol concentration or greater, or otherwise violating the drug and alcohol testing program policy, its supporting documents or the law, the driver bears the personal and financial responsibility to:
   a. Be re-evaluated by a substance abuse professional to determine that the driver has properly followed any treatment program prescribed.
   b. Submit to the tests required by the substance abuse professional. The substance abuse professional may require a return-to-duty test for drugs, alcohol or both.
   c. Have a negative return-to-duty drug test result and/or an alcohol test result of less than 0.02 alcohol concentration before the driver can return to duty and perform any safety-sensitive function.
2. After returning to duty, the driver is subject to a minimum of six unannounced follow-up tests within twelve months for alcohol, drugs or both, as determined by the substance abuse professional.
   a. The substance abuse professional can terminate the follow-up testing requirement after the first six tests have been completed or continue the follow-up testing for up to sixty months from the date of the driver's return to duty.
   b. Alcohol follow-up testing is done just before, during or just after performing a safety- sensitive function.
   c. Drug follow-up testing is done any time.

L. School District Responsibilities
1. Provide drivers with information on the drug and alcohol testing requirements of the drug and alcohol testing program policy, its supporting documents and the law, including the driver's obligations.
2. Supervisors of drivers or employees designated to determine reasonable suspicion must receive sixty minutes of training on alcohol misuse and sixty minutes of training on drug use. The training must address the physical, behavioral, speech and performance certificate must be maintained by the school district until the employee leaves employment of the school district or is not longer authorized to make a reasonable suspicion determination.
3. Provide drivers with instructions prior to the driver operating a school vehicle to enable the driver to comply with the drug and alcohol testing requirements.
4. Disallow drivers to report to work or perform a safety-sensitive function when the school district has actual knowledge of a driver's drug use whether or not a drug test was conducted.
5. Disallow drivers to report to work or perform a safety-sensitive function when the school district has actual knowledge of a driver with 0.02 alcohol concentration or great whether or not an alcohol test was conducted.
6. Ensure, through the school district's drug and alcohol testing program service provider, that the

quality assurance plan, developed by the manufacturer and approved by the National Highway Traffic Safety Administration (NHTSA) for the evidentiary testing device or saliva alcohol testing device used for alcohol testing of its drivers, describes the inspection, maintenance and calibration requirements and intervals for the device.

7. Ensure, through the school district's drug and alcohol testing program service provider, that the collection site person using an evidentiary breath testing device is a certified breath alcohol technician (BAT).
8. Ensure, through the school district's drug and alcohol testing program service provider, that the collection site person using a salvia alcohol testing device is a certified BAT or saliva test technician (STT).

M. Consequences of violating the drug and alcohol testing program policy, its supporting documents, or the law.
   1. Each violation is dealt with based on the circumstances surrounding the violation. The following consequences may result from a violation.
      a. Drivers may be disciplined up to and including termination.
      b. Drivers may not be permitted to perform safety-sensitive functions.
      c. Drivers may be advised of the resources available to them in evaluating and resolving programs associated with the misuse of alcohol or use of drugs.
      d. Drivers refusing to submit to drug and/or alcohol testing are considered insubordinate and are subject to termination.
      e. Drivers/applications who refuse to submit to or cooperate with the drug and-or alcohol testing process and requirements shall be disqualified from further consideration.
      f. Drivers, as a condition of continued employment, bear the personal and financial responsibility for undergoing a substance abuse evaluation to determine what assistance, if any, the driver needs in resolving problems associated with the misuse of alcohol or use of drugs and be required to follow any recommended substance abuse treatment program.
      g. Misuse of alcohol or use of drugs and be required to follow any recommended substance abuse treatment program.
      h. Prior to returning to duty, the driver is required to have a negative drug and/or alcohol test result and be subject to the follow-up drug and/or alcohol testing determined necessary based on the circumstances surrounding the incident.
      i. Drivers refusing to submit to drug and/or alcohol testing are considered insubordinate and are subject to discipline up to and including termination.
   2. Nothing in the drug and alcohol testing program policy, its supporting documents or the law relating to drug and alcohol testing limits or restricts the right of the board or superintendent to discipline, up to and including termination, a driver for conduct which violated the school district's policies, supporting documents and procedures.

N. Drug and alcohol testing records.
   1. Drug and alcohol testing records are stored in locked files at limited access locations separate and part from the driver's general personnel records.
   2. The records are released only with the written consent of the driver. Only those records specifically authorized for release may be released. However:
      a. Records may be released to appropriate government agencies without a driver's written consent.
      b. Records may be released to appropriate school district employees without a driver's written consent.
      c. School districts may, without a driver's written consent make a driver's drug and alcohol test records available to a decision maker in a lawsuit, grievance or other proceeding initiated by or on behalf of the driver and arising from the result of an alcohol or drug test under the drug and alcohol testing program policy, its supporting documents or the law or from the school district's determination that the driver violated the drug an alcohol testing program, its supporting regulations, or the law.
   3. With a written request, drivers may access and copy their drug and alcohol test records in accordance

the board policy related to employee records. A driver is not denied access to these records for failure to pay fees associated with other records.

4. The following records of the school district's drug and alcohol testing programs are maintained for the time period indicated.
   a. One year.
      1) Records of negative and canceled drug test results and alcohol test results of less than 0.02 breath alcohol concentration.
      2) Records related to a driver's test results.
      3) Records related to other violations of the law.
      4) Records related to substance abuse evaluations.
   b. Two years.
      1) Records related to the alcohol and drug collection process, except calibration evidentiary breath testing devices, and training.
   c. Five years.
      1) Alcohol test results of 0.02 alcohol concentration and greater.
      2) Verified positive drug test results.
      3) Documentation of refusals to take required alcohol and/or drug tests.
      4) Evidentiary breath testing device calibration documentation.
      5) Driver substance abuse evaluations and referrals.
      6) Annual calendar year summary.
      7) Records related to the administration of the drug and alcohol testing program.
   d. Forever or as designated below.
      1) Reasonable suspicion training certificates must be retained two years after the employee is no longer authorized to make a reasonable suspicion.
      2) Records related to the education and training of drivers must be retained two years after the employee ceased to perform a safety sensitive function.
5. The following records of a school district collection site for saliva alcohol testing are maintained for the time period indicated.
   a. Two years.
      1) Records related to the alcohol collection process.
   b. Five years.
      1) Collector copy of Chain of Custody Form for Controlled Substance Testing.
      2) Collector copy of Breath Alcohol Test Form.
      3) Quality assurance plan, if any.
      4) Quality control check sheet.
   c. Records related to the education and training of STTs must be retained two years if the employee ceased to perform the duties of an STT.

403.9R2 DRUG AND ALCOHOL TESTING PROGRAM DEFINITIONS

Air blank – a reading by an evidentiary breath testing device (EBT) of ambient air containing non alcohol.
Alcohol – the intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohols including methyl and isopropyl alcohol.

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

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

Breath Alcohol Technician (BAT) – an individual who instructs and assists drivers in the alcohol testing process and operates an evidentiary breath testing device, non-evidentiary breath testing device or saliva testing device.

Canceled or invalid test – in drug testing it is a drug test that has been declared invalid by a Medical Review Officer of a specimen that has been rejected for testing by a laboratory. In alcohol testing it is a test that is deemed to be invalid under the law. A canceled drug test or alcohol test is neither a positive or negative test.

Chain of Custody – procedures to account for the integrity of each urine 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 to collection to receipt by the laboratory and that upon receipt by the laboratory and appropriate laboratory chain of custody form(s) account(s) for the sample or sample aliquots within the laboratory.

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

Confirmation test – for alcohol testing it is a second test following a screening alcohol test with a result of 0.02 breath alcohol concentration or greater that provides quantitative data of breath alcohol concentration. For drug testing it is a second analytical procedure (GC/MS) to identify the presence of a specific drug or metabolite which is independent of the initial test and which uses a different technique and chemical principle from that of the initial test in order to ensure reliability and accuracy.

Controlled substances/drugs – marijuana, cocaine, opiates, amphetamines and phencyclidine.

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

Licensed medical practitioner – a person who is licensed, certified, and/or registered, in accordance with applicable federal, state, local or foreign laws and regulations, to prescribe controlled substances and other drugs.

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 or substance

abuse disorders and has appropriate medical training to interpret and evaluate a driver's confirmed positive test result together with the driver's medical history and any other relevant bio-medical information.

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

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

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

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

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

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

Saliva test technician (STT) – an individual who has successfully completed U.S. DOT approved training for saliva alcohol testing who instructs and assists drivers in the initial (screening) alcohol testing process and operates a non-evidentiary breath testing or saliva testing device.

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

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

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

403.9E1 DRUG AND ALCOHOL TESTING PROGRAM NOTICE TO EMPLOYEES

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

Employees who operate school vehicles classified as “commercial motor vehicles” by the U.S. Department of Transportation are subject to drug and alcohol testing. A “commercial motor vehicle” is a vehicle that transports sixteen or more persons including the driver or has a gross vehicle weight rating (GVWR) of 26,001 pounds or more. For purposes of the drug and alcohol testing program, "employees" also includes applicants who have been offered a position to operate a commercial motor vehicle owned by the school. Employees that will operate a school-owned commercial motor vehicle are subject to the drug and alcohol testing program regulations beginning the first day they are offered a position to operate a school vehicle and continue to be subject to the drug and alcohol testing program until such time employment is terminated or the employee will no longer operate, at any time, a commercial motor vehicle for the school.

It is the responsibility of the superintendent to inform employees of the drug and alcohol testing program requirements. Employees with questions regarding the drug and alcohol testing requirements will contact the school district’s contact person.

EMPLOYEES GOVERNED BY THE DRUG AND ALCOHOL TESTING POLICY ARE FURTHER NOTIFIED that employees violating this policy, its supporting documents or regulations will be subject to discipline up to and including termination.

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

403.9E2 DRUG AND ALCOHOL TESTING PROGRAM ACKNOWLEDGMENT FORM

I, (_____), have received a copy, read and understand the Drug and Alcohol Testing
Name of Employee
Program policy and its supporting documents. I consent to submit to the drug and alcohol testing program as required by the Drug and Alcohol Testing Program policy, its supporting documents, regulations and the law.

I understand that if I violate the Drug and Alcohol Testing Program policy, its supporting document, regulations or the law, I may be subject to discipline up to and including termination or I may be required to successfully participate in a substance abuse evaluation and a substance abuse treatment program, if recommended by the substance abuse professional. If I am required to and fail to or refuse to successfully participate in a substance abuse evaluation or recommended substance abuse treatment program, I understand I will be subject to discipline up to and including termination.

I also understand that I must inform my supervisor of any prescription medication I use. I further understand that drug and alcohol testing records about me are confidential and may be released in accordance with this policy, its supporting documents, regulations or the law.

_____ _____

(Signature of Employee) (Date)

Code No. 403.9E3

403.9E3 CONSENT FOR REQUEST OF INFORMATION

ATTENTION: SUBSTANCE ABUSE PROGRAM COORDINATOR COMPANY: FAX:

1. Dates of Employment: From: To:
   From: To: From: To:

2. In the past two years, has the driver:

YES	NO	
□	□	Tested positive for alcohol at a level or .04 or greater. If yes, list date(s) and type.
□	□	Tested positive for drugs. If yes, list date(s) and type of test below:
□	□	Refused either a drug or alcohol test. If yes, list date(s) and type of test below:

I certify that the above information is accurate.

Substance Abuse Program Coordinator Date

I hereby authorize the company listed above to release my alcohol and drug screen information to the following company:

COMPANY: ADDRESS: FAX:

Driver Signature Date

By federal regulation this information must be on file in our office within two weeks of hire. Please fax or return this form to the address listed above at once. Please direct any questions to the above name and address.

Code No. 403.9E4

403.9E4 DRUG/ALCOHOL TEST NOTIFICATION FORM

_____

Date

_____

Name (print) Social Security Number

The above named employee is to have the following test:

_____ Drug _____ Alcohol _____Both Drug and Alcohol

Type of Test::

_____ Random _____ Pre-employment (drug only)
_____ Post-accident _____ Reasonable suspicion

_____

Time Sent by District School District Contact Person (phone)

_____

Time Arrived at Collection Site Collection Site Person

_____

Time Test Was Completed Collection Site Person

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

_____

(address of collection site)

I understand a positive drug test result or an alcohol test result of .04 alcohol concentration or greater will result in termination of my employment and that an alcohol test result of greater than .02 but less than .04 alcohol concentration requires me to cease performing a safety-sensitive function for twenty-four hours.

I further understand my drug and alcohol testing results are reported to and maintained by the school district and the Iowa Drug and Alcohol Testing (IDATP) medical review officer for the purpose of completion of reports including, but not limited to, the Annual Summary/MIS reports required under the federal drug and alcohol testing regulations.

_____ _____

Employee's Signature Date

Code No. 403.9E5

403.9E5 CERTIFICATION OF PREVIOUS EMPLOYERS REQUIRING A COMMERCIAL DRIVER'S LICENSE

Name _____ Social Security Number _____

I certify that I have been employed by the following employers during the two years prior to the date stated below and that I was required to possess a commercial driver's license (CDL) during the term of my employment.

Company _____ Phone _____

Address _____

City /State/Zip _____

Company _____ Phone _____

Address _____

City /State/Zip _____

Company _____ Phone _____

Address _____

City /State/Zip _____

Company _____ Phone _____

Address _____

City /State/Zip _____

Company _____ Phone _____

Address _____

City /State/Zip _____

Signature _____ Date _____

Code No. 403.9E6

403.9E6 DRUG AND ALCOHOL REASONABLE SUSPICION OBSERVATION FORM

_____

Employee's Name Date of Observation

Time of Observation From_____a.m/p.m to_____a.m/p.m.
Location: _____
Observed personal behavior: (check all appropriate items)

Speech:_____Normal _____ Incoherent _____ Confused_____Loud
_____ Slurred _____ Whispering _____ Silent _____Disruptive

Balance:_____Normal _____Swaying _____Staggering_____Falling

Walking and Turning:_____Normal _____Stumbling_____Swaying
_____ Falling _____Arms raised for balance _____Reaching for support

Awareness: _____Normal _____Confused _____Paranoid _____Sleepy or Stupor
_____Lack of coordination

Odor:_____Normal _____Alcohol _____Burned rope

Appearance: _____Red Eyes _____Vomiting _____Half closed eyes

Comments: _____

_____

_____

Reasonable suspicion of current use, or impaired by_____alcohol
_____drugs. Above behavior
witnessed by:

_____ _____

Signed Date

_____ _____

Signed (optional) Date

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

Code No. 403.9E7

403.9E7 DRUG AND ALCOHOL TESTING PROGRAM
PRE-EMPLOYMENT DRUG TEST ACKNOWLEDGMENT FORM

I,_____, have been informed of the requirement to submit to a drug test prior to being
(Name of Applicant)
employed by the school district to perform a safety-sensitive function. I consent to submit to the drug and alcohol testing program as required by the Drug and Alcohol Testing Program policy, its supporting documents and the law.

I understand that the results of my drug test will be shared with the school district. I also understand that if I have a positive drug test result, I will not be considered further for employment with the school district.

I further understand that the drug and alcohol testing records and information about me is confidential, and may be released at my request or in accordance with the law.

_____ _____

(Signature of Applicant) (Date)

Code No. 403.9E8

403.9E8 RANDOM TESTING DRIVER CHANGE LIST FORM
IOWA DRUG AND ALCOHOL TESTING PROGRAM

School District
Contact Person:_____ Date: _____

School District:_____ Phone: _____

Address: _____

Social Security Number and Name (first and last). Example 111-22-3333, John Doe.

Additions		Deletions	
SSN	Name	SSN	Name

Please list all qualified drivers who must be tested under the federal regulations. Make copies of this form if you need additional space. Changes must be made in writing. Telephone changes cannot be accepted.

Changes must be received the last business day of the prior quarter to be effective for the quarter. Random selection list updates cannot be data entered for a new month if this form is received on or after the first of the new quarter.

IDAPT participants please fax or mail to:

Medical Enterprises 200
Essex Ct.
Omaha, NE 68114
FAX: (402) 393-8946

Code No. 403.9E9

403.9E9 DRUG AND ALCOHOL TESTING PROGRAM REFERRAL TO SUBSTANCE ABUSE PROFESSIONAL ACKNOWLEDGMENT FORM

I,_____, understand I have violated the Drug and Alcohol Testing Program policy, its supporting administrative regulations and the law by having a

_____ Positive drug test result _____ Alcohol test result of 0.04 breath alcohol concentration or greater.

I understand in order to continue my employment, I must bear the personal and financial responsibility to be evaluated by a substance abuse professional who shall determine what assistance, if any, I need in resolving problems associated with drug use and/or alcohol misuse. I consent to submit to an evaluation by a substance abuse professional and I understand that my failure to cooperate with and complete the substance abuse evaluation may subject me to discipline up to and including termination.

I also understand that in order to continue my employment, I must successfully complete the substance abuse professional's recommended substance abuse treatment program, if any. I consent to successfully complete any recommended substance abuse treatment program, and I understand that my failure to successfully participate and complete the recommended substance abuse treatment program, if any, may subject me to discipline up to and including termination.

I further understand that in order to continue my employment, I must authorize the release to the school district any records related to my substance abuse evaluation and recommended substance abuse treatment program in the possession of or accessible by the substance abuse professional. I consent to authorize the release of the substance abuse professional's records related to my substance abuse evaluation and recommended substance abuse treatment program, if any, to the school district and I understand that my failure to release these records may subject me to discipline up to and including termination.

403.9E10 POST-ACCIDENT DRUG AND ALCOHOL TESTING INSTRUCTIONS TO DRIVERS

The following instructions have been reviewed by the drivers subject to the drug and alcohol testing program. These instructions must be kept in the school vehicle for reference in the event of an accident. The driver operating the school vehicle is responsible to carry out the instructions.

1. Take action to maintain the safety and health of the persons being transported in the school vehicle.

1. Report the accident to the following person as soon as practicable following the accident and follow any directions given to the driver.

School district contact person: _____

_____ Back-up school district co

2. Determine whether any of the following have occurred, and if so, post-accident drug and alcohol testing must be done.

a. A fatality, other than the driver, occurred.
b. The driver was cited **and** bodily injury occurred to a person who, as a result of the injury, required immediate medical treatment away from the scene of the accident.
c. The driver was cited **and** one or more motor vehicles incurred disabling damage as a result of the accident, requiring a vehicle to be transported away from the scene of the accident by a tow truck or other motor vehicle.
   (1) "Disabling damage" is damage which precludes departure of a motor vehicle from the scene of the accident in its usual manner in daylight after simple repairs. It includes damage to motor vehicles that could have been driven, but would have been further damaged if so driven.
   (2) "Disabling damage" excludes damage which can be remedied temporarily at the scene of the accident without special tools or parts:
      a. Tire disablement without damage even if no spare tire is available.
      b. Headlight or taillight damage.
      c. Damage to turn signals, horn, or windshield wipers which make them inoperative.

3. Consume no alcohol for eight hours or prior to submitting to a post-accident alcohol test, whichever occurs first, following an accident meeting the criteria in "3" above.

4. Remain available to submit to a post-accident alcohol test within two hours and no later than eight hours after the accident.

5. Remain available to submit to a post-accident drug test as soon as possible after the accident and no later than 32 hours after the accident.

6. Failure to remain available for post-accident drug and alcohol testing is considered a refusal to test and may subject the driver to discipline up to and including termination.

7. Seek appropriate medical attention despite the need to remain available to submit to post-accident drug and alcohol tests.

8. Using the Transportation Emergency Assistance Program manual developed by the Iowa Pupil Transportation Association, contact the nearest school district transportation director for assistance.

9. Obtain the name, badge number and telephone number of the law enforcement officer if the law enforcement officer conducts a post-accident drug and/or alcohol test. If possible, obtain copies of any alcohol and drug test results conducted by the law enforcement officer. Since these test results are generally unacceptable to meet the school district's requirements for post-accident drug and alcohol testing, the driver must remain available for post-accident drug and alcohol testing by a trained collection site person.

10. Complete the School Bus Accident Report form issues by the Iowa Department of Education as soon as possible.

12. Document failure to submit to a post-accident alcohol test if no alcohol test was conducted:
    a. Document why the driver was not alcohol tested within two hours after the accident.
    b. Document why the driver was not alcohol tested within eight hours after the accident.
    c. A copy of the documentation must be submitted to the school district contact person upon return to the school district.

13. Document failure to submit to a post-accident drug test if no drug test was conducted:
    a. Document why the driver was not drug tested within 32 hours after the accident.
    b. A copy of the documentation must be submitted to the school district contact person upon return to the school district.

403.9E11 DRUG AND ALCOHOL TESTING PROGRAM WORKSHEET

Section I: General requirements

_____ Determine qualifying drivers in the drug and alcohol testing program. *(Driver must meet first and third* ***OR*** *second and third)*

_____ Driver or may drive a vehicle transporting 16 or more persons, including the driver;

_____ Driver or may drive vehicles weighing over 26,001 pounds requiring a commercial driver license; and

_____ Driver full time, part-time, occasionally, under a lease or under a contract with an independent contractor or otherwise driver with the consent of the school district.

_____ Total drivers meeting the qualifications above in the drug and alcohol testing program.

_____ Regularly employed drivers

_____ Substitute drivers

_____ Others who are available to driver.

_____ Determine delivery method of drug and alcohol testing program. *(Choose one.)*

_____Iowa Drug and Alcohol Testing Program (IDATP). *(Contact IASB for information.)*

_____ Other service provider.

_____ School district will conduct its own program.

_____ Identify/Verify the school district contact person(s) and back-up school district contact person(s).

_____ Draft revised board policy and its supporting documents and forms.

_____ Hold meeting to inform drivers about the federal regulations and revised board policy and its supporting documents and forms.

_____ Inform drivers that time involved with drug and alcohol testing is on- duty time and they will be paid.

_____ Inform drivers that their records related to drug and alcohol testing are confidential records and will only be released with appropriate authorization.

_____ Adopt revised board policy and its supporting documents and forms.

_____ Hold meeting or meet with drivers individually to inform them about the federal regulations, and revised board policy and its supporting documents and forms.

_____ Drivers complete policy sign off sheet. (403.9E2)

_____ Drivers take policy and sign off sheet with them to complete within a limited number of days. (403.9E2)

_____ Compile a list of resources available to provide evaluation and assistance with drug use or alcohol misuse for the drivers.

_____ Confirm with the school district's employee assistance program the availability of a substance abuse professional or locate the nearest substance abuse professional.

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

_____ Make arrangements with substance abuse professional to have drivers sign a release of the substance abuse professional's records related to the driver. (Contact IASB for a sample form.)

_____ Ensure the substance abuse professional will refer drivers for treatment, if any, to a public agency, a person under contract with the school district, the sole source of appropriate treatment under the driver's health insurance program, or the sole source of appropriate treatment reasonably accessible to the driver and not to the substance abuse professional's personal practice or to a person or organization from which the substance abuse professional receives financial remuneration or has a financial interest.

_____ Make arrangements for written documentation from substance abuse professional when a driver fails to cooperate and successfully complete the substance abuse evaluation and the recommended substance abuse treatment, if any.

_____ Develop a training program or contract for training to educate drivers about the effects of drug use and alcohol misuse on their work and their personal lives.

_____ File new policy sign off sheet in each driver's drug and alcohol testing personnel file.

_____ File new unsigned policy sign off sheet in the driver's drug and alcohol testing personnel file with documentation why it is unsigned.

_____ Instruct drivers on revised procedures to follow in the event of an accident. (403.9E10)

_____ Place revised summary of post-accident instructions in each school vehicle for reference by driver in the event of an accident. (403.9E10)

_____ Make arrangements to have a minimum of two employees receive the reasonable suspicion training.

_____ Contact the collection site and arrange a meeting to review the following.

_____ Procedures for setting up appointments.

_____ School district's collection site contact person.

_____ Procedures when a driver has no photo identification.

_____ Procedures for receiving alcohol test results.

_____ Procedures for transporting drivers with an alcohol test result of 0.02 alcohol concentration or greater.

Section II. Records keeping.

_____ Ensure drug and alcohol testing related records are retained in limited access secure storage files separate and apart from the drivers' general personnel records.

_____ Verify/create individual driver drug and alcohol testing file to contain:

_____ Policy sign off sheet. (403.9E2)

_____ Agreement to participate in the program. (403.9E2)

_____ Pre-employment drug and alcohol testing related information. *(Applicable only to drivers hired after Jan. 1, 1996).* (403.9E5)

_____ Pre-employment release of prior employer drug and alcohol testing related information. *(Applicable only to drivers hired after Jan. 1, 1996).* (403.9E3)

_____ Pre-employment drug test authorization. *(Applicable only to drivers hired after Jan. 1, 1996).* (403.9E7)

_____ Copy of Drug/Alcohol Test Notification form. (403.9E4)

_____ Copy of drug test chain of custody form.

_____ Copy of alcohol test form.

_____ Refusals to test.

_____ Substance abuse professional evaluation and treatment records, (if any).

_____ Other information pertinent to the driver.

_____ Supervisor and/or driver training sign-off sheets.

_____ Verify/create files for other drug and alcohol testing related information.

_____ Accident information.

_____ Random selection lists.

_____ Positive drug test results.

_____ Positive alcohol test results.

_____ Negative drug tests results.

_____ Negative alcohol tests results.

_____ Change list of all driver adds/deletes from the drug and alcohol testing program. (403.9E8)

_____ Miscellaneous drug and alcohol testing related information.

_____ Reasonable suspicion training certificates.

_____ Records related to the calibration of the evidentiary breath testing devices, training of the collection site personnel and other related information kept by (IDATP/service provider) is available from (IDATP/service provider) within two working days.
_____ Records related to saliva alcohol testing devices.
_____Records related to the school district serving as a saliva alcohol testing or urine specimen collection site.

Section III. Release or Drug and Alcohol Testing Related Records.

_____ Generally, a driver's drug and alcohol testing records are released only with the permission of the driver.
_____ Driver may have prompt access to and copies of their drug and alcohol testing records.
_____ Request for access must be in writing.
_____ Copying fees for the records must be in accordance with board policy.
_____ Drug and alcohol testing records are available to subsequent employers with the driver's written authorization.

Without the driver's written permission, the driver's drug and alcohol test records are made available to a decision maker in a lawsuit, grievance or other proceeding initiated by or on behalf of the driver, and arising from the results of a drug or alcohol test under the federal regulations or from the school district's determination that the driver violated the federal regulations.

Section IV. Pre-employment testing.

_____ Include the requirement of a drug test in any advertising, posting or other notice of the driver position.
_____ Applicant completes the Pre-employment Drug Test Acknowledgment form. (403.9E7)
_____ Applicant completes the Consent for Release of Information form. (403.9E3)
_____ Applicant completes Certification of Previous Employers Requiring a Commercial Driver's License. (403.9E5)
_____ Applicant completes the Drug/Alcohol Test Notification Form. (403.9E4)
_____ Obtain information required on the Consent for Release of Information form. (403.9E3)
_____ Received prior to the applicant performing a safety-sensitive function.
_____ Received no later than fourteen days of the applicant performing a safety-sensitive function. (Recommended only when absolutely necessary.)
_____ Applicant obtains the pre-employment drug test.
_____ Receive pre-employment drug test results.
_____ Negative drug test allows the applicant to being to perform a safety-sensitive function.
_____ Positive drug test removes the applicant from further consideration for the driver position.
_____ Forward the pre-employment drug test results to the applicant upon the applicant's request.
_____ File all documentation
_____ If not hired, file with the applicant's application.
_____ If hired, file with the applicant's drug and alcohol related personnel file.

Section V: Alcohol Test Results.

_____ Receive alcohol test results from collection site person.
_____ By telephone using a password system with written results to follow by mail (or other means).
_____ By a secure electronic means.
_____ By secure fax.
_____ Alcohol test result is less than 0.02 alcohol concentration.
_____ Driver may continue to perform a safety-sensitive function.

_____ Alcohol test result is 0.02 to 0.0366 alcohol concentration.
- _____ School district transport driver to home or other location.
- _____ Driver may not perform a safety-sensitive function for twenty-four hours.
- _____ Make arrangements for substitute, if necessary.
- _____ No action may be taken against the driver under the federal regulations.
- _____ Repeated offenses must be reported to superintendent for action.
- _____ Document incident and file.

_____ Alcohol test result is 0.04 or greater alcohol concentration.
- _____ School district transport driver to home or other location.
- _____ Driver may not perform a safety-sensitive function.
- _____ Make arrangements for substitute, if necessary.
- _____ Place driver on leave.
- _____ Take necessary steps after consulting with the school attorney to terminate the driver.
- _____ Driver may not perform a safety-sensitive function until evaluated by a substance abuse professional and completed the recommended substance abuse treatment program, if any.

Section VI: Drug Test Results.

_____ Receive drug test results from the medial review officer.
- _____ By telephone using a password system with written results to follow by mail (or other means).
- _____ By a secure electronic means.
- _____ By secure fax.

_____ Drug test result is negative.
- _____ Driver may continue to perform a safety-sensitive function.

_____ Drug test result is positive.
- _____ Driver may not perform a safety-sensitive function until evaluated by a substance abuse professional and completed the recommended substance abuse treatment program, if any.

Section VII: Random Drug and Alcohol Testing.

_____ Receive the random selection list from IDATP.
- _____ Determine the date and time a driver or the random selection list will be notified and make appointments at the collection site.

_____ Notify selected drivers.
- _____ Notify the required number of drivers on the random selection list prior to the end of the quarter.

_____ Vary notification each quarter, including day, week and time of day to ensure drivers do not know the random testing is completed for the quarter and now they are free to misuse alcohol or use drugs until the next quarter.
- _____ Notified drivers sign the Drug/Alcohol Test Notification form. (403.9E4)
- _____ Driver proceeds to collection site.

_____ Document, if necessary, reasons why any driver on the random selection list was not notified and attach documentation to the random selection list.

_____ Go to Section V, Alcohol Test Results, or Section VI, Drug Test Results, for appropriate action based on test results.

Section VIII: Reasonable Suspicion Testing.

_____ Driver supervisors who have received reasonable suspicion training document specific, contemporaneous, articulable observations of the driver's behavior, speech or body odors on the Reasonable Suspicion Observation form. (403.9E6)

_____ A second reasonable suspicion trained employee, if at all possible, documents specific, contemporaneous, articulable observations of the driver's behavior, speech or body odors on the Reasonable Suspicion Observation form. (403.9E6)

_____ Driver is removed from performing a safety-sensitive function pending the drug and/or alcohol test results.

_____ Driver completes Drug/Alcohol Testing Notification form. (403.9E4)

_____ Driver is transported to the collection site.

_____ Complete and file documentation of Reasonable Suspicion Observation form immediately and no later than within twenty-four hours or prior to receiving the test results. (403.9E6)

Section IX: Post-Accident Testing.

_____ Instruct driver on procedures to follow in the event of an accident.

_____ Place summary of instructions in each school vehicle with the Iowa Pupil Transportation Association's Transportation Assistance Manual for reference by a driver in the event of an accident. (403.9E10)

_____ Receive notice of accident from driver.

_____ Determine whether post-accident testing must be done.

- _____ A fatality, other than the driver, occurred.
- _____ The driver was cited **and** bodily injury occurred to a person who, as a result of the injury, required immediate medical treatment away from the scene of the accident.
- _____ The driver was cited **and** one or more motor vehicles incurred disabling damage as a result of the accident, requiring a motor vehicle to be transported away from the scene by a tow truck or other motor vehicle.

_____ Remind the driver of the requirement to remain available for drug and alcohol testing and to **not** consume alcohol for eight hours after the accident.

- _____ Contact the nearest school district transportation director for the location of their collection site using the Iowa Pupil Transportation Association's Transportation Emergency Assistance Manual.
- _____ Make arrangements for the driver to be tested for alcohol within two hours and no later than eight hours after the accident must be documented and filed.
  - _____ The reason for failing to have an alcohol test after two hours but prior to eight hours after the accident must be documented and filed.
  - _____ The reason for failing to have an alcohol test prior to eight hours after the accident must be documented and filed.
- _____ Make arrangements for the driver to be drug tested as soon as possible and no later than thirty-two hours after the accident.
  - _____ The reason for failing to have a drug test after thirty-two hours after the accident must be documented and filed.
- _____ Medical attention to the driver is not denied in order to conduct the drug and alcohol tests.
- _____ Alcohol and drug test results conducted by law enforcement in accordance with the federal regulations may be used to meet the post-accident drug and alcohol testing requirements if the school district received a copy of the test results.
- _____ Notify insurance company of all accidents, whether post-accident drug and alcohol testing was required and ask the insurance company to maintain a list of **all** accidents reported so a list of all accidents may be easily compiled in the event of a U.S. DOT audit.

Section X: Return to Duty and Follow-up Testing.

_____ Driver has completed the substance abuse professional's evaluation and recommended substance abuse treatment program, if any.

_____ Driver must provide in accordance with the substance abuse professional's instructions a negative drug test result and/or alcohol test result of less than 0.02 alcohol concentration.

_____ Meeting this requirement allows the driver to return to work to perform a safety-sensitive function.
_____ Failure of the driver to meet this requirement is reported to the superintendent for discipline up to and including termination.
_____ In accordance with the substance abuse professional's instructions, the driver is subject to a minimum of six unannounced drug and/or alcohol tests during the next twelve months and may be subject to an unannounced drug and/or alcohol tests during the next twelve months.
_____ The substance abuse professional notifies the school district when the drug and/or alcohol testing is to take place.
_____ Make an appointment at the collection site for the appropriate collection.
_____ Notified driver signs the Drug/Alcohol Test Notification form. (403.9E4)
_____ Driver proceeds to collection site.
_____ A positive drug test result or an alcohol test result of greater than 0.02 alcohol concentration is reported to the superintendent for discipline up to and including termination.

404 EMPLOYEE CONDUCT AND APPEARANCE

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

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

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

Legal Reference: Iowa Code § 279.8 (2009).
282 I.A.C. 13.

Cross Reference: 307 Administrator Code Of Ethics
402.6 Employee Relations to the Public

Approved 08/08/94 Reviewed 08/14/17 Revised 07/12/10

404.1R1 EMPLOYEE CONDUCT REGULATION

I. Commitment to the student.

The educator measures success by the progress of each student toward realization of potential as a worthy and effective citizen. The educator therefore works to stimulate the spirit of inquiry, the acquisition of knowledge and understanding, and the thoughtful formulation of worthy goals. In fulfilling obligations to the student, the educator:

a. Shall not without just cause restrain the student from independent action in a pursuit of learning and shall not without just cause deny the student access to varying points of view.

b. Shall not deliberately suppress or distort subject matter for which the educator bears responsibility.

c. Shall make reasonable effort to protect the student from conditions harmful to learning or to health and safety.

d. Shall conduct professional business in such a way that the educator does not expose the student to unnecessary embarrassment or disparagement.

e. Shall not on the ground of race, color, creed, age, sex, physical or mental handicap, marital status, or national origin exclude any student from participation in or deny the student benefits under any program nor grant any discriminatory consideration or advantage.

f. Shall not use professional relationships with students for private advantage.

g. Shall keep in confidence information that has been obtained in the course of professional service, unless disclosure serves professional purposes or is required by law.

h. Shall not tutor for remuneration students assigned to the educator's classes, unless no other qualified teacher is reasonably available.

II. Commitment to the public.

The educator believes that patriotism in its highest form requires dedication to the principles of our democratic heritage. The educator shares with all other citizens the responsibility for the development of sound public policy and assumes full political and citizenship responsibilities. The educator bears particular responsibility for the development of policy relating to the extension of educational opportunities for all and for interpreting educational programs and policies to the public. In fulfilling an obligation to the public, the educator:

a. Shall not misrepresent an institution or organization with which the educator is affiliated and shall take adequate precautions to distinguish between personal and institutional or organizational views.

b. Shall not knowingly distort or misrepresent the facts concerning educational matters in direct and indirect public expressions.

c. Shall not interfere with a colleague’s exercise of political and citizenship tights and responsibilities.

d. Shall not use institutional privileges for monetary private gain or to promote political candidates or partisan political activities.

e. Shall accept no gratuities, gifts, or favors that might impair or appear to impair professional judgment, nor offer any favor, service, or thing of value to obtain special advantage.

III. Commitment to the profession.

The educator believes that the quality of the services of the education profession directly influences the nation and its citizens. The educator therefore exerts every effort to raise professional standards, to improve service, to promote a climate in which the exercise of professional judgment is encouraged, and to achieve conditions which attract persons worthy of the trust to careers in education. In fulfilling an obligation to the profession, the educator:

a. Shall not discriminate on the ground of race, sex, age, physical handicap, marital status, color, creed or national origin for membership in the profession, nor interfere with the participation or nonparticipation of colleagues in the affairs of their professional association.

b. Shall accord just and equitable treatment to all members of the profession in the exercise of their professional rights and responsibilities.

c. Shall not use coercive means or promise special treatment in order to influence professional decisions of colleagues.

d. Shall withhold and safeguard information acquired about colleagues in the course of employment, unless disclosure serves professional purposes.

e. Shall not refuse to participate in a professional inquiry when requested by the commission board.

f. Shall provide upon the request of the aggrieved party a written statement of specific reason for recommendations that lead to the denial of increments, significant change in employment or termination of employment.

g. Shall not misrepresent professional qualifications.

h. Shall not knowingly distort evaluations of colleagues.

IV. Commitment to professional employment practices.

The educator regards the employment agreement as a pledge to be executed both in spirit and in fact in a manner consistent with the highest ideals of professional service. The educator believes that sound professional personnel relationships with governing boards are built upon personal integrity, dignity and mutual respect. The administrator discourages the practice of the profession by unqualified persons. In fulfilling the obligation to professional employment practices, the educator:

a. Shall apply for, accept, offer, or assign a position or responsibility on the basis of professional preparation and legal qualifications.

b. Should recognize salary schedules and the salary clause of an individual teacher's contract as a binding document on both parties. The educator should not in any way violate the terms of the contract.

c. Shall not knowingly withhold information regarding a position from an applicant or misrepresent an assignment or conditions of employment.

d. Shall give prompt notice to the employing agency of any change in availability of service, and the employing agent Shall give prompt notice of change in availability or nature of a position.

e. Shall adhere to the terms of a contract or appointment unless these terms have been legally terminated, falsely represented, or substantially altered by unilateral action of the employing agency.

f. Shall not delegate assigned tasks to unqualified personnel.

g. Shall use time or funds granted for the purpose for which they were intended.

V. Commitment of board members and staff.

The board members and staff will be independent and impartial and not use the public office for private gain. In fulfilling their obligation the board employees will not:

a. Receive any remuneration for services, other than that payable by law.

b. Solicit, accept or agree to accept any gifts, loans, gratuities, discounts, favors, hospitalities or services from anyone with vested interests in board matters.

c. Disclose confidential information garnered from official duties.

d. Solicit, accept or agree to accept compensation contingent upon board actions.

e. Hold positions, perform duties, or engage in activities not compatible with official capacity.

These rules are intended to implement Iowa Code, chapter 272.

405.1 LICENSED EMPLOYEE DEFINED

Licensed employees, including administrators, are those employees required to hold an appropriate license from the Iowa Department of Education for their position as required by the Board of Educational Examiners or others with professional licenses. Licenses required for a position will be considered met if the employee meets the requirements established by the Iowa Department of Education.

It is the responsibility of the superintendent to establish job specifications and job descriptions for licensed employees' positions, other than the position of the superintendent. Job descriptions may be approved by the board.

Licensed employees must present evidence of current license to the board secretary prior to payment of salary each year.

Legal Reference: Clay v. Independent School District of Cedar Falls, 187 Iowa 89, 174 N.W. 47 (1919).
Iowa Code §§ 256.7(3); 272.6; 272A; 279.8; 294.1 (2009).
282 I.A.C. 14.
281 I.A.C. 12.4; 41.25.
1940 Op. Att'y Gen. 375.

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

Approved 08/08/94 Reviewed 08/14/17 Revised 07/12/10

405.2 LICENSED EMPLOYEE QUALIFICATIONS, RECRUITMENT, SELECTION

Persons interested in a licensed position, other than administrative positions which will be employed in accordance with board policies in Series 300, "Administration," will have an opportunity to apply and qualify for licensed positions in the school district without regard to age, race, color, sex, national origin, gender, gender identity, religion, creed, marital status, sexual orientation, socioeconomic status, or disability. Job applicants for licensed positions will be considered on the basis of the following:

- Training, experience, and skill;
- Nature of the occupation;
- Demonstrated competence; and
- Possession of, or ability to obtain, state license if required for the position.

Announcement of the position is in a manner which the superintendent believes will inform potential applicants about the position. Applications for employment may be obtained from and completed applications are returned to the school district administrative office. Whenever possible, the preliminary screening of applicants will be conducted by the administrator who will be directly supervising and overseeing the person being hired.

The board will employ licensed employees after receiving a recommendation from the superintendent. However, the superintendent will have the authority to employ a licensed employee on a temporary basis until a recommendation can be made and action can be taken by the board on the position.

The requirements stated in the Master Contract between employees in that certified collective bargaining unit and the board regarding qualifications, recruitment and selections of such employees is followed.

Legal Reference:
29 U.S.C. §§ 621-634 (1994).
42 U.S.C. §§ 2000e *et seq.* (1994).
42 U.S.C. §§ 12101 *et seq.* (1994).
Iowa Code §§ 20; 35C; 216; 294.1 (2009).
281 I.A.C. 12.
282 I.A.C. 14.
1980 Op. Att'y Gen. 367.

Cross Reference:
401.2 Equal Employment Opportunity
405.1 Licensed Employee Defined
405.3 Licensed Employee Individual Contracts

Approved 08/08/94 Reviewed 08/14/17 Revised 07/09/12

405.3 LICENSED EMPLOYEE INDIVIDUAL CONTRACTS

The board will enter into a written contract with licensed employees, other than administrators, employed on a regular basis.

Each contract will be for a period of one year, beginning July 1 and ending on June 30.

It is the responsibility of the superintendent to complete the contracts for licensed employees and present them to the board for approval. The contracts, after being signed by the board president, are returned to the superintendent. The superintendent will obtain the employee's signature. After being signed, the contract is filed with the board secretary.

Legal Reference:
Harris v. Manning Independent School District of Manning, 245 Iowa 1295, 66 N.W.2d 438 (1954).
Shackelford v. District Township of Beaver, Polk County, 203 Iowa 243, 212 N.W. 467 (1927).
Burkhead v. Independent School District of Independence, 107 Iowa 29, 77 N.W. 491 (1898).
Iowa Code chs. 20; 279 (2009).

Cross Reference:
203 Board of Directors' Conflict of Interest
405.2 Licensed Employee Qualifications, Recruitment, Selection
407 Licensed Employee Termination of Employment
411.2 Classified Employee Qualifications, Recruitment, Selection

Approved 08/08/94 Reviewed 08/14/17 Revised 07/12/10

405.4 LICENSED EMPLOYEE CONTINUING CONTRACTS

Contracts entered into with licensed employees, other than an administrator, will continue from year to year unless the contract states otherwise, is modified by mutual agreement between the board and the employee, or the contract is terminated by the board.

The first two years of a new licensed employee's contract is a probationary period unless the employee has already successfully completed the three-year probationary period. New employees who have successfully completed a probationary period in a previous Iowa school district will serve a one-year probationary period. In the event of termination of the employee's contract during this period, the board will afford the licensed employee appropriate due process. The action of the board will be final.

Licensed employees whose contracts will be recommended for termination by the board will receive notice prior to April 30. The superintendent will make a recommendation to the board for the termination of the licensed employee's contract.

Licensed employees who wish to resign, to be released from a contract, or to retire must comply with board policies in those areas.

Legal Reference:
Ar-We-Va Community School District v. Long and Henkenius, 292 N.W.2d 402 (Iowa 1980).
Bruton v. Ames Community School District, 291 N.W.2d 351 (Iowa 1980).
Hartman v. Merged Area VI Community College, 270 N.W.2d 822 (Iowa 1978).
Keith v. Community School District of Wilton in the Counties of Cedar and Muscatine, 262 N.W.2d 249 (Iowa 1978).
Iowa Code §§ 20; 272; 279.12-.19B, .27; 294.1 (2009).

Cross Reference:
405.3 Licensed Employee Individual Contracts
407 Licensed Employee Termination of Employment

Approved 08/08/94 Reviewed 08/14/17 Revised 07/12/10

405.5 LICENSED EMPLOYEE WORK DAY

The work day for licensed employees will begin each day of the school year at a time established by the superintendent. Licensed employees who are employed only during the academic year will have the same work day as other licensed employees. "Day" is defined as one work day regardless of full-time or part-time status of an employee.

Licensed employees are to be in their assigned school building during the work day. Advance approval to be absent from the school building must be obtained from the principal whenever the licensed employees must leave the school building during the work day.

The building principal is authorized to make changes in the work day in order to facilitate the education program. These changes are reported to the superintendent.

The work day outlined in this policy is a minimum work day. Nothing in this policy prohibits licensed employees from working additional hours outside the work day.

The requirements stated in the Master Contract between employees in that certified collective bargaining unit and the board regarding work day of such employees will be followed.

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

Cross Reference: 200.3 Powers of the Board of Directors
200.4 Responsibilities of the Board of Directors

Approved 08/08/94 Reviewed 08/14/17 Revised 07/12/10

405.6 LICENSED EMPLOYEE ASSIGNMENT

Determining the assignment of each licensed employee is the responsibility of and within the sole discretion of the board. In making such assignments the board will consider the qualifications of each licensed employee and the needs of the school district.

It is the responsibility of the superintendent to make recommendations to the board regarding the assignment of licensed employees.

The requirements stated in the Master Contract between employees in that certified collective bargaining unit and the board regarding assignment of such employees will be followed.

Legal Reference: Iowa Code §§ 20.9; 279.8 (2009).

Cross Reference: 200.3 Powers of the Board of Directors
200.4 Responsibilities of the Board of Directors

Approved 08/08/94 Reviewed 08/14/17 Revised 07/12/10

405.7 LICENSED EMPLOYEE TRANSFERS

Determining the location where an employee's assignment will be carried out is the responsibility and within the sole discretion of the board. In making such assignments the board will consider the qualifications of each licensed employee and the needs of the school district.

A transfer may be initiated by the employee, the principal, or the superintendent.

It is the responsibility of the superintendent to make recommendations to the board regarding the transfer of licensed employees.

The requirements stated in the Master Contract between employees in that certified collective bargaining unit and the board regarding transfers of employees will be followed.

Legal Reference: Iowa Code §§ 20.9; 216.14; 279.8 (2009).

Cross Reference: 405.2 Licensed Employee Qualifications, Recruitment, Selection
405.6 Licensed Employee Assignment

Approved 08/08/94 Reviewed 08/14/17 Revised 07/12/10

405.8 LICENSED EMPLOYEE EVALUATION

Evaluation of licensed employees on their skills, abilities, and competence is an ongoing process supervised by the building principals and conducted by approved evaluators. The goal of the formal evaluation of licensed employees, other than administrators, but including extracurricular employees, is to improve the education program, to maintain licensed employees who meet or exceed the board's standards of performance, to clarify the licensed employee's role, to ascertain the areas in need of improvement, to clarify the immediate priorities of the board, and to develop a working relationship between the administrators and other employees.

The formal evaluation criteria is in writing and approved by the board. The formal evaluation will provide an opportunity for the evaluator and the licensed employee to discuss the past year's performance and the future areas of growth. The formal evaluation is completed by the evaluator, signed by the licensed employee and filed in the licensed employee's personnel file. This policy supports, and does not preclude, the ongoing informal evaluation of the licensed employee's skills, abilities and competence.

It is the responsibility of the superintendent to ensure licensed employees are evaluated. New and probationary licensed employees are evaluated at least twice each year.

The requirements stated in the Master Contract between employees in that certified collective bargaining unit and the board regarding evaluation of such employees will be followed.

Legal Reference:
Aplington Community School District v. PERB, 392 N.W.2d 495 (Iowa 1986).
Saydel Education Association v. PERB, 333 N.W.2d 486 (Iowa 1983).
Iowa Code §§ 20.9; 279.14, .19, .27 (2009).
281 I.A.C. 12.3(4).

Cross Reference:
303.5 Superintendent Evaluation
304.6 Administrator Evaluation
405.2 Licensed Employee Qualifications, Recruitment, Selection

Approved 08/08/94 Reviewed 08/14/17 Revised 07/12/10

405.9 LICENSED EMPLOYEE PROBATIONARY STATUS

The first two years of a new licensed employee's contract is a probationary period unless the employee has already successfully completed the two-year probationary period. New employees who have successfully completed a probationary period in a previous school district will serve a one year probationary period.

Only the board, in its discretion, may waive the probationary period. The board may extend the probationary period for one additional year with the consent of the licensed employee. The board will make the decision to extend or waive a licensed employee's probationary status based upon the superintendent's recommendation. During this probationary period the board may terminate the licensed employee's contract at year-end or discharge the employee in concert with corresponding board policies.

Licensed employees may also serve a probationary period based upon their performance. Such probationary period is determined on a case-by-case basis in light of the circumstances surrounding the employee's performance as documented in the employee's evaluations and personnel file.

Legal Reference: Iowa Code §§ 279.12-.19B (2009).

Cross Reference: 405.4 Licensed Employee Continuing Contracts
405.8 Licensed Employee Evaluation

Approved 08/08/94 Reviewed 08/14/17 Revised 07/12/10

405.10 LICENSED EMPLOYEE ORGANIZATION AFFILIATION

Licensed employees who qualify may join the Shenandoah Education Association and participate in its activities as long as the participation does not, in any way, interfere with the delivery of and the provision of the education program and school district operations.

The superintendent shall have sole discretion to determine whether association activities interfere with the education program and school district operations. Association members must follow the board policy on public use of school property.

The board shall not interfere with the rights of an employee to organize or form, join or assist any employee organization.

Legal Reference: Iowa Code §§ 20.1, 08., .10; 279.8 (2009).

Cross Reference: 408 Licensed Employee Professional Growth

Approved 08/08/94 Reviewed 08/14/17 Revised 07/12/10

406.1 LICENSED EMPLOYEE SALARY SCHEDULE

The board will establish salary schedules for licensed employees' positions keeping in mind the financial condition of the school district, the education and experience of the licensed employee, the educational philosophy of the school district, and other factors deemed relevant by the board.

It is the responsibility of the superintendent to make a recommendation to the board annually regarding the salary schedule. The salary schedule is subject to review and modification through the collective bargaining process.

The requirements stated in the Master Contract between employees in that certified collective bargaining unit and the board regarding wages and salaries of such employees will be followed.

Legal Reference: Iowa Code §§ 20.1, .4, .7, .9; 279.8 (2009).

Cross Reference:
- 405.3 Licensed Employee Individual Contracts
- 405.4 Licensed Employee Continuing Contract
- 405.8 Licensed Employee Evaluation
- 405.9 Licensed Employee Probationary Status
- 406.2 Licensed Employee Salary Schedule Advancement

Approved 08/08/94 Reviewed 08/14/17 Revised 07/12/10

406.2 LICENSED EMPLOYEE SALARY SCHEDULE ADVANCEMENT

The board will determine which licensed employees will advance on the salary schedule for the licensed employees' positions, keeping in mind the financial condition of the school district, the education and experience of the licensed employee, the educational philosophy of the school district, and other considerations as determined by the board.

It is the responsibility of the superintendent to make a recommendation to the board for the advancement of licensed employees on the salary schedule.

The requirements stated in the Master Contract between employees in that certified collective bargaining unit and the board regarding salary schedule advancement of such employees will be followed.

Legal Reference: Iowa Code §§ 20.1, .4, .7, .9; 279.8 (2009).

Cross Reference:
405.3 Licensed Employee Individual Contracts
405.4 Licensed Employee Continuing Contracts
405.8 Licensed Employee Evaluation
405.9 Licensed Employee Probationary Status
406.1 Licensed Employee Salary Schedule
406.3 Licensed Employee Continued Education Credit

Approved 08/08/94 Reviewed 08/14/17 Revised 07/12/10

406.3 LICENSED EMPLOYEE CONTINUED EDUCATION CREDIT

Continued education on the part of licensed employees may entitle them to advancement on the salary schedule. Licensed employees who have completed additional hours will be considered for advancement on the salary schedule. The board will determine which licensed employees will advance on the salary schedule for continued education keeping in mind the financial condition of the school district, the education and experience of the licensed employee, the educational philosophy of the school district, and any other items deemed relevant by the board.

Licensed employees who wish to obtain additional education for advancement on the salary schedule must make a written request and submit an official transcript to the superintendent by September 1 each year. This additional education must be in the same area as the education that was required of the employee to hold the employee's current position with the school district. For purposes of illustration only, a math teacher would advance on the salary schedule only if the additional education was in math courses. The superintendent has the discretion to approve credit outside the employee's area of endorsement or responsibility.

It is the responsibility of the superintendent to make a recommendation to the board for the advancement of a licensed employee on the salary schedule.

The requirements stated in the Master Contract between licensed employees in a certified collective bargaining unit and the board regarding continued education credit of such employees will be followed.

Legal Reference: Iowa Code §§ 20.1, .4, .7, .9; 279.8 (2009).

Cross Reference:
405.3 Licensed Employee Individual Contracts
405.4 Licensed Employee Continuing Contracts
405.8 Licensed Employee Evaluation
405.9 Licensed Employee Probationary Status
406.1 Licensed Employee Salary Schedule
406.2 Licensed Employee Salary Schedule Advancement

Approved 08/08/94 Reviewed 08/14/17 Revised 03/11/13

406.3R1 LANE ADVANCEMENT

The following will serve as a guide for lane advancement on the salary schedule.

All graduate hours or credits must be approved by the superintendent for lane advancement or horizontal movement on the salary schedule. Graduate school programs for a Master's Degree, Specialist's Degree, Doctorate, or any graduate degree must be approved by the superintendent for salary schedule lane movement consideration.

1. Graduate credits/hours are the only credits/hours acceptable for consideration. Six hours of graduate credit for National Board Certification will be awarded, by the district, toward lane advancement. Undergraduate or renewable for certification units are not acceptable for lane advancement.

2. No employee shall move more than one vertical step per year.

3. Graduate credits/hours must be from an accredited institute and must be in the employee's area of instruction or in a closely related area as determined by the superintendent. The courses must have prior approval by the superintendent before being considered for lane advancement.

4. Advanced degree programs such as, but no limited to, Master's, Specialist's, or Doctorate, must be submitted to the superintendent for approval for lane advancement prior to admission of candidacy for such program.

5. Graduate credits/hours approved and earned prior to the granting of the advanced degree are ineligible for consideration for lane advancement on the salary schedule beyond the Master's Degree lane. Graduate credits/hours for lane advancement beyond the Master's Degree lane must be earned after receiving the Master's Degree. Prior credits/hours are not eligible.

6. Once eligibility and satisfactory completion of the approved courses and programs is achieved or accomplished, a written request and official transcripts must be submitted to the superintendent before September 1st. Once approved, the salary increase will be reflected in the employee's next pay period.

7. The superintendent will prescribe the appropriate forms and procedures to be used by the employees in making salary lane advancement requests.

Approved 08/08/94 Reviewed 08/14/17 Revised 03/11/13

406.4 LICENSED EMPLOYEE COMPENSATION FOR EXTRA DUTY

A licensed employee may volunteer or be required to take on extra duty, with the extra duty being secondary to the major responsibility of the licensed employee. The board will establish a salary schedule for extra duty licensed employee positions, keeping in mind the financial condition of the school district, the education and experience of the licensed employee, the educational philosophy of the school district, and other considerations as determined by the board.

Vacant extra duty positions, for which extra compensation will be earned, will be posted to allow qualified licensed employees to volunteer for the extra duty. If no licensed employee volunteers for extra duty, the superintendent will assign the extra duty positions to qualified licensed employees. The licensed employee will receive compensation for the extra duty required to be performed.

It is the responsibility of the superintendent to make a recommendation to the board annually as to which licensed employees will have the extra duty, and the salary schedule for extra duty, for the board's review.

The requirements stated in the Master Contract between employees in that certified collective bargaining unit and the board regarding the compensation for extra duties of such employees will be followed.

Legal Reference: Iowa Code §§ 20.1, .4, .7, .9; 279.8, .13-.15, .19A-B (2009).

Cross Reference:
405.3 Licensed Employee Individual Contracts
405.4 Licensed Employee Continuing Contracts
405.8 Licensed Employee Evaluation
405.9 Licensed Employee Probationary Status
406.1 Licensed Employee Salary Schedule
406.2 Licensed Employee Salary Schedule Advancement

Approved 08/08/94 Reviewed 08/14/17 Revised 07/12/10

406.5 LICENSED EMPLOYEE GROUP INSURANCE BENEFITS

Licensed employees are eligible for group insurance and health benefits. The board will select the group insurance program and the insurance company which will provide the program.

Full-time licensed employees are eligible to participate in the health and major medical, life, and long-term disability group insurance plans. Regular part-time employees who wish to purchase insurance coverage may participate in group insurance programs by meeting the requirements of the insurer. Full-time and regular part-time licensed employees who wish to purchase insurance coverage for their spouse or dependents may do so by meeting the requirements of the insurer.

Licensed employees and their spouse and dependents may be allowed to continue coverage of the school district's group health insurance program if they cease employment with the school district by meeting the requirements of the insurer and IPERS.

This policy statement does not guarantee a certain level of benefits. The board will have the authority and right to change or eliminate group insurance programs for its licensed employees.

The requirements stated in the Master Contract between employees in that certified collective bargaining unit and the board regarding the group insurance benefits of such employees will be followed.

Legal Reference: Iowa Code §§ 20.9; 85; 85B; 279.12, .27; 509; 509A; 509B (2009).

Cross Reference: 706 Payroll Procedures

Approved 08/08/94 Reviewed 08/14/17 Revised 07/12/10

406.6 LICENSED EMPLOYEE TAX SHELTER PROGRAMS

The board authorizes the administration to make a payroll deduction for licensed employees' tax sheltered annuity premiums purchased from any company the employee chooses or through an Iowa-licensed salesperson selected by the employee.

Licensed employees wishing to have payroll deductions for tax sheltered annuities will make a written request to the superintendent/business manager.

The requirements stated in the Master Contract between employees in that certified collective bargaining unit and the board regarding the tax sheltered annuities of such employees will be followed.

Legal Reference: Small Business Job Protection Act of 1996, Section 1450(a), repealing portions of IRS REG § 1.403(b)-1(b)(3).
Iowa Code §§ 20.9; 260C; 273; 294.16 (2009).
1988 Op. Att'y Gen. 38.
1976 Op. Att'y Gen. 462, 602.
1966 Op. Att'y Gen. 211, 220.

Cross Reference: 706 Payroll Procedures

Approved 08/08/94 Reviewed 08/14/17 Revised 07/12/10

407.1 LICENSED EMPLOYEE RESIGNATION

A licensed employee who wishes to resign must notify the superintendent in writing within the time period set by the board for return of the contract. This applies to regular contracts for the licensed employee's regular duties and for an extracurricular contract for extra duty. Resignations of this nature will be accepted by the board.

The board may require an individual who has resigned from an extracurricular contract to accept the resigned position for only the subsequent school year when the board has made a good faith effort to find a replacement and the licensed employee is continuing to be employed by the school district.

Legal Reference: Iowa Code §§ 91A.2, .3, .5; 279.13, .19A (2009).

Cross Reference:
405.3 Licensed Employee Individual Contracts
405.4 Licensed Employee Continuing Contracts
407 Licensed Employee Termination of Employment

Approved 08/08/94 Reviewed 08/14/17 Revised 07/12/10

407.2 LICENSED EMPLOYEE CONTRACT RELEASE

Licensed employees who wish to be released from an executed contract must give at least twenty-one days notice to the superintendent. Licensed employees may be released at the discretion of the board. Only in unusual and extreme circumstances will the board release a licensed employee from a contract. The board will have sole discretion to determine what constitutes unusual and extreme circumstances.

Release from a contract will be contingent upon finding a suitable replacement. Licensed employees requesting release from a contract after it has been signed and before it expires may be required to pay the board up to $1,000 for expenses incurred to locate and hire a suitable replacement. Upon written mutual agreement between the employee and the superintendent, the costs may be deducted from the employee's salary. Payment of these costs is a condition for release from the contract at the discretion of the board. Failure of the licensed employee to pay these expenses may result in a cause of action being filed in small claims court.

The superintendent is authorized to file a complaint with the Board of Educational Examiners against a licensed employee who leaves without proper release from the board.

Legal Reference: Iowa Code §§ 216; 272; 279.13, .19A, .46 (2009).
1978 Op. Att'y Gen. 247.
1974 Op. Att'y Gen. 11, 322.

Cross Reference: 405.3 Licensed Employee Individual Contracts
405.4 Licensed Employee Continuing Contracts
407.3 Licensed Employee Retirement

Approved 08/08/94 Reviewed 08/14/17 Revised 07/12/10

407.3 LICENSED EMPLOYEE RETIREMENT

Licensed employees who will complete their current contract with the board may apply for retirement. No licensed employee will be required to retire at a specific age.

Application for retirement will be considered made when the licensed employee states in writing to the superintendent, no later than the date set by the board for the return of the employee's contract to the board, the intent of the employee to retire. The letter must state the employee's desire to retire and be witnessed by another party other than the principal or the superintendent. Applications made after the date set by the board for the return of the employee's contract to the board may be considered by the board if special circumstances exist. It is within the discretion of the board to determine whether special circumstances exist.

Board action to approve a licensed employee's application for retirement is final and such action constitutes nonrenewal of the employee's contract for the next school year.

Licensed employees who retire under this policy may qualify for retirement benefits through the Iowa Public Employees Retirement System.

Licensed employees and their spouse and dependents are allowed to continue coverage in the school district's group health insurance program at their own expense by meeting the requirements of the insurer.

Legal Reference: Iowa Code §§ 97B; 216; 279.46 (2009).
581 I.A.C. 21.
1978 Op. Att'y Gen. 247.
1974 Op. Att'y Gen. 11, 322.

Cross Reference: 413.2 Classified Employee Retirement

Approved 08/08/94 Reviewed 08/14/17 Revised 07/12/10

407.4 LICENSED EMPLOYEE EARLY RETIREMENT

The school district offers an early retirement plan for full-time licensed employees. *Full-time licensed employees are licensed employees who work____hours per week and who are currently performing their assigned duties within the school district*. A licensed employee is eligible under the early retirement plan when the licensed employee:

- Is between the ages of fifty-eight (58) and sixty-five (65) on or before June 30 of the year in which the licensed employee wishes to retire;
- Completes a total of ten (10) years of service as a full-time licensed employee to the school district;
- Submits an application to the superintendent for participation in the plan on or before February 15 of the year in which the licensed employee wishes to retire. Applications submitted after February 15 may be considered at the discretion of the board depending on the circumstances for the late application;
- Submits a written resignation. The resignation may be contingent upon approval by the board of participation in the voluntary early retirement plan; and,
- Receives board approval of the licensed employee's application for participation in the early retirement plan, of the licensed employee's resignation and of the disbursement of early retirement incentive to the licensed employee.

Approval by the board of the licensed employee's early retirement application shall constitute a voluntary resignation. Approval by the board of the licensed employee's early retirement application will also make the licensed employee eligible for disbursement of the early retirement incentive the sooner of July 1 following the licensed employee's approval for early retirement or a date mutually agreed upon by the school district and the licensed employee. Failure of the board to approve the licensed employee's early retirement application will make the licensed employee's current contract with the board continue in full force and effect.

Approved 08/08/94 Reviewed 08/14/17 Revised 07/12/10

Cash Benefit Options

Option 1 – Lump Sum Amount Based on Salary Schedule
The early retirement incentive for each eligible licensed employee approved by the board will be based on the licensed employee salary schedule in effect the last year of the licensed employee's employment with the school district. The difference between the salary schedule base and the licensed employee's current salary less supplemental pay or extended contract pay is the lump sum amount of early retirement incentive the licensed employee will receive upon retirement.

Option 2 – Lump Sum Amount
The early retirement incentive for each eligible licensed employee approved by the board will be $10,000.

Option 3 – Percentage of Pay
The early retirement incentive for each eligible licensed employee approved by the board will be based on the licensed employee salary schedule in effect the last year of the licensed employee's employment with the school district. The employee will receive percent of the current year's salary less supplemental pay or extended contract pay. That amount is the lump sum amount of early retirement incentive the licensed employee will receive.

Option 4 – Lump Sum Amount and Percentage of Pay
The early retirement incentive for each eligible licensed employee approved by the board will be a lump sum amount of_____and an additional amount based on the licensed employee salary schedule in effect the last year of the licensed employee's employment with the school district. As an additional benefit, the employee will receive percent of the current year's salary less supplemental pay or extended contract pay.

Continuation of Insurance Benefits

Option 1 – At Employee's Expense
Upon retirement, the licensed employee is eligible to continue participation in the school district's group insurance plan at the licensed employee's expense by meeting the requirements of the insurer. The employees must pay the monthly premium amount in full to the board secretary prior to the due date of the school district's premium payment to the insurance carrier.

This insurance coverage will cease when the licensed employee/retiree reaches age sixty-five, secures other employment in which the employer provides insurance coverage, or dies. If dependent insurance coverage is carried, that coverage may continue beyond the employee's/retiree's sixty-fifth birthday for a period of up to five years or until the dependent reaches age sixty-five.

Option 2 – At School District's Expense
Upon retirement, the licensed employee is eligible to continue participation in the school district's group insurance plan at the school district's expense by meeting the requirements of the insurer.

This insurance coverage will cease when the licensed employee/retiree reaches age sixty-five, secures other employment in which the employer provides insurance coverage, or dies. If dependent insurance coverage is carried, that coverage may continue beyond the employee's/retiree's sixty-fifth birthday for a period of up to five years or until the dependent reaches age sixty-five.

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Continuation of Insurance Benefits (continued)

Option 3 – At School District and Employee's Expense
Upon retirement, the licensed employee is eligible to continue participation in the school district's group insurance plan by meeting the requirements of the insurer. The school district will pay the cost of the single premium at the level it was when the employee retired. The employee is responsible for paying any increase in premium costs. The employee must pay the employee's share of the premium by paying the monthly premium amount in full to the board secretary prior to the due date of the school district's premium payment to the insurance carrier.

This insurance coverage will cease when the licensed employee/retiree reaches age sixty-five, secures other employment in which the employer provides insurance coverage, or dies. If dependent insurance coverage is carried, that coverage may continue beyond the employee's/retiree's sixty-fifth birthday for a period of up to five years or until the dependent reaches age sixty-five.

Beneficiary Option

In the event of the death of the licensed employee prior to payment of the early retirement incentive but after the licensed employee's retirement has begun, the early retirement incentive will be paid to the designated beneficiary in one lump sum payment. In the event no beneficiary is designated, the incentive will be paid to the licensed employee's estate in one lump sum payment.

The board has complete discretion to offer or not to offer an early retirement plan for licensed employees. The board may discontinue the school district's early retirement plan at any time. Upon adoption of this early retirement plan, licensed employees age fifty-five or older will have____years or until age sixty, whichever is longer, to utilize this early retirement plan.

Legal Reference: 29 U.S.C. §§ 621 *et seq.* (1988).
Senate File 2366, 77th General Assembly, 2nd Reg. Sess. (1998).
Iowa Code §§ 97B; 216; 279.46; 509A.13 (2009).
581 I.A.C. 21.
1978 Op. Att'y Gen. 247.
1974 Op. Att'y Gen. 11, 322.

Cross Reference:
401.14 Recognition for Service of Employees
407.3 Licensed Employee Retirement
413.3 Classified Employee Early Retirement

Approved 08/08/94 Reviewed 08/14/17 Revised 07/12/10

407.4E1 LICENSED EMPLOYEE EARLY RETIREMENT ACKNOWLEDGEMENT OF RECEIPT

The undersigned licensed employee acknowledges receipt of the early retirement plan documents stated below, for the licensed employee's consideration:

- early retirement policy (plan description);
- early retirement insurance options; and
- early retirement application.

The undersigned licensed employee acknowledges that the application and participation in the early retirement plan is entirely voluntary.

The undersigned licensed employee acknowledges that the school district recommends the licensed employee contact legal counsel and the employee’s personal accountant regarding participation in the early retirement plan.

Licensed Employee _____ Date _____

407.4E2 LICENSED EMPLOYEE EARLY RETIREMENT INSURANCE OPTIONS

Board policy 407.4, Licensed Employee Early Retirement, allows the employee to continue to participate in the school district's group health insurance plan until age 65 by meeting the requirements of the insurer.

Option 1 *– The school district will continue to pay the costs of the individual health insurance premium expense.*

Option 2 *– The school district and the licensed employee will both be responsible for the cost of the health insurance premium. The expense of the school district will not exceed the premium amount paid by the school district for a single health insurance premium at the date of early retirement of the licensed employee. The licensed employee is responsible for any increase in premium costs and for dependent insurance and must pay the employee's share of the monthly premium amount in full to the board secretary prior to the due date of the school district's premium payment to the insurance carrier.*

Option 3 *– The licensed employee is responsible for the cost of the health insurance premium. The licensed employee must pay the employee's share of the premium by paying the monthly premium amount in full to the board secretary prior to the due date of the school district's premium payment to the insurance carrier.*

The undersigned licensed employee_____(does, does not) wish to continue to participate in the school district's group health insurance plan.

_____ _____

Licensed Employee Date

Code No. 407.4E3

407.4E3 LICENSED EMPLOYEE EARLY RETIREMENT APPLICATION

The undersigned licensed employee is applying for early retirement pursuant to board policy 407.4, Licensed Employee Early Retirement. Please complete the following information:

(Full Legal Name of Licensed Employee) (Social Security Number)

(Current Job Title) (Date of Birth) (Years of Service)

Please specify the date desired for payment of the early retirement benefit and the reason for the date if a date other than_____of the year in which the undersigned licensed employee retires is desired.

(Date) (Reason for date other than_____)

Please attach a letter of resignation effective June thirtieth of the year in which the undersigned licensed employee intends to retire.

The undersigned licensed employee acknowledges that application and participation in the early retirement plan is entirely voluntary.

The undersigned licensed employee acknowledges that the school district recommends that the licensed employee contact legal counsel and the employee's own personal accountant regarding participation in the early retirement plan.

Should the licensed employee die prior to full payment of an early retirement benefit, the licensed employee designates either the following individual as beneficiary or the licensed employee's estate.

____ Beneficiary _____ Estate

Beneficiary

Beneficiary Address

Licensed Employee Date

Witness Date

407.5 LICENSED EMPLOYEE SUSPENSION AND DISCHARGE

Licensed employees will perform their assigned job, respect and follow board policy and obey the law. The superintendent is authorized to suspend a licensed employee pending board action on a discharge, for investigation of charges against the employee, and for disciplinary purposes. It is within the discretion of the superintendent to suspend a licensed employee with or without pay.

The Superintendent or designee may impose the following disciplinary sanctions for breach of expected behavior: verbal or written warnings or reprimands, disciplinary probation, and disciplinary suspensions not to exceed ten (10) work days (with or without pay). The nature and duration of the disciplinary sanction shall depend up on the seriousness of the offense, extenuating or exacerbating circumstances, and the employee's prior work record. The sanctions listed in this policy are not intended to provide a rank ordering of sanctions, and probation or suspension may be imposed without first imposing a warning or an employee may be discharged without first applying any of these sanctions.

The Board of Directors may terminate the contract of a licensed employee in accordance with applicable provisions of Chapter 279 of the Code of Iowa. Sanctions specified in this policy need not be first utilized. The Board of Directors may terminate the employment of an individual who holds a coaching contract but not a teaching contract with the District or who is authorized but not licensed to coach at any time or in accordance with the terms of the contract.

In the event of a suspension, appropriate due process will be followed.

Legal Reference: Northeast Community Education Association v. Northeast Community School District, 402 N.W.2d 765 (Iowa 1987).
McFarland v. Board of Education of Norwalk Community School District, 277 N.W.2d 901 (Iowa 1979).
Iowa Code §§ 20.7, .24; 279.13, .15-.19, .27 (2009).

Cross Reference:

Approved 08/08/94 Reviewed 08/14/17 Revised 08/08/11

407.6 LICENSED EMPLOYEE REDUCTION IN FORCE

The board has the exclusive authority to determine the appropriate number of licensed employees. A reduction of licensed employees may occur as a result of, but not be limited to, changes in the education program, staff realignment, changes in the size or nature of the student population, financial situation considerations, and other reasons deemed relevant by the board.

The reduction in licensed employees, other than administrators, will be done through normal attrition if possible. If normal attrition does not meet the necessary reduction in force required, the board may terminate licensed employees.

It is the responsibility of the superintendent to make a recommendation for termination to the board. The superintendent shall consider the following criteria in making the recommendations:

- Endorsements and educational preparation within the grade level and subject areas in which the employee is now performing;
- Relative skills, ability and demonstrated performance;
- Qualifications for co-curricular programs; and
- Number of continuous years of service to the school district. This will be considered only when the foregoing factors are relatively equal between licensed employees.

Due process for terminations due to a reduction in force will be followed.

The requirements stated in the Master Contract between employees in that certified collective bargaining unit and the board regarding the reduction in force of such employees will be followed.

Legal Reference:Iowa Code §§ 20.7, .24; 279.13, .15-.19, .27 (2009).

Cross Reference:407.5 Licensed Employee Suspension

Approved 08/08/94 Reviewed 08/14/17 Revised 07/12/10

408.1 LICENSED EMPLOYEE PROFESSIONAL DEVELOPMENT

The board encourages licensed employees to attend and participate in professional development activities to maintain, develop, and extend their skills. The board will maintain and support an in-service program for licensed employees.

Requests for attendance or participation in a development program, other than those development programs sponsored by the school district, is made to the superintendent. Approval of the superintendent must be obtained prior to attendance by a licensed employee in a professional development program when the attendance would result in the licensed employee being excused from their duties or when the school district pays the expenses for the program.

The superintendent will have sole discretion to allow or disallow licensed employees to attend or participate in the requested event. When making this determination, the superintendent will consider the value of the program for the licensed employee and the school district, the effect of the licensed employee's absence on the education program and school district operations and the school district's financial situation as well as other factors deemed relevant in the judgment of the superintendent. Requests that involve unusual expenses or overnight travel must also be approved by the board.

The requirements stated in the Master Contract between employees in that certified collective bargaining unit and the board regarding professional development of such employees will be followed.

Legal Reference: Iowa Code § 279.8 (2009).
281 I.A.C. 12.7.

Cross Reference: 303.6 Superintendent's Professional Development
304.7 Administrator Professional Development
405.10 Licensed Employee Organization Affiliation
414.9 Classified Employee Professional Purposes Leave

Approved 08/08/94 Reviewed 08/14/17 Revised 07/12/10

408.2 LICENSED EMPLOYEE PUBLICATION OR CREATION OF MATERIALS

Materials created by licensed employees and the financial gain there from are the property of the school district if school materials and time were used in their creation and/or such materials were created in the scope of the licensed employee's employment. The licensed employee must seek prior written approval of the superintendent concerning such activities.

Legal Reference: Iowa Code § 279.8 (2009).

Cross Reference:
401.3 Employee Conflict of Interest
408.3 Licensed Employee Tutoring
606.5 Student Production of Materials and Services

Approved 08/08/94 Reviewed 08/14/17 Revised 07/12/10

408.3 LICENSED EMPLOYEE TUTORING

Every effort will be made by the licensed employees to help students with learning problems before recommending that the parents engage a tutor. Since there are exceptional cases when tutoring will help students overcome learning deficiencies, tutoring by licensed employees may be approved by the superintendent.

Licensed employees may only tutor students other than those for whom the teacher is currently exercising teaching, administrative or supervisory responsibility unless approved by the superintendent.

Tutoring for a fee may not take place within school facilities or during regular school hours unless approved by the superintendent.

Legal Reference: Iowa Code §§ 20.7; 279.8 (200).

Cross Reference: 401.3 Employee Conflict of Interest
402.7 Employee Outside Employment

Approved 08/08/94 Reviewed 08/14/17 Revised 07/12/10

408.4 DISTRICT LANDLINE AND CELLULAR TELEPHONE USAGE

The District provides telephones to employees because communication is essential for the performance of their duties, especially in times of emergency or when addressing safety issues.

The landline telephones provided by the district to employees are to be used primarily for school business. Employees may use land line telephones for personal business, provided such personal use is limited in frequency and duration and does not interfere with the performance of an employee's job. Landline telephones are provided at district expense. Employees are not charged for local calls but are charged for all personal long-distance toll calls.

Certain employees are required to perform work outside of their offices or assigned work spaces, outside of the Shenandoah Community School District, or outside of the district's regular business hours. It is important to the mission of the district to provide for communication with these employees when they are not in their offices.

The billing for cellular telephone service includes a charge for all calls that are transmitted or received by the cellular telephone, including unsolicited and misdirected calls, and local and long-distance calls. Itemized bills are prepared for all cellular telephones listing all calls made or received by a cellular telephone within a billing cycle by date, time, location, and duration. Roaming charges are listed by date, time, location, duration, and roaming service provider. The district's policy concerning cellular telephones is as follows:

The district will issue cellular telephones for personal calls subject to the same restrictions that are imposed on landline telephones.

If the number of minutes charged to a cellular telephone exceeds the monthly time allotted for the service plan, the employee must reimburse the district for personal calls that exceed the monthly time allotted. Cellular telephone users must send a check to the Business Office made payable to the Shenandoah Community School District for any additional personal charges (roaming and excess time). Payment is due upon receipt of the cellular telephone statement.

If a cellular telephone assigned to an employee is lost, damaged or is malfunctioning, the Business Office must be notified immediately. Employees who fail to notify the Business Office immediately of a lost telephone may be responsible for all unauthorized calls made from their assigned cellular telephone.

The district will not reimburse employees for business use of their own cellular telephones. Employees are encouraged to use their office telephone for business telephone calls. Employees who have a personal cellular telephone are not expected to use that telephone for district business.

The Superintendent or his/her designee is authorized to review the use of district-issued cellular telephones by employees and to revoke the privilege of using a district-issued cellular telephone if it is determined that the cellular telephone is being used primarily for personal business or is being used in any other manner which is contrary to district policy.

Approved 08/08/94 Reviewed 08/14/17 Revised 07/12/10

409.1 LICENSED EMPLOYEE VACATION - HOLIDAYS - PERSONAL LEAVE

The board will determine the amount of vacation, holidays, and personal leave that will be allowed on an annual basis for licensed employees.

It is the responsibility of the superintendent to make a recommendation to the board annually on vacations, holidays, and personal leave for licensed employees.

The requirements stated in the Master Contract between employees in that certified collective bargaining unit and the board regarding the vacations, holidays and personal leave of such employees will be followed.

Legal Reference: Iowa Code §§ 1C.1-.2; 4.1(34); 20.9 (2009).

Cross Reference:	414.1	Classified Employee Vacations - Holidays - Personal Leave
	601.1	School Calendar

Approved 8/8/94 Reviewed 08/14/17 Revised 10/11/10

409.2 LICENSED EMPLOYEE PERSONAL ILLNESS LEAVE

Licensed employees will be granted ten days of sick leave in their first year of employment. Each year thereafter, one additional day of sick leave will be granted to the licensed employees up to a maximum of fifteen days. "Day" is defined as one work day regardless of full-time or part-time status of the employee. A new employee will report for work at least one full work day prior to receiving sick leave benefits. A returning employee will be granted the appropriate number of days at the beginning of each fiscal year.

Sick leave may be accumulated up to a maximum of 120 days for licensed employees.

Should the personal illness occur after or extend beyond the sick leave accumulated allowance, the employee may apply for disability benefits under the group insurance plan. If the employee does not qualify for disability benefits, the employee may request a leave of absence without pay.

Evidence may be required regarding the mental or physical health of the employee when the administration has a concern about the employee's health. Evidence may also be required to confirm the employee's illness, the need for the illness leave, the employee's ability to return to work, and the employee's capability to perform the duties of the employee's position. It is within the discretion of the board or the superintendent to determine the type and amount of evidence necessary. When an illness leave will be greater than three consecutive days, the employee will comply with the board policy regarding family and medical leave.

The requirements stated in the Master Contract between employees in that certified collective bargaining unit and the board regarding the personal illness leave of such employees will be followed.

Legal Reference: Whitney v. Rural Ind. School District, 232 Iowa 61, 4 N.W.2d 394 (1942).
26 U.S.C. §§ 2601 *et seq*. (2006)
29 C.F.R. Pt. 825 (2006).
Iowa Code §§ 20; 85.33, .34, .38(3); 216; 279.40 (2009).
1980 Op. Att'y Gen. 605.
1972 Op. Att'y Gen. 177, 353.
1952 Op. Att'y Gen. 91.

Cross Reference: 403.2 Employee Injury on the Job
409.3 Licensed Employee Family and Medical Leave
409.8 Licensed Employee Unpaid Leave

Approved 8/8/94 Reviewed 08/14/17 Revised 10/11/10

409.3 LICENSED EMPLOYEE FAMILY AND MEDICAL LEAVE

Unpaid family and medical leave will be granted up to 12 weeks per year to assist employees in balancing family and work life. For purposes of this policy, year is defined as fiscal year. Requests for family and medical leave will be made to the superintendent.

Employees may be allowed to substitute paid leave for unpaid family and medical leave by meeting the requirements set out in the family and medical leave administrative rules. Employees eligible for family and medical leave must comply with the family and medical leave administrative rules prior to starting family and medical leave. It is the responsibility of the superintendent to develop administrative rules to implement this policy.

The requirements stated in the Master Contract between employees in that certified collective bargaining unit and the board regarding family and medical leave of such employees will be followed.

Links: WH-380-E Certification of Health Care Provider for Employee's Serious Health Condition (PDF)
WH-380-F Certification of Health Care Provider for Family Member's Serious Health Condition (PDF)

WH-381 Notice of Eligibility and Rights & Responsibilities (PDF) WH-382 Designation Notice (PDF)

WH-384 Certification of Qualifying Exigency For Military Family Leave (PDF)

WH-385 Certification for Serious Injury or Illness of Covered Servicemember -- for Military Family Leave (PDF)

Legal Reference:
Whitney v. Rural Ind. School. District, 232 Iowa 61, 4 N.W.2d 394 (1942).
26 U.S.C. §§ 2601 *et seq*. (2006)
29 C.F.R. Pt. 825 (2006).
Iowa Code §§ 20; 85.33, .34, .38(3); 216; 279.40 (2009).
1980 Op. Att'y Gen. 605.
1972 Op. Att'y Gen. 177, 353.
1952 Op. Att'y Gen. 91.

Cross Reference:
409.2 Licensed Employee Personal Illness Leave
409.8 Licensed Employee Unpaid Leave
414.3 Classified Employee Family and Medical Leave

Approved 8/8/94 Reviewed 08/14/17 Revised 10/11/10

409.3E1 LICENSED EMPLOYEE FAMILY AND MEDICAL LEAVE NOTICE TO EMPLOYEES

YOUR RIGHTS
UNDER THE
FAMILY AND MEDICAL LEAVE ACT OF 1993

FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:

- For incapacity due to pregnancy, prenatal medical care or child birth;
- To care for the employee's child after birth, or placement for adoption or foster care;
- To care for the employee's spouse, son or daughter, or parent, who has a serious health condition; or
- For a serious health condition that makes the employee unable to perform the employee's job.

MILITARY FAMILY LEAVE ENTITLEMENTS

Eligible employees with a spouse, son, daughter, or parent on active duty or call to active duty status in the National Guard or Reserves in support of a contingency operation may use their 12-week leave entitlement to address certain qualifying exigencies.

Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered servicemember during a single 12-month period. A covered servicemember is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the servicemember medically unfit to perform his or her duties for which the servicemember is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list.

BENEFITS AND PROTECTION

During FMLA leave, the employer must maintain the employee's health coverage under any "group health plan" on the same terms as if the employee had continued to work. Upon return from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.

Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

JOB ELIGIBILITY REQUIREMENTS

Employees are eligible if they have worked for a covered employer for at least one year, for 1,250 hours over the previous 12 months, and if at least 50 employees are employed by the employer within 75 miles.

DEFINITION OF SERIOUS HEALTH CONDITION

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment or incapacity due to pregnancy, or incapacity due to a chronic condition. Other

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.

If you have access to the Internet visit FLMA's website: http://www.dol.gov/esa/whd/fmla.

To locate your nearest Wage-Hour Office, phone our toll-free information at 1-866-487-9243 or to the Web site at: http://www.wagehour.dol.gov.

For a listing of records that must be kept by employers to comply with FMLA visit the U.S. Dept. of Labor's website: http://www.dol.gov/dol/allcfr/ESA/Title_29/Part_825/ 29CFR825.500.htm

US Dept. of Labor – Revised July, 2009

409.3E2 LICENSED EMPLOYEE FAMILY AND MEDICAL LEAVE REQUEST FORM

Date:_____

I,_____, request family and medical leave for the following reason:

(check all that apply)

____for the birth of my child;
____for the placement of a child for adoption or foster care;
____to care for my child who has a serious health condition;
____to care for my parent who has a serious health condition;
____to care for my spouse who has a serious health condition; or
____because I am seriously ill and unable to perform the essential functions of my position.
___because of a qualifying exigency arising out of the fact that my____spouse;____son or daughter;
___parent is on active duty or call to active duty status in support of a contingency operation as a member of the National Guard or Reserves.
___because I am the____spouse;_____son or daughter;_____parent;_____next of kin of a covered service member with a serious injury or illness.

I acknowledge my obligation to provide medical certification of my serious health condition or that of a family member in order to be eligible for family and medical leave within 15 days of the request for certification.

I acknowledge receipt of information regarding my obligations under the family and medical leave policy of the school district.

I request that my family and medical leave begin on_____and I request leave as follows: (check one)

_____continuous

I anticipate that I will be able to return to work on_____.

_____intermittent leave for the:

_____ birth of my child or adoption or foster care placement subject to agreement by the district;
_____ serious health condition of myself, parent, or child when medically necessary;
_____ because of a qualifying exigency arising out of the fact that my____spouse;_____son or daughter;____parent is on active duty or call to active duty status in support of a contingency operation as a member of the National Guard or Reserves.
___ because I am the____spouse;_____son or daughter;_____parent;_____next of kin of a covered service member with a serious injury or illness.

Details of the needed intermittent leave:

_____
_____
_____

I anticipate returning to work at my regular schedule on_____.

___reduced work schedule for the:

____birth of my child or adoption or foster care placement subject to agreement by the district;
____serious health condition of myself, parent, or child when medically necessary;
____because of a qualifying exigency arising out of the fact that my____spouse;____son or daughter;
___parent is on active duty or call to active duty status in support of a contingency operation as a member of the National Guard or Reserves.
____because I am the____spouse;____son or daughter;____parent;____next of kin of a covered service member with a serious injury or illness.

Details of needed reduction in work schedule as follows:

_____
_____
_____

I anticipate returning to work at my regular schedule on_____.

I realize I may be moved to an alternative position during the period of the family and medical intermittent or reduced work schedule leave. I also realize that with foreseeable intermittent or reduced work schedule leave, subject to the requirements of my health care provider, I may be required to schedule the leave to minimize interruptions to school district operations.

While on family and medical leave, I agree to pay my regular contributions to employer sponsored benefit plans. My contributions will be deducted from moneys owed me during the leave period. If no monies are owed me, I will reimburse the school district by personal check or cash for my contributions. I understand that I may be dropped from the employer-sponsored benefit plans for failure to pay my contribution.

I agree to reimburse the school district for any payment of my contributions with deductions from future monies owed to me or the school district may seek reimbursement of payments of my contributions in court.

I acknowledge that the above information is true to the best of my knowledge.

Signed _____

Date _____

If the employee requesting leave is unable to meet the above criteria, the employee is not eligible for family and medical leave.

409.3E3 LICENSED EMPLOYEE FAMILY AND MEDICAL LEAVE CERTIFICATION FORM

1. Employee's Name _____

2. Patient's Name (if different from employee) _____

3. The attached sheet describes what is meant by a "serious health condition" under the Family and Medical Leave Act. Does the patient's condition, for which the employee is taking FMLA leave, qualify under any of the categories described? If so, please check the applicable category.

   (1)____(2) ____ (3)____ (4)____ (5)____ (6) ____
   or____None of the above

4. Describe the medical facts which support your certification, including a brief statement as to how the medical facts meet the criteria of one of these categories:

5. a. State the approximate date the condition commenced, and the probable duration of the condition (and also the probable duration of the patient's present incapacity, i.e. inability to work, attend school or perform other regular activities due to the serious health condition, treatment therefor, or recovery therefrom, if different):

   b. Will it be necessary for the employee to take work only intermittently or to work on a less than full schedule as a result of the condition (including for treatment described in Item 6 below)?

      If yes, give the probable duration:

   c. If the condition is a chronic condition (condition #4) or pregnancy, state whether the patient is presently incapacitated and the likely duration and frequency of episodes of incapacity:

6. a. If additional treatments will be required for the condition, provide an estimate of the probable number of such treatments:

      If the patient will be absent from work or other daily activities because of treatment on an intermittent or part-time basis, also provide an estimate of the probable number of and interval between such treatments, actual or estimated dates of treatment if known, and period required for recovery if any:

   b. If any of these treatments will be provided by another provider of health services (e.g., physical therapist), please state the nature of the treatments:

   c. If a regimen of continuing treatment by the patient is required under your supervision, provide a general description of such regimen (e.g. prescription drugs, physical therapy requiring special equipment):

7. a. If medical leave is required for the employee's absence from work because of the employee's own condition (including absences due to pregnancy or a chronic condition), is the employee unable to perform work of any kind?

   b. If able to perform some work, is the employee unable to perform any one or more of the essential functions of the employee's job (the employee or the employer should supply you with information about the essential job functions)?

If yes, please list the essential functions the employee is unable to perform.

c. If neither a. nor b. applies, is it necessary for the employee to be absent from work for treatment?

8. a. If leave is required to care for a family member of the employee with a serious health condition, does the patient require assistance for basic medical or personal needs or safety, or for transportation?

b. If no, would the employee's presence to provide psychological comfort be beneficial to the patient or assist in the patient's recovery?

c. If the patient will need care only intermittently or on a part-time basis, please indicate the probable duration of this need:

(Signature of Health Care Provider)	(Type of Practice)
(Address)	(Telephone Number)

To be completed by the employee needing family leave to care for a family member.

State the care you will provide and an estimate of the period during which care will be provided, including a schedule if leave is to be taken intermittently or if it will be necessary for you to work less than a full schedule:

(Employee Signature) (Date)

A serious health condition means an illness, injury impairment, or physical or mental condition that involves one of the following:

1. Hospital Care - In patient care (i.e. an overnight stay) in a hospital, hospice, or residential medical care facility, including any period of incapacity or subsequent treatment in connection with or consequent to such inpatient care.

2. Absence Plus Treatment - A period of incapacity of more than three consecutive calendar days (including any subsequent treatment or period of incapacity relating to the same condition), that also involves:
   a. 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 the orders of, or on referral by, a health care provider; or
   b. 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.

3. Pregnancy - Any period of incapacity due to pregnancy or for prenatal care.

4. Chronic Conditions Requiring Treatments - A chronic condition which:
   a. 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;
   b. continues over an extended period of time (including recurring episodes of a single underlying condition); and
   c. may cause episodic rather than a period of incapacity (e.g. asthma, diabetes, epilepsy, etc.).

5. Permanent/Long-term Conditions Requiring Supervision - 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.

6. Multiple Treatments (Non-chronic Conditions) - Any period of absence to receive multiple treatments (including any period of recovery therefrom) 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) and kidney disease (dialysis).

409.3E4.LICENSED EMPLOYEE FAMILY AND MEDICAL LEAVE REQUEST WORK SHEET

Complete this work sheet upon receiving a request for family and medical leave that may qualify under the Family Medical Leave Act. Be sure to note the requirements relating to family and medical leave in the school district's policy/collective bargaining agreement prior to relying on this work sheet as the sole source of the school district's obligations. Also be sure to note the definitions in Regulation 409.3R2.

Section I: Eligible Employee. *(Please check all that apply.)*

_____Covered by a policy/collective bargaining agreement. *(If checked, please move to Section II.)*
_____The employee must meet all criteria below to move to Section II.
_____ 50 or more employees are on the payroll of or under contract to the school district.
_____ Worked 52 weeks in the school district (consecutive or nonconsecutive). **OR**
_____ Worked 12 months in the school district (consecutive or nonconsecutive).
_____ Worked 1250 hours for the school district in 12 months prior to the request. Full-time professional employees who are exempt from the wage and hour law may be presumed to have worked the minimum hours required.

Section II: Family and Medical Leave Purpose. *(One must be checked to move to Section III.)*

_____Birth and care of newborn prior to first anniversary of child's birth.
_____Care of adopted child or foster care child prior to first anniversary of placement.
_____Care for serious health condition of spouse, child, child for which employee is "in loco parentis" and for any of these if they are over eighteen and have a disability which prevents the child from caring for himself or herself.
_____ Requested medical certification for family and medical leave due to a serious health condition of the spouse, parent or child on ____(date)____.
_____ Received medical certification within 15 days of the request on ____(date)____.
_____ Serious health condition of the employee.
_____ Requested medical certification for family and medical leave due to a serious health condition of the employee on ____(date)____.
_____ Received medical certification within 15 days of the request on ____(date)____.
_____Other purposes contained in a policy/collective bargaining agreement.

Section III: Timing of Family and Medical Leave Request.

_____Date of family and medical leave request ____(date)____.
_____Date family and medical leave to begin ____(date)____.
_____Provide FMLA leave information to employee at time of request____(date)____.

(If one is checked, please move to Section IV.)

_____Leave request for foreseeable family and medical leave is 30 days prior to date family and medical leave begins.
_____Leave request for foreseeable family and medical leave is in compliance with policy/collective bargaining agreement.
_____Leave request for foreseeable family and medical leave was made as soon as practicable, and no later than one business day, prior to date family and medical leave begins.
_____Leave request for unforeseeable family and medical leave was made in accordance with the policy/collective bargaining agreement timelines.

Section IV: Calculation of Available Family and Medical Leave.

Beginning date for 12-month entitlement period: *(Check the method adopted by the school district.)*

_____July 1 (fiscal year)
_____January 1 (calendar year)
_____September 1 (school year)
_____First day of rolling forward 12-month entitlement period
_____First day of rolling backward 12-month entitlement period
_____Collective bargaining agreement year
_____Other

Total family and medical leave for the 12-month entitlement period	12weeks
Leave taken to date in the entitlement period	-
Leave available for the entitlement period	

If sufficient family and medical leave is available and the employee qualifies for family and medical leave, the family and medical leave will be granted in accordance with the policy/collective bargaining agreement.

The employee must be informed that the actual family and medical leave taken will be credited to the employee's 12-week entitlement.

If both spouses are employed by the school district, they may only take a combined total of 12 weeks during the entitlement period for the birth, adoption or foster care placement prior to the first anniversary of the child's birth or placement and for the care of a parent with a serious health condition.

If insufficient family and medical leave is available, the school district may award only the family and medical leave available or award the family and medical leave in accordance with other provisions of the policy/collective bargaining agreement.

Section V: Types of Family and Medical Leave. *(Please check all that apply.)*

_____Continuous leave for purposes listed in Section II.
_____Intermittent leave for birth, adoption or foster care placement prior to first anniversary of child's birth or placement with school district approval in accordance with other provisions of the policy/collective bargaining agreement.
_____Reduced work schedule leave for birth, adoption or foster care placement prior to first anniversary of child's birth or placement with school district approval in accordance with other provisions of the policy/collective bargaining agreement.
_____Intermittent leave if medically necessary for serious health condition of employee or family member and arranged as much as possible to not disrupt the school district's operation.
_____Reduced work schedule leave if medically necessary for serious health condition of employee or family member and arranged as much as possible to not disrupt the school district's operation.
_____Others contained in a policy/collective bargaining agreement. *(Please specify.)*

Section VI: Instructional Employee Intermittent or Reduced Schedule Leave.

_____ A policy/collective bargaining agreement extends this rule to non-instructional employees.
_____ A policy/collective bargaining agreement eliminates this rule for instructional employees.
_____ Instructional employees' intermittent or reduced schedule leave for greater than 20 percent of the work

days in the family and medical leave period.

Total number of days during leave period _____

X .20

20 percent of leave days _____

Days of leave requested _____

If the number of days requested exceeds 20 percent of the family and medical leave days, the school district may require the instructional employee to take family and medical leave for the entire leave period OR transfer the instructional employee to an alternate position with equivalent pay and benefits. The employee must be informed that the actual family and medical leave taken will be credited to the employee's 12-week entitlement.

Section VII: Instructional Employees Family and Medical Leave Special Rules.

_____ Instructional employee.
_____ A policy/collective bargaining agreement extends one or all of these rules to noninstructional employees.
_____ A policy/collective bargaining agreement eliminates one or all of these rules for instructional employees.
_____ The school district can require the employee to remain on family and medical leave until end of the semester if each of the following apply:
_____ Leave begins prior to five weeks before end of semester;
_____ Leave is for three weeks or more; **and**
_____ Employee will return during last three weeks of semester.

Last work day of the semester _____
Date of fifth week before end of the semester _____
Date of third week before end of the semester _____

Date of requested leave _____
Length of requested leave _____
Date of return from leave _____

_____ The school district can require employee to remain on family and medical leave for leave other than an employee's serious health condition until end of semester if each of the following apply:
_____ Leave begins during last five weeks before end of semester;
_____ Leave is greater than two weeks; **and**
_____ Employee will return during last two weeks of semester.

Last work day of the semester _____
Date of fifth week before end of the semester _____
Date of second week before end of the semester _____

Date of requested leave _____
Length of requested leave _____
Date of return from leave _____

_____ The school district can require the employee to remain on family and medical leave for purpose other than an employee's serious health condition until the end of the semester if each of the following apply:
_____ Leave begins during last three weeks before end of the semester; **and**
_____ Leave is greater than five working days.

Last work day of the semester _____
Date of third week before end of the semester _____

Date of requested leave _____
Length of requested leave _____

The employee must be informed that the actual family and medical leave taken under these rules will be credited to the employee's 12-week entitlement.

Section VIII: Paid or Unpaid Family and Medical Leave.

_____Provide employee notice whether the family and medical leave is paid or unpaid leave after completing the work sheet in accordance with the policy/collective bargaining agreement.
_____Policy/collective bargaining agreement allows substitution of paid leave for family and medical leave.
_____Family and medical leave is unpaid leave.

Section IX: Employee Progress Report.

_____ Arrangements are made with the employee to report to the school district on a regular basis during the family and medical leave *(please specify)*.

_____

_____ Requested medical recertification for family and medical leave due to a serious health condition of the spouse, parent or child on_____(date)___.
_____ Received medical recertification within 15 days of the request on___(date)___.

Section X: Employee Benefits During Family and Medical Leave.

The employee's health insurance coverage must be continued during the period of family and medical leave. The school district may choose to continue other employee benefits to ensure their restoration along with the health insurance upon the employee's return to work. The employee will pay the employee's share of health insurance and other benefits during the leave period.

_____ Arrangements have been made with the employee to continue the employee's share of health insurance premiums while on family and medical leave:
  _____From monies due to the employee
  _____By the first of each month from the employee
  _____Other *(please specify)* _____
_____ Arrangements have been made with the employee to continue the employee's share of the employee's other benefits while on family and medical leave:
  _____From monies due to the employee
  _____By the first of each month from the employee
  _____Other *(please specify)* _____
_____ The employee has chosen to discontinue all employee benefits while on family and medical leave.
_____ Employees who fail to provide payment of the employee's share of benefits premium during the period of family and medical leave have 15 days following notice to pay the employee's share.
_____ Employees who fail to pay within 15 days after receiving notice of payment due may have employee benefits discontinued.
_____The school district will deduct unpaid employee portion of benefits from monies due to the employee upon return to work, and the employee has signed a written statement authorizing the deduction.
_____The school district will seek recovery of unpaid employee portion of benefits through small claims court or other appropriate recovery process.

Even if the employee chooses to discontinue employee benefits during the period of family and medical leave, the school district should exercise great care before discontinuing employee benefits. The school district is required to restore the employee to full benefits when the employee returns to work, including group health insurance, without any qualifying period, physical examination, exclusion of pre-existing conditions and other similar requirements.

_____The school district may discontinue the employee's benefits upon receipt of written notice of the employee's intent not to return to work.

Section XI: Key Employees.

_____Salaried employees among the highest paid ten percent of a school district's employees are considered key employees of the school district.

Year-to-date earnings for employee	_____
Total weeks of work and paid leave	/_____
Highest pay for employee	=_____

_____Provide notice to key employees stating they are a key employee and they may not be reinstated at end of the family and medical leave period if substantial and grievous economic injury exists.

_____Compile data to justify substantial and grievous economic injury. Substantial and grievous economic injury does not include minor inconvenience and costs typical to the normal operation of the school district.

_____The key employee is entitled to benefits during the family and medical leave in the same manner as other employees.

Section XII: Employee's Return to Work.

_____Employee is fully restored the same or an equivalent position with:

- _____Pay and benefits
- _____Health insurance
- _____Life insurance
- _____Other benefits or requirements in a policy/collective bargaining agreement

409.3R1 LICENSED EMPLOYEE FAMILY AND MEDICAL LEAVE REGULATION

A. School district notice.

1. The school district will post the notice in Exhibit 409.3E1 regarding family and medical leave.
2. Information on the Family and Medical Leave Act and the board policy on family and medical leave, including leave provisions and employee obligations will be provided annually. The information will be in the employee handbook.
3. When an employee requests family and medical leave, the school district will provide the employee with information listing the employee's obligations and requirements. Such information will include:
   a. a statement clarifying whether the leave qualifies as family and medical leave and will, therefore, be credited to the employee's annual 12-week entitlement;
   b. a reminder that employees requesting family and medical leave for their serious health condition or for that of an immediate family member must furnish medical certification of the serious health condition and the consequences for failing to do so;
   c. an explanation of the employee's right to substitute paid leave for family and medical leave including a description of when the school district requires substitution of paid leave and the conditions related to the substitution; and
   d. a statement notifying employees that they must pay and must make arrangements for paying any premium or other payments to maintain health or other benefits.

B. Eligible employees.

Employees are eligible for family and medical leave if three criteria are met.

1. The school district has more than 50 employees on the payroll at the time leave is requested;
2. The employee has worked for the school district for at least twelve months or 52 weeks (the months and weeks need not be consecutive); and
3. The employee has worked at least 1,250 hours within the previous year. Full-time professional employees who are exempt from the wage and hour law may be presumed to have worked the minimum hour requirement.

If the employee requesting leave is unable to meet the above criteria, then the employee is not eligible for family and medical leave.

C. Employee requesting leave -- two types of leave.

1. Foreseeable family and medical leave.
   a. Definition - leave is foreseeable for the birth or placement of an adopted or foster child with the employee or for planned medical treatment.
   b. Employee must give at least thirty days notice for foreseeable leave. Failure to give the notice may result in the leave beginning thirty days after notice was received.

      Employees must consult with the school district prior to scheduling planned medical treatment leave to minimize disruption to the school district. The scheduling is subject to the approval of the health care provider.
2. Unforeseeable family and medical leave.
   a. Definition - leave is unforeseeable in such situations as emergency medical treatment or premature birth.
   b. Employee must give notice as soon as possible but no later than one to two work days after learning that leave will be necessary.
   c. A spouse or family member may give the notice if the employee is unable to personally give notice.

D. Eligible family and medical leave determination. The school district may require the employee giving notice of the need for leave to provide reasonable documentation or a statement of family relationship.

1. Four purposes.
   a. The birth of a son or daughter of the employee and in order to care for that son or daughter prior to the first anniversary of the child's birth;
   b. The placement of a son or daughter with the employee for adoption or foster care and in order to care for that son or daughter prior to the first anniversary of the child's placement;
   c. To care for the spouse, son, daughter or parent of the employee if the spouse, son, daughter or parent has a serious health condition; or
   d. Employee's serious health condition that makes the employee unable to perform the essential functions of the employee's position.
2. Medical certification.
   a. When required:
      (1) Employees shall be required to present medical certification of the employee's serious health condition and inability to perform the essential functions of the job.
      (2) Employees shall be required to present medical certification of the family member's serious health condition and that it is medically necessary for the employee to take leave to care for the family member.
   b. Employee's medical certification responsibilities:
      (1) The employee must obtain the certification from the health care provider who is treating the individual with the serious health condition.
      (2) The school district may require the employee to obtain a second certification by a health care provider chosen by and paid for by the school district if the school district has reason to doubt the validity of the certification an employee submits. The second health care provider cannot, however, be employed by the school district on a regular basis. If the second health care provider disagrees with the first health care provider, then the school district may require a third health care provider to certify the serious health condition. This health care provider must be mutually agreed upon by the employee and the school district and paid for by the school district. This certification or lack of certification is binding upon both the employee and the school district.
   c. Medical certification will be required fifteen days after family and medical leave begins unless it is impracticable to do so. The school district may request recertification every thirty days. Recertification must be submitted within fifteen days of the school district's request.

Family and medical leave requested for the serious health condition of the employee or to care for a family member with a serious health condition which is not supported by medical certification will be denied until such certification is provided.

E. Entitlement.
1. Employees are entitled to twelve weeks unpaid family and medical leave per year.
2. Year is defined as: Fiscal year
3. If insufficient leave is available, the school district may:
   a. Deny the leave if entitlement is exhausted
   b. Award leave available

F. Type of Leave Requested.
1. Continuous - employee will not report to work for set number of days or weeks.
2. Intermittent - employee requests family and medical leave for separate periods of time.
   a. Intermittent leave is available for:
      (1) Birth, adoption or foster care placement of child only with the school district's agreement.
      (2) Serious health condition of the employee, spouse, parent, or child when medically necessary without the school district’s agreement.

b. In the case of foreseeable intermittent leave, the employee must schedule the leave to minimize disruption to the school district operation.
c. During the period of foreseeable intermittent leave, the school district may move the employee to an alternative position with equivalent pay and benefits. *(For instructional employees, see G below.)*

3. Reduced work schedule - employee requests a reduction in the employee's regular work schedule.
   a. Reduced work schedule family and medical leave is available for:
      (1) Birth, adoption or foster care placement and subject to the school district's agreement.
      (2) Serious health condition of the employee, spouse, parent, or child when medically necessary without the school district's agreement.
   b. In the case of foreseeable reduced work schedule leave, the employee must schedule the leave to minimize disruption to the school district operation.
   c. During the period of foreseeable reduced work schedule leave, the school district may move the employee to an alternative position with equivalent pay and benefits. *(For instructional employees, see G below.)*

G. Special Rules for Instructional Employees.

1. Definition - an instructional employee is one whose principal function is to teach and instruct students in a class, a small group or an individual setting. This includes, but is not limited to, teachers, coaches, driver's education instructors and special education assistants.
2. Instructional employees who request foreseeable medically necessary intermittent or reduced work schedule family and medical leave greater than twenty percent of the work days in the leave period may be required to:
   a. Take leave for the entire period or periods of the planned medical treatment; or
   b. Move to an available alternative position, with equivalent pay and benefits, but not necessarily equivalent duties, for which the employee is qualified.
3. Instructional employees who request continuous family and medical leave near the end of a semester may be required to extend the family and medical leave through the end of the semester. The number of weeks remaining before the end of a semester do not include scheduled school breaks, such as summer, winter or spring break.
   a. If an instructional employee begins family and medical leave for any purpose more than five weeks before the end of a semester, the school district may require that the leave be continued until the end of the semester if the leave will last at least three weeks and the employee would return to work during the last three weeks of the semester if the leave was not continued.
   b. If the employee begins family and medical leave for a purpose other than the employee's own serious health condition during the last five weeks of a semester, the school district may require that the leave be continued until the end of the semester if the leave will last more than two weeks and the employee would return to work during the last two weeks of the semester.
   c. If the employee begins family and medical leave for a purpose other than the employee's own serious health condition during the last three weeks of the semester and the leave will last more than five working days, the school district may require the employee to continue taking leave until the end of the semester.

   The entire period of leave taken under the special rules is credited as family and medical leave. The school district will continue to fulfill the school district's family and medical leave responsibilities and obligations, including the obligation to continue the employee's health insurance and other benefits, if an instructional employee's family and medical leave entitlement ends before the involuntary leave period expires.

H. Employee responsibilities while on family and medical leave.
1. Employee must continue to pay health care benefit contributions or other benefit contributions regularly paid by the employee unless employee elects not to continue the benefits.

2. The employee contribution payments will be deducted from any money owed to the employee or the employee will reimburse the school district at a time set by the superintendent.
3. An employee who fails to make the health care contribution payments within thirty days after they are due will be notified that their coverage may be canceled if payment is not received within an additional 15 days.
4. An employee may be asked to re-certify the medical necessity of family and medical leave for the serious medical condition of an employee or family member once every thirty days and return the certification within fifteen days of the request.
5. The employee must notify the school district of the employee's intent to return to work at least once each month during their leave and at least two weeks prior to the conclusion of the family and medical leave.
6. If an employee intends not to return to work, the employee must immediately notify the school district, in writing, of the employee's intent not to return. The school district will cease benefits upon receipt of this notification.

I. Use of paid leave for family and medical leave.

An employee may substitute unpaid family and medical leave with any paid leave available to the employee under board policy, individual contracts or the collective bargaining agreement. Paid leave available for substitution of unpaid leave includes, but is not limited to, vacation, personal leave, and emergency leave.

409.3R2 LICENSED EMPLOYEE FAMILY AND MEDICAL LEAVE DEFINITIONS

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.

Continuing treatment – a serious health condition involving continuing treatment by a health care provider includes any one or more of the following:

- A period of incapacity (i.e., inability to work, attend school or perform other regular daily activities due to the serious health condition, treatment for or recovery from) of more than three consecutive calendar days and any subsequent treatment or period of incapacity relating to the same condition that also involves:
  - -- treatment two or more times by a health care provider, by a nurse or physician's assistant under direct supervision of a health care provider, or by a provider of health care services (e.g., physical therapist) under orders of, or in referral by, a health care provider; or
  - -- treatment by a health care provider on at least one occasion which results in a regimen of continuing treatment under the supervision of a the health care provider.
- Any period of incapacity due to pregnancy or for prenatal care.
- Any period of incapacity or treatment for such incapacity due to a chronic serious health condition. A chronic serious health condition is one which:
  - -- requires periodic visits for treatment by a health care provider or by a nurse or physician's assistant under direct supervision of a health care provider;
  - -- Continues over an extended period of time (including recurring episodes of a single underlying condition); and
  - -- May cause episodic rather than a continuing period of incapacity (e.g., asthma, diabetes, epilepsy, etc.).
- Any period of incapacity which is permanent or long-term due to a condition for which treatment may not be effective. The employee or family member must be under the continuing supervision of, but need not be receiving active treatment by, a health care provider. Examples include Alzheimer's, a severe stroke or the terminal stages of a disease.
- Any period of absence to receive multiple treatments (including any period of recovery from) by a health care provider or by a provider of health care services under orders of, or on referral by, a health care provider, either for restorative surgery after an accident or other injury, or for a condition that would likely result in a period of incapacity of more than three consecutive calendar days in the absence of medical intervention or treatment, such as cancer (chemotherapy, radiation, etc.), severe arthritis (physical therapy), kidney disease (dialysis).

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.

Parent – a biological parent or an individual who stands in loco parentis to a child or stood in loco parentis to an employee when the employee was a child. Parent does not include parent-in-law.

Physical or mental disability – a physical or mental impairment that substantially limits one or more of the major life activities of an individual.

Reduced leave schedule – a leave schedule that reduces the usual number of hours per workweek, or hours per workday, of an employee.

Serious health condition

- An illness, injury, impairment, or physical or mental condition that involves:
  - Inpatient care (i.e. an overnight stay) in a hospital, hospice or residential medical care facility including any period of incapacity (for purposes of this section, defined to mean inability to work, attend school or perform other regular daily activities due to the serious health condition, treatment for or recovery from), or any subsequent treatment in connection with such inpatient care; or
    - Continuing treatment by a health care provider. A serious health condition involving continuing treatment by a health care provider includes:
    - A period of incapacity (i.e., inability to work, attend school or perform other regular daily activities due to the serious health condition, treatment for or recovery from) of more than three consecutive calendar days, including any subsequent treatment or period of incapacity relating to the same condition, that also involves:
    - Treatment two or more times by a health care provider, by a nurse or physician's assistant under direct supervision of a health care provider, or by a provider of health care services (e.g., physical therapist) under orders or, or on referral by, a health care provider; or
    - Treatment by a health care provider on at least one occasion which results in a regimen of continuing treatment under the supervision of the health care provider.
    - Any period of incapacity due to pregnancy or for prenatal care.
    - Any period of incapacity or treatment for such incapacity due to a chronic serious health condition.
  - A chronic serious health condition is one which:
    - Requires periodic visits for treatment by a health care provider or by a nurse or physician's assistant under direct supervision of a health care provider;
    - Continues over an extended period of time (including recurring episodes of s single underlying condition); and
    - May cause episodic rather than a continuing period of incapacity (e.g., asthma, diabetes, epilepsy, etc.).
    - A period of incapacity which is permanent or long-term due to a condition for which treatment may not be effective. The employee or family member must be under the continuing supervision of, but need not be receiving active treatment by, a health care provider. Examples include Alzheimer's a severe stroke or the terminal stages of a disease.
    - Any period of absence to receive multiple treatments (including any period of recovery from) by a health care provider or by a provider of health care services under orders of, or on referral by, a health care provider, either for restorative surgery after an accident or other injury, or for a condition that would likely result in a period of incapacity of more than three consecutive calendar days in the absence of medical intervention or treatment, such as cancer (chemotherapy, radiation, etc.), severe arthritis (physical therapy), kidney disease (dialysis).
- Treatment for purposes of this definition includes, but is not limited to, examinations to determine if a serious health condition exists and evaluation of the condition. Treatment does not include routine physical examinations, eye examinations or dental examinations. Under this definition, a regimen of continuing treatment includes, for example, a course of prescription medication (e.g., an antibiotic) or therapy requiring special equipment to resolve or alleviate the health condition (e.g., oxygen). A regimen of continuing treatment that includes the taking of over-the-counter medications such as aspirin, antihistimines, 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.

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.

409.4 LICENSED EMPLOYEE EMERGENCY LEAVE

An employee will be granted a maximum of seven days leave per year for illness or death in the immediate family, which is defined as spouse, parents, grandparents, children, grandchildren, father/mother/son/daughter- in-law, brother, sister, brother/sister-in-law.

Up to two days leave of the seven maximum allowed may be used for the funeral of a family member not listed above or a close friend.

In extenuating circumstances, the superintendent may extend the seven days fully paid leave. The superintendent's decision is final and non-grievable.

The requirements stated in the Master Contract between the employees in that certified bargaining unit and the board regarding the emergency leave of such employees shall be followed.

Legal Reference: Iowa Code §§ 20.9; 279.8 (2009).

Cross Reference:
409 Licensed Employee Vacations and Leaves of Absence
414 Classified Employee Vacation and Leaves of Absence

Approved 8/8/94 Reviewed 08/14/17 Revised 10/11/10

409.5 LICENSED EMPLOYEE POLITICAL LEAVE

The board will provide a leave of absence to licensed employees to run for elective public office. The superintendent will grant a licensed employee a leave of absence to campaign as a candidate for an elective public office as unpaid leave.

The licensed employee will be entitled to one period of leave to run for the elective public office, and the leave may commence within thirty days of a contested primary, special, or general election and continue until the day following the election.

The request for leave must be in writing to the superintendent of schools at least thirty days prior to the starting date of the requested leave.

Legal Reference: Iowa Code ch. 55 (2009).

Cross Reference: 401.15 Employee Political Activity
409 Licensed Employee Vacations and Leaves of Absence
414 Classified Employee Vacations and Leaves of Absence

Approved 8/8/94 Reviewed 08/14/17 Revised 10/11/10

409.6 LICENSED EMPLOYEE JURY DUTY LEAVE

The board will allow licensed employees to be excused for jury duty unless extraordinary circumstances exist. The superintendent has the discretion to determine when extraordinary circumstances exist.

Employees who are called for jury service will notify the direct supervisor within twenty-four hours after notice of call to jury duty and suitable proof of jury service pay must be presented to the school district. The employee will report to work within one hour on any day when the employee is excused from jury duty during regular working hours.

Licensed employees will receive their regular salary. Any payment for jury duty other than travel expenses will be paid to the school district.

Legal Reference: Iowa Code §§ 20.9; 607A (2009).

Cross Reference: 409 Licensed Employee Vacations and Leaves of Absence
414 Classified Employee Vacations and Leaves of Absense

Approved 8/8/94 Reviewed 08/14/17 Revised 10/11/10

409.7 LICENSED EMPLOYEE MILITARY SERVICE LEAVE

The board recognizes licensed employees may be called to participate in the armed forces, including the National Guard. If a licensed employee is called to serve in the armed forces, the employee will have a leave of absence for military service until the military service is completed.

The leave is without loss of status or efficiency rating, and without loss of pay during the first thirty calendar days of the leave.

Legal Reference: Bewley v. Villisca Community School District, 299 N.W. 2d 904 (Iowa 1980).
Iowa Code §§ 20; 29A.28 (2009).

Cross Reference: 409 Licensed Employee Vacations and Leaves of Absence
414 Classified Employee Vacations and Leaves of Absense

Approved 8/8/94 Reviewed 08/14/17 Revised 10/11/10

409.8 LICENSED EMPLOYEE UNPAID LEAVE

Unpaid leave may be used to excuse an involuntary absence not provided for in this or other leave policies of the board. Unpaid leave for licensed employees must be authorized by the superintendent.

The superintendent will have complete discretion to grant or deny the requested unpaid leave. In making this determination, the superintendent will consider the effect of the employee's absence on the education program and school district operations, length of service, previous record of absence, the financial condition of the school district, the reason for the requested absence and other factors the superintendent believes are relevant to making this determination.

If unpaid leave is granted, the duration of the leave period will be coordinated with the scheduling of the education program whenever possible to minimize the disruption of the education program and school district operations.

Whenever possible, licensed employees will make a written request for unpaid leave 3 days prior to the beginning date of the requested leave. If the leave is granted, the deductions in salary are made unless they are waived specifically by the superintendent.

The requirements stated in the Master Contract between employees in that certified collective bargaining unit and the board regarding the unpaid leave of such employees will be followed.

Legal Reference: Iowa Code §§ 20; 85; 85A; 85B; 279.12; 509; 509A; 509B (2009).

Cross Reference: 406.5 Licensed Employee Group Insurance Benefits
409 Licensed Employee Vacations and Leaves of Absence

Approved 8/8/94 Reviewed 08/14/17 Revised 10/11/10

410.1 SUBSTITUTE TEACHERS

Personnel serving on a substitute or temporary basis in the school district shall be licensed for the positions which they are to fill. Every effort shall be made to fill temporary positions with substitutes who have preparation equal to that of the regular licensed employees. In the event such persons are not available, the employment of substitutes who are properly licensed is authorized on a purely substitute or temporary basis.

Properly licensed substitutes shall be paid on a daily rate for their teaching services. Such rate shall be set annually by the board at the time salary schedules are considered and established. A substitute who serves in a specific single assignment (not multiple assignments) for a period in excess of ten consecutive days shall be paid at a per diem equivalent to the lane and step they would qualify for on the salary schedule. Such per diem salary shall apply for only that period of employment in excess of ten consecutive teaching days on a specific single assignment (not multiple assignments).

No substitute shall be entitled to any of the fringe benefits applicable to full time licensed employees. By way of example, and not by way of limitation, this means that substitutes shall not be entitled to participate in the insurance programs provided by the board, paid vacations for holidays, paid personal leave, paid bereavement leave and none of the benefits derived from personal illness leave, family and medical leave, military leave or jury duty shall apply to the substitutes.

Legal Reference: Iowa Association of School Boards v. PERB, 400 N.W.2d 571 (Iowa 1987).
Iowa Code §§ 20.1, .4(5), .9 (2009).
281 I.A.C. 12.4.

Cross Reference:
405.1 Licensed Employee Defined
405.2 Licensed Employee Qualifications, Recruitment, Selection
405.9 Licensed Employee Probationary Status
406 Licensed Employee Compensation and Benefits

Approved 8/8/94 Reviewed 08/14/17 Revised 10/11/10

410.2 SHARED LICENSED EMPLOYEES

The board may make arrangements for sharing employees with neighboring school districts in order to expand the opportunities available in the education program and the operation of the school district. It shall be within the discretion of the board to determine when and with which school district sharing agreements will be made.

It shall be the responsibility of the superintendent to bring to the board's attention opportunities for sharing employees with neighboring school districts.

Legal Reference: Iowa Code §§ 28E; 256.11, .11A, .13; 257.11; 280.15; 282.7 (1) (2009).

Cross Reference:

Approved 8/8/94 Reviewed 08/14/17 Revised 10/11/10

410.3 SUMMER SCHOOL LICENSED EMPLOYEES

It is within the discretion of the board to offer an education program during the summer recess. Licensed employees who volunteer or who are appointed to deliver the summer education program are compensated in addition to their regular duties during the school academic year, unless such arrangements are made prior to determining the employee's compensation for the year.

Should the board determine a summer education program is necessary, licensed employees will be given the opportunity to volunteer for the positions available. If the board determines a course must be offered and no licensed employee volunteers for the position, the board will make the necessary arrangements to fill the position. The board will consider applications from volunteers of current licensed employees in conjunction with other applications.

It is the responsibility of the superintendent to make a recommendation to the board regarding the need for and the delivery of the summer education program.

Legal Reference: Iowa Code §§ 279.8; 280.14 (2009).

Cross Reference: 603.2 Summer School Instruction
906 Other Intradistrict Relations

Approved 8/8/94 Reviewed 08/14/17 Revised 10/11/10

410.4 STUDENT TEACHERS – INTERNSHIPS

The board will cooperate with post-secondary educational institutions to assist in the practical preparation of teachers and other licensed employee positions. Student teachers and other student interns may be assigned duties in the school district.

Licensed employees shall not be required to utilize student teachers or student interns. Experienced teachers and teachers in good standing shall be allowed to have student teachers or student interns.

It shall be the responsibility of the superintendent to make arrangements with the post-secondary educational institutions for student teachers and student internships. Such arrangements shall safeguard the interest of the student teachers and student interns, the post-secondary educational institution and the school district.

It shall be the responsibility of the post-secondary educational institution to provide sufficient supervision over the work of these student teachers to make their presence profitable.

Legal Reference: Iowa Code § 272.27 (2009).
281 I.A.C. 77.
1974 Op. Att'y Gen. 6.
1936 Op. Att'y Gen. 462.

Cross Reference: 906 Other Intradistrict Relations

Approved 8/8/94 Reviewed 08/14/17 Revised 10/11/10

410.5 TRUANCY OFFICER

Shenandoah police officers shall serve as the district's truancy officers.

The principal will notify the truancy officer when a student is truant. The truancy officer will investigate the cause of a student's truancy and attempt to ensure the student's attendance. The truancy officer may take the student into custody. A student taken into custody will be placed in the custody of the principal. The truancy officer will attempt to contact the student's parents when the student is taken into custody.

Legal Reference: Iowa Code §§ 299.10-.11, .15 (2009).

Cross Reference:

	206.3	Secretary-Treasurer
	501.3	Compulsory Attendance
	501.10	Truancy - Unexcused Absences

Approved 8/8/94 Reviewed 08/14/17 Revised 10/11/10

410.6 EDUCATION ASSOCIATE

The board may employ education associates or other instructional support personnel to assist licensed personnel in non-teaching duties, including, but not limited to:

- managing and maintaining records, materials and equipment;
- attending to the physical needs of children; and
- performing other limited services to support teaching duties when such duties are determined and directed by the teacher.

Education associates who hold a teaching certificate are compensated at the rate of pay established for their position as an education associate. It is the responsibility of the principal to supervise education associates.

Legal Reference: Iowa Code §§ 279.8; 280.3, .14 (2009).
281 I.A.C. 12.4(9); .5(9).

Cross Reference: 411.2 Classified Employee Qualifications, Recruitment, Selection

Approved 8/8/94 Reviewed 08/14/17 Revised 10/11/10

411.1 CLASSIFIED EMPLOYEE DEFINED

Classified employees are employees who are not administrators or employees in positions which require an Iowa Department of Education teaching license and who are employed to fulfill the duties listed on their job description on a monthly or hourly basis. Classified employees will include, but not be limited to, teacher and classroom aides, custodial and maintenance employees, clerical employees, food service employees, bus drivers, and temporary help for summer or other maintenance. The position may be full-time or part-time.

It is the responsibility of the superintendent to establish job specifications and job descriptions for classified employee positions. Job descriptions may be approved by the board.

Classified employees required to hold a license for their position must present evidence of their current license to the board secretary prior to payment of wages each year.

The requirements stated in the Master Contract between employees in that certified collective bargaining unit and the board will be followed.

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

Cross Reference:
- 405.1 Licensed Employee Defined
- 405.2 Licensed Employee Qualifications, Recruitment, Selection
- 411.2 Classified Employee Qualifications, Recruitment, Selection
- 412.3 Classified Employee Group Insurance Benefits

Approved 8/8/94 Reviewed 08/14/17 Revised 10/11/10

411.2 CLASSIFIED EMPLOYEE - QUALIFICATIONS, RECRUITMENT, SELECTION

Persons interested in a classified employee position will have an opportunity to apply and qualify for classified employee positions in the school district without regard to age, race, color, sex, national origin, gender, gender identity, religion, creed, marital status, sexual orientation, socioeconomic status, or disability. Job applicants for classified employee positions will be considered on the basis of the following:

- Training, experience, and skill;
- Nature of the occupation;
- Demonstrated competence; and
- Possession of, or ability to obtain, state or other license or certificate, if required, for the position.

Announcement of the position will be through means the superintendent believes will inform potential applicants about the position. Applications for employment may be obtained from and completed applications will be returned to the central administration office. Whenever possible, the preliminary screening of applicants will be conducted by the administrator who directly supervises and oversees the position.

The superintendent shall employ classified employees and may execute contracts with such employees on the board's behalf.

Legal Reference: 29 U.S.C. §§ 621-634 (2006).
42 U.S.C. §§ 2000e *et seq.* (2006)

42 U.S.C. §§ 12101 *et seq.* (2006).

Iowa Code §§ 35C; 216; 279.8; 294.1 (2009).

Cross Reference: 401.2 Equal Employment Opportunity
411 Classified Employees - General

Approved 08/08/94 Reviewed 08/14/17 Revised 07/09/12

411.3 CLASSIFIED EMPLOYEE CONTRACTS

The board may enter into written contracts with classified employees employed on a regular basis. The contract will state the terms of employment.

Each contract will include a thirty-day cancellation clause. Either the employee or the board must give notice of the intent to cancel the contract at the end of thirty days. This notice will not be required when the employee is terminated during a probationary period or for cause.

Classified employees will receive a job description stating the specific performance responsibilities of their position.

It is the responsibility of the superintendent to draw up and process the classified employee contracts and present them to the board for approval. The contracts, after being signed by the board president, are filed with the board secretary.

Legal Reference: Iowa Code §§ 20; 279.7A; 285.5(9) (2009).

Cross Reference:
- 203 Board of Director's Conflict of Interest
- 405.2 Licensed Employee Qualifications, Recruitment, Selection
- 411 Classified Employees - General
- 412.1 Classified Employee Compensation
- 412.2 Classified Employee Wage and Overtime Compensation
- 413 Classified Employee Termination of Employment

Approved 08/08/94 Reviewed 08/14/17 Revised 08/08/11

411.4 CLASSIFIED EMPLOYEE LICENSING/CERTIFICATION

Classified employees who require a special license or other certification will keep them current at their own expense. Licensing requirements needed for a position will be considered met if the employee meets the requirements established by law and by the Iowa Department of Education for the position.

The requirements stated in the Master Contract between employees in the certified collective bargaining unit and the board regarding licensing/certification of such employees will be followed.

Legal Reference: Iowa Code §§ 272.6; 285.5(9) (2009).
281 I.A.C. 12.4(10); 36; 43.12-.24.

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

Approved 8/8/94 Reviewed 08/14/17 Revised 10/11/10

411.5 CLASSIFIED EMPLOYEE ASSIGNMENT

Determining the assignment of each classified employee is the responsibility of the superintendent and within the sole discretion of the board. In making such assignments each year the superintendent will consider the qualifications of each classified employee and the needs of the school district.

It is the responsibility of the superintendent to assign classified employees and report such assignments to the board.

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

Cross Reference:	200.3	Powers of the Board of Directors
	200.4	Responsibilities of the Board or Directors
	405.6	Licensed Employee Assignment
	411.6	Classified Employee Transfers

Approved 8/8/94 Reviewed 08/14/17 Revised 10/11/10

411.6 CLASSIFIED EMPLOYEE TRANSFERS

Determining the location where a classified employee's assignment will be performed is the responsibility of the superintendent and within the sole discretion of the board. In making such assignments each year the superintendent will consider the qualifications of each classified employee and the needs of the school district.

A transfer may be initiated by the employee, the principal or the superintendent.

It is the responsibility of the superintendent to transfer classified employees and report such transfers to the board.

Legal Reference:
29 U.S.C. §§ 621-634 (2006).
42 U.S.C. §§ 2000e *et seq.* (2006)
42 U.S.C. §§ 12101 *et seq.* (2006).
Iowa Code §§ 20.9; 35C; 216; 279.8; 294.1 (2009).

Cross Reference:

200.3	Powers of the Board of Directors
200.4	Responsibilities of the Board of Directors
411.2	Classified Employee Qualifications, Recruitment, Selection
411.5	Classified Employment Assignment

Approved 8/8/94 Reviewed 08/14/17 Revised 10/11/10

411.7 CLASSIFIED EMPLOYEE EVALUATION

Evaluation of classified employees on their skills, abilities, and competence is an ongoing process supervised by the superintendent. The goal of the formal evaluation of classified employees is to maintain classified employees who meet or exceed the board's standards of performance, to clarify each classified employee's role, to ascertain the areas in need of improvement, to clarify the immediate priorities of the board, and to develop a working relationship between the administrators and other employees.

It is the responsibility of the superintendent to ensure classified employees are formally evaluated annually. New and probationary classified employees may be formally evaluated twice a year.

Legal Reference: Aplington Community School District v. PERB, 392 N.W.2d 495 (Iowa 1986).
Saydel Education Association v. PERB, 333 N.W.2d 486 (Iowa 1983).
Iowa Code §§ 20.9; 279.14 (2009).
281 I.A.C. 12.3(4).

Cross Reference:

303.5	Superintendent Evaluation
304.6	Administrator Evaluation
405.8	Licensed Employee Evaluation
411.2	Classified Employee Qualifications, Recruitment, Selection
411.8	Classified Employee Probationary Status

Approved 8/8/94 Reviewed 08/14/17 Revised 10/11/10

411.8 CLASSIFIED EMPLOYEE PROBATIONARY STATUS

The first sixty (60) days of a newly employed classified employee's contract is a probationary period. "Day" is defined as one work day regardless of full-time or part-time status of the employee. New employees, regardless of experience, are subject to this probationary period.

"New" employees includes individuals who are being hired for the first time by the school district and those who may have been employed by the school district in the past, but have not been employed by the board during the school year prior to the one for which contracts are being issued.

Only the board, in its discretion, may waive the probationary period. During this probationary period the board may terminate classified employees' contracts at any time.

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

Cross Reference:	405.9	Licensed Employee Probationary Status
	411.3	Classified Employee Contracts
	411.7	Classified Employee Evaluation

Approved 8/8/94 Reviewed 08/14/17 Revised 01/13/14

412.1 CLASSIFIED EMPLOYEE COMPENSATION

The board will determine the compensation to be paid for the classified employees' positions, keeping in mind the education and experience of the classified employee, the educational philosophy of the school district, the financial condition of the school district and any other considerations as deemed relevant by the board.

It is the responsibility of the superintendent to make a recommendation to the board annually regarding the compensation of classified employees.

The board may, based on the superintendent's recommendation, hold classified employees at their current salary level for disciplinary purposes.

Legal Reference: Iowa Code §§ 20.1, .4, .7, .9; 279.8 (2009).

Cross Reference: 411.3 Classified Employee Contracts
411.7 Classified Employee Evaluation
412.2 Classified Employee Wage and Overtime Compensation

Approved 8/8/94 Reviewed 08/14/17 Revised 10/11/10

412.2 CLASSIFIED EMPLOYEE WAGE AND OVERTIME COMPENSATION

Each non-exempt employee compensated on an hour-by-hour basis, whether full-or part-time, permanent or temporary, will be paid no less than the prevailing minimum wage. Whenever a non-exempt employee must work more than forty hours in a given work week, the employee is compensated at one and one-half times their regular hourly wage rate. This compensation is in the form of overtime pay or compensatory time.
Overtime will not be permitted without prior authorization of the department supervisor, building principal, superintendent or superintendent designee.

Failure of the employee to maintain, or falsification of, a daily time record will be grounds for disciplinary action.

It is the responsibility of the board secretary to maintain wage records.

Legal Reference: Garcia v. San Antonio Metropolitan Transit Authority, 469 U.S. 528 (1985).
29 U.S.C. §§ 206 *et seq.* (2006).

29 C.F.R. Pt. 511-800 (2006).

Cross Reference:
411.1 Classified Employee Defined
411.3 Classified Employee Contracts
412.1 Classified Employee Compensation

Approved 8/8/94 Reviewed 08/14/17 Revised 04/14/14

412.3 CLASSIFIED EMPLOYEE GROUP INSURANCE BENEFITS

Classified employees may be eligible for group insurance benefits as determined by the board and required by law. The board will select the group insurance program and the insurance company which will provide the program.

Classified employees who work at least 32 hours per week are eligible to participate in the group health insurance plan. Regular part-time classified employees who wish to purchase insurance coverage may participate in group insurance programs by meeting the requirements of the insurer. Regular classified employees who wish to purchase insurance coverage for their spouse or dependents may do so by meeting the requirements of the insurer.

This policy statement does not guarantee a certain level of benefits. The board will have the authority and right to change or eliminate group insurance programs for its classified employees.

The requirements stated in the Master Contract between employees in the certified collective bargaining unit and the board employee group insurance benefits of such employees will be followed.

Legal Reference: Iowa Code §§ 20.9; 85; 85B; 279.12; 509; 509A; 509B (2009).

Cross Reference:
- 406.5 Licensed Employee Group Insurance Benefits
- 411.1 Classified Employee Defined
- 706 Payroll Procedures

Approved 8/8/94 Reviewed 08/14/17 Revised 10/11/10

412.4 CLASSIFIED EMPLOYEE TAX SHELTER PROGRAMS

The board authorizes the administration to make a payroll deduction for classified employee's tax sheltered annuity premiums purchased through an Iowa-licensed insurance agent from an insurance organization authorized to do business in Iowa.

Classified employees wishing to have payroll deductions for tax sheltered annuities shall make a written request to the superintendent.

Legal Reference: Iowa Code §§ 20.9; 294.16 (2009).
1988 Op. Att'y Gen. 38.
1976 Op. Att'y Gen. 462, 602.
1966 Op. Att'y Gen. 211, 220.

Cross Reference: 706 Payroll Procedures

Approved 8/8/94 Reviewed 08/14/17 Revised 10/11/10

412.5 CLASSIFIED EMPLOYEE RESIGNATION

Classified employees who wish to resign during the school year will give the board notice of their intent to resign and final date of employment and cancel their contract 30 days prior to their last working day. In its discretion, the board may choose to not accept a resignation of a classified employee prior to finding a suitable replacement.

Notice of the intent to resign will be in writing to the superintendent.

Legal Reference:Iowa Code §§ 91A.2, .3, .5; 279.19A; 285.5(9) (2009).

Cross Reference:	407.1	Licensed Employee Resignation
	411.3	Classified Employee Contracts
	413	Classified Employee Termination of Employment

Approved 8/8/94 Reviewed 08/14/17 Revised 10/11/10

413.2 CLASSIFIED EMPLOYEE RETIREMENT

Classified employees who will complete their current contract with the board may apply for retirement. No classified employee will be required to retire at any specific age.

Application for retirement will be considered made when the classified employee states in writing to the superintendent, no later than the date set by the board for the return of the employee's contract to the board if applicable, the employee's intent to retire. The letter must state the employee's desire to retire and be witnessed by another party other than the principal or the superintendent.

Board action to approve a classified employee's application for retirement is final, and such action constitutes termination of the employee's contract effective the day of the employee's retirement.

Classified employees and their spouse and dependents who have group insurance coverage through the school district may be allowed to continue coverage of the school district's group health insurance program, at their own expense, by meeting the requirements of the insurer.

Legal Reference: 29 U.S.C. §§ 621 *et seq.* (2006).
Iowa Code §§ 91A.2, .3, .5; 97B; 216; 279.19A, .46 (2009).
581 I.A.C. 21.
1978 Op. Att'y Gen. 247.
1974 Op. Att'y Gen. 11, 322.

Cross Reference:
401.14 Recognition for Service of Employees
407.3 Licensed Employee Retirement
407.4 Licensed Employee Early Retirement
413.3 Classified Employee Early Retirement

Approved 8/8/94 Reviewed 08/14/17 Revised 10/11/10

413.4 CLASSIFIED EMPLOYEE SUSPENSION

Classified employees will perform their assigned job, respect and follow board policy and obey the law. The superintendent is authorized to suspend a classified employee with or without pay pending board action on a discharge or during investigation of charges against the employee or for disciplinary purposes. It is within the discretion of the superintendent to suspend a classified employee with or without pay.

The Superintendent or designee may impose the following disciplinary sanctions for breach of expected behavior: verbal or written warnings or reprimands, disciplinary probation, and disciplinary suspensions not to exceed ten (10) work days (with or without pay). The nature and duration of the disciplinary sanction shall depend up on the seriousness of the offense, extenuating or exacerbating circumstances, and the employee's prior work record. The sanctions listed in this policy are not intended to provide a rank ordering of sanctions, and probation or suspension may be imposed without first imposing a warning or an employee may be discharged without first applying any of these sanctions.

In the event of a suspension, due process will be followed.

Legal Reference: Northeast Community Education Association v. Northeast Community School District, 402 N.W.2d 765 (Iowa 1987).
McFarland v. Board of Education of Norwalk Community School District, 277 N.W.2d 901 (Iowa 1979).
Iowa Code §§ 20.7, .24 (2009).

Cross Reference:

404	Employee Conduct and Appearance
407.5	Licensed Employee Suspension
413	Classified Employee Termination of Employment
413.5	Classified Employee Dismissal

Approved 08/08/94 Reviewed 08/14/17 Revised 08/08/11

413.5 CLASSIFIED EMPLOYEE DISMISSAL

The board believes classified employees should perform their jobs, respect board policy and obey the law. The Superintendent of Schools or the Superintendent's designee may terminate or recommend the termination of employment of a classified employee immediately for cause or up on fourteen (14) days notice for any reason.

A classified employee may be dismissed for any reason, including, but not limited to, incompetence, willful neglect of duty, reduction in force, willful violation of board policy or administrative regulations, or a violation of law.

Due process procedures will be followed. The employee shall have the right to a hearing before the Board if he/she so desires, and the Board may reinstate the employee or uphold the dismissal.

Legal Reference: Iowa Code §§ 20.7, .24 (2009).

Cross Reference:
404 Employee Conduct and Appearance
413.4 Classified Employee Suspension
413.6 Classified Employee Reduction in Force

Approved 08/08/94 Reviewed 08/14/17 Revised 09/12/11

413.6 CLASSIFIED EMPLOYEE REDUCTION IN FORCE

It is the exclusive power of the board to determine when a reduction in classified employees is necessary. Employees who are terminated due to a reduction in force will be given thirty days notice. Due process will be followed for terminations due to a reduction in force.

It is the responsibility of the superintendent to make a recommendation for termination to the board. The superintendent will consider the relative qualifications, skills, ability and demonstrated performance through evaluation procedures in making the recommendations.

Legal Reference: Iowa Code §§ 20.7, .24 (2009).

Cross Reference:
- 407.6 Licensed Employee Reduction in Force
- 413.4 Classified Employee Suspension
- 413.5 Classified Employee Dismissal
- 703 Budget

Approved 8/8/94 Reviewed 08/14/17 Revised 10/11/10

414.1 CLASSIFIED EMPLOYEE VACATIONS - HOLIDAYS - PERSONAL LEAVE

The board will determine the amount of vacation, holidays and personal leave that will be allowed on an annual basis for classified employees.

Classified employees will be paid only for the hours they would have been scheduled for the day. Vacation will not be accrued from year to year without a prior arrangement with the superintendent.

It is the responsibility of the superintendent to make a recommendation to the board annually on vacation and personal leave for classified employees.

The requirements stated in the Master Contract between employees in the certified collective bargaining unit and the board paid leave of such employees will be followed.

Legal Reference: Iowa Code §§ 1C.1-.2; 4.1(34); 20.9 (2009).

Cross Reference:	409.1	Licensed Employee Vacations - Holidays - Personal Leave
	601.1	School Calendar

Approved 8/8/94 Reviewed 08/14/17 Revised 10/11/10

414.2 CLASSIFIED EMPLOYEE PERSONAL ILLNESS LEAVE

Classified employees are granted ten days of sick leave in their first year of employment. Each year thereafter, one additional day of sick leave will be granted to the employees up to a maximum of fifteen days. "Day" is defined as one work day regardless of full-time or part-time status of the employee. A new employee will report for work at least one full work day prior to receiving sick leave benefits. A returning employee will be granted the appropriate number of days at the beginning of each fiscal year. Sick leave may be accumulated up to a maximum of 120 days for classified employees.

Should the personal illness occur after or extend beyond the accumulated sick leave, the employee may apply for disability benefits under the group insurance plan. If the employee does not qualify for disability benefits, the employee may request a leave of absence without pay.

Evidence may be required regarding the mental or physical health of the employee including, but not limited to, confirmation of the following: the employee's illness, the need for the illness leave, the employee's ability to return to work, and the employee's capability to perform the duties of the employee's position. It is within the discretion of the board and the superintendent to determine the type and amount of evidence necessary. When an illness leave will be greater than three consecutive days, the employee will comply with board policy regarding family and medical leave.

If an employee is eligible to receive workers' compensation benefits, the employee will contact the board secretary to implement these benefits.

The requirements stated in the Master Contract between employees in the certified collective bargaining unit and the board regarding personal illness leave of such employees will be followed.

Legal Reference:
Whitney v. Rural Ind. School District, 232 Iowa 61, 4 N.W.2d 394 (1942).
26 U.S.C. §§ 2601 *et seq*. (Supp. 2006)
29 C.F.R. Pt. 825 (2006).
Iowa Code §§ 20; 85.33, .34, .38(3); 279.40 (2009).
1980 Op. Att'y Gen. 605.
1972 Op. Att'y Gen. 177, 353.
1952 Op. Att'y Gen. 91.

Cross Reference:
403.2 Employee Injury on the Job
409.2 Licensed Employee Personal Illness Leave
414 Classified Employee Vacations and Leaves of Absence
414.3 Classified Employee Family and Medical Leave
414.8 Classified Employee Unpaid Leave

Approved 8/8/94 Reviewed 08/14/17 Revised 10/11/10

414.3 CLASSIFIED EMPLOYEE FAMILY AND MEDICAL LEAVE

Unpaid family and medical leave will be granted up to 12 weeks per year to assist employees in balancing family and work life. For purposes of this policy, year is defined as a fiscal year. Requests for family and medical leave will be made to the superintendent.

Employees may be allowed to substitute paid leave for unpaid family and medical leave by meeting the requirements set out in the family and medical leave administrative rules. Employees eligible for family and medical leave must comply with the family and medical leave administrative rules prior to starting family and medical leave. It is the responsibility of the superintendent to develop administrative rules to implement this policy.

The requirements stated in the Master Contract between employees in the certified collective bargaining unit and the board regarding family and medical leave such employees will be followed.

Links: WH-380-E Certification of Health Care Provider for Employee's Serious Health Condition (PDF)

WH-380-F Certification of Health Care Provider for Family Member's Serious Health Condition (PDF) WH-381 Notice of Eligibility and Rights & Responsibilities (PDF)

WH-382 Designation Notice (PDF)

WH-384 Certification of Qualifying Exigency For Military Family Leave (PDF)

WH-385 Certification for Serious Injury or Illness of Covered Servicemember -- for Military Family Leave (PDF)

Legal Reference:
Whitney v. Rural Ind. School. District, 232 Iowa 61, 4 N.W.2d 394 (1942).
26 U.S.C. §§ 2601 *et seq*. (2006)
29 C.F.R. Pt. 825 (2006).
Iowa Code §§ 20; 85.33, .34, .38(3); 216; 279.40 (2009).
1980 Op. Att'y Gen. 605.
1972 Op. Att'y Gen. 177, 353.
1952 Op. Att'y Gen. 91.

Cross Reference:
409.3 Licensed Employee Family and Medical Leave
414.2 Classified Employee Personal Illness Leave
414.8 Classified Employee Unpaid Leave

Approved 8/8/94 Reviewed 08/14/17 Revised 10/11/10

414.3A SERIOUS ILLNESS IN THE IMMEDIATE FAMILY

Classified employees shall be granted leave of absence at full pay for an illness in the immediate family (spouse, children, mother, father, brother, sister, grandparent, or others of close familial relationship who, with approval of the Superintendent, because of a more unusual family or household arrangement, present a problem of immediate dependence prior to and at the time of said illness, not to exceed a total of five (5) days per year. If needed, one of these days may be used for a circumstance, in the immediate family, that cannot be accomplished outside of the working day. Such days are non-cumulative. An employee may request an additional unpaid leave of absence for up to one year, such request subject to the approval of the Board.

The requirements stated in the Master Contract between employees in the certified collective bargaining unit and the board regarding serious illness leave of such employees will be followed.

Legal Reference: Code of Iowa

Approved 5/12/97 Reviewed 08/14/17 Revised 10/11/10

414.3E1 CLASSIFIED EMPLOYEE FAMILY AND MEDICAL LEAVE NOTICE TO EMPLOYEES

YOUR RIGHTS
UNDER THE
FAMILY AND MEDICAL LEAVE ACT OF 1993

FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:

- For incapacity due to pregnancy, prenatal medical care or child birth;
- To care for the employee's child after birth, or placement for adoption or foster care;
- To care for the employee's spouse, son or daughter, or parent, who has a serious health condition; or
- For a serious health condition that makes the employee unable to perform the employee's job.

MILITARY FAMILY LEAVE ENTITLEMENTS

Eligible employees with a spouse, son, daughter, or parent on active duty or call to active duty status in the National Guard or Reserves in support of a contingency operation may use their 12-week leave entitlement to address certain qualifying exigencies.

Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered servicemember during a single 12-month period. A covered servicemember is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the servicemember medically unfit to perform his or her duties for which the servicemember is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list.

BENEFITS AND PROTECTION

During FMLA leave, the employer must maintain the employee's health coverage under any "group health plan" on the same terms as if the employee had continued to work. Upon return from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.

Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

JOB ELIGIBILITY REQUIREMENTS

Employees are eligible if they have worked for a covered employer for at least one year, for 1,250 hours over the previous 12 months, and if at least 50 employees are employed by the employer within 75 miles.

DEFINITION OF SERIOUS HEALTH CONDITION

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combine 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 emergencies 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

US Dept. of Labor – Revised July, 2009

414.3E2 CLASSIFIED EMPLOYEE FAMILY AND MEDICAL LEAVE REQUEST FORM

Date:_____

I,_____, request family and medical leave for the following reason:

(check all that apply)

____for the birth of my child;
____for the placement of a child for adoption or foster care;
____to care for my child who has a serious health condition;
____to care for my parent who has a serious health condition;
____to care for my spouse who has a serious health condition; or
____because I am seriously ill and unable to perform the essential functions of my position.

I acknowledge my obligation to provide medical certification of my serious health condition or that of a family member in order to be eligible for family and medical leave within 15 days of the request for certification.

I acknowledge receipt of information regarding my obligations under the family and medical leave policy of the school district.

I request that my family and medical leave begin on_____and I request leave as follows: (check one)

____continuous

I anticipate that I will be able to return to work on_____.

____intermittent leave for the:

____ birth of my child or adoption or foster care placement subject to agreement by the district;
____ serious health condition of myself, parent, or child when medically necessary;

Details of the needed intermittent leave:

_____
_____
_____

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;

Details of needed reduction in work schedule as follows:

_____
_____
_____

I anticipate returning to work at my regular schedule on_____.

I realize I may be moved to an alternative position during the period of the family and medical intermittent or reduced work schedule leave. I also realize that with foreseeable intermittent or reduced work schedule leave, subject to the requirements of my health care provider, I may be required to schedule the leave to minimize interruptions to school district operations.

While on family and medical leave, I agree to pay my regular contributions to employer sponsored benefit plans. My contributions will be deducted from moneys owed me during the leave period. If no monies are owed me, I will reimburse the school district by personal check or cash for my contributions. I understand that I may be dropped from the employer-sponsored benefit plans for failure to pay my contribution.

I agree to reimburse the school district for any payment of my contributions with deductions from future monies owed to me or the school district may seek reimbursement of payments of my contributions in court.

I acknowledge that the above information is true to the best of my knowledge.

Signed _____

Date _____

414.3E3 CLASSIFIED EMPLOYEE FAMILY AND MEDICAL LEAVE CERTIFICATION FORM

1. Employee's Name _____

2. Patient's Name (if different from employee)_____

3. The attached sheet describes what is meant by a "serious health condition" under the Family and Medical Leave Act. Does the patient's condition, for which the employee is taking FMLA leave, qualify under any of the categories described? If so, please check the applicable category.

   (1)____(2) ____ (3)____ (4)_____ (5)_____ (6) ____
   or____None of the above

4. Describe the medical facts which support your certification, including a brief statement as to how the medical facts meet the criteria of one of these categories:

5. a. State the approximate date the condition commenced, and the probable duration of the condition (and also the probable duration of the patient's present incapacity, i.e. inability to work, attend school or perform other regular activities due to the serious health condition, treatment therefor, or recovery therefrom, if different):

   b. Will it be necessary for the employee to take work only intermittently or to work on a less than full schedule as a result of the condition (including for treatment described in Item 6 below)?

      If yes, give the probable duration:

   c. If the condition is a chronic condition (condition #4) or pregnancy, state whether the patient is presently incapacitated and the likely duration and frequency of episodes of incapacity:

6. a. If additional treatments will be required for the condition, provide an estimate of the probable number of such treatments:

      If the patient will be absent from work or other daily activities because of treatment on an intermittent or part-time basis, also provide an estimate of the probable number of and interval between such treatments, actual or estimated dates of treatment if known, and period required for recovery if any:

   b. If any of these treatments will be provided by another provider of health services (e.g., physical therapist), please state the nature of the treatments:

   c. If a regimen of continuing treatment by the patient is required under your supervision, provide a general description of such regimen (e.g. prescription drugs, physical therapy requiring special equipment):

7. a. If medical leave is required for the employee's absence from work because of the employee's own condition (including absences due to pregnancy or a chronic condition), is the employee unable to perform work of any kind?

   b. If able to perform some work, is the employee unable to perform any one or more of the essential functions of the employee's job (the employee or the employer should supply you with information about the essential job functions)?

If yes, please list the essential functions the employee is unable to perform.

c. If neither a. nor b. applies, is it necessary for the employee to be absent from work for treatment?

8. a. If leave is required to care for a family member of the employee with a serious health condition, does the patient require assistance for basic medical or personal needs or safety, or for transportation?

b. If no, would the employee's presence to provide psychological comfort be beneficial to the patient or assist in the patient's recovery?

c. If the patient will need care only intermittently or on a part-time basis, please indicate the probable duration of this need:

(Signature of Health Care Provider)	(Type of Practice)
(Address)	(Telephone Number)

To be completed by the employee needing family leave to care for a family member.

State the care you will provide and an estimate of the period during which care will be provided, including a schedule if leave is to be taken intermittently or if it will be necessary for you to work less than a full schedule:

(Employee Signature) (Date)

A serious health condition means an illness, injury impairment, or physical or mental condition that involves one of the following:

1. Hospital Care - In patient care (i.e. an overnight stay) in a hospital, hospice, or residential medical care facility, including any period of incapacity or subsequent treatment in connection with or consequent to such inpatient care.

2. Absence Plus Treatment - A period of incapacity of more than three consecutive calendar days (including any subsequent treatment or period of incapacity relating to the same condition), that also involves:
   a. 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 the orders of, or on referral by, a health care provider; or
   b. 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.

3. Pregnancy - Any period of incapacity due to pregnancy or for prenatal care.

4. Chronic Conditions Requiring Treatments - A chronic condition which:
   a. 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;
   b. continues over an extended period of time (including recurring episodes of a single underlying condition); and
   c. may cause episodic rather than a period of incapacity (e.g. asthma, diabetes, epilepsy, etc.).

5. Permanent/Long-term Conditions Requiring Supervision - 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.

6. Multiple Treatments (Non-chronic Conditions) - Any period of absence to receive multiple treatments (including any period of recovery therefrom) 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) and kidney disease (dialysis).

414.3E4 CLASSIFIED EMPLOYEE FAMILY AND MEDICAL LEAVE REQUEST WORK SHEET

Complete this work sheet upon receiving a request for family and medical leave that may qualify under the Family Medical Leave Act. Be sure to note the requirements relating to family and medical leave in the school district's policy/collective bargaining agreement prior to relying on this work sheet as the sole source of the school district's obligations. Also be sure to note the definitions in Regulation 409.3R2.

Section I: Eligible Employee. *(Please check all that apply.)*

_____Covered by a policy/collective bargaining agreement. *(If checked, please move to Section II.)*
_____The employee must meet all criteria below to move to Section II.
_____ 50 or more employees are on the payroll of or under contract to the school district.
_____ Worked 52 weeks in the school district (consecutive or nonconsecutive). **OR**
_____ Worked 12 months in the school district (consecutive or nonconsecutive).
_____ Worked 1250 hours for the school district in 12 months prior to the request.

Section II: Family and Medical Leave Purpose. *(One must be checked to move to Section III.)*

_____Birth and care of newborn prior to first anniversary of child's birth.
_____Care of adopted child or foster care child prior to first anniversary of placement.
_____Care for serious health condition of spouse, child, child for which employee is "in loco parentis" and for any of these if they are over eighteen and have a disability which prevents the child from caring for himself or herself.
_____ Requested medical certification for family and medical leave due to a serious health condition of the spouse, parent or child on ____(date)____.
_____ Received medical certification within 15 days of the request on ____(date)____.
_____ Serious health condition of the employee.
_____ Requested medical certification for family and medical leave due to a serious health condition of the employee on ____(date)____.
_____ Received medical certification within 15 days of the request on ____(date)____.
_____Other purposes contained in a policy/collective bargaining agreement.

Section III: Timing of Family and Medical Leave Request.

_____Date of family and medical leave request ____(date)____.
_____Date family and medical leave to begin ____(date)____.
_____Provide FMLA leave information to employee at time of request____(date)____.

(If one is checked, please move to Section IV.)

_____Leave request for foreseeable family and medical leave is 30 days prior to date family and medical leave begins.
_____Leave request for foreseeable family and medical leave is in compliance with policy/collective bargaining agreement.
_____Leave request for foreseeable family and medical leave was made as soon as practicable, and no later than one business day, prior to date family and medical leave begins.
_____Leave request for unforeseeable family and medical leave was made in accordance with the policy/collective bargaining agreement timelines.

Section IV: Calculation of Available Family and Medical Leave.

Beginning date for 12-month entitlement period: *(Check the method adopted by the school district.)*

_____July 1 (fiscal year)
_____January 1 (calendar year)
_____September 1 (school year)
_____First day of rolling forward 12-month entitlement period
_____First day of rolling backward 12-month entitlement period
_____Collective bargaining agreement year
_____Other

Total family and medical leave for the 12-month entitlement period	12weeks
Leave taken to date in the entitlement period	-
Leave available for the entitlement period	

If sufficient family and medical leave is available and the employee qualifies for family and medical leave, the family and medical leave will be granted in accordance with the policy/collective bargaining agreement.

The employee must be informed that the actual family and medical leave taken will be credited to the employee's 12-week entitlement.

If both spouses are employed by the school district, they may only take a combined total of 12 weeks during the entitlement period for the birth, adoption or foster care placement prior to the first anniversary of the child's birth or placement and for the care of a parent with a serious health condition.

If insufficient family and medical leave is available, the school district may award only the family and medical leave available or award the family and medical leave in accordance with other provisions of the policy/collective bargaining agreement.

Section V: Types of Family and Medical Leave. *(Please check all that apply.)*

_____Continuous leave for purposes listed in Section II.
_____Intermittent leave for birth, adoption or foster care placement prior to first anniversary of child's birth or placement with school district approval in accordance with other provisions of the policy/collective bargaining agreement.
_____Reduced work schedule leave for birth, adoption or foster care placement prior to first anniversary of child's birth or placement with school district approval in accordance with other provisions of the policy/collective bargaining agreement.
_____Intermittent leave if medically necessary for serious health condition of employee or family member and arranged as much as possible to not disrupt the school district's operation.
_____Reduced work schedule leave if medically necessary for serious health condition of employee or family member and arranged as much as possible to not disrupt the school district's operation.
_____Others contained in a policy/collective bargaining agreement. *(Please specify.)*

Section VI: Instructional Employee Intermittent or Reduced Schedule Leave.

_____ A policy/collective bargaining agreement extends this rule to non-instructional employees.
_____ A policy/collective bargaining agreement eliminates this rule for instructional employees.
_____ Instructional employees' intermittent or reduced schedule leave for greater than 20 percent of the work

days in the family and medical leave period.

Total number of days during leave period _____

X .20

20 percent of leave days _____

Days of leave requested _____

If the number of days requested exceeds 20 percent of the family and medical leave days, the school district may require the instructional employee to take family and medical leave for the entire leave period OR transfer the instructional employee to an alternate position with equivalent pay and benefits. The employee must be informed that the actual family and medical leave taken will be credited to the employee's 12-week entitlement.

Section VII: Instructional Employees Family and Medical Leave Special Rules.

_____ Instructional employee.
_____ A policy/collective bargaining agreement extends one or all of these rules to noninstructional employees.
_____ A policy/collective bargaining agreement eliminates one or all of these rules for instructional employees.
_____ The school district can require the employee to remain on family and medical leave until end of the semester if each of the following apply:
_____ Leave begins prior to five weeks before end of semester;
_____ Leave is for three weeks or more; **and**
_____ Employee will return during last three weeks of semester.

Last work day of the semester _____
Date of fifth week before end of the semester _____
Date of third week before end of the semester _____

Date of requested leave _____
Length of requested leave _____
Date of return from leave _____

_____ The school district can require employee to remain on family and medical leave for leave other than an employee's serious health condition until end of semester if each of the following apply:
_____ Leave begins during last five weeks before end of semester;
_____ Leave is greater than two weeks; **and**
_____ Employee will return during last two weeks of semester.

Last work day of the semester _____
Date of fifth week before end of the semester _____
Date of second week before end of the semester _____

Date of requested leave _____
Length of requested leave _____
Date of return from leave _____

_____ The school district can require the employee to remain on family and medical leave for purpose other than an employee's serious health condition until the end of the semester if each of the following apply:
_____ Leave begins during last three weeks before end of the semester; **and**
_____ Leave is greater than five working days.

Last work day of the semester _____
Date of third week before end of the semester _____

Date of requested leave _____
Length of requested leave _____

The employee must be informed that the actual family and medical leave taken under these rules will be credited to the employee's 12-week entitlement.

Section VIII: Paid or Unpaid Family and Medical Leave.

_____Provide employee notice whether the family and medical leave is paid or unpaid leave after completing the work sheet in accordance with the policy/collective bargaining agreement.
_____Policy/collective bargaining agreement allows substitution of paid leave for family and medical leave.
_____Family and medical leave is unpaid leave.

Section IX: Employee Progress Report.

_____ Arrangements are made with the employee to report to the school district on a regular basis during the family and medical leave *(please specify)*.

_____

_____ Requested medical recertification for family and medical leave due to a serious health condition of the spouse, parent or child on_____(date)___.
_____ Received medical recertification within 15 days of the request on___(date)___.

Section X: Employee Benefits During Family and Medical Leave.

The employee's health insurance coverage must be continued during the period of family and medical leave. The school district may choose to continue other employee benefits to ensure their restoration along with the health insurance upon the employee's return to work. The employee will pay the employee's share of health insurance and other benefits during the leave period.

_____ Arrangements have been made with the employee to continue the employee's share of health insurance premiums while on family and medical leave:
  _____From monies due to the employee
  _____By the first of each month from the employee
  _____Other *(please specify)* _____
_____ Arrangements have been made with the employee to continue the employee's share of the employee's other benefits while on family and medical leave:
  _____From monies due to the employee
  _____By the first of each month from the employee
  _____Other *(please specify)* _____
_____ The employee has chosen to discontinue all employee benefits while on family and medical leave.
_____ Employees who fail to provide payment of the employee's share of benefits premium during the period of family and medical leave have 15 days following notice to pay the employee's share.
_____ Employees who fail to pay within 15 days after receiving notice of payment due may have employee benefits discontinued.
_____The school district will deduct unpaid employee portion of benefits from monies due to the employee upon return to work, and the employee has signed a written statement authorizing the deduction.
_____The school district will seek recovery of unpaid employee portion of benefits through small claims court or other appropriate recovery process.

Even if the employee chooses to discontinue employee benefits during the period of family and medical leave, the school district should exercise great care before discontinuing employee benefits. The school district is required to restore the employee to full benefits when the employee returns to work, including group health insurance, without any qualifying period, physical examination, exclusion of pre-existing conditions and other similar requirements.

_____The school district may discontinue the employee's benefits upon receipt of written notice of the employee's intent not to return to work.

Section XI: Key Employees.

_____Salaried employees among the highest paid ten percent of a school district's employees are considered key employees of the school district.

Year-to-date earnings for employee	_____
Total weeks of work and paid leave	/ _____
Highest pay for employee	= _____

_____Provide notice to key employees stating they are a key employee and they may not be reinstated at end of the family and medical leave period if substantial and grievous economic injury exists.

_____Compile data to justify substantial and grievous economic injury. Substantial and grievous economic injury does not include minor inconvenience and costs typical to the normal operation of the school district.

_____The key employee is entitled to benefits during the family and medical leave in the same manner as other employees.

Section XII: Employee's Return to Work.

_____Employee is fully restored the same or an equivalent position with:

- _____Pay and benefits
- _____Health insurance
- _____Life insurance
- _____Other benefits or requirements in a policy/collective bargaining agreement

414.3R1 CLASSIFIED EMPLOYEE FAMILY AND MEDICAL LEAVE REGULATION

A. School district notice.

1. The school district will post the notice in Exhibit 409.3E1 regarding family and medical leave.
2. Information on the Family and Medical Leave Act and the board policy on family and medical leave, including leave provisions and employee obligations will be provided annually. The information will be in the employee handbook.
3. When an employee requests family and medical leave, the school district will provide the employee with information listing the employee's obligations and requirements. Such information will include:
   a. a statement clarifying whether the leave qualifies as family and medical leave and will, therefore, be credited to the employee's annual 12-week entitlement;
   b. a reminder that employees requesting family and medical leave for their serious health condition or for that of an immediate family member must furnish medical certification of the serious health condition and the consequences for failing to do so;
   c. an explanation of the employee's right to substitute paid leave for family and medical leave including a description of when the school district requires substitution of paid leave and the conditions related to the substitution; and
   d. a statement notifying employees that they must pay and must make arrangements for paying any premium or other payments to maintain health or other benefits.

C. Eligible employees.

Employees are eligible for family and medical leave if three criteria are met.

1. The school district has more than 50 employees on the payroll at the time leave is requested;
2. The employee has worked for the school district for at least twelve months or 52 weeks (the months and weeks need not be consecutive); and
3. The employee has worked at least 1,250 hours within the previous year. Full-time professional employees who are exempt from the wage and hour law may be presumed to have worked the minimum hour requirement.

If the employee requesting leave is unable to meet the above criteria, then the employee is not eligible for family and medical leave.

C. Employee requesting leave -- two types of leave.

3. Foreseeable family and medical leave.
   a. Definition - leave is foreseeable for the birth or placement of an adopted or foster child with the employee or for planned medical treatment.
   b. Employee must give at least thirty days notice for foreseeable leave. Failure to give the notice may result in the leave beginning thirty days after notice was received.

      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.
4. Unforeseeable family and medical leave.
   a. Definition - leave is unforeseeable in such situations as emergency medical treatment or premature birth.
   b. Employee must give notice as soon as possible but no later than one to two work days after learning that leave will be necessary.
   c. A spouse or family member may give the notice if the employee is unable to personally give notice.

D. Eligible family and medical leave determination. The school district may require the employee giving notice of the need for leave to provide reasonable documentation or a statement of family relationship.

1. Four purposes.
   a. The birth of a son or daughter of the employee and in order to care for that son or daughter prior to the first anniversary of the child's birth;
   b. The placement of a son or daughter with the employee for adoption or foster care and in order to care for that son or daughter prior to the first anniversary of the child's placement;
   c. To care for the spouse, son, daughter or parent of the employee if the spouse, son, daughter or parent has a serious health condition; or
   d. Employee's serious health condition that makes the employee unable to perform the essential functions of the employee's position.
2. Medical certification.
   a. When required:
      (1) Employees shall be required to present medical certification of the employee's serious health condition and inability to perform the essential functions of the job.
      (2) Employees shall be required to present medical certification of the family member's serious health condition and that it is medically necessary for the employee to take leave to care for the family member.
   b. Employee's medical certification responsibilities:
      (1) The employee must obtain the certification from the health care provider who is treating the individual with the serious health condition.
      (2) The school district may require the employee to obtain a second certification by a health care provider chosen by and paid for by the school district if the school district has reason to doubt the validity of the certification an employee submits. The second health care provider cannot, however, be employed by the school district on a regular basis. If the second health care provider disagrees with the first health care provider, then the school district may require a third health care provider to certify the serious health condition. This health care provider must be mutually agreed upon by the employee and the school district and paid for by the school district. This certification or lack of certification is binding upon both the employee and the school district.
   c. Medical certification will be required fifteen days after family and medical leave begins unless it is impracticable to do so. The school district may request recertification every thirty days. Recertification must be submitted within fifteen days of the school district's request.

Family and medical leave requested for the serious health condition of the employee or to care for a family member with a serious health condition which is not supported by medical certification will be denied until such certification is provided.

E. Entitlement.
1. Employees are entitled to twelve weeks unpaid family and medical leave per year.
2. Year is defined as: Fiscal year
3. If insufficient leave is available, the school district may:
   a. Deny the leave if entitlement is exhausted
   b. Award leave available

F. Type of Leave Requested.
1. Continuous - employee will not report to work for set number of days or weeks.
2. Intermittent - employee requests family and medical leave for separate periods of time.
   a. Intermittent leave is available for:
      (1) Birth, adoption or foster care placement of child only with the school district's agreement.
      (2) Serious health condition of the employee, spouse, parent, or child when medically necessary without the school district’s agreement.

b. In the case of foreseeable intermittent leave, the employee must schedule the leave to minimize disruption to the school district operation.
c. During the period of foreseeable intermittent leave, the school district may move the employee to an alternative position with equivalent pay and benefits. *(For instructional employees, see G below.)*

3. Reduced work schedule - employee requests a reduction in the employee's regular work schedule.
   a. Reduced work schedule family and medical leave is available for:
      (1) Birth, adoption or foster care placement and subject to the school district's agreement.
      (2) Serious health condition of the employee, spouse, parent, or child when medically necessary without the school district's agreement.
   b. In the case of foreseeable reduced work schedule leave, the employee must schedule the leave to minimize disruption to the school district operation.
   c. During the period of foreseeable reduced work schedule leave, the school district may move the employee to an alternative position with equivalent pay and benefits. *(For instructional employees, see G below.)*

G. Special Rules for Instructional Employees.

1. Definition - an instructional employee is one whose principal function is to teach and instruct students in a class, a small group or an individual setting. This includes, but is not limited to, teachers, coaches, driver's education instructors and special education assistants.
2. Instructional employees who request foreseeable medically necessary intermittent or reduced work schedule family and medical leave greater than twenty percent of the work days in the leave period may be required to:
   a. Take leave for the entire period or periods of the planned medical treatment; or
   b. Move to an available alternative position, with equivalent pay and benefits, but not necessarily equivalent duties, for which the employee is qualified.
3. Instructional employees who request continuous family and medical leave near the end of a semester may be required to extend the family and medical leave through the end of the semester. The number of weeks remaining before the end of a semester do not include scheduled school breaks, such as summer, winter or spring break.
   a. If an instructional employee begins family and medical leave for any purpose more than five weeks before the end of a semester, the school district may require that the leave be continued until the end of the semester if the leave will last at least three weeks and the employee would return to work during the last three weeks of the semester if the leave was not continued.
   b. If the employee begins family and medical leave for a purpose other than the employee's own serious health condition during the last five weeks of a semester, the school district may require that the leave be continued until the end of the semester if the leave will last more than two weeks and the employee would return to work during the last two weeks of the semester.
   c. If the employee begins family and medical leave for a purpose other than the employee's own serious health condition during the last three weeks of the semester and the leave will last more than five working days, the school district may require the employee to continue taking leave until the end of the semester.

   The entire period of leave taken under the special rules is credited as family and medical leave. The school district will continue to fulfill the school district's family and medical leave responsibilities and obligations, including the obligation to continue the employee's health insurance and other benefits, if an instructional employee's family and medical leave entitlement ends before the involuntary leave period expires.

H. Employee responsibilities while on family and medical leave.

1. Employee must continue to pay health care benefit contributions or other benefit contributions regularly

paid by the employee unless employee elects not to continue the benefits.

2. The employee contribution payments will be deducted from any money owed to the employee or the employee will reimburse the school district at a time set by the superintendent.
3. An employee who fails to make the health care contribution payments within thirty days after they are due will be notified that their coverage may be canceled if payment is not received within an additional 15 days.
4. An employee may be asked to re-certify the medical necessity of family and medical leave for the serious medical condition of an employee or family member once every thirty days and return the certification within fifteen days of the request.
5. The employee must notify the school district of the employee's intent to return to work at least once each month during their leave and at least two weeks prior to the conclusion of the family and medical leave.
6. If an employee intends not to return to work, the employee must immediately notify the school district, in writing, of the employee's intent not to return. The school district will cease benefits upon receipt of this notification.

I. Use of paid leave for family and medical leave.

An employee may substitute unpaid family and medical leave with any paid leave available to the employee under board policy, individual contracts or the collective bargaining agreement. Paid leave available for substitution of unpaid leave includes, but is not limited to, vacation, personal leave, and emergency leave.

414.3R2 CLASSIFIED EMPLOYEE FAMILY AND MEDICAL LEAVE DEFINITIONS

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.

Continuing treatment – a serious health condition involving continuing treatment by a health care provider includes any one or more of the following:

- A period of incapacity (i.e., inability to work, attend school or perform other regular daily activities due to the serious health condition, treatment for or recovery from) of more than three consecutive calendar days and any subsequent treatment or period of incapacity relating to the same condition that also involves:
  - -- treatment two or more times by a health care provider, by a nurse or physician's assistant under direct supervision of a health care provider, or by a provider of health care services (e.g., physical therapist) under orders of, or in referral by, a health care provider; or
  - -- treatment by a health care provider on at least one occasion which results in a regimen of continuing treatment under the supervision of a the health care provider.
- Any period of incapacity due to pregnancy or for prenatal care.
- Any period of incapacity or treatment for such incapacity due to a chronic serious health condition. A chronic serious health condition is one which:
  - -- requires periodic visits for treatment by a health care provider or by a nurse or physician's assistant under direct supervision of a health care provider;
  - -- Continues over an extended period of time (including recurring episodes of a single underlying condition); and
  - -- May cause episodic rather than a continuing period of incapacity (e.g., asthma, diabetes, epilepsy, etc.).
- Any period of incapacity which is permanent or long-term due to a condition for which treatment may not be effective. The employee or family member must be under the continuing supervision of, but need not be receiving active treatment by, a health care provider. Examples include Alzheimer's, a severe stroke or the terminal stages of a disease.
- Any period of absence to receive multiple treatments (including any period of recovery from) by a health care provider or by a provider of health care services under orders of, or on referral by, a health care provider, either for restorative surgery after an accident or other injury, or for a condition that would likely result in a period of incapacity of more than three consecutive calendar days in the absence of medical intervention or treatment, such as cancer (chemotherapy, radiation, etc.), severe arthritis (physical therapy), kidney disease (dialysis).

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.

Parent – a biological parent or an individual who stands in loco parentis to a child or stood in loco parentis to an employee when the employee was a child. Parent does not include parent-in-law.

Physical or mental disability – a physical or mental impairment that substantially limits one or more of the major life activities of an individual.

Reduced leave schedule – a leave schedule that reduces the usual number of hours per workweek, or hours per workday, of an employee.

Serious health condition

- An illness, injury, impairment, or physical or mental condition that involves:
  - Inpatient care (i.e. an overnight stay) in a hospital, hospice or residential medical care facility including any period of incapacity (for purposes of this section, defined to mean inability to work, attend school or perform other regular daily activities due to the serious health condition, treatment for or recovery from), or any subsequent treatment in connection with such inpatient care; or
    - Continuing treatment by a health care provider. A serious health condition involving continuing treatment by a health care provider includes:
    - A period of incapacity (i.e., inability to work, attend school or perform other regular daily activities due to the serious health condition, treatment for or recovery from) of more than three consecutive calendar days, including any subsequent treatment or period of incapacity relating to the same condition, that also involves:
    - Treatment two or more times by a health care provider, by a nurse or physician's assistant under direct supervision of a health care provider, or by a provider of health care services (e.g., physical therapist) under orders or, or on referral by, a health care provider; or
    - Treatment by a health care provider on at least one occasion which results in a regimen of continuing treatment under the supervision of the health care provider.
    - Any period of incapacity due to pregnancy or for prenatal care.
    - Any period of incapacity or treatment for such incapacity due to a chronic serious health condition.
  - A chronic serious health condition is one which:
    - Requires periodic visits for treatment by a health care provider or by a nurse or physician's assistant under direct supervision of a health care provider;
    - Continues over an extended period of time (including recurring episodes of s single underlying condition); and
    - May cause episodic rather than a continuing period of incapacity (e.g., asthma, diabetes, epilepsy, etc.).
    - A period of incapacity which is permanent or long-term due to a condition for which treatment may not be effective. The employee or family member must be under the continuing supervision of, but need not be receiving active treatment by, a health care provider. Examples include Alzheimer's a severe stroke or the terminal stages of a disease.
    - Any period of absence to receive multiple treatments (including any period of recovery from) by a health care provider or by a provider of health care services under orders of, or on referral by, a health care provider, either for restorative surgery after an accident or other injury, or for a condition that would likely result in a period of incapacity of more than three consecutive calendar days in the absence of medical intervention or treatment, such as cancer (chemotherapy, radiation, etc.), severe arthritis (physical therapy), kidney disease (dialysis).
- Treatment for purposes of this definition includes, but is not limited to, examinations to determine if a serious health condition exists and evaluation of the condition. Treatment does not include routine physical examinations, eye examinations or dental examinations. Under this definition, a regimen of continuing treatment includes, for example, a course of prescription medication (e.g., an antibiotic) or therapy requiring special equipment to resolve or alleviate the health condition (e.g., oxygen). A regimen of continuing treatment that includes the taking of over-the-counter medications such as aspirin, antihistimines, 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.

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.

Approved 8-8-94 Reviewed 08/14/17 Revised 1-9-06

414.4 CLASSIFIED EMPLOYEE BEREAVEMENT LEAVE

In the event of a death of a member of a classified employee's immediate family, bereavement leave may be granted. Bereavement leave granted may be for a maximum of five days, with "day" being defined as one work day regardless of full-time or part-time status of the employee, per occurrence, for the death of a member of the immediate family. The immediate family includes child, spouse, parent, brother, sister, mother-in-law, father-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, or grandparent of the employee.

A maximum of one day of bereavement leave per year will be granted for the death of a close friend or other relative not listed above.

It is within the discretion of the superintendent to determine the number of bereavement leave days to be granted.

The requirements stated in the Master Contract between employees in that certified collective bargaining unit and the board regarding bereavement leave of such employees will be followed.

Legal Reference: Iowa Code §§ 20.9; 279.8 (2009).

Cross Reference: 409.4 Licensed Employee Emergency Leave
414 Classified Employee Vacations and Leaves of Absence

Approved 8/8/94 Reviewed 08/14/17 Revised 10/11/10

414.5 CLASSIFIED EMPLOYEE POLITICAL LEAVE

The board will provide a leave of absence to classified employees to run for elective public office. The superintendent will grant a classified employee a leave of absence to campaign as a candidate for an elective public office as unpaid leave.

The classified employee will be entitled to one period of leave to run for the elective public office, and the leave may commence any time within thirty days of a contested primary, special, or general election and continue until the day following the election.

The request for leave must be in writing to the superintendent at least thirty days prior to the starting date of the requested leave.

The requirements stated in the Master Contract between employees in that certified collective bargaining unit and the board regarding political leave of such employees will be followed.

Legal Reference: Iowa Code ch. 55 (2009).

Cross Reference: 401.15 Employee Political Activity
409.5 Licensed Employee Political Leave
414 Classified Employee Vacations and Leaves of Absence

Approved 8/8/94 Reviewed 08/14/17 Revised 10/11/10

414.6 CLASSIFIED EMPLOYEE JURY DUTY LEAVE

The board will allow classified employees to be excused for jury duty unless extraordinary circumstances exist. The superintendent has the discretion to determine when extraordinary circumstances exist.

Employees who are called for jury service will notify the direct supervisor within twenty-four hours after notice of call to jury duty and suitable proof of jury service pay must be presented to the school district. The employee will report to work within one hour on any day when the employee is excused from jury duty during regular working hours.

Classified employees will receive their regular salary. Any payment for jury duty is turned over to the school district.

The requirements stated in the Master Contract between employees in that certified collective bargaining unit and the board regarding jury duty leave of such employees will be followed.

Legal Reference: Iowa Code §§ 20.9; 607A (2009).

Cross Reference: 414 Classified Employee Vacations and Leaves of Absence

Approved 8/8/94 Reviewed 08/14/17 Revised 10/11/10

414.7 CLASSIFIED EMPLOYEE MILITARY SERVICE LEAVE

The board recognizes classified employees may be called to participate in the armed forces, including the national guard. If a classified employee is called to serve in the armed forces, the employee will have a leave of absence for military service until the military service is completed.

The leave is without loss of status or efficiency rating, and without loss of pay during the first thirty calendar days of the leave.

The requirements stated in the Master Contract between employees in that certified collective bargaining unit and the board regarding military service leave of such employees will be followed.

Legal Reference: Bewley v. Villisca Community School District, 299 N.W. 2d 904 (Iowa 1980).
Iowa Code §§ 20; 29A.28 (2009).

Cross Reference: 409.7 Licensed Employee Military Service Leave
414 Classified Employee Vacations and Leaves of Absence

Approved 8/8/94 Reviewed 08/14/17 Revised 10/11/10

414.8 CLASSIFIED EMPLOYEE UNPAID LEAVE

Unpaid leave, not to exceed 5 per school year**,** may be used to excuse an involuntary absence not provided for in other leave policies. Unpaid leave for classified employees must be authorized by the superintendent. Whenever possible, classified employees will make a written request for unpaid leave ten days prior to the beginning date of the requested leave. If the leave is granted, the deductions in salary are made unless they are waived specifically by the superintendent.

The superintendent will have complete discretion to grant or deny the requested unpaid leave. In making this determination, the superintendent will consider the effect of the employee's absence on the education program and school district operations, the financial condition of the school district, length of service, previous record of absence, the reason for the requested absence and other factors the superintendent believes are relevant in making this determination.

If unpaid leave is granted, the duration of the leave period is coordinated with the scheduling of the education program whenever possible, to minimize the disruption of the education program and school district operations.

The requirements stated in the Master Contract between employees in that certified collective bargaining unit and the board regarding unpaid leave of such employees will be followed.

Legal Reference: Iowa Code §§ 20.9; 279.8 (2009).

Cross Reference: 409.8 Licensed Employee Unpaid Leave
414 Classified Employee Vacations and Leaves of Absence

Approved 08/08/94 Reviewed 08/14/17 Revised 02/10/14

414.9 CLASSIFIED EMPLOYEE PROFESSIONAL PURPOSES LEAVE

Professional purposes leave may be granted to classified employees for the purpose of attending meetings and conferences directly related to their assignments. Application for the leave must be presented to the superintendent one week prior to the meeting or conference.

It is within the discretion of the superintendent to grant professional purposes leave. The leave may be denied on the day before or after a vacation or holiday, on special days when services are needed, when it would cause undue interruption of the education program and school district operations, or for other reasons deemed relevant by the superintendent.

The requirements stated in the Master Contract between employees in that certified collective bargaining unit and the board regarding professional leave of such employees will be followed.

Legal Reference: Iowa Code § 279.8 (2009).
281 I.A.C. 12.7.

Cross Reference: 411 Classified Employees - General
408.1 Classified Employee Professional Development

Approved 8/8/94 Reviewed 08/14/17 Revised 10/11/10

415 CLASSIFIED EMPLOYEE SUBSTITUTES

The superintendent shall employee substitutes and temporary classified employees. Such employment shall be subject to the board's approval at its next meeting, when the superintendent shall present the names and salaries of the employees to the board.

Legal Reference: Iowa Code §§ 20.9; 279.8 (2009)

Cross Reference: 411 Classified Employee-General

Approved 8/8/94 Reviewed 08/14/17 Revised 10/11/10

STUDENTS (Series 500)

501.1 RESIDENT STUDENTS

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

The residence of a student means the place, abode, or dwelling of the student. Generally, the legal dwelling of minors is the same as their parents. However, a student may establish a dwelling with someone other than the parents and attend public school in the school district without paying tuition if the primary purpose for residing in the school district is not for the purpose of obtaining a free public education. Further, students who have reached the age of majority and who are still eligible to attend an Iowa secondary school may declare their residence independent of the residence of the parents.

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

Legal Reference:
Lakota Cons. Ind. School v. Buffalo Center-Rake Comm. School, 334 N.W.2d 704 (Iowa 1983).
Mt. Hope School Dist. v. Hendrickson, 197 N.W. 47 (Iowa 1924). Oshel v. Creston Comm. School Dist., DPI Admin. Doc. 570 (1981). 33 D.P.I. Dec. Rule 80 (1984).
Iowa Code §§ 257.6; 282.2, .6, .7; 285.4 (2009).
1956 Op. Att'y Gen. 185.
1946 Op. Att'y Gen. 197.
1938 Op. Att'y Gen. 69.
1930 Op. Att'y Gen. 147.

Cross Reference:
102 School District Instructional Organization
501 Student Attendance

Approved 08/08/94 Reviewed 03/13/17 Revised 03/14/11

501.2 NONRESIDENT STUDENTS

Students who are eligible to attend an Iowa public school but who are not legal residents of the school district may be admitted into the school district at the discretion of the superintendent upon application and payment of tuition. The tuition rate 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 or twelve who are no longer residents of the school district, but were residents in the preceding school year, may continue to attend school until they graduate without the payment of tuition. These students may be required to identify an adult, who resides in the school district, identified for purposes of administration.

Nonresident students who are eligible to attend an Iowa public school and who have evidence they will become legal residents of the school district prior to the third Friday in September may be allowed to attend without the payment of tuition.

Legal Reference: Lakota Cons. Ind. School v. Buffalo Center-Rake Comm. School, 334 N.W.2d 704 (Iowa 1983).
Mt. Hope School Dist. v. Hendrickson, 197 N.W. 47 (Iowa 1924). Oshel v. Creston Comm. School Dist., DPI Admin. Doc. 570 (1981). Iowa Code §§ 257.6; 282.1, .2, .6, .7, .24 (2009).

Cross Reference: 501 Student Attendance

Approved 08/08/94 Reviewed 03/13/17 Revised 03/14/11

501.3 COMPULSORY ATTENDANCE

Parents within the school district who have children over age six and under age sixteen by September 15, in proper physical and mental condition to attend school, will have the children attend the school district at the attendance center designated by the board. Students will attend school the number of days or hours school is in session in accordance with the school calendar. Students of compulsory attendance age will attend school a minimum of 175 days or 1080 hours. Students not attending the minimum days or hours must be exempted by this policy as listed below or, referred to the county attorney. Exceptions to this policy include children who:

- have completed the requirements for graduation in an accredited school or have obtained a high school equivalency diploma;
- are attending religious services or receiving religious instruction;
- are attending an approved or probationally-approved private college preparatory school;
- are attending an accredited nonpublic school; or,
- are receiving competent private instruction.

It is the responsibility of the parent of a child to provide evidence of the child's mental and physical inability to attend school or of the child's qualifications for one of the exceptions listed above.

The truancy officer will investigate the cause for a student's truancy. If the truancy officer is able to secure the truant student's attendance, the truancy officer should discuss the next step with the school board. If after school board action, the student is still truant, the truancy officer will refer the matter over to the county attorney.

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

Note: This is a mandatory policy. The compulsory attendance law does not require school districts to have a truancy officer.

Legal Reference: Iowa Code §§ 259A; 279.10-.11; ch. 299; 299A .

Cross Reference:

	501	Student Attendance
	601.1	School Calendar
	604.1	Competent Private Instruction

Approved 08/08/94 Reviewed 03/13/17 Revised 03/14/11

501.4 ENTRANCE - ADMISSIONS

Children in the school district community will be allowed to enroll in the school district's regular education program beginning at age five. The child must be age five on or prior to September 15 to participate in the school district's kindergarten program. The child must be age six on or prior to September 15 to begin the first grade of the education program.

Before the student may enroll in the district's education program, the board will require evidence of age and residency in the form of a birth certificate or other evidence of age. 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. Failure to provide this information within the time period set by the superintendent is reason for suspension, expulsion or denying admission to the student.

NOTE: This policy reflects current Iowa law. Only the state registrar has authority to make a copy of a birth certificate. Districts who utilize online registration platforms should be aware that birth certificates should not be uploaded on the online platform as proof of age, as that creates a copy of the birth certificate. Districts can either view a birth certificate in person then return it to the child's guardian; or utilize a variety of documents including but not limited to a certified statement from a treating medical provider, or an immunization record from the child's treating provider that lists the child's date of birth as sufficient proof of age.

Legal Reference: Iowa Code §§ 139.9; 144.45(5); 282.1, .3, .6 (2009).

Cross Reference: 501 Student Attendance
507.1 Student Health and Immunization Certificates

Approved 08/08/94 Reviewed 03/13/17 Revised 03/14/11

501.5 ATTENDANCE CENTER ASSIGNMENT

The board will have complete discretion to determine the boundaries for each attendance center, to assign students to the attendance centers, and to assign students to the classrooms within the attendance center.

It is the responsibility of the superintendent to make a recommendation to the board annually regarding the assigned attendance center for each student. In making the recommendation, the superintendent will consider the geographical layout of the school district, the condition and location of the school district facilities, the location of student population, possible transportation difficulties, financial condition of the school district and other factors deemed relevant by the superintendent or the board.

Legal Reference: Iowa Code §§ 279.11; 282.7-.8 (2009).

Cross Reference: 501 Student Attendance

Approved 08/08/94 Reviewed 03/13/17 Revised 03/14/11

501.6 STUDENT TRANSFERS IN

Students who transfer into the school district must meet the immunization and age requirements set out for students who initially enroll in the school district.

The school district 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.

Legal Reference: 20 U.S.C. § 1232g (1994).
Iowa Code §§ 139.9; 282.1, .3, .4; 299A (2009).

Cross Reference:

501	Student Attendance
505.4	Student Honors and Awards
507	Student Health and Well-Being
604.1	Competent Private Instruction

Approved 08/08/94 Reviewed 03/13/17 Revised 03/14/11

501.7 STUDENT TRANSFERS OUT OR WITHDRAWALS

If the student's parents wish to withdraw or transfer the student from school prior to completing and graduating from the education program, they should notify the superintendent in writing as soon as possible of the decision to withdraw or transfer the student from the education program. The student or parent should present this written notice at the office and receive instructions regarding the return of textbooks, library books, locker equipment, hot lunch tickets, etc.

The notice should state the student's final day of attendance. If the student is not enrolling in another school district, the school district will maintain the student's records in the same manner as the records of students who have graduated from the school district.

If the parents wish to have the student's cumulative record sent to the new school district, the parents must notify the superintendent in writing. This notice will include the name of the school district and the person at the new school district to whom the student's cumulative records should be sent. If the new school district requests the student's cumulative records, the school district will forward the cumulative records and notify the parents the records have been sent. The notice will inform the parents of their right to review the records sent.

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

NOTE: The third paragraph is a reflection of federal law regarding the forwarding of student records.

Legal Reference: 20 U.S.C. § 1232g.
Iowa Code §§ 274.1; 299.1-.1A; 299A.11.

Cross Reference: 501 Student Attendance
506 Student Records
604.1 Competent Private Instruction

Approved 08/08/94 Reviewed 03/13/17 Revised 03/14/11

501.8 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, the custodian of school records.

Legal Reference: Iowa Code §§ 294.4; 299 (2009).
281 I.A.C. 12.2(4).

Cross Reference:
501	Student Attendance
501.3	Compulsory Attendance
506	Student Records

Approved 08/08/94 Reviewed 03/13/17 Revised 03/14/11

501.9 STUDENT ABSENCES - EXCUSED

Regular attendance by students is essential for students to obtain the maximum opportunities from the education program. Parents and students alike are encouraged to ensure an absence from school is a necessary absence. Students will attend school unless excused by the principal of their attendance center.

Student absences approved by the principal are excused absences. Excused absences will count as days in attendance for purposes of the truancy law. These absences include, but are not limited to, illness, family emergencies, recognized religious observances, appointments that cannot be scheduled outside the school day and school-sponsored or approved activities.

The district believes that traditional, in-person school attendance leads to the greatest learning opportunities for students. However, there may be rare and unusual circumstances created by public emergencies declared by state or local officials which temporarily prevent students from attending traditional, in-person school. In these circumstances, the superintendent will have discretion to make reasonable accommodations for students, on a case-by-case basis, to attend school through remote learning opportunities within the available resources of the district and as permitted by law. During approved remote learning, attendance will be taken, assessments may be administered, and grades will count towards students' cumulative grade point average as if they were attending in person. The provision of special education and accommodations for students who have individualized education programs (IEPs) or Section 504 plans will be determined by each respective IEP or Section 504 team.

Students whose absences are approved will make up the work missed and receive full credit for the missed school work. It is the responsibility of the student to initiate a procedure with the student's teacher to complete the work missed.

Students who wish to participate in school-sponsored activities must attend school one-half day the day of the activity unless permission has been given by the principal for the student to be absent.

It is the responsibility of the parent to notify the student's attendance center as soon as the parent knows the student will not be attending school on that day. The principal may request evidence or written verification of the student's reason for absence.

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

Legal Reference:	34 C.F.R. sec. 300 28 C.F.R. Pt. 35 Iowa Code §§ 294.4; 299. 281 I.A.C. 12.3(4).
Cross Reference:	501 Student Attendance 503 Student Discipline 504 Student Activities 506 Student Records

Approved 08/08/94 Reviewed 03/13/17 Revised 03/14/11

501.9E1 REQUEST FOR REMOTE LEARNING FORM

Date: _____

Student Name: _____

Attendance Center: _____

Parent/Guardian: _____

I, _____ (Parent/Guardian) am requesting accommodation for my child, _____(Student Name) to participate in remote learning opportunities for the duration of the declared public emergency, or until I have determined my child can safely return to traditional in-person learning at his/her designated attendance center, whichever occurs first.

I have attached to this form documentation from an Iowa Board of Medicine-licensed medical professional confirming that remote learning is medically necessary due to the vulnerable health condition of my child or of a family member residing within the same home as my child.

I understand that the district will do their utmost to accommodate my child's learning needs, but that some learning opportunities may need to be modified in a remote environment. The provision of special education and accommodations for students who have individualized education programs (IEPs) or Section 504 plans will be determined by each respective IEP or Section 504 team.

I understand that in order for my child to continue to participate in mandatory learning, his/her remote attendance will be taken, assessments administered, and grades will be counted toward my child's cumulative grade average. I understand that any devices, technology, or materials given to my child to facilitate remote learning are the property of the district and must be returned at the end of the remote learning period.

I am requesting that remote learning opportunities begin on _____ (date) and continue until *[_____(date) or the declared public emergency is dismissed*].

_____(Parent/Guardian) _____(Date)

Request approved by:

_____(School official) _____(Date)

Note: This form is to be utilized by parents/guardians of a student who, during the course of a declared public emergency, believe that further attendance by the student at traditional in person school would be detrimental to the health or safety of the student or the student's family member residing with the student. This form is <u>not necessary</u> when the school building is closed to traditional in person learning and remote learning opportunities are already available to students. It is only to be utilized during a public emergency declared by state or local officials when traditional in person learning continues to be held.

501.10 TRUANCY - UNEXCUSED ABSENCES

Regular attendance by the students at school is essential for students to obtain the maximum opportunities from the education program. Parents and students alike are encouraged to ensure an absence from school is a necessary absence. Students will attend school unless excused by the principal of their attendance center.

Truancy is the failure to attend school for the minimum number of days established in the school calendar by the board. Truancy is the act of being absent without parental permission and administrative approval. These absences will include, but not be limited to, tardiness, shopping, hunting, concerts, preparation or participation in parties and other celebrations and employment. Truancy will not be tolerated by the board.

Students are subject to disciplinary action for truancy including suspension and expulsion. It is within the discretion of the principal to determine, in light of the circumstances, whether a student may make up work missed because of truancy. Students receiving special education services will not be assigned to supervised study hall, in-school suspension unless the goals and objectives of the student's Individualized Education Program are capable of being met.

It is the responsibility of the superintendent, in conjunction with the principal, to develop administrative regulations regarding this policy. The administrative regulations will indicate the disciplinary action to be taken for truancy.

Legal Reference: Iowa Code §§ 294.4; 299 (2009).
281 I.A.C. 12.2(4).

Cross Reference:
206.3 Secretary-Treasurer
410.5 Truancy Officer
501 Student Attendance
503 Student Discipline
504 Student Activities
506 Student Records

Approved 08/08/94 Reviewed 03/13/17 Revised 03/14/11

501.11 STUDENT RELEASE DURING SCHOOL HOURS

Students in grade twelve may be allowed to leave the school district facilities when they are not scheduled to be in class. Students who violate school rules may have this privilege suspended.

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

Legal Reference: Iowa Code § 294.4 (2009).
281 I.A.C. 12.2(4).

Cross Reference:
501 Student Attendance
503 Student Discipline
504 Student Activities
506 Student Records

Approved 08/08/94 Reviewed 03/13/17 Revised 03/14/11

501.12 PREGNANT STUDENTS

The board encourages pregnant students to continue to attend the education program as long as they are physically able to do so. The pregnant student may notify the principal or the guidance counselor as soon as she is aware of the pregnancy. The school may require that a pregnant student provide the principal with a written note from her doctor relative to special conditions that might exist and specific suggestions as to how long the student may continue to attend classes. If the student is unable to attend school because of her pregnancy, the student may be excused and arrangements made to continue her studies during her absence. The student will resume classes upon the recommendation of her physician.

Legal Reference: Iowa Code §§ 216; 279.8; 280.3 (2009).

Cross Reference: 501 Student Attendance
604.2 Individualized Instruction

Approved 08/08/94 Reviewed 03/13/17 Revised 03/14/11

501.13 MARRIED STUDENTS

The board encourages married students to continue attending the education program in order to graduate.

Married students may attend without paying tuition as long as they are eligible to attend an Iowa public school and are a resident of the school district.

If requested, a married student with family responsibilities may have classes scheduled in blocks so as much time as possible can be spent fulfilling family responsibilities. Husbands and wives will not necessarily be scheduled in the same class sections.

Legal Reference: Iowa Code §§ 257.6; 280.3; 282.2, .6, .7 (1993)

Cross Reference: 501 Student Attendance

Approved 08/08/94 Reviewed 03/13/17 Revised 03/14/11

501.14 STUDENTS OF LEGAL AGE

Students who have attained legal age may continue the education program without payment of tuition as long as they are eligible to attend an Iowa public school and are residents of the school district.

Parents will be allowed to access and view the student's records without written permission from the student if the student is still a dependent for tax purposes. In most cases, with the discretion of the principal or the superintendent, the student will be able to make decisions and sign documents rather than requiring parental permission or signature.

Legal Reference: 20 U.S.C. § 1232g (1994).
Iowa Code §§ 22; 282.2, .6, .7; 285.4; 599.1; 622.10 (2009).
281 I.A.C. 12.3(6).

Cross Reference: 501 Student Attendance
506 Student Records

Approved 08/08/94 Reviewed 03/13/17 Revised 03/14/11

501.15 OPEN ENROLLMENT TRANSFERS - PROCEDURES AS A SENDING DISTRICT

The school district will participate in open enrollment as a sending district. As a sending district, the board will allow resident students who meet the requirements to open enroll to another public school district.

Parents requesting open enrollment out of the school district for their student will notify the sending and receiving school district no later than March 1 in the school year preceding the first year desired for open enrollment. The notice is made on forms provided by the Department of Education. The forms are available at the central administration office.

Parents of children who will begin kindergarten in the school district are exempt from the open enrollment March 1 deadline. Parents of children who will begin kindergarten will file in the same manner set forth above by September 1. Parents who have good cause as defined by law for failing to meet the March 1 deadline may make an open enrollment request by September 1 unless another deadline applies.

The receiving district will approve open enrollment requests according to the timelines established by law. The parents may withdraw the open enrollment request prior to the start of the school year. The receiving district's superintendent will notify the parents and sending school district by mail within five days of the school district's action to approve or deny the open enrollment request.

The board will not approve a student's request to allow the receiving district to enter the school district for the purposes of transportation.

An open enrollment request out of the school district from parents of a special education student is reviewed on a case-by-case basis. The determining factor for approval of such an open enrollment request will be whether the special education program available in the receiving school district is appropriate for the student's needs. The area education agency director of special education serving the receiving district will determine whether the program is appropriate. The special education student will remain in the school district until the final determination is made.

It is the responsibility of the superintendent to maintain open enrollment request applications and notice forms. It will also be the responsibility of the superintendent to develop appropriate office procedures and administrative regulations necessary for open enrollment requests.

Legal Reference: Iowa Code §§ 139.9; 274.1; 279.11; 282.1, .3, .8, .18; 299.1 (2009).
281 I.A.C. 17.
1990 Op. Att'y Gen. 75.

Cross Reference: 501 Student Attendance
506 Student Records

Approved 08/08/94 Reviewed 03/13/17 Revised 03/14/11

501.16 OPEN ENROLLMENT TRANSFERS - PROCEDURES AS A RECEIVING DISTRICT

The school district will participate in open enrollment as a receiving district. As a receiving district, the board will allow nonresident students, who meet the legal requirements, to open enroll into the school district. The board will have complete discretion to determine the attendance center of the students attending the school district under open enrollment.

The superintendent will approve timely filed applications by June 1; incoming kindergarten applications; good cause application; or continuation of an educational program application filed by the third Thursday of the following September.

The superintendent will notify the sending school district and parents within five days of the school district's action to approve or deny the open enrollment request. The superintendent will also forward a copy of the school district's action with a copy of the open enrollment request to the Iowa Department of Education.

Open enrollment requests into the school district will not be approved if insufficient classroom space exists. Open enrollment requests into the school district will also not be approved for students who have been suspended or expelled by the administration or the board of the school district the student is or was attending until the student has been reinstated into the school district from which the student was suspended or expelled. Once the student is reinstated, the student's open enrollment request will be considered in the same manner as other open enrollment requests provided the required timelines are met.

Open enrollment requests into the school district that, if denied, would result in students from the same nuclear family being enrolled in different school districts, will be given highest priority.
The board, in its discretion, may waive the insufficient classroom space reason for denial for students of the same nuclear family to prevent the division of a nuclear family between two school districts. Other open enrollment requests into the school district are considered in the order received by the school district with the first open enrollment request given a higher priority than the second open enrollment request and so forth.

Generally, students in grades nine through twelve open enrolling into the school district will not be eligible for participation in interscholastic athletics, at the varsity level, during the first ninety days of open enrollment into the school district.

Parents of students whose open enrollment requests are approved by the board are responsible for providing transportation to and from the receiving school district without reimbursement. The board will not approve transportation into the sending district.

An open enrollment request into the school district from parents of a special education student is reviewed on a case-by-case basis. The determining factors for approval of such an open enrollment request will be whether the special education program available in the school district is appropriate for the student's needs and whether the enrollment of the special education student will cause the class size to exceed the maximum allowed. The area education agency director of special education serving the school district will determine whether the program is appropriate. The special education student will remain in the sending district until the final determination is made.

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

It is the responsibility of the superintendent to develop appropriate office procedures and administrative regulations necessary for open enrollment requests.

Legal Reference: Iowa Code §§ 139.9; 274.1; 279.11; 282.1, .3, .8, .18; 299.1 (2009).
281 I.A.C. 17.
1990 Op. Att'y Gen. 75.

Cross Reference: 501.6 Student Transfers In
501.7 Student Transfers Out or Withdrawals
501.15 Open Enrollment Transfers - Procedures as a Sending District
506 Student Records
507 Student Health and Well-Being
606.7 Insufficient Classroom Space

Approved 08/08/94 Reviewed 03/13/17 Revised 03/14/11

501.17 HOMELESS CHILDREN AND YOUTH

The Shenandoah Community School District believes all students should have access to a free, appropriate public education. The district will ensure that homeless children and youth have equal access to the same free, appropriate public education as other children and youth.

The term "homeless children and youth" means individuals who lack a fixed, regular, and adequate nighttime residence. The term includes:

- Children and youth who are:
  - Sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason (sometimes referred to as "doubled up");
  - Living in motels, hotels, trailer parks, or camping grounds due to lack of alternative adequate accommodations;
  - Living in emergency or transitional shelters; or
  - Abandoned in hospitals.
- Children and youth who have a primary nighttime residence that is a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings;
- Children and youth who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and
- Migratory children who qualify as homeless because they are living in circumstances described above.

To help ensure that homeless children and youth have a full opportunity to enroll, attend, and succeed at school, the board shall:

- Designate the *[insert employee title]* as the local homeless children and youth liaison;
- Provide training opportunities for staff so staff may help identify and meet the needs of homeless children and youth;
- Remove barriers, including those associated with fees, fines, and absences, to the identification, enrollment, retention, attendance and/or success in school for homeless children and youth;
- Ensure collaboration and coordination with other service providers;
- Ensure transportation is provided in accordance with legal requirements;
- Provide school stability in school assignment according to the child's best interests;
- Ensure the privacy of student records, as provided by applicable law, including information about a homeless child or youth's living situation;
- Engage in the dispute resolution process for decisions relating to the educational placement of homeless children and youth as provided by applicable law; and
- Prohibit the segregation of a homeless child or youth from other students enrolled in the district.

The superintendent may develop an administrative process or procedures to implement this policy.

NOTE: The United States Department of Education and the Iowa Department of Education have additional information about implementation of the policy. For additional information, please visit:

- ***The "Education Department Releases Guidance on Homeless Children and Youth" section of the United States Department of Education's website, located at: http://www.ed.gov/news/press-releases/education-department-releases-guidance-homeless-children-and-youth.***
- ***The "Homeless Education" section of the Iowa Department of Education's website, located at: https://www.educateiowa.gov/pk-12/title-programs/title-x-part-c-homeless-education***

Legal Reference:
20 U.S.C. § 6301.
42 U.S.C. § 11302.
42 U.S.C. §§ 11431 *et seq.*
281 I.A.C. 33.

Cross Reference:

501	Student Attendance
503.3	Fines - Fees - Charges
506	Student Records
507.1	Student Health and Immunization Certificates
603.3	Special Education
711.1	Student School Transportation Eligibility

Approved 08/08/94 Reviewed 06/19/17 Revised 06/19/17

501.18 STUDENT WORK PERMITS

The superintendent may, when requested, issue age and work permits to students in accordance with provisions of the state and federal child labor laws.

Legal Reference: Iowa Code §§ 92; 279.8 (2009).

Cross Reference:
- 501.3 Compulsory Attendance
- 501.4 Entrance-Admissions
- 501.1 Truancy-Unexcused Absences

Approved 08/08/94 Reviewed 03/13/17 Revised 03/14/11

502.1 STUDENT APPEARANCE

The board believes inappropriate student appearance causes material and substantial disruption to the school environment or presents a threat to the health and safety of students, employees and visitors.

Students are expected to adhere to standards of cleanliness and dress that are compatible with the requirements of a good learning environment. The standards will be those generally acceptable to the community as appropriate in a school setting.

The board expects students to be clean and well-groomed and wear clothes in good repair and appropriate for the time, place and occasion. Clothing or other apparel promoting products illegal for use by minors and clothing displaying obscene material, profanity, or reference to prohibited conduct are disallowed. While the primary responsibility for appearance lies with the students and their parents, appearance disruptive to the education program will not be tolerated. When, in the judgment of a principal, a student's appearance or mode of dress disrupts the educational process or constitutes a threat to health or safety, the student may be required to make modifications.

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

Legal Reference:
Hazelwood School District v. Kuhlmeier, 484 U.S. 260 (1988).
Bethal School District v. Fraser, 478 U.S. 675 (1986).
Tinker v. Des Moines Ind. Comm. Sch. Dist., 393 U.S. 503 (1969).
Bystrom v. Fridley High School, 822 F.2d 747 (8th Cir. 1987).
Torvik v. Decorah Community School, 453 F.2d 779 (8th Cir. 1972).
Turley v. Adel Community School District, 322 F.Supp. 402 (S.D. Iowa 1971).
Sims v. Colfax Comm. School Dist., 307 F.Supp. 485 (Iowa 1970).
Iowa Code § 279.8 (2009).

Cross Reference:
500 Objectives for Equal Educational Opportunities for Students
502 Student Rights and Responsibilities

Approved 08/08/94 Reviewed 03/13/17 Revised 03/14/11

502.2 STUDENT APPEARANCE

The board believes inappropriate student appearance causes material and substantial disruption to the school environment or presents a threat to the health and safety of students, employees and visitors.

Students are expected to adhere to standards of cleanliness and dress that are compatible with the requirements of a good learning environment. The standards will be those generally acceptable to the community as appropriate in a school setting.

The board expects students to be clean and well-groomed and wear clothes in good repair and appropriate for the time, place and occasion. Clothing or other apparel promoting products illegal for use by minors and clothing displaying obscene material, profanity, or reference to prohibited conduct are disallowed. While the primary responsibility for appearance lies with the students and their parents, appearance disruptive to the education program will not be tolerated. When, in the judgment of a principal, a student's appearance or mode of dress disrupts the educational process or constitutes a threat to health or safety, the student may be required to make modifications.

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

Legal Reference:
Hazelwood School District v. Kuhlmeier, 484 U.S. 260 (1988).
Bethal School District v. Fraser, 478 U.S. 675 (1986).
Tinker v. Des Moines Ind. Comm. Sch. Dist., 393 U.S. 503 (1969).
Bystrom v. Fridley High School, 822 F.2d 747 (8th Cir. 1987).
Torvik v. Decorah Community School, 453 F.2d 779 (8th Cir. 1972).
Turley v. Adel Community School District, 322 F.Supp. 402 (S.D. Iowa 1971).
Sims v. Colfax Comm. School Dist., 307 F.Supp. 485 (Iowa 1970).
Iowa Code § 279.8 (2009).

Cross Reference:
500 Objectives for Equal Educational Opportunities for Students
502 Student Rights and Responsibilities

Approved 08/08/94 Reviewed 03/13/17 Revised 03/14/11

502.3 USE OF BICYCLES

Riding a bicycle to and parking it at the student's attendance center is a privilege. Students who fail to follow the regulations set by the principal of their attendance center of the school district will be subject to withdrawal of the privilege to ride a bicycle to the attendance center and may also be subject to other disciplinary action.

It shall be the responsibility of the principal to develop and enforce administrative rules for students riding bicycles to and parking them at the attendance center.

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

Cross Reference: 502 Student Rights and Responsibilities

Approved 08/08/94 Reviewed 03/13/17 Revised 03/14/11

502.4 USE OF MOTOR VEHICLES

The board recognizes the convenience to families and students of having students drive to and park at their school attendance center. Driving a motor vehicle to and parking it at the student's attendance center is a privilege.

Students who drive to and park at their school attendance center shall only drive to and park at their designated attendance center or at either their attendance center or a shared district's attendance center for the purpose of attending extracurricular activities. Students may not loiter around or be in their vehicle during the school day without permission from the principal.
Students shall leave their attendance center when there is no longer a legitimate reason for them to be at their attendance center. Students who drive shall enter and leave the parking lot by the routes designated by the principal.

Students who live within one mile of school, and would not otherwise be eligible for a student driving permit, may be eligible for a student driving permit, for driving to and from school and school activities and practices, if the student is involved in school activities and/or it is a hardship to the family getting the student to and from school activities.

Only the board of education or the superintendent can approve or deny a school driving permit if the student lives within a mile of school. The student may appeal to the school board the decision of the superintendent to deny certification. The decision of the school board is final.

Students who wish to drive to and park at their school attendance center shall comply with the rules and regulations established by the building principal. Failure to comply with this policy or the school district rules shall be reason for revocation of school driving and parking privileges as well as other disciplinary action including suspension and expulsion.

Legal Reference: Iowa Code §§ 279.8; 321 (2009).

Cross Reference: 502 Student Rights and Responsibilities

Approved 08/08/94 Reviewed 03/13/17 Revised 07/14/14

502.5 FREEDOM OF EXPRESSION

Student expression, other than student expression in student-produced official school publications, made on the school district premises or under the jurisdiction of the school district or as part of a school-sponsored activity may be attributed to the school district; therefore, student expression must be responsible. Student expression must be appropriate to assure that the students learn and meet the goals of the school activity and that the potential audience is not exposed to material that may be harmful or inappropriate for their level of maturity.

Students will be allowed to express their viewpoints and opinions as long as the expression is responsible. The expression will not, in the judgment of the administration, encourage the breaking of laws, defame others, be obscene or indecent, or cause a material and substantial disruption to the educational program. The administration, when making this judgment, will consider whether the activity in which the expression was made is school-sponsored and whether review or prohibition of the students' speech furthers an educational purpose. Further, the expression must be done in a reasonable time, place, and manner that is not disruptive to the orderly and efficient operation of the school district.

Students who violate this policy may be subject to disciplinary measures. Employees are responsible for insuring students' expression is in keeping with this policy. It is the responsibility of the superintendent to develop administrative regulations regarding this policy.

Legal Reference:
U.S. Const. amend. I.
Hazelwood School District v. Kuhlmeier, 484 U.S. 260 (1988).
Bethel School District v. Fraser, 478 U.S. 675 (1986).
New Jersey v. T.L.O., 469 U.S. 325 (1985).
Tinker v. Des Moines Ind. Comm. Sch. Dist., 393 U.S. 503 (1969).
Bystrom v. Fridley High School, 822 F.2d 747 (8th Cir. 1987).
Iowa Code §§ 279.8; 280.22; 282.3 (2009).

Cross Reference:
502 Student Rights and Responsibilities
504 Student Activities
504.2 Student Organizations
504.3 Student Publications
603.9 Academic Freedom
903.5 Distribution of Materials

Approved 08/08/94 Reviewed 03/13/17 Revised 03/14/11

502.6 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 ten days of the employee's decision. If the matter cannot be resolved by the principal, the student may discuss it with the superintendent within ten days after speaking with the principal.

If the matter is not satisfactorily resolved by the superintendent, the student may ask to have the matter placed on the board agenda of a regularly scheduled board meeting in compliance with board policy.

Legal Reference: Iowa Code § 279.8 (2009).

Cross Reference:	214.1	Board Meeting Agenda
	215	Public Participation in Board Meetings
	309	Communication Channels
	502	Student Rights and Responsibilities
	504.2	Student Organizations
	504.3	Student Publications

Approved 08/08/94 Reviewed 03/13/17 Revised 03/14/11

502.7 STUDENT LOCKERS

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

To ensure students are properly maintaining their assigned lockers, the principal of the building may periodically inspect all or a random selection of lockers. Either students or another individual will be present during the inspection of lockers. Student lockers may also be searched, at any time and without advance notice, in compliance with board policy regulating search and seizure.

Legal Reference: Iowa Code §§ 279.8; 280.14; 808A (2009).

Cross Reference: 502 Student Rights and Responsibilities

Approved 08/08/94 Reviewed 03/13/17 Revised 03/14/11

502.8 WEAPONS

The board believes weapons, other dangerous objects and look-a-likes in school district facilities cause material and substantial disruption to the school environment or present a threat to the health and safety of students, employees and visitors on the school district premises or property within the jurisdiction of the school district.

School district facilities are not an appropriate place for weapons, dangerous objects and look-a-likes. Weapons and other dangerous objects and look-a-likes will be taken from students and others who bring them onto the school district property or onto property within the jurisdiction of the school district or from students who are within the control of the school district.

Parents of students found to possess weapons, dangerous objects or look-a-likes on school property are notified of the incident. Possession or confiscation of weapons, dangerous objects or look-a-likes will be reported to law enforcement officials, and students will be subject to disciplinary action including suspension or expulsion.

Students bringing firearms to school or knowingly possessing firearms at school will be expelled for not less than one year. The superintendent has the authority to recommend this expulsion requirement be modified for students on a case-by-case basis. For purposes of this portion of this policy, the term "firearm" includes, but is not limited to, any weapon which is designed to expel a projectile by the action of an explosive, the frame or receiver of any such weapon, a muffler or silencer for such a weapon, or any explosive, incendiary or poison gas, or otherwise defined by applicable law.

Weapons under the control of law enforcement officials or other individuals specifically authorized by the board are exempt from this policy. The superintendent may develop an administrative process or procedures to implement the policy.

NOTE: The board may specifically authorize individuals to be armed with, carry, or transport a firearm on school grounds under limited circumstances outlined in law. Reasons for this authorization may include, conducting instructional programs regarding firearms or for conducting an Iowa Department of Natural Resources approved hunter education course or shooting sports activities course on school property.

Legal Reference: 18 U.S.C. § 921
Iowa Code §§ 279.8; 280.21B; 483A.27(11), 724
281 I.A.C. 12.3(6)

Cross Reference:
502 Student Rights and Responsibilities
503 Student Discipline
507 Student Health and Well-Being

Approved 03/13/17 Reviewed 06/19/17 Revised 06/19/17

502.9 SMOKING - DRINKING - DRUGS

The board prohibits the distribution, dispensing, manufacture, possession, use, or being under the influence of beer, wine, alcohol, tobacco, other controlled substances, or "look alike" substances that appear to be tobacco, beer, wine, alcohol or controlled substances by students while on school district property or on property within the jurisdiction of the school district; while on school owned and/or operated school or chartered vehicles; while attending or engaged in school activities; and while away from school grounds if the misconduct will directly affect the good order, efficient management and welfare of the school district.

The board believes such illegal, unauthorized or contraband materials generally cause material and substantial disruption to the school environment or present a threat to the health and safety of students, employees, or visitors.

Violation of this policy by students will result in disciplinary action including suspension or expulsion. Use, purchase or being in possession of cigarettes, tobacco or tobacco products for those under the age of eighteen, may be reported to the local law enforcement authorities.
Possession, use or being under the influence of beer, wine, alcohol and/or of a controlled substance may also be reported to the local law enforcement authorities.

Students who violate the terms of this policy may be required to satisfactorily complete a substance abuse assistance or rehabilitation program approved by the school board. If such student fails to satisfactorily complete such a program, the student may be subject to discipline including suspension or expulsion.

The board believes the substance abuse prevention program will include:

- Age-appropriate, developmentally-based drug and alcohol curriculum for students in grades kindergarten through twelve, which address the legal, social, and health consequences of tobacco, drug and alcohol use and which provide information about effective techniques for resisting peer pressure to use tobacco, drugs or alcohol;
- A statement to students that the use of illicit drugs and the unlawful possession and use of alcohol is wrong and harmful;
- Standards of conduct for students that clearly prohibit, at a minimum, the unlawful possession, use, being under the influence of or distribution of illicit drugs and alcohol by students on school premises or as part of any of its activities;
- A clear statement that disciplinary sanctions, up to and including suspension or expulsion and referral for prosecution, will be imposed on students who violate the policy and a description of those sanctions;
- A statement that students may be required to successfully complete an appropriate rehabilitation program;
- Information about drug and alcohol counseling and rehabilitation and re-entry programs available to students;
- A requirement that parents and students be given a copy of the standards of conduct and the statement of disciplinary sanctions required; and
- Notification to parents and students that compliance with the standards of conduct is mandatory.

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

Legal Reference: 34 C.F.R. Pt. 86 (2002).
Iowa Code §§ 123.46; 124; 279.8, .9; 453A (2009).
281 I.A.C. 12.3(9); .5(3)(e), .5(4)(e), .5(5)(e), .5(21).

Cross Reference: 502 Student Rights and Responsibilities
503 Student Discipline
507 Student Health and Well-Being

Approved 08/08/94 Reviewed 03/13/17 Revised 03/14/11

502.10 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, will not create a protected student area and will 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, nonprescription controlled substances, marijuana, cocaine, amphetamines, barbiturates, apparatus used for controlled substances, alcoholic beverages, tobacco/nicotine, 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 presents a threat to the health and safety of students, employees, or visitors on the school district premises or property within the jurisdiction of the school district.

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

NOTE: This policy reflects the law regarding school district authority for searching students, their possessions and their lockers. Substantive changes were made to 502.8R1.

Legal Reference:
U.S. Const. amend. IV.
New Jersey v. T.L.O., 469 U.S. 325 (1985).
Cason v. Cook, 810 F.2d 188 (8th Cir. 1987), *cert. den.,* 482 U.S. 930 (1987).
Iowa Code ch. 808A.
281 I.A.C. 12.3(6).

Cross Reference:
502 Student Rights and Responsibilities
503 Student Discipline
905.2 Tobacco/Nicotine-Free Environment

Approved 08/08/94 Reviewed 04/12/21 Revised 04/12/21

502.10E1 SEARCH AND SEIZURE CHECKLIST

I. What factors caused you to have a reasonable and articulable suspicion that the search of this student or the student's effects or automobile would turn up evidence that the student has violated or is violating the law, school policy, rules or regulations affecting school order?

A. Eyewitness account.

1. By whom: _____
2. Date/Time: _____
3. Place: _____
4. What was seen: _____

B. Information from a reliable source.

1. From whom: _____
2. Time received: _____
3. How information was received: _____
4. Who received the information: _____
5. Describe information: _____

_____

C. Suspicious behavior? Explain.

_____
_____
_____
_____

D. Time of search: _____

E. Location of search: _____

F. Student told purpose of search: _____

G. Consent of student requested: _____

II. Was the search you conducted reasonable in terms of scope and intrusiveness?

A. What were you searching for: _____

B. Where did you search? _____

C. Sex of the student: _____

D. Age of the student: _____

E. Exigency of the situation: _____

F. What type of search was being conducted: _____

G. Who conducted the search: _____
Position: _____ Sex: _____

H. Witness(s):

_____

III. Explanation of Search.

A. Describe the time and location of the search:

_____

B. Describe exactly what was searched:

_____

C. What did the search yield: _____

D. What was seized: _____

E. Were any materials turned over to law enforcement officials?

_____

F. Were parents notified of the search including the reason for it and the scope:

_____

502.10R1 SEARCH AND SEIZURE REGULATION

I. Searches, in general.

A. Reasonable and Articulable Suspicion: A search of a student will be justified when there are reasonable grounds for the suspicion that the search will turn up evidence that the student has violated or is violating the law or school district policy, rules, or regulations affecting school order.

Reasonable suspicion may be formed by considering factors such as the following:
(1) eyewitness observations by employees;
(2) information received from reliable sources;
(3) suspicious behavior by the student; or,
(4) the student's past history and school record although this factor alone is not sufficient to provide the basis for reasonable suspicion.

B. Reasonable Scope: A search will be permissible in its scope or intrusiveness when the measures adopted are reasonably related to the objectives of the search. Reasonableness of scope or intrusiveness may be determined based on factors such as the following:
(1) the age of the student;
(2) the sex of the student;
(3) the nature of the infraction; and
(4) the emergency requiring the search without delay.

II. Types of Searches

A. Personal Searches

1. A student's person and/or personal effects (e.g., purse, backpack, etc.) may be searched when a school official has reasonable suspicion to believe the student is in possession of illegal or contraband items or has violated school district policies, rules, regulations or the law affecting school order.
2. Personally intrusive searches will require more compelling circumstances to be considered reasonable.
   (a) Pat-Down Search: If a pat-down search or a search of a student's garments (such as jackets, socks, pockets, etc.) is conducted, it will be conducted in private by a school official of the same sex as the student and with another adult witness of the same sex present, when feasible.
   (b) A more intrusive search, short of a strip search, of the student's person, handbags, book bags, etc., is permissible in emergency situations when the health and safety of students, employees, or visitors are threatened. Such a search may only be conducted in private by a school official of the same sex as the student, with an adult of the same sex present unless the health or safety of students will be endangered by the delay which may be caused by following these procedures.

B. Locker and Desk Inspections

Although school lockers and desks are temporarily assigned to individual students, they remain the property of the school district at all times. The school district has a reasonable and valid interest in insuring the lockers and desks are properly maintained. For this reason, lockers and desks are subject to unannounced inspections and students have no legitimate expectations of privacy in the locker or desk. Periodic inspections of all or a random selection of lockers or desks may be conducted by school officials in the presence of the student or another individual. Any contraband discovered during such searches will be confiscated by school officials and may be turned over to law enforcement officials.

The contents of a student's locker or desk (coat, backpack, purse, etc.) may be searched when a school

official has reasonable and articulable suspicion that the contents contains illegal or contraband items or evidence of a violation of law or school policy or rule. Such searches should be conducted in the presence of another adult witness when feasible.

1. Automobile Searches

   Students are permitted to park on school premises as a matter of privilege, not of right. The school retains authority to conduct routine patrols of the student parking lots. The interior of a student's automobile on the school premises may be searched if the school official has reasonable and articulable suspicion to believe that illegal, unauthorized or contraband items are contained inside.

Approved 08/08/94 Reviewed 03/13/17 Revised 03/14/11

502.11 INTERVIEWS OF STUDENTS BY OUTSIDE AGENCIES

Generally, students may not be interviewed during the school day by persons other than parents and school district officials and employees.

Requests from law enforcement officers and from persons other than parents, school district officials, and employees to interview students 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 defer to the investigator's judgment as to whether the student should be interviewed independently from the student's parents, whether the school is the most appropriate setting for the interview, and who will be present during the interview.

Students will not be taken from school without the consent of the principal and without proper warrant.

Legal Reference: Iowa Code §§ 232; 280.17 (2009).
281 I.A.C. 102.
441 I.A.C. 9.2; 155; 175.
1980 Op. Att'y Gen. 275.

Cross Reference: 402.2 Child Abuse Reporting
502.10 Search and Seizure
503 Student Discipline
902.4 Students and the News Media

Approved 08/08/94 Reviewed 03/13/17 Revised 03/14/11

503.1 STUDENT CONDUCT

The board believes inappropriate student conduct causes material and substantial disruption to the school environment, interferes with the rights of others, or presents a threat to the health and safety of students, employees, and visitors on school premises. Appropriate classroom behavior allows teachers to communicate more effectively with students.

Students will conduct themselves in a manner fitting to their age level and maturity and with respect and consideration for the rights of others while on school district property or on property within the jurisdiction of the school district; while on school owned and/or operated school or chartered vehicles; while attending or engaged in school activities; and while away from school grounds if misconduct will directly affect the good order, efficient management and welfare of the school district. Consequences for the misconduct will be fair and developmentally appropriate in light of the circumstances.

Students who fail to abide by this policy, and the administrative regulations supporting it, may be disciplined for conduct which disrupts or interferes with the education program; conduct which disrupts the orderly and efficient operation of the school district or school activity; conduct which disrupts the rights of other students to participate in or obtain their education; conduct that is violent or destructive; or conduct which interrupts the maintenance of a disciplined atmosphere. Disciplinary measures include, but are not limited to, removal from the classroom, detention, suspension, probation, and expulsion.

A student who commits an assault against an employee on school district property or on property within the jurisdiction of the school district; while on school-owned or school-operated chartered vehicles; or while attending or engaged in school district activities will be suspended by the principal. Notice of the suspension is sent to the board president. The board will review the suspension and decide whether to hold a disciplinary hearing to determine whether to impose further sanctions against the student which may include expulsion. In making its decision, the board shall consider the best interests of the school district, which shall include what is best to protect and ensure the safety of the school employees and students from the student committing the assault. Assault for purposes of this section of this policy is defined as, when, without justification, a student does any of the following:

- an act which is intended to cause pain or injury to, or which is intended to result in physical contact which will be insulting or offensive to another, coupled with the apparent ability to execute the act; or
- any act which is intended to place another in fear of immediate physical contact which will be painful, injurious, insulting or offensive, coupled with the apparent ability to execute the act; or
- intentionally points any firearm toward another or displays in a threatening manner any dangerous weapon toward another.

The act is not an assault when the person doing any of the above and the other person are voluntary participants in a sport, social or other activity, not in itself criminal, when the act is a reasonably foreseeable incident of such sport or activity, and does not create an unreasonable risk of serious injury or breach of the peace.

Removal from the classroom means a student is sent to the building principal's office. It is within the discretion of the person in charge of the classroom to remove the student. This policy is not intended to address the use of therapeutic classrooms or seclusion rooms for students.

Detention means the student's presence is required during non-school hours for disciplinary purposes. The student can be required to appear prior to the beginning of the school day, after school has been dismissed for the day, or on a non-school day. Whether a student will serve detention, and the length of the detention, is within the discretion of the licensed employee or the building principal, disciplining the student.

Suspension means; either an in-school suspension, an out-of-school suspension, a restriction from activities or

loss of eligibility. An in-school suspension means the student will attend school but will be temporarily isolated from one or more classes while under supervision. An in-school suspension will not exceed ten consecutive school days. An out-of-school suspension means the student is removed from the school environment, which includes school classes and activities. An out-of-school suspension will not exceed ten consecutive school days. A restriction from school activities means a student will attend school and classes and practice but will not participate in school activities.

Probation means a student is given a conditional suspension of a penalty for a definite period of time in addition to being reprimanded. The conditional suspension will mean the student must meet the conditions and terms for the suspension of the penalty. Failure of the student to meet these conditions and terms will result in immediate reinstatement of the penalty.

Expulsion means an action by the board to remove a student from the school environment, which includes, but is not limited to, classes and activities, for a period of time set by the board.

Discipline of special education students, including suspensions and expulsions, will comply with the provisions of applicable federal and state laws.

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

NOTE: This is a mandatory policy and outlines the school district's basic student conduct. Details of how this policy will be implemented should be included in the student handbook. The paragraph regarding assault of school district employees is Iowa law. For more detailed discussion of this issue, see IASB's Policy Primer, October 10, 2002.

Legal Reference: *Goss v. Lopez*, 419 U.S. 565 (1975).
Brands v. Sheldon Community School District, 671 F. Supp. 627 (N.D. Iowa 1987).
Sims v. Colfax Comm. School Dist., 307 F. Supp. 485 (Iowa 1970).
Bunger v. Iowa High School Athletic Assn., 197 N.W.2d 555 (Iowa 1972).
Board of Directors of Ind. School Dist. of Waterloo v. Green, 259 Iowa 1260, 147 N.W.2d 854 (1967).
Iowa Code §§ 279.8;282.3, 282.4, 282.5; 708.1.
281 I.A.C. 12.3(6)

Cross Reference:
501 Student Attendance
502 Student Rights and Responsibilities
503.6 Physical Restraint and Seclusion of Students
504 Student Activities
603.3 Special Education
903.5 Distribution of Materials

Approved 03/13/17 Reviewed 04/12/21 Revised 04/12/21

503.1R1 STUDENT SUSPENSION

Administrative Action

A. Probation
   1. Probation is conditional suspension of a penalty for a set period of time. Probation may be imposed by the principal for infractions of school rules which do not warrant the necessity of removal from school.
   2. The principal will conduct an investigation of the allegations against the student prior to imposition of probation. The investigation will include, but not be limited to, written or oral notice to the student of the allegations against the student and an opportunity to respond. Written notice and reasons for the probation will be sent to the parents.

B. In-School Suspension
   1. In-school suspension is the temporary isolation of a student from one or more classes while under administrative supervision. In-school suspensions may be imposed by the principal for infractions of school rules which are serious but which do not warrant the necessity of removal from school.
   2. The principal will conduct an investigation of the allegations against the student prior to imposition of an in-school suspension. The investigation will include, but not be limited to, written or oral notice to the student of the allegations against the student and an opportunity to respond. In-school suspension will not be imposed for more than ten school days. Written notice and reasons for the in-school suspension will be sent to the student's parents.

C. Out-of-School Suspension
   1. Out-of-school suspension is the removal of a student from the school environment for periods of short duration. Out-of-school suspension is to be used when other available school resources are unable to constructively remedy student misconduct.
   2. A student may be suspended out of school for up to ten school days by a principal for a commission of gross or repeated infractions of school rules, regulations, policy or the law, or when the presence of the student will cause interference with the maintenance of the educational environment or the operation of the school. The principal may suspend students after conducting an investigation of the charges against the student, giving the student:
      a. Oral or written notice of the allegations against the student and
      b. The opportunity to respond to those charges.

      At the principal's discretion, the student may be allowed to confront witnesses against the student or present witnesses on behalf of the student.
   3. Notice of the out-of-school suspension will be mailed no later than the end of the school day following the suspension to the student's parents and the superintendent. A reasonable effort is made to personally notify the student's parents and such effort is documented by the person making or attempting to make the contact. Written notice to the parents will include the circumstances which led to the suspension and a copy of the board policy and rules pertaining to the suspension.

D. Suspensions and Special Education Students
   1. Students who have been identified as special education students may be referred for a review of the student's Individual Education Program (IEP). The IEP may be revised to include a continuum of intervention strategies and programming to change the behavior.
   2. Students who have not been identified as special education students may be referred for evaluation after the student's suspension to determine whether the student has a disability and is in need of special education.

Approved 08/08/94 Reviewed 03/13/17 Revised 03/14/11

503.2 EXPULSION

Only the board may remove a student from the school environment. The removal of a student from the school environment, which includes, but is not limited to, classes and activities, is an expulsion from school.

Students may be expelled for violations of board policy, school rules or the law. It is within the discretion of the board to discipline a student by using an expulsion for a single offense or for a series of offenses depending on the nature of the offense and the circumstances surrounding the offense.

It is within the discretion of the superintendent to recommend to the board the expulsion of a student for disciplinary purposes. Only the board may take action to expel a student and to readmit the student. The principal will keep records of expulsions in addition to the board's records.

When a student is recommended for expulsion by the board, the student is provided with:

1. Notice of the reasons for the proposed expulsion;
2. The names of the witnesses and an oral or written report on the facts to which each witness testifies unless the witnesses are students whose names may be released at the discretion of the superintendent;
3. An opportunity to present a defense against the charges and provide either oral testimony or written affidavits of witnesses on the student's behalf;
4. The right to be represented by counsel; and,
5. The results and finding of the board in writing open to the student's inspection.

In addition to these procedures, a special education student must be provided with additional procedures. A determination should be made of whether the student is actually guilty of the misconduct. A staffing team should determine whether the student's behavior is caused by the student's disability and whether the conduct is the result of inappropriate placement.

Discussions and conclusions of this meeting should be recorded.

If the special education student's conduct is not caused by the disability, the student may be expelled or suspended for a long-term period following written notice to the parent and pursuant to the school district's expulsion hearing procedures. If the misconduct is caused by the disability and a change in placement is recommended, the change must be made pursuant to the placement procedures used by the school district.

Legal Reference:
Goss v. Lopez, 419 U.S. 565 (1975).
Wood v. Strickland, 420 U.S. 308 (1975).
Southeast Warren Comm. School District v. Dept. of Public Instruction, 285 N.W.2d 173 (Iowa 1979).
Iowa Code §§ 21.5; 282.3, .4, .5 (2009).
281 I.A.C. 12.3(6).

Cross Reference:
502 Student Rights and Responsibilities
503 Student Discipline

Approved 08/08/94 Reviewed 03/13/17 Revised 03/14/11

503.3 FINES - FEES - CHARGES

The board believes students should respect school district property and assist in its preservation for future use by others. Students may be assessed fines, charges, or fees for the materials needed in a course, for overdue school materials, for participating in activities, or for misuse of school property.

The superintendent will inform the board of the dollar amount to be charged to students or others for fines, charges, or fees annually. Parents of students meeting specific financial eligibility standards will be eligible for a waiver of student fees or a reduction of student fees based upon the request of the parent. It is the responsibility of the superintendent, in conjunction with the principal, to develop administrative regulations regarding this policy.

Legal Reference: Iowa Code §§ 256.7(20); 279.8; 280.10, .11; 282.6; 285.1; 301.1 (2009).

281 I.A.C. 18.
1994 Op. Att'y Gen. 23.
1990 Op. Att'y Gen. 79.
1982 Op. Att'y Gen. 227.
1980 Op. Att'y Gen. 532.

Cross Reference:
501.17 Homeless Children & Youth
502 Student Rights and Responsibilities
503 Student Discipline

Approved 08/08/94 Reviewed 03/13/17 Revised 03/14/11

503.3E1 STANDARD FEE WAIVER APPLICATION

Date _____ School year _____

All information provided in connection with this application will be kept confidential.

Name of student: _____ Grade in school _____

Name of student: _____ Grade in school _____

Name of student: _____ Grade in school _____

Attendance Center/School: _____

Name of parent, guardian: _____
or legal or actual custodian

Please check type of waiver desired:

Full waiver ____ Partial waiver __ Temporary waiver _____

Please check if the student or the student's family meets the financial eligibility criteria or is involved in one of the following programs:

Full waiver

_____ Free meals offered under the Children Nutrition Program (CNP)
_____ The Family Investment Program (FIP)
_____ Transportation assistance under open enrollment
_____ Foster care

Partial waiver

_____ Reduced priced meals offered under the Children Nutrition Program

Temporary waiver

If none of the above apply, but you wish to apply for a temporary waiver of school fees because of serious financial problems, please state the reason for the request:

_____
_____
_____

Signature of parent, guardian: _____
or legal or actual custodian

503.3R1 STUDENT FEE WAIVER AND REDUCTION PROCEDURES

The board recognizes that while certain fees charged students are appropriate and authorized, certain students and their families are not financially able to pay the fees. The school district will grant either full waivers, partial waivers or temporary waivers depending upon the circumstances and the student or student's parents' ability to meet the financial criteria.

A. Waivers -

1. Full Waivers - a student will be granted a full waiver of fees charged by the school district if the student or student's parents meet the financial eligibility criteria for free meals under the Child Nutrition program, Family Investment Program, or transportation assistance under open enrollment. Students in foster care are also eligible for full waivers.

2. Partial Waivers - a student will be granted a partial waiver of fees charged by the school district if the student or the student's parents meet the financial eligibility criteria for reduced price meals offered under the Child Nutrition program. The reduction percentage will be 50 percent.

3. Temporary Waivers - a student may be eligible for a temporary waiver of fees charged by the district in the event the student's parents are facing financial difficulty. Temporary waivers may be applied for at any time throughout the school year and will not extend beyond the end of the school year.

B. Application - Parents or students eligible for a fee waiver will make an application on the form provided by the school district. Applications may be made at any time but must be renewed annually.

C. Confidentiality - The school district will treat the application and application process as any other student record and student confidentiality and access provisions will be followed.

D. Appeals - Denials of a waiver may be appealed to the superintendent.

E. Fines or charges assessed for damage or loss to school property are not fees and will not be waived.

F. Notice - the school district will annually notify parents and students of the waiver. The following information will be included in registration materials.

Students whose families meet the income guidelines for free and reduced-price lunch, the Family Investment Program (FIP), or transportation assistance under open enrollment, or who are in foster care are eligible to have their student fees waived or partially waived. Students whose families are experiencing a temporary financial difficulty may be eligible for a temporary waiver of student fees. Parents or students who believe they may qualify for temporary financial hardship should contact the office of the child's school for a waiver form. This waiver does not carry over from year to year and must be completed annually.

Approved 08/08/94 Reviewed 03/13/17 Revised 03/14/11

503.4 GOOD CONDUCT RULE

Participation in school activities is a privilege. School activities provide the benefits of promoting additional interests and abilities in the students during their school years and for their lifetimes.

Students who participate in extracurricular activities serve as ambassadors of the school district throughout the calendar year, whether away from school or at school. Students who wish to have the privilege of participating in extracurricular activities must conduct themselves in accordance with board policy and must refrain from activities which are illegal, immoral or unhealthy.

Students who fail to abide by this policy and the administrative regulations supporting it may be subject to disciplinary measures. The principal will keep records of violations of the good conduct rule.

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.

The detail outlining specific conduct expected and penalties for violation is in the student handbook.

Legal Reference:
Bunger v. Iowa High School Athletic Assn., 197 N.W.2d 555 (Iowa 1972).
In re Jason Clark, 1 D.P.I. App. Dec. 167 (1978).
Iowa Code §§ 280.13, .13A (2009).
281 I.A.C. 12.3(6); 36.15(1).

Cross Reference:
502 Student Rights and Responsibilities
503 Student Discipline
504 Student Activities

Approved 08/08/94 Reviewed 03/13/17 Revised 03/14/11

503.5 CORPORAL PUNISHMENT, MECHANICAL RESTRAINT AND PRONE RESTRAINT

The use of corporal punishment, mechanical restraint and/or prone restraint is prohibited in all schools. Corporal punishment is defined as the intentional physical punishment of a student. It includes the use of unreasonable or unnecessary physical force or physical contact made with the intent to harm or cause pain. No employee is prohibited from any of the following which are not considered corporal punishment:

- Using reasonable and necessary force, not designed or intended to cause pain, in order to accomplish any of the following:
  - -- To quell a disturbance or prevent an act that threatens physical harm to any person.
  - -- To obtain possession of a weapon or other dangerous object(s) within a student's control.
  - -- For the purposes of self-defense or defense of others as provided for in Iowa Code section 704.3.
  - -- For the protection of property as provided for in Iowa Code section 704.4 or 704.5.
  - -- To remove a disruptive student from class or any area of school premises or from school-sponsored activities off school premises.
  - -- To protect a student from the self-infliction of harm.
  - -- To protect the safety of others.
- Using incidental, minor, or reasonable physical contact to maintain order and control.

Mechanical restraint means the use of a device as a means of restricting a student's freedom of movement. Mechanical restraint does not mean a device used by a trained individual for specific approved therapeutic or safety purposes for which the device was designed and, if applicable, prescribed, including restraints, for medical immobilization, adaptive devices or mechanical supports used to allow greater freedom of mobility than would be possible without the use of such devices or mechanical supports; and vehicle safety restraints when used as intended during the transport of a student in a moving vehicle.

Prone restraint means any restraint in which the student is held face down on the floor.

Reasonable force should be commensurate with the circumstances of the situation. The following factors should be considered in using reasonable physical force for the reasons stated in this policy:

1. The size and physical, mental, and psychological condition of the student;
2. The nature of the student's behavior or misconduct provoking the use of physical force;
3. The instrumentality used in applying the physical force;
4. The extent and nature of resulting injury to the student, if any, including mental and psychological injury;
5. The motivation of the school employee using physical force.

Upon request, the student's parents are given an explanation of the reasons for physical force.

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

Legal Reference:
Ingraham v. Wright, 430 U.S. 651 (1977).
Goss v. Lopez, 419 U.S. 565 (1975).
Tinkham v. Kole, 252 Iowa 1303, 110 N.W.2d 258 (1961).
Lai v. Erickson, PTPC Admin. Doc. 83-12 (1983).
Iowa Code §§ 279.8; 280.21.
281 I.A.C. 12.3(8); 103.

Cross Reference:
402.3 Abuse of Students by School District Employees
502 Student Rights and Responsibilities
503 Student Discipline
503.6 Physical Restraint and Seclusion

Approved 08/08/94 Reviewed 04/12/21 Revised 04/12/21

503.6 PHYSICAL RESTRAINT AND SECLUSION OF STUDENTS

It is the goal of the district that all students can learn and grow in a safe and peaceful environment that nurtures the student and models respect for oneself and others. On occasion, trained district employees and others may have to use behavior management interventions, physical restraint and/or seclusion of students. The goal of these interventions is to promote the dignity, care, safety, welfare and security of each child and the school community. With this objective in mind, the district will prioritize the use of the least restrictive behavioral interventions appropriate for the situation.

Physical restraint means a personal restriction that immobilizes or reduces the ability of a student to move the student's arms, legs, body, or head freely. Physical restraint does not mean a technique used by trained school personnel, or used by a student, for the specific and approved therapeutic or safety purposes for which the technique was designed and, if applicable, prescribed. Physical restraint does not include instructional strategies, such as physically guiding a student during an educational task, hand-shaking, hugging, or other non-disciplinary physical contact.

Seclusion means the involuntary confinement of a child in a seclusion room or area from which the child is prevented or prohibited from leaving; however, preventing a child from leaving a classroom or school building are not considered seclusion. Seclusion does not include instances when a school employee is present within the room and providing services to the child, such as crisis intervention or instruction.

Physical restraint or seclusion is reasonable or necessary only:

- To prevent or terminate an imminent threat of bodily injury to the student or others; or
- To prevent serious damage to property of significant monetary value or significant nonmonetary value or importance; or
- When the student's actions seriously disrupt the learning environment or when physical restraint or seclusion is necessary to ensure the safety of the student or others; and
- When less restrictive alternatives to seclusion or physical restraint would not be effective, would not be feasible under the circumstances, or have failed in preventing or terminating the imminent threat or behavior; and
- When the physical restraint or seclusion complies with all applicable laws.

Prior to using physical restraint or seclusion, employees must receive training in accordance with the law. Any individual who is not employed by the district but whose duties could require the individual to use or be present during the use of physical restraint or seclusion on a student will be invited to participate in the same training offered to employees on this topic.

When required by law, the superintendent or the superintendent's designee will ensure a post-occurrence debriefing meeting is held, maintain documentation and fulfill all reporting requirements for each occurrence of physical restraint or seclusion as required by law.

NOTE: This policy is not mandatory. However, there are specific requirements for school districts to fulfill before and after using physical restraint and seclusion with students. Administrators should thoroughly read and understand the requirements listed in Chapter 103 of the Iowa Administrative Code.

Legal Reference: Iowa Code §§ 279.8; 280.21.
281 I.A.C. 103.

Cross Reference:
- 402.3 Abuse of Students by School District Employees
- 502 Student Rights and Responsibilities
- 503 Student Discipline
- 503.5 Corporal Punishment

Approved _____ Reviewed _____ Revised _____

503.6R1 USE OF PHYSICAL RESTRAINT AND SECLUSION WITH STUDENTS

The District will comply with 281 *Iowa Administrative Code* Ch. 103 for the use of physical restraint and seclusion with students, including, but not limited to:

- Physical restraint and seclusion will be used only by employees who have been trained in accordance with applicable law unless a trained employee is not immediately available due to the unforeseeable nature of the occurrence.
- As soon as practical after the situation is under control, but within one hour after either the occurrence or the end of the school day, whichever occurs first, the school will attempt to contact the student's parent or guardian using the school's emergency contact system.
- The seclusion or physical restraint is used only for as long as necessary based on research and evidence to allow the student to regain control of their behavior to the point that the threat or behavior necessitating the use of the seclusion or physical restraint has ended, or when a medical condition occurs that puts the student at risk of harm. Unless otherwise provided for in the student's written approved IEP, BIP, IHP or safety plan, if the seclusion or physical restraint continues for more than 15 minutes:
  - The student will be provided with any necessary breaks to attend to personal and bodily needs, unless doing so would endanger the child or others.
  - An employee will obtain approval from an administrator or administrator's designee to continue seclusion or physical restraint beyond 15 minutes. After the initial approval, an employee must obtain additional approval every 30 minutes thereafter for the continuation of the seclusion or physical restraint.
  - The student's parent or guardian and the school may agree to more frequent notifications than is required by law.
  - Schools and district employees must document and explain in writing the reasons why it was not possible for the employees to obtain approval, notify parents, or take action within prescribed time limits.
  - Schools and district employees who begin and then end use of nonapproved restraints will document and explain in writing the reasons why they had no other option but to use this type of behavioral intervention.
- The area of seclusion will be a designated seclusion room that complies with the seclusion room requirements in accordance with law, unless the nature of the occurrence makes the use of the designated seclusion room impossible, clearly impractical, or clearly contrary to the safety of the student, others, or both; in that event, the school must document and explain in writing the reasons why a designated seclusion room was not used.
- An employee must continually visually monitor the student for the duration of the seclusion or physical restraint.
- If an employee restrains a student who uses sign language or an augmentive mode of communication as the student's primary mode of communication, the student shall be permitted to have the student's hands free of physical restraint, unless doing so is not feasible in view of the threat posed.
- Seclusion or physical restraint shall not be used: as punishment or discipline; to force compliance or to retaliate; as a substitute for appropriate educational or behavioral support; to prevent property damage except as provided in law; as a routine school safety measure; or as a convenience to staff.
- The Superintendent or the Superintendent's designee will investigate any complaint or allegation that one or more employees violated any provisions of 281 Iowa Administrative Code Ch. 103. If the District determines a violation has occurred, corrective action will be taken up to and including termination of the employees involved. If the allegation or complaint involves a specific student the District will notify the parents or guardian of the involved student about the results of the investigation. If any allegation or complaint is also defined as abuse in 281 *Iowa Administrative Code* 102.2, the procedures listed in chapter 102 will apply.
- The District must comply with and implement Chapter 103 whether or not a parent consents to the use of physical restraint or seclusion.

503.6E1 USE OF PHYSICAL RESTRAINT AND/OR SECLUSION DOCUMENTATION FORM

Student name:	Date of occurrence:
Start time of occurrence:	End time of occurrence:
Start time of use of physical restraint or seclusion:	End time of use of physical restraint or seclusion:

Employee names and titles who observed, were involved with or implemented physical restraint and/or seclusion during occurrence (including administrators who approved extended time if applicable):	Employee's date of last training on use of physical restraint and seclusion:

Describe student actions before, during and after occurrence:

Describe employee actions before, during and after occurrence, including the reason for any of the following, if applicable: use of non-approved restraint, use of non-designated seclusion rooms, any restraint or seclusion that lasted longer than necessary:

Describe any less restrictive means attempted as an alternative to physical restraint and seclusion or why those means would not be effective or feasible, or have failed:

Approval from administrator to continue physical restraint or seclusion past 15 minutes:	Approval obtained from administrator to continue physical restraint or seclusion more than 30 minutes past last approval time:
Administrator approving:	Administrator approving:
Time approved:	Time approved:
Reasons for length of incident:	Reasons for length of incident:

If Administrator approval was not obtained at 15 minutes or every 30 minutes thereafter, or a student was not provided with breaks for bodily needs in incidents lasting longer than 15 minutes, explain why:

Parent/Guardian notification: Parents/Guardians will be notified as soon as practicable once the occurrence is under control, but no more than one hour after, or the end of the school day, whichever occurs first. Space below for documenting multiple attempts to notify guardians is listed in case the guardian cannot be reached in the first attempt.

Employee attempting notification:	Parent/Guardian contacted:	Time and manner of attempted notification:	Was notification successful?
Employee attempting notification:	Parent/Guardian contacted:	Time and manner of attempted notification:	Was notification successful?
Employee attempting notification:	Parent/Guardian contacted:	Time and manner of attempted notification:	Was notification successful?

If Parent/Guardian notification requirements were not complied with, explain why:

Describe injuries sustained or property damaged by students or employees:

Describe future approaches to address student behavior including any consequences or disciplinary actions that may be imposed on the student:

This form has been reviewed and completed by the undersigned employee. A written copy of this form has been sent to the student's parent or guardian within three school days of the occurrence. Unless the parent or guardian agrees to receive the report by email, fax, or hand delivery, the report must be sent by mail and postmarked by the third day following the occurrence. Enclosed with a copy of this form is an invitation for the parents or guardians to participate in the debriefing meeting scheduled in accordance with the law.

_____ _____

Employee Date of form delivered to Parent/Guardian

_____

Method of Transmittal

Code No. 503.6E2

503.6E2 DEBRIEFING LETTER TO GUARDIAN OF STUDENT INVOLVED IN AN OCCURRENCE WHERE PHYSICAL RESTRAINT AND/OR SECLUSION WAS USED

[*This letter and the enclosed report may be transmitted electronically via email or fax, picked up in person, or mailed. If the district and the guardian do not agree on how to transmit this letter, it must be mailed via postage prepaid, first class mail to the guardian within 3 school days of the occurrence.*]

Dear [Guardian],
Recently, your student [*name*] was involved in an occurrence at school that required the physical restraint and/or seclusion of your student as defined by 281 Iowa Administrative Code Ch. 103. A report related to this occurrence is enclosed with this letter.

The law requires debriefing meetings be held for such occurrences in the following circumstances:

- Following the first instance of seclusion or physical restraint during a school year;
- When any personal injury occurs as a part of the use of seclusion or physical restraint;
- When a reasonable educator would determine a debriefing session is necessary;
- When suggested by a student's IEP team;
- When agreed to by the guardian and school officials; and
- After seven instances of seclusion or physical restraint of the student.

This letter is intended to inform you that a debriefing meeting will be held on [*date within 5 days of transmission of letter, time, place*] because of [*reason from bulleted list above*]. The following employees will be in attendance at this meeting: [*list names and titles of employees*]. We are inviting you to attend this debriefing meeting to engage with us on topics related to this occurrence.

If you would like to reschedule the debriefing meeting, please contact me as soon as possible via email [*email address*] or telephone [*telephone number*], and at least one school day prior to the date and time listed for this debriefing meeting. Your student is allowed to attend this meeting with your consent, and you are welcome to bring a representative of your choosing if you wish. If you plan to bring a representative to this meeting, please let us know at least one school day prior to the meeting so that we have an opportunity to make arrangements.

We look forward to working with you to foster the continued health, safety and educational growth of your student.

_____ _____

[*Administrator name*], title Date

Enclosure: Report related to student occurrence

503.6E3 DEBRIEFING MEETING DOCUMENT

[*The following individuals must attend the debriefing meeting: employees who administered physical restraint or seclusion; an administrator or employee not involved in the occurrence; the administrator or employee who approved continuation of the physical restraint or seclusion; other relevant personnel designated by the school; if indicated by student's behavior in occurrence, an expert in behavioral/mental health or other discipline. The following individuals must be invited to attend the debriefing meeting: the parent or guardian of the student, the student with guardian's consent.*]

Student name:	Date of occurrence:
Date of debriefing meeting:	Time of debriefing meeting:
Location of debriefing meeting:	

Names of individuals attending the debriefing meeting (must include the employees involved and at least one employee who was not involved):	Job title of employee and/or relation to student:

Documentation reviewed during meeting (must include at least the occurrence report; and BIP, IHP, IEP and/or safety plan if applicable):

Identification of patterns of behavior and proportionate response, if any, in the student and employees involved:

Possible alternative responses, if any, to the incident/less restrictive means, if any:

Additional resources, if any, that could facilitate those alternative responses in the future:
Plans for additional follow up actions, if any:

This form has been reviewed and completed by the undersigned employee. A written copy of this form has been sent to the student's guardian within three school days of the debriefing meeting.

_____ _____

Employee Date of delivered to Parent/Guardian

_____

Method of Transmittal

503.6R1 USE OF PHYSICAL RESTRAINT AND SECLUSION WITH STUDENTS

The District will comply with 281 *Iowa Administrative Code* Ch. 103 for the use of physical restraint and seclusion with students, including, but not limited to:

- Physical restraint and seclusion will be used only by employees who have been trained in accordance with applicable law unless a trained employee is not immediately available due to the unforeseeable nature of the occurrence.
- As soon as practical after the situation is under control, but within one hour after either the occurrence or the end of the school day, whichever occurs first, the school will attempt to contact the student's parent or guardian using the school's emergency contact system.
- The seclusion or physical restraint is used only for as long as necessary based on research and evidence to allow the student to regain control of their behavior to the point that the threat or behavior necessitating the use of the seclusion or physical restraint has ended, or when a medical condition occurs that puts the student at risk of harm. Unless otherwise provided for in the student's written approved IEP, BIP, IHP or safety plan, if the seclusion or physical restraint continues for more than 15 minutes:
  - The student will be provided with any necessary breaks to attend to personal and bodily needs, unless doing so would endanger the child or others.
  - An employee will obtain approval from an administrator or administrator's designee to continue seclusion or physical restraint beyond 15 minutes. After the initial approval, an employee must obtain additional approval every 30 minutes thereafter for the continuation of the seclusion or physical restraint.
  - The student's parent or guardian and the school may agree to more frequent notifications than is required by law.
  - Schools and district employees must document and explain in writing the reasons why it was not possible for the employees to obtain approval, notify parents, or take action within prescribed time limits.
  - Schools and district employees who begin and then end use of nonapproved restraints will document and explain in writing the reasons why they had no other option but to use this type of behavioral intervention.
- The area of seclusion will be a designated seclusion room that complies with the seclusion room requirements in accordance with law, unless the nature of the occurrence makes the use of the designated seclusion room impossible, clearly impractical, or clearly contrary to the safety of the student, others, or both; in that event, the school must document and explain in writing the reasons why a designated seclusion room was not used.
- An employee must continually visually monitor the student for the duration of the seclusion or physical restraint.
- If an employee restrains a student who uses sign language or an augmentive mode of communication as the student's primary mode of communication, the student shall be permitted to have the student's hands free of physical restraint, unless doing so is not feasible in view of the threat posed.
- Seclusion or physical restraint shall not be used: as punishment or discipline; to force compliance or to retaliate; as a substitute for appropriate educational or behavioral support; to prevent property damage except as provided in law; as a routine school safety measure; or as a convenience to staff.
- The Superintendent or the Superintendent's designee will investigate any complaint or allegation that one or more employees violated any provisions of 281 Iowa Administrative Code Ch. 103. If the District determines a violation has occurred, corrective action will be taken up to and including termination of the employees involved. If the allegation or complain involves a specific student the District will notify the parents or guardian of the involved student about the results of the investigation. If any allegation or complaint is also defined as abuse in 281 *Iowa Administrative Code* 102.2, the procedures listed in chapter 102 will apply.
- The District must comply with and implement Chapter 103 whether or not a parent consents to the use of physical restraint or seclusion.

504.1 STUDENT GOVERNMENT

The student council provides for student activities, serves as a training experience for student leaders, promotes the common good, gives students a share in the management of the school, develops high ideals of personal conduct, acts as a clearinghouse for student activities, seeks to interest students in school district affairs and helps solve problems that may arise. Members of the council are student representatives who have direct access to the administration.

The principal, in conjunction with the students and licensed employees, will set forth the guidelines for the student government's elections, operations, and other elements of the government.

Legal Reference: Iowa Code § 279.8 (2009).

Cross Reference:
- 502 Student Rights and Responsibilities
- 504 Student Activities
- 505 Student Scholastic Achievement
- 506 Student Records

Approved 8/8/94 Reviewed 03/13/17 Revised 1/10/11

504.2 STUDENT ORGANIZATIONS

Secondary school student-initiated, noncurriculum-related groups and student curriculum- related groups, upon receiving permission from the principal, may use school facilities for group meetings 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 and part of the education program will have priority over the activities of another organization.

Curriculum-Related Organizations

It will also be the responsibility of the principal to determine whether a student group is curriculum-related. One or more of the following questions will be answered affirmatively if the group is curriculum-related:

- Is the subject matter of the group actually taught in a regularly offered course?
- Will the subject matter of the group soon be taught in a regularly offered course?
- Does the subject matter of the group concern the body of courses as a whole?
- Is participation in the group required for a particular course?
- Does participation in the group result in academic credit?

Secondary school curriculum-related student organizations may use the school district facilities for meetings and other purposes before and after the instructional school day. Employees are assigned to monitor approved meetings and may interact with curriculum-related organizations.

Noncurriculum-Related Organizations

Student-initiated, noncurriculum-related organizations are provided access to meeting space and school district facilities.

Only students may attend and participate in meetings of noncurriculum-related groups. 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. Only students may be involved in and attend the noncurriculum group's meetings.

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

NOTE: This policy reflects the protection given nonschool-sponsored student groups in the federal Equal Access Act. Option I should be used by school districts that have noncurricular, school-sponsored organizations.

Legal Reference: Westside Community Board of Education v Mergens, 496 U.S. 226 (1990).
Bender v. Williamsport Area Community School District, 741 F.2d 538 (3d Cir. 1984), *vacated and remanded on other grounds*, 475 U.S. 534 (1986).
20 U.S.C. §§ 4071-4074.
Iowa Code §§ 287; 297.9.

Cross Reference: 502 Student Rights and Responsibilities
504 Student Activities

Approved 8/8/94 Reviewed 03/13/17 Revised 1/10/11

504.3 STUDENT PUBLICATIONS

Students may produce official school publications as part of the curriculum under the supervision of a faculty advisor and the principal. Official school publications include material produced in the journalism, newspaper, yearbook, or writing classes and distributed to the student body either free or for a fee.

Any expression made by students, including student expression in official school publications, is not an expression of official school policy. The school district, the board, and the employees or officials are not liable in any civil or criminal action for any student expression made or published by students unless the employees or officials have interfered with or altered the content of the student speech or expression. The liability, if any, is only to the extent of the interference or alteration of the speech or expression.

Official school publications are free from prior restraint by employees or officials except as provided by law. A faculty advisor 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. The production of official school publications is guided by the law and by the ethical standards adopted by professional associations or societies of journalism.

Persons, other than students, who believe they have been aggrieved by student expression in a student-produced official school publication will follow the grievance procedure outlined in board policy 214.1. Students who believe their freedom of expression in a student-produced official school publication has been restricted will follow the grievance procedure outlined in board policy 502.6.

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.

Legal Reference: Hazelwood School District v. Kuhlmeier, 484 U.S. 260 (1988).
Bystrom v. Fridley High School, 822 F.2d 747 (8th Cir. 1987).
Iowa Code § 280.22 (2009).

Cross Reference:
309 Communication Channels
402.5 Public Complaints about Employees
502 Student Rights and Responsibilities
504 Student Activities
903.5 Distribution of Material

Approved 8/8/94 Reviewed 3 /13/17 Revised 1/10/11

504.3R1 STUDENT PUBLICATIONS CODE

A. Official school publications defined.

An "official school publication" is material produced by students in the journalism, newspaper, yearbook, or writing classes and distributed to students either free or for a fee.

B. Expression in an official school publication.

1. No student will express, publish or distribute in an official school publication material which is:
   a. obscene;
   b. libelous;
   c. slanderous; or
   d. encourages students to:
      1) commit unlawful acts;
      2) violate school rules;
      3) cause the material and substantial disruption of the orderly and efficient operation of the school or school activity;
      4) disrupt or interfere with the education program;
      5) interrupt the maintenance of a disciplined atmosphere; or
      6) infringe on the rights of others.
2. The official school publication is 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.

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.

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 altercation 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, under board policy 502.6.
2. Persons who believe they have been aggrieved by a student-produced official student publication will file their complaint through the citizen grievance procedure, under board policy 214.1.

G. Time, place and manner of restrictions on official school publications.

1. Official student publications may be distributed in a reasonable manner on or off school premises.
2. Distribution in a reasonable manner 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 district or school activity;
   d. disrupt or interfere with the education program;
   e. interrupt the maintenance of a disciplined atmosphere; or
   f. infringe on the rights of others.

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504.4 STUDENT SOCIAL EVENTS

School-sponsored social events shall be approved by the principal and placed on the school calendar prior to public announcement. They shall be under the control and supervision of employees. The hours and activities of the event shall be reasonable and in keeping with board policy.

School-sponsored social events are open to the students enrolled in the school district. Others, such as alumni or out-of-town students, may attend as the date or escort of students enrolled in the school district or with the permission of the licensed employees supervising the event.

Students' and employees' behavior shall be in keeping with the behavior required during regular school hours.

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

Legal Reference: Iowa Code § 279.8; 282.3 (2009).

Cross Reference:
- 404 Employee Conduct and Appearance
- 502.1 Student Appearance
- 503 Student Discipline

Approved 8/8/94 Reviewed 3/13/17 Revised 1/10/11

504.5 STUDENT PERFORMANCES

Students, as part of the education program, may participate in contests or other public and private events approved by the superintendent that will be of benefit to the student and the education program. Performance at such events is a privilege.

Students, who perform at such events, serve as ambassadors of the school district and must conduct themselves in the same manner as required in the regular school day. Students who fail to abide by this policy and the administrative regulations supporting it may be subject to disciplinary measures.

Students will be allowed to perform in these events only with proper permission and supervision and when the events do not disrupt the education program or other school district operations. The events must be approved by the superintendent, unless it involves unusual travel and expense, in which case the board must approve of the performance.

It is the responsibility of the superintendent, in conjunction with the principal, to develop administrative regulations regarding this policy. In developing the administrative regulations, these guidelines should be followed:

- Performances by student groups below the high school level should be allowed on a very limited basis;
- All groups of students should have an opportunity to participate; and,
- Extensive travel by one group of students should be discouraged.

It is within the discretion of the superintendent to determine whether the event will benefit the education program and the participating students. Contests or other performances by students unapproved by the superintendent are the responsibility of the parent and the student.

Legal Reference: Hazelwood School District v. Kuhlmeier, 484 U.S. 260 (1988).
Iowa Code §§ 280.13-.14 (2009).
281 I.A.C. 12.6.

Cross Reference:
502 Student Rights and Responsibilities
503.4 Good Conduct Rule
504 Student Activities
904 Community Activities Involving Students

Approved 8/8/94 Reviewed 3/13/17 Revised 1/10/11

504.6 STUDENT FUND RAISING

Students may raise funds for school-sponsored events with the permission of the principal. Fund raising by students for events other than school-sponsored events is not allowed.
Collection boxes for school fund raising must have prior approval from the principal before being placed on school property.

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

Legal Reference: Senior Class of Pekin High School v. Tharp, 154 N.W.2d 874 (Iowa 1967).
Iowa Code § 279.8 (2009).

Cross Reference:
- 402.9 Solicitations from Outside
- 502 Student Rights and Responsibilities
- 503 Student Discipline
- 504 Student Activities
- 704.5 Student Activities Fund
- 904.2 Advertising and Promotion

Approved 8/8/94 Reviewed 3 /13/17 Revised 1/10/11

504.7 STUDENT WORK/INTERN PROGRAMS

Coordination of education programs with local businesses can benefit the school district and community. When mutually acceptable arrangements can be made between a local business and the board, secondary students may work for a local business to obtain school credit.

Such programs must be compatible with the education program and have the approval of the board.

It shall be the responsibility of the superintendent to pursue such arrangements with local businesses.

Legal Reference: Iowa Code § 279.8; 282.3 (2009).

Cross Reference: 504 Student Activities

Approved 8/8/94 Reviewed 3/13/17 Revised 1/10/11

504.8 STUDENT ACTIVITY PROGRAM

Participation in school activities is a privilege. School activities provide the benefits of promoting additional interests and ability in the students during their school years and for their lifetime.

Students will have an opportunity to participate in a school activity unless the activity is not offered or the student cannot participate for disciplinary reasons. If the activity is an intramural or interscholastic athletic activity, students of the opposite sex will have a comparable opportunity for participation. Comparable opportunity does not guarantee boys and girls will be allowed to play on each other's teams when there are athletic activities available that will allow both boys and girls to reap the benefits of school activities, which are the promotion of additional interests and abilities in the students.

Student activity events must be approved by the superintendent unless they involve unusual travel expense, in which case the board will take action. The events must not disrupt the education program or other school district operations.

A high school student who participates in school sponsored athletics may participate in a non- school sponsored sport during the same season. Such outside participation will not conflict with the school sponsored athletic activity.

It is the responsibility of the superintendent to develop administrative regulations for each school activity. These regulations will include, but not be limited to, when physical examinations will be required, how and when parents will be informed about the risk of the activity, academic requirements, and proof of insurance on the student participating in certain activities. Students wanting to participate in school activities must meet the requirements set out by the school district for participation in the activity.

Legal Reference:
20 U.S.C. §§ 1681-1683; 1685-1686 (1994).
34 C.F.R. Pt. 106.41 (2002).
Iowa Code §§ 216.9; 280.13-.14 (2009).
281 I.A.C. 12.6., 36.15.

Cross Reference:
501 Student Attendance
502 Student Rights and Responsibilities
503 Student Discipline
504 Student Activities
507 Student Health and Well-Being

Approved 8/8/94 Reviewed 3/13/17 Revised 1/10/11

504.8R1 ADMINISTRATIVE REGULATIONS TO SUPPORT BOARD POLICY #504.8

As per this policy, a student who is participating in a sport sponsored by the district may participate in that sport as an individual or member of a team in an outside school event during the same season.

The student athlete must meet the following requirements for participation in a school-sponsored sport:

1. Physical forms must be completed and returned to school prior to the student's participation in the sport.

2. Student athletes are bound by the Good Conduct Code as detailed in the student's handbook and Board Policy #503.4.

3. Students must provide proof of insurance prior to participation in all sports.

4. Prior to participation in an outside school event, the student shall notify the coach to determine that such participation will not interfere in any way with scheduled games, practices, team meetings or any other activity or violates any rules of participation.

5. A student who participates in an outside sport in violation of these administrative rules shall be ineligible to participate on a school-sponsored team in that sport for twelve (12) calendar months.

Approved 8/8/94 Reviewed 3/13/17 Revised 1/10/11

505.1 ASSIGNMENT OF COURSES

Students shall take a predetermined number and type of courses to graduate. Where students have a choice in course offerings, the school district will try to allow students to take the courses of their choice. Courses with limited space will be allocated to those who are at the highest grade level or need it for graduation.

It shall be the responsibility of the superintendent to develop the course offerings for each year for the grade levels.

Legal Reference: Iowa Code § 256.11, .11A; 280 (2009). Cross Reference:
502 Student Rights and Responsibilities
505 Student Scholastic Achievement

Approved 8/8/94 Reviewed 3/13/17 Revised 1/10/11

505.2 STUDENT PROGRESS REPORTS AND CONFERENCES

Students will receive a progress report at the end of each nine-week grading period. Students, who are doing poorly, and their parents, are notified prior to the end of the semester in order to have an opportunity to improve their grade. The board encourages the notification of students who have made marked improvement prior to the end of the semester.

Parent-teacher conferences will be held a minimum of twice a year.

Parents, teachers, or principals may request a conference for students in grades kindergarten through twelve in addition to the scheduled conference time. Parents and students are encouraged to discuss the student's progress or other matters with the student's teacher.

Legal Reference: Iowa Code §§ 256.11, .11A; 280 (2009).
Iowa Code § 256E.1(1)(b)(1) (Supp. 2003).
281 I.A.C. 12.3(6), .3(7), .5(16).

Cross Reference: 505 Student Scholastic Achievement
506 Student Records

Approved 8/8/94 Reviewed 3/13/17 Revised 1/10/11

505.3 STUDENT PROMOTION - RETENTION - ACCELERATION

Students will be promoted to the next grade level at the end of each school year based on the student's achievement, age, maturity, emotional stability, and social adjustment.

Reading retention/promotion – grades kindergarten through three

In accordance with law, students in grades kindergarten through three will be assessed for their level of reading or reading readiness. Those students who exhibit a substantial deficiency in reading will be provided intensive reading instruction, and their parents/guardians will be provided written notice at least annually of the deficiency and the services that will be provided which are designed to remediate the deficiency.

Beginning May 1, 2017, unless the school district is granted a waiver, if a student's reading deficiency is not remedied by the end of grade three, the student's parent/guardian will be informed that the student may enroll in an intensive summer reading program. If the student does not enroll in the intensive summer reading program, the student will be retained in grade three unless the student is exempt for good cause as provided by law. If the student is exempt from participating in an intensive summer reading program, or if the student completes the intensive summer reading program but is not reading proficient upon completion of the program, the student may be promoted to grade four; provided, however, that the student will continue to be provided intensive reading instruction until the student is proficient in reading.

In determining whether to promote a student in grade three to grade four, the school district will place significant weight on any reading deficiency identified that is not yet remediated. The school district will also weigh the student's progress in other subject areas as well as the student's overall intellectual, physical, emotional, and social development. A decision to retain a student in grade three will be made only after direct personal consultation with the student's parent/guardian and after the formulation of a specific plan of action to remedy the student's reading deficiency.

Retention/Promotion other than reading retention in grades kindergarten through three:

The district shall adhere to the following:

- **Retention/Promotion in kindergarten – eighth grade:** The retention of a student will be determined based upon the judgment of the licensed employee and the principal. When it becomes evident a student in grades kindergarten through eight may be retained in a grade level for an additional year, the parents will be informed. It is within the sole discretion of the ~~board~~ district to retain students in their current grade level and to deny promotion to a student.

- **Retention/Promotion in ninth – twelfth grade:** Students in grades nine through twelve will be informed of the required course work necessary to be promoted each year. When it becomes evident a student in these grades will be unable to meet the minimum credit requirements for the year, the student and parents will be informed. It is within the sole discretion of the ~~board~~ district to retain students in their current grade level and to deny promotion to a student.

- **Acceleration in kindergarten – twelfth grade:** Students in grades kindergarten through twelve with exceptional talents may, with the permission of the principal and parents, take classes beyond their current grade level. Enrichment opportunities outside the school district may be allowed when they do not conflict with the school district's graduation requirements.

NOTE: School districts that use specific steps or processes for determining retention or acceleration should reference the applicable criteria or where to locate the criteria in the bulleted information above.

Legal Reference: Iowa Code §§ 256.11, 279.8; 279.68; 280.3 (20153).
281 I.A.C. 12.5(16).

Cross Reference:
501 Student Attendance
505 Student Scholastic Achievement
603.2 Summer School Instruction

Approved 03/13/17 Reviewed 03/13/17 Revised 03/13/17

505.4 STUDENT HONORS AND AWARDS

The school district will provide a program that establishes honors and awards including, but not limited to, academic letters, scholarships and good citizenship awards for students to assist students in setting goals. Students are made aware of honors and awards and the action necessary on the part of the student to achieve them. Students who have not attended an accredited public or private school for may not be eligible for honors and awards.

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

Legal Reference: Iowa Code § 279.8 (2009).

Cross Reference:
504 Student Activities
505 Student Scholastic Achievement

Approved 8/8/94 Reviewed 3/13/17 Revised 1/10/11

505.5 TESTING PROGRAM

A comprehensive testing program is established and maintained to evaluate the education program of the school district and to assist in providing guidance or counseling services to students and their families.

No student is required, as part of any applicable program, funded by the Unites State Department of Education, to submit to a survey, analysis or evaluation that reveals information concerning:

- political affiliations or beliefs of the student or student's parent:
- mental or psychological problems of the student or the student's family;
- sex behavior or attitudes;
- illegal, anti-social, self-incriminating or demeaning behavior;
- critical appraisals of other individuals with whom respondents have close family relationships;
- legally recognized, privileged and analogous relationships, such as those of lawyers, physicians and ministers;
- religious practices, affiliations or beliefs of the student or student's parent; or
- income,(other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program);

without the prior consent of the student (if the student is an adult or emancipated minor), or in the case of an unemancipated minor, without the prior written consent of the parent.

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

It is the responsibility of the board to review and approve the evaluation and testing program.

Legal Reference: 20 U.S.C. § 1232h
Iowa Code §§ 280.3

Cross Reference:
505 Student Scholastic Achievement
506 Student Records
607.2 Student Health Services

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Approved 03/13/17 Reviewed 06/19/17 Revised 06/19/17

505.6 GRADUATION REQUIREMENTS

Students must successfully complete the courses required by the board and Iowa Department of Education in order to graduate.

It is the responsibility of the superintendent to ensure that students complete grades one through twelve and that high school students complete 50 credits prior to graduation. The following credits will be required:

- 7 credits in Mathematics (Math must be taken every year)
- 7 credits in Science (Science must be taken every year)
- 2 credits in American History
- 2 credits in American Government
- 2 credits in Ninth Grade Social Studies
- 8 credits in English Language Arts (2 credits in Language Arts must be taken every year)
- 1/2 credit in Personal Career Readiness (Financial Literacy)
- Physical Education must be taken every year. Written procedures are available for students to be exempt from physical education and health courses. Any waiver will be reviewed by the principal.
- Remainder to be completed with Electives

The required courses of study will be reviewed by the board annually.

Beginning with the class of 2022, graduation requirements for special education students will include successful completion of four years of English, three years of math, three years of social studies, and three years of science.

NOTE: This is a mandatory policy.

Legal Reference: Iowa Code §§ 256.7, 11, .41; 279.8; 280.3, .14.
281 I.A.C. 12.3(5); .5; 12.5.

Cross Reference: 505 Student Scholastic Achievement
603.3 Special Education

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505.7 EARLY GRADUATION

Generally, students will be required to complete the necessary course work and graduate from high school at the end of grade twelve. Students may graduate prior to this time if they meet the minimum graduation requirements stated in board policy.

A student who graduates early will no longer be considered a student and will become an alumnus of the school district. However, the student who graduates early may participate in commencement exercises.

NOTE: This is a mandatory policy. School districts do not have the authority to limit when a student may graduate early. Students can graduate early whenever they meet the school district's graduation requirements. It is recommended that when a student graduates early, the student either gets the diploma or a notice from the school district that the student has graduated. The board should determine in policy how an early graduate will be treated after the student graduates. The board should determine whether the early graduate will be allowed to participate in activities and, if so, which activities.

Legal Reference: Iowa Code §§ 279.8; 280.3.
281 I.A.C. 12.3(5);; 12.5.

Cross Reference:
505 Student Scholastic Achievement

Approved 8/8/94 Reviewed 03/13/17 Revised 08/13/12

505.8 COMMENCEMENT

Students who have met the requirements for graduation will be allowed to participate in the commencement proceedings provided they abide by the proceedings organized by the school district. It 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.

Legal Reference: Iowa Code §§ 279.8; 280.3, .14 (2009).
281 I.A.C. 12.2; .3(7); .5.

Cross Reference: 505 Student Scholastic Achievement

Approved 8/8/94 Reviewed 3/13/17 Revised 1/10/11

505.9 PARENT AND FAMILY ENGAGEMENT

Parent and family engagement is an important component in a student's success in school. The board encourages parents and families to become involved in their child's education to ensure the child's academic success. The board will:

(1) Involve parents and families in the development of the Title I plan, the process for school review of the plan and the process for improvement;
(2) Provide the coordination, technical assistance and other support necessary to assist and build the capacity of all participating schools in planning and implementing effective parent and family involvement activities to improve student academic achievement and school performance;
(3) To the extent feasible, coordinate and integrate parent and family engagement strategies under Title I with parent and family engagement strategies outlined in other relevant Federal, State, and local laws and programs;
(4) Conduct with the involvement of parents and family members, an annual evaluation of the content and effectiveness of the parent and family engagement policy in improving the academic quality of the school served including identifying barriers to greater participation by parents in Title I activities (with particular attention to low-income parents, Limited English Proficient (LEP) parents, parents of any racial or ethnic minority, parents with disabilities and parents with limited literacy);
(5) Use the findings of the annual evaluation to design strategies for more effective parent and family involvement and to revise, as necessary, the parent-and family involvement policies; and;
(6) Involve parents and families in Title I activities.

The board will review this policy annually. The superintendent is responsible for notifying parents and families of this policy annually or within a reasonable time after it has been amended during the school year. The superintendent may develop an administrative process or procedures to implement this policy.

Legal References: 20 U.S.C. §6318

Cross References: 903.2 Community Resource Persons and Volunteers

Approved 03/13/17 Reviewed 06/19/17 Revised 06/19/17

506.1 EDUCATION RECORDS ACCESS

The board recognizes the importance of maintaining student records and preserving their confidentiality. Student records containing personally identifiable information are kept confidential at collection, storage, disclosure and destruction stages. The board secretary is the custodian of student records. Student records may be maintained in the central administration office or administrative office of the student's attendance center. Student is defined as an enrolled individual, PK-12 including children in school district sponsored child-care programs.

Parents and eligible students will have access to the student's records during the regular business hours of the school district. An eligible student is a student who has reached eighteen years of age or is attending an institution of postsecondary education at the post high school level.

Parents of an eligible student are provided access to the student records only with the written permission of the eligible student unless the eligible student is defined as a dependent by the Internal Revenue Code. In that case, the parents may be provided access without the written permission of the student. A representative of the parents or eligible student, who has received written permission from the parents or eligible student, may inspect and review a special education student's records. Parents, other than parents of an eligible student, may be denied access to a student's records if the school district has a court order stating such or when the district has been advised under the appropriate laws that the parents may not access the student records. Parents may inspect an instrument used for the purpose of collection of student personal information prior to the instrument’s use.

A student record may contain information on more than one student. Parents will have the right to access the information relating to their student or to be informed of the information. Eligible students will also have the right to access the information relating to 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 calendar days (45) after the request is made. Parents, an eligible student or an authorized representative of the parents will have the right to access the student's records prior to an Individualized Education Program (IEP) meeting or hearing.

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

Upon the request of parents or an eligible student, the school district will provide an explanation and interpretation of the student records and a list of the types and locations of education records collected, maintained or used by the school district.

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

If the school district determines that amendment of the student’s record is not appropriate, it will inform the parents or the eligible student of their right to a hearing before the hearing officer provided by the school district.

If the parents' and the eligible student's request to amend the student record is further denied following the hearing, the parents or the eligible student are informed that they have a right to place an explanatory letter in the

student record commenting on the school district's decision or setting forth the reasoning for disagreeing with the school district. Additions to the student's records will become a part of the student record and be maintained like other student records. If the school district discloses the student records, the explanation by the parents will also be disclosed.

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

This disclosure may be made to the following individuals or under the following circumstances:

- to school officials within the school district and AEA personnel whom the superintendent has determined to have a legitimate educational interest, including, but not limited to, board members, employees, school attorney, auditor, health professionals, and individuals serving on official school committees;
- to officials of another school district in which the student wishes to enroll, provided the other school district notifies the parents the student records are being sent and the parents have an opportunity to receive a copy of the records and challenge the contents of the records unless the annual notification includes a provision that records will automatically be transferred to new school districts;
- to authorized representatives of the U.S. Comptroller General, the U.S. Attorney General for law enforcement purposes, 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;
- to organizations and/or their authorized representatives conducting studies for, or on behalf of, educational agencies or institutions for the purpose of developing, validating, or administering predictive tests, administering student aid programs, and improving instruction, if such studies are conducted in such a manner as will not permit the personal identification of students and their parents by persons other than representatives of such organizations and such information will be destroyed when no longer needed for the purpose for which it is conducted;
- to accrediting organizations in order to carry out their accrediting functions;
- to parents of a dependent student as defined in the Internal Revenue Code;
- to comply with a court order or judicially issued subpoena consistent with an interagency agreement between the school district and juvenile justice agencies;
- in connection with a health or safety emergency;
- to authorized representatives of the Secretary of Agriculture or authorized representative from the Food and Nutrition Service for the purposes of conducting program monitoring, evaluations, and performance measurements of state and local educational and other agencies and institutions receiving funding for or providing a school lunch program for which the results will be reported in an aggregate form that does not identify any individual, provided that the data collected shall be protected in a manner that will not permit the personal identification of students and their parents to anyone other than those authorized under this paragraph and any personally identifiable data shall be destroyed when the data are no longer needed for program monitoring, evaluations, and performance measurements;
- to an agency caseworker or other representative of a state or local child welfare agency or tribal organization authorized to access a student’s case plan when such agency or organization is legally responsible for the care and protection of the student, provided that the education records or the personally identifiable information contained in such records of the student will not be disclosed by such agency or organization, except to an individual or entity engaged in addressing the student’s education needs and authorized by such agency or organization to receive such disclosure and such disclosure is consistent with the state or tribal laws applicable to protecting the confidentiality of a student’s education records; 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 school district who have accessed the student's records. This list for a student record may be accessed by the parents, the eligible student and the custodian of student records.

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

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

The school district will cooperate with the juvenile justice system in sharing information contained in permanent student records regarding students who have become involved with the juvenile justice system. The school district will enter into an interagency agreement with the juvenile justice agencies involved.

The purpose of the agreement is to allow for the sharing of information prior to a student's adjudication in order to promote and collaborate between the school district and the agencies to improve school safety, reduce alcohol and illegal drug use, reduce truancy, reduce in-school and out-of-school suspensions, and to support alternatives to in-school and out-of-school suspensions and expulsions which provide structured and well supervised educational programs supplemented by coordinated and appropriate services designed to correct behaviors that lead to truancy, suspension, and expulsions and to support students in successfully completing their education.

The school district may share any information with the agencies contained in a student's permanent record, which is directly related to the juvenile justice system's ability to effectively serve the student. Prior to adjudication information contained in the permanent record may be disclosed by the school district to the parties without parental consent or court order.

Information contained in a student's permanent record may be disclosed by the school district to the agencies after adjudication only with parental consent or a court order. Information shared pursuant to the agreement is used solely for determining the programs and services appropriate to the needs of the student or student's family or coordinating the deliver of programs and service to the student or student's family. Information shared under the agreement is not admissible in any court proceedings, which take place prior to a disposition hearing, unless written consent is obtained from a student's parent, guardian, or legal or actual custodian.

Confidential information shared between the school district and the agencies will remain confidential and will not be shared with any other person, unless otherwise provided by law. Information shared under the agreement is not admissible in any court proceedings, which take place prior to a disposition hearing, unless written consent is

obtained from a student's parent/guardian, or legal or actual custodian. The school district may discontinue information sharing with an agency if the school district determines that the agency has violated the intent or letter of the agreement.

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

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

It is the responsibility of the superintendent to annually notify parents and eligible students of their right to inspect and review the student's records. The notice is given in a parents' or eligible student's native language. Should the school district collect personal information from students for the purposes of marketing or selling that information, the school district will annually notify parents of such activity.

The notice will include a statement that the parents have a right to file a complaint alleging the school district failed to comply with this policy. Complaints are forwarded to Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, Washington, DC. 20202-4605.

Legal Reference:
No Child Left Behind, Title IX, Sec. 9528, P.L.107-110 (2002).
USA Patriot Act, Sec. 507, P.L. 107-56. (2001).
20 U.S.C. § 1232g, 1415 (2006).
34 C.F.R. Pt. 99, 300, .610 *et seq.* (2006).
Iowa Code §§ 22; 279.9B, 280.24, .25, 622.10 (2009).
281 I.A.C. 12.3(4); 41; .610 *et seq.*
1980 Op. Att'y Gen. 720, 825.

Cross Reference:

501	Student Attendance
505	Student Scholastic Achievement
506	Student Records
507	Student Health and Well-Being
603.3	Special Education
708	Care, Maintenance and Disposal of School District Records
901	Public Examination of School District Records

Approved 8/8/94 Reviewed 3/13/17 Revised 2/11/13

Code No. 506.1E1

506.1E1 REQUEST OF NONPARENT FOR EXAMINATION OR COPIES OF EDUCATION RECORDS

The undersigned hereby requests permission to examine the _____Community School District's official education records of:

_____ _____

(Legal Name of Student) (Date of Birth)

The undersigned requests copies of the following official education records of the above student:

The undersigned certifies that they are (check one):

(a) An official of another school system in which the student intends to enroll. ( )

(b) An authorized representative of the Comptroller General of the United States. ( )

(c) An authorized representative of the Secretary of the U.S. Department of Education or U.S. Attorney General ( )

(d) A state or local official to whom such is specifically allowed to be reported or disclosed. ( )

(e) A person connected with the student's application for, or receipt of, financial aid. ( )

(f) A representative of a juvenile justice agency with which the school district has an interagency agreement. ( )

The undersigned agrees that the information obtained will only be redisclosed consistent with state or federal law without the written permission of the parent of the student, or the student if the student is of majority age.

_____
(Signature)

_____
(Title)

_____
(Agency)

Date: _____

Address: _____

City: _____

State: _____ ZIP: _____

Phone Number: _____

APPROVED:

Signature: _____

Title: _____

Dated: _____

506.1E2 AUTHORIZATION FOR RELEASE OF EDUCATION RECORDS

The undersigned hereby authorizes _____

School District to release copies of the following official student records:

_____

_____

concerning _____ _____
(Full Legal Name of Student) (Date of Birth)

_____ from 20_____to 20 ___
(Name of Last School Attended) (Year(s) of Attend.)

The reason for this request is: _____

_____

My relationship to the child is: _____

Copies of the records to be released are to be furnished to:

( ) the undersigned
( ) the student
( ) other (please specify) _____

_____
(Signature)

Date: _____
Address: _____
City: _____
State: _____ ZIP _____
Phone Number: _____

506.1E3 REQUEST FOR HEARING ON CORRECTION OF EDUCATION RECORDS

To: _____ Address: _____
Board Secretary (Custodian)

I believe certain official education records of my child,_____, (full legal name of student), _____(school name), are inaccurate, misleading or in violation of privacy rights of my child.

The official education records which I believe are inaccurate, misleading or in violation of the privacy or other rights of my child are:

_____

_____

_____

The reason I believe such records are inaccurate, misleading or in violation of the privacy or other rights of my child is:

_____

_____

_____

My relationship to the child is: _____

I understand that I will be notified in writing of the time and place of the hearing; that I will be notified in writing of the decision; and I have the right to appeal the decision by so notifying the hearing officer in writing within ten days after my receipt of the decision or a right to place a statement in my child's record stating I disagree with the decision and why.

_____
(Signature)

Date: _____

Address: _____

City: _____

State: _____ ZIP: _____

Phone Number: _____

506.1E4 REQUEST FOR EXAMINATION OF EDUCATION RECORDS

To: _____ Address: _____
Board Secretary (Custodian)

The undersigned desires to examine the following official education records.

_____

_____

_____

of _____ , _____
(Full Legal Name of Student) (Date of Birth) (Grade)

_____
(Name of School)

My relationship to the student is: _____

(check one)

_____ I do
_____ I do not

desire a copy of such records. I understand that a reasonable charge may be made for the copies.

_____
(Parent's Signature)

APPROVED:

Signature: _____
Title: _____
Dated: _____

Date: _____
Address: _____
City: _____
State: _____ ZIP _____
Phone Number: _____

506.1E5 NOTIFICATION OF TRANSFER OF EDUCATION RECORDS

To: _____ Date: _____
Parent/or Guardian

Street Address: _____
City/State _____ ZIP: _____

Please be notified that copies of the_____Community School District's official education records concerning_____, (full legal name of student) have been transferred to:

_____ _____
School District Name Address

upon the written statement that the student intends to enroll in said school system.

If you desire a copy of such records furnished, please check here_____and return this form to the undersigned. A reasonable charge will be made for the copies.

If you believe such records transferred are inaccurate, misleading or otherwise in violation of the privacy or other rights of the student, you have the right to a hearing to challenge the contents of such records.

_____
(Name)

_____
(Title)

506.1E6 LETTER TO PARENT REGARDING RECEIPT OF A SUBPOENA

Date

Dear (Parent):

This letter is to notify you that the _____

Community School District has received a (subpoena or court order) requesting copies of your child's permanent records. The specific records requested are _____

_____.

The school district has until (date on subpoena or court order) to deliver the documents to (requesting party on subpoena or court order). If you have any questions, please do not hesitate to contact me at (phone #).

Sincerely,

(Principal or Superintendent)

506.1E7 JUVENILE JUSTICE AGENCY INFORMATION SHARING AGREEMENT

Statement of Purpose: The purpose of this Agreement is to allow for the sharing of information among the School District and the Agencies prior to a student's adjudication in order to promote and collaborate to improve school safety, reduce alcohol and illegal drug use, reduce truancy, reduce in-school and out-of-school suspensions, and to support alternatives to in-school and out-of-school suspensions and expulsions which provide structured and well supervised educational programs supplemented by coordinated and appropriate services designed to correct behaviors that lead to truancy, suspension, and expulsions and to support students in successfully completing their education.

Identification of Agencies: This agreement is between the Shenandoah Community School District (hereinafter "School District") and (agencies listed) (hereinafter "Agencies").

Statutory Authority: This agreement implements Iowa Code § 280.25 and is consistent with 34 C.F.R. 99.38 (2012).

Parameters of Information Exchange:

1. The School District may share any information with the Agencies contained in a student's permanent record which is directly related to the juvenile justice system's ability to effectively serve the student.
2. Prior to adjudication information contained in the permanent record may be disclosed by the school district to the Agencies without parental consent or court order.
3. Information contained in a student's permanent record may be disclosed by the School District to the Agencies after adjudication only with parental consent or a court order.
4. Information shared pursuant to the agreement is used solely for determining the programs and services appropriate to the needs of the student or student’s family or coordinating the delivery of programs and services to the student or student’s family.
5. Information shared under the agreement is not admissible in any court proceeding which take place prior to a disposition hearing, unless written consent is obtained for a student’s parent, guardian, or legal or actual custodian.
6. Information obtained by the school from other juvenile justice agencies may not be used as the basis for disciplinary action of the student.
7. This agreement only governs a school district’s ability to share information and the purposes for which that information can be used. Other agencies are bound by their own respective confidentiality polices.

Records' Transmission: The individual requesting the information should contact the principal of the building in which the student is currently enrolled or was enrolled. The principal will forward the records within a reasonable time following receipt of the request.

Confidentiality: Confidential information shared between the Agencies and the school district will remain confidential and will not be shared with any other person, unless otherwise provided by law. Information shared under the agreement is not admissible in any court proceedings which take place prior to a disposition hearing, unless written consent is obtained from a student's parent. Agencies or individuals violating the terms of this agreement subject their entity represented and themselves personally to legal action pursuant to federal and state law.

JUVENILE JUSTICE AGENCY INFORMATION SHARING AGREEMENT

Amendments: This agreement constitutes the entire agreement among the agencies with respect to information sharing. Agencies may be added to this agreement at the discretion of the school district.

Term: This agreement is effective from (September 1, 20 or other date) .

Termination: The School District may discontinue information sharing with an Agency if the School District determines that the Agency has violated the intent or letter of this Agreement.

APPROVED:

Signature: _____ Address: _____
Title: _____ City: _____
Agency: _____ State: _____ ZIP _____
Dated: _____ Phone Number: _____

Signature: _____ Address: _____
Title: _____ City: _____
Agency: _____ State: _____ ZIP _____
Dated: _____ Phone Number: _____

Signature: _____ Address: _____
Title: _____ City: _____
Agency: _____ State: _____ ZIP _____
Dated: _____ Phone Number: _____

Signature: _____ Address: _____
Title: _____ City: _____
Agency: _____ State: _____ ZIP _____
Dated: _____ Phone Number: _____

506.1E8 ANNUAL NOTICE

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

(1) The right to inspect and review the student's education records within 45 days of the day the district receives a request for access.

Parents or eligible students should submit to the school principal (or appropriate school official) a written request that identifies the record(s) they wish to inspect. The principal (or appropriate school official) will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.

(2) The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate or misleading or in violation of the student's privacy rights under FERPA.

Parents or eligible students who wish to ask school district to amend a record should write the school principal, clearly identify the part of the record they want changed, and specify why it should be changed.

If the district decides not to amend the record as requested by the parent or eligible student, the district will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

(3) The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent.

One exception, which permits disclosure without consent is disclosure to school officials with legitimate educational interests. A school official is a person employed by the district as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the school board. A school official also may include a volunteer or contractor outside of the school who performs an institutional service of function for which the school would otherwise use its own employees and who is under the direct control of the school with respect to the use and maintenance of PII from education records, such as an attorney, auditor, medical consultant, or therapist, a or a parent or student serving on an official committee, such as a disciplinary or grievance committee or student assistance team, or assisting another school official in performing his or her tasks.

A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

Upon request, the district discloses education records without consent to officials of another school district in which a student seeks or intends to enroll or is already enrolled if the disclosure is for purposes of the student’s enrollment of transfer.

The school district has designated the following information as directory information:

Student’s name, address, telephone listing, electronic mail address, photograph, date and place of birth, major field of study, dates of attendance, grade level, participation in officially recognized activities and sports, weight and height of members of athletic teams, degrees, honors, and awards received, the most recent educational agency or institution attended, and the student ID number, user ID, or other unique personal identifier used to communicate in electronic systems that cannot be used to access education records without a PIN, password, etc. (A student’s SSN, in whole or in part, cannot be used for this purpose.)

(4) The right to file a complaint with the U.S. Department of Education concerning alleged failures by the district to comply with the requirements of FERPA. The name and address of the office that administers FERPA is:

Family Policy Compliance Office, U.S. Department of Education,

400 Maryland Ave., SW, Washington, DC, 20202-4605.

Approved 8/8/94 Reviewed 11/12/18 Revised 2/11/13

506.1R1 USE OF STUDENT RECORDS REGULATION

Parents and eligible students will have a right to access a student's education records upon request without unnecessary delay and in no instance more than forty-five calendar days after the request is made. The intent of this regulation is to establish procedures for granting requests from eligible students and parents to access a student's education records.

Education records mean those records that contain information directly related to a student and which are maintained by an education agency or institution or by a party acting for the agency or institution. These may include, but are not necessarily limited to: dates of attendance; academic work completed; level of achievement (grades, standardized test scores); attendance data; scores on standardized intelligence, aptitude, and psychological tests; interest inventory results; health data; family background information; teacher or counselor ratings and observations; and verified reports of serious or recurrent behavior patterns.

A. Access to Records

1. Parents, eligible students, and other individuals authorized in accordance with law will have access to the student's education records during the regular business hours of the school district. Parents and eligible students will have a right to access the student's education records upon request without unnecessary delay and in no instance more than forty-five calendar days after the request is made. An eligible student or parent, upon written request to the board secretary, shall receive an explanation and interpretation of the education records. A student, eighteen years or older, has the right to determine who, outside the school system, has access to the records. Parents of students who are 18 years or older but still dependents for income tax purposes may access the student's records without prior permission of the student.
2. School officials having access to student records are defined as having a legitimate educational interest. A school official is a person employed by the school district as an administrator, supervisor, instructor or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the school board; a person or company with whom the school district has contracted to perform a special task (such as an attorney, auditor, AEA employee, medical consultant, or therapist); or a parent or student serving on an official committee, such as disciplinary or grievance committee or student assistance team, or assisting another school official in performing his or her tasks.

B. Release of Information Outside the School – Information from education records may be disclosed to outside parties as outlined in board policy and otherwise provided by law.

C. Procedures for Requesting a Record Amendment

1. If the eligible student, parent, or legal guardian believe the information in the education records is inaccurate, misleading, or violates the privacy of the student, the parents or an eligible student may request that the school district amend the education student records.
2. The school district will decide whether to amend the education student records within a reasonable time after receipt of the request.
3. If the school district determines an amendment is made to the education student record, the school district will make the amendment and inform the parents or the eligible student of the decision in writing.
4. If the school district determines that amendment of the student's education record is not appropriate, it will inform the parents or the eligible student of their right to a hearing before the hearing officer provided by the school district. The hearing officer may be an employee of the school district, so long as the employee does not have a direct interest in the outcome of the hearing.
5. Upon parental request, the school district will hold a hearing regarding the content of a student's education records which the parent believes to be inaccurate, misleading, or in violation of the privacy of the privacy rights of students.
6. The hearing will be held within a reasonable time after receipt of the parent or eligible student's request.

The parent or eligible student will receive reasonable advance notice of date, time and place of the hearing.

7. The parents or eligible student will be given a full and fair opportunity to present evidence relevant to the issues. The parent or eligible student may be represented by an individual at their choice at their own expense.
8. The hearing officer will render a written decision within a reasonable period after the hearing. The decision will be based upon evidence presented at the hearing and must include a summary of the evidence and the reasons for the decision.
9. The parents may appeal the hearing officer's decision to the superintendent within 10 days if the superintendent does not have a direct interest in the outcome of the hearing.
10. The parents may appeal the superintendent's decision or the hearing officer's decision if the superintendent was unable to hear the appeal, to the board within 10 days. It is within the discretion of the board to hear the appeal.
11. If the parents' and the eligible student's request to amend the education student record is further denied following the hearing, the parents or the eligible student are informed that they have a right to place an explanatory letter in the education student record commenting on the school district's decision or setting forth the reasoning for disagreeing with the school district. Additions to the student's education records will become a part of the education student record and be maintained like other education student records. If the school district discloses the education student records, the explanation by the parents will also be disclosed or the eligible student of the decision in writing.

Approved 8/8/94 Reviewed 11/12/18 Revised 2/11/13

506.2 STUDENT DIRECTORY INFORMATION

Student directory information is designed to be used internally within the school district. Directory information is information contained in the education records of a student that would not generally be considered harmful or an invasion of privacy if disclosed. The district may disclose "directory information" to third parties without consent if it has given public notice of the types of information which it has designated as "directory information," the parent's or eligible student's right to restrict the disclosure of such information, and the period of time within which a parent or eligible student has to notify the school in writing that he or she does not want any or all of those types of information designated as "directory information." The district has designated the following as “directory information”:

- Student’s name
- Address
- Telephone listing
- Electronic mail address
- Photograph
- Date and place of birth
- Major field of study
- Dates of attendance
- Grade level
- Participation in officially recognized activities and sports
- Weight and height of members of athletic teams
- Degrees, honors, and awards received
- The most recent educational agency or institution attended
- Student ID number, user ID, or other unique personal identifier used to communicate in electronic systems that cannot be used to access education records without a PIN, password, etc. (A student’s SSN, in whole or in part, cannot be used for this purpose.)

Student is defined as an enrolled individual, PK-12 including children in school district sponsored child-care programs.

Prior to developing a student directory or to giving general information to the public, parents (including parents of students open enrolled out of the school district and parents of children home schooled in the school district) will be given notice annually of the intent to develop a directory or to give out general information and have the opportunity to deny the inclusion of their child's information in the directory or in the general information about the students.

It is the responsibility of the superintendent to provide notice and to determine the method of notice that will inform parents.

Reference: Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. 1232g; 34 CFR Part 99)

Legal Reference: 20 U.S.C. § 1232g.
34 C.F.R. Pt. 99.
Iowa Code § 22; 622.10.
281 I.A.C. 12.3(4); 41.
1980 Op. Att'y Gen. 720.

Cross Reference:
504 Student Activities
506 Student Records
901.1 Public Examination of School District Records
902.6 Live Broadcast or videotaping

Approved 08/08/94 Reviewed 11/12/18 Revised 5/14/12

506.2E1 PARENTAL AUTHORIZATION FOR RELEASING STUDENT DIRECTORY INFORMATION

The Shenandoah Community School District has adopted a policy designed to assure parents and students the full implementation, protection and enjoyment of their rights under the Family Educational Rights and Privacy Act of 1974 (FERPA). A copy of the school district's policy is available for review on the district website www.shencsd.com or in each school office.

This law requires the school district to designate as "directory information" any personally identifiable information taken from a student's educational records prior to making such information available to the public.

The school district has designated the following information as directory information:

- Student's name
- Address
- Telephone listing
- Electronic mail address
- Photograph
- Date and place of birth
- Major field of study
- Dates of attendance
- Grade level
- Participation in officially recognized activities and sports
- Weight and height of members of athletic teams
- Degrees, honors, and awards received
- The most recent educational agency or institution attended
- Student ID number, user ID, or other unique personal identifier used to communicate in electronic systems that cannot be used to access education records without a PIN, password, etc. (A student's SSN, in whole or in part, cannot be used for this purpose.)

You have the right to refuse the designation of any or all of the categories of personally identifiable information as directory information with respect to your student provided that you notify the school district in writing not later than August 23rd of this school year. If you desire to make such a refusal, please complete and return the slip attached to this notice or indicate this refusal using the online student registration system.

If you have no objection to the use of student information, you do not need to take any action.

RETURN THIS FORM

Shenandoah Community School District Parental Directions to Withhold Student/Directory Information for Education Purposes, for 20____-20____ school year.

Student Name: _____ Date of Birth: _____ Grade: _____

School: _____

_____

(Signature of Parent/Legal Guardian/Custodian of Child) (Date)

This form must be returned to your child's school no later than September 15th. Additional forms are available at your child's school.

Approved 08/08/94 Reviewed 11/12/18 Revised 5/14/12

506.2R1 USE OF DIRECTORY INFORMATION

The Family Educational Rights and Privacy Act (FERPA), a Federal law, requires that Shenandoah Community School District, with certain exceptions, obtain your written consent prior to the disclosure of personally identifiable information from your child's education records. However, Shenandoah Community School District may disclose appropriately designated "directory information" without written consent, unless you have advised the District to the contrary in accordance with District procedures. The primary purpose of directory information is to allow the Shenandoah Community School District to include this type of information from your child's education records in certain school publications. Examples include:

- A playbill, showing your student's role in a drama production;
- The annual yearbook;
- Honor roll or other recognition lists;
- Graduation programs; and,
- Sports activity sheets, such as for wrestling, showing weight and height of team members.

Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, can also be disclosed to outside organizations without a parent's prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks. In addition, two federal laws require local educational agencies (LEAs) receiving assistance under the *Elementary and Secondary Education Act of 1965* (ESEA) to provide military recruiters, upon request, with the following information – names, addresses and telephone listings – unless parents have advised the LEA that they do not want their student's information disclosed without their prior written consent. [1]

If you do not want the Shenandoah Community School District to disclose directory information from your child's education records without your prior written consent, you must notify the District in writing by August 23rd of the school year. Shenandoah Community School District has designated the following information as directory information:

- Student's name
- Address
- Telephone listing
- Electronic mail address
- Photograph
- Date and place of birth
- Major field of study
- Dates of attendance
- Grade level
- Participation in officially recognized activities and sports
- Weight and height of members of athletic teams
- Degrees, honors, and awards received
- The most recent educational agency or institution attended
- Student ID number, user ID, or other unique personal identifier used to communicate in electronic systems that cannot be used to access education records without a PIN, password, etc. (A student's SSN, in whole or in part, cannot be used for this purpose.)

Approved 08/08/94 Reviewed 11/12/18 Revised 5/14/12

[1] These laws are: Section 9528 of the Elementary and Secondary Education Act (20 U.S.C. § 7908) and 10 U.S.C. § 503(c).

506.3 STUDENT PHOTOGRAPHS

The board will permit student "portrait" photographs to be taken on school premises by a commercial photographer as a service to the students and their families.

Parents will be notified prior to the taking of pictures by a commercial photographer for student "portraits." In no case will students be required to have their picture taken or be pressured to purchase pictures.

Students or commercial photographers may take pictures of students upon consent for such things as the yearbook or student newspaper.

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

Legal Reference: Iowa Code § 279.8 (2009).
1980 Op. Att'y Gen. 114.

Cross Reference: 506 Student Records

Approved 8/8/94 Reviewed 3/13/17 Revised 1/10/11

506.4 STUDENT LIBRARY CIRCULATION RECORDS

Student library circulation records are designed to be used internally to assist in the orderly administration of the school district libraries and media center. As a general rule, student library circulation records are considered confidential records and will not be released without parental consent. Individuals who may access such records include a student's parents, the student, authorized licensed employees, authorized government officials from the U.S. Comptroller General, the Secretary of Education, the Commissioner and Director of the National Institute of Education, and the Assistant Secretary for Education and State Education Department.
Appropriate authorities in a health or safety emergency may access the student's library circulation records without the approval or the notification of the student's parents. Parents may not access records, without the student's permission, of a student who has reached the age of majority or who is attending a post-secondary educational institution unless the student is considered a dependent for tax purposes.

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

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

Legal Reference:
20 U.S.C. § 1232g (1994).
34 C.F.R. Pt. 99 (2002).
Iowa Code §§ 22; 622.10 (2009).
281 I.A.C. 12.3(6).
1980 Op. Att'y Gen. 720, 825.

Cross Reference:
502 Student Rights and Responsibilities
506 Student Records

Approved 8/8/94 Reviewed 3/13/17 Revised 1/10/11

507.1 STUDENT HEALTH AND IMMUNIZATION CERTIFICATES

Students desiring to participate in athletic activities or enrolling in kindergarten or first grade in the school district will have a physical examination by a licensed physician and provide proof of such an examination to the school district. A physical examination and proof of such an examination may be required by the administration for students in other grades enrolling for the first time in the school district.

A certificate of health stating the results of a physical examination and signed by the physician 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 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 immunization requirement in this policy will be allowed only for medical or religious reasons recognized under the law. The student must provide a valid Iowa State Department of Health Certificate of Immunization Exemption to be exempt from this policy.

Legal Reference: Iowa Code §§ 139.9; 280.13 (2009).
281 I.A.C. 33.5.
641 I.A.C. 7.

Cross Reference: 402.2 Child Abuse Reporting
501 Student Attendance
507 Student Health and Well-Being

Approved 8/8/94 Reviewed 3/13/17 Revised 1/10/11

507.2 ADMINISTRATION OF MEDICATION TO STUDENTS

The board is committed to the inclusion of all students in the education program and recognizes that some students may need prescription and nonprescription medication to participate in their educational program.

Medication shall be administered when the student's parent or guardian (hereafter "parent") provides a signed and dated written statement requesting medication administration and the medication is in the original, labeled container, either as dispensed or in the manufacturer's container.

When administration of the medication requires ongoing professional health judgment, an individual health plan shall be developed by an authorized practitioner with the student and the student's parent. Students who have demonstrated competence in administering their own medications may self-administer their medication. A written statement by the student's parent shall be on file requesting co-administration of medication, when competence has been demonstrated. By law, students with asthma or other airway constricting diseases or students at risk of anaphylaxis who use epinephrine auto-injectors may self - administer their medication upon the written approval of the student’s parents and prescribing licensed health care professional regardless of competency.

Persons administering medication shall include authorized practitioners, such as licensed registered nurses and physician, and persons whom authorized practitioners have delegated the administration of medication (who have successfully completed a medication administration course). A medication administration course and periodic update shall be conducted by a registered nurse or licensed pharmacist, and a record of course completion shall be maintained by the school.

A written medication administration record shall be on file including:

- date;
- student’s name;
- prescriber or person authorizing administration;
- medication;
- medication dosage;
- administration time;
- administration method;
- signature and title of the person administering medication; and
- any unusual circumstances, actions, or omissions.

Medication shall be stored in a secured area unless an alternate provision is documented. Emergency protocols for medication-related reactions shall be posted. Medication information shall be confidential information as provided by law.

Disposal of unused, discontinued/recalled, or expired medication shall be in compliance with federal and state law. Prior to disposal school personnel shall make a reasonable attempt to return medication by providing written notification that expired, discontinued, or unused medications needs to be picked up. If medication is not picked up by the date specified, disposal shall be in accordance with the disposal procedures for the specific category of medication.

Note: This is a mandatory policy. This law reflects the Iowa Department of Education’s special education administrative rule regarding administration of medication. Since there are no rules addressing students not receiving special education services, IASB has written the sample policies and regulations to address all students.

NOTE: Iowa law requires school districts to allow students with asthma or other airway constricting disease to carry and self-administer their medication as long as the parents and prescribing physician report and approve in writing. Students do not have to prove competency to the school district. The consent form, see 507.2E1, is all that is required. School districts that determine students are abusing their self-administration may either withdraw the self-administration if medically advisable or discipline the student, or both.

NOTE: Disposal procedures reflect the Iowa Department of Education School Medication Waste Guidance, issued in May 2015.

For more detailed discussion of this issue, see IASB's Policy Primers, Vol. 24 #7 – Jan. 13, 2016, Vol. 20 #7 – Dec. 4, 2008 and 17 #8 – June 18, 2004.

Legal Reference: Disposing on Behalf of Ultimate Users, 79 Fed. Reg. 53520, 53546 (Sept. 9, 2014)
Iowa Code §§124.101(1), 147.107, 152.1, 155A.4(2), 280.16, 280.23.
655 IAC §6.2(152).

Cross Reference: 506 Student Records
507 Student Health and Well-Being
603.3 Special Education
607.2 Student Health Services

Approved 8/8/94 Reviewed 3/13/17 Revised 1/10/11

507.2E1 RECORD OF THE ADMINISTRATION OF MEDICATION

507.2E2 AUTHORIZATION ASTHMA OR AIRWAY CONSTRICTING MEDICATION SELF-ADMINISTRATION CONSENT FORM

Student's Name (Last), (First) (Middle)	Birthday	School	Date
_____	___/___/___	_____	___/___/___

In order for a student to self-administer medication for asthma or any airway constricting disease:

- Parent/guardian provides signed, dated authorization for student medication self- administration.
- Physician (person licensed under chapter 148, 150, or 150A, physician, physician's assistant, advanced registered nurse practitioner, or other person licensed or registered to distribute or dispense a prescription drug or device in the course of professional practice in Iowa in accordance with section 147.107, or a person licensed by another state in a health field in which, under Iowa law, licensees in this state may legally prescribe drugs) provides written authorization containing:
  - purpose of the medication,
  - prescribed dosage,
  - times or;
  - special circumstances under which the medication is to be administered.
- The medication is in the original, labeled container as dispensed or the manufacturer's labeled container containing the student name, name of the medication, directions for use, and date.
- Authorization is renewed annually. If any changes occur in the medication, dosage or time of administration, the parent is to notify school officials immediately. The authorization shall be reviewed as soon as practical.

Provided the above requirements are fulfilled, a student with asthma or other airway constricting disease may possess and use the student's medication while in school, at school-sponsored activities, under the supervision of school personnel, and before or after normal school activities, such as while in before-school or after-school care on school-operated property. If the student abuses the self-administration policy, the ability to self- administer may be withdrawn by the school or discipline may be imposed.

Pursuant to state law, the school district or accredited nonpublic school and its employees are to incur no liability, except for gross negligence, as a result of any injury arising from self- administration of medication by the student. The parent or guardian of the student shall sign a statement acknowledging that the school district or nonpublic school is to incur no liability, except for gross negligence, as a result of self-administration of medication by the student as established by *Iowa Code* § 280.16.

Medication	Dosage	Route	Time
_____	_____	_____	_____

_____

Purpose of Medication & Administration /Instructions

Special Circumstances	Discontinue/Re-Evaluate/ Follow-up Date
_____	_____/_____/_____

Prescriber's Signature	Date
_____	_____/_____/_____

Prescriber's Address	Emergency Phone
_____	_____

- I request the above named student possess and self-administer asthma or other airway constricting disease medication(s) at school and in school activities according to the authorization and instructions.
- I understand the school district and its employees acting reasonably and in good faith shall incur no liability for any improper use of medication or for supervising, monitoring, or interfering with a student's self-administration of medication
- I agree to coordinate and work with school personnel and notify them when questions arise or relevant conditions change.
- I agree to provide safe delivery of medication and equipment to and from school and to pick up remaining medication and equipment.
- I agree the information is shared with school personnel in accordance with the Family Education Rights and Privacy Act (FERPA).
- I agree to provide the school with back-up medication approved in this form.
- Student maintains self-administration record.

_____ _____/_____/_____

Parent/Guardian Signature (agreed to above statement) Date

_____ _____

Parent/Guardian Address Home Phone

_____

Business Phone

_____

_____

_____

Self-Administration Authorization Additional Information

Code No. 507.2E3

507.2E3 PARENTAL AUTHORIZATION AND RELEASE FORM FOR THE ADMINISTRATION OF PRESCRIPTION MEDICATION TO STUDENTS

Student's Name (Last), (First), (Middle) ___/___/___ Birthday _____ School ___/___/___ Date

School medications and health services are administered following these guidelines:

- Parent has provided a signed, dated authorization to administer medication and/or provide the health service.
- The medication is in the original, labeled container as dispensed or the manufacturer's labeled container.
- The medication label contains the student's name, name of the medication, directions for use, and date.
- Authorization is renewed annually and immediately when the parent notifies the school that changes are necessary.

Medication/Health Care Dosage Route Time at School

Administration instructions

Special Directives, Signs to Observe and Side Effects

_____/_____/_____ Discontinue/Re-Evaluate/Follow-up Date

Prescriber's Signature _____/_____/_____ Date

Prescriber's Address Emergency Phone

I request the above named student carry medication at school and school activities, according to the prescription, instructions, and a written record kept. Special considerations are noted above. The information is confidential except as provided to the Family Education Rights and Privacy Act (FERPA). I agree to coordinate and work with school personnel and prescriber when questions arise. I agree to provide safe delivery of medication and equipment to and from school and to pick up remaining medication and equipment.

Parent's Signature _____/_____/_____ Date

Parent's Address Home Phone

Additional Information Business Phone

Authorization Form

507.3 COMMUNICABLE DISEASES - STUDENTS

Students with a communicable disease will be allowed to attend school provided their presence does not create a substantial risk of illness or transmission to other students or employees. The term "communicable disease" will mean an infectious or contagious disease spread from person to person, or animal to person, or as defined by law.

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

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

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

Legal Reference:
School Board of Nassau County v. Arline, 480 U.S. 273 (1987).
29 U.S.C. §§ 701 *et seq.* (1994).
45 C.F.R. Pt. 84.3 (2002).
Iowa Code ch. 139 (2009).
641 I.A.C. 1.2-.5, 7.

Cross Reference:
403.3 Communicable Diseases - Employees
506 Student Records
507 Student Health and Well-Being

Approved 8/8/94 Reviewed 3/13/17 Revised 1/10/11

507.3E1 COMMUNICABLE DISEASE CHART

CONCISE DESCRIPTIONS AND RECOMMENDATIONS FOR EXCLUSION OF CASES FROM SCHOOL

DISEASE *Immunization is available	Usual Interval Between Exposure & First Symptoms of Disease	MAIN SYMPTOMS	Minimum Exclusion From School
CHICKENPOX	13 to 17 days	Mild symptoms and fever. Pocks are "blistery." Develop scabs, most on covered parts of body.	7 days from onset of pocks or until pocks become dry
CONJUNCTIVITI S (PINK EYE)	24 to 72 hours	Tearing, redness and puffy lids, eye discharge.	Until treatment begins or physician approves readmission.
ERYTHEMIA INFECTIOSUM (5th DISEASE)	4 to 20 days	Usual age 5 to 14 years – unusual in adults. Brief prodrome of low-grade fever followed by Erythemia (slapped cheek) appearance on cheeks, lace-like rash on extremities lasting a few days to 3 weeks. Rash seems to recur.	After diagnosis no exclusion from school.
GERMAN MEASLES* (RUBELLA)	14 to 23 days	Usually mild. Enlarged glands in neck and behind ears. Brief red rash.	7 days from onset of rash. Keep away from pregnant women.
HAEMOPHILUS MENINGITIS	2 to 4 days	Fever, vomiting, lethargy, stiff neck and back.	Until physician permits return.
HEPATITIS A	Variable – 15 to 50 (average 28 to 30 days)	Abdominal pain, nausea, usually fever. Skin and eyes may or may not turn yellow.	14 days from onset of clinical disease and at least 7 days from onset of jaundice.
IMPETIGO	1 to 3 days	Inflamed sores, with puss.	48 hours after antibiotic therapy started or until physician permits retune.
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.
MENINGOCOCC AL MENINGITIS	2 to 10 days (commonly 3 to 4 days	Headache, nausea, stiff neck, fever.	Until physician permits return.
MUMPS*	12 to 25 (commonly 18) days	Fever, swelling and tenderness of glands at angle of jaw.	9 days after onset of swollen glands or until swelling disappears.
PEDICULOSIS (HEAD/BODY LICE)	7 days for eggs to hatch	Lice and nits (eggs) in hair.	24 hours after adequate treatment to kill lice and nits.

RINGWORM OF SCALP	10 to 14 days	Scaly patch, usually ring shaped, on scalp.	No exclusion from school. Exclude from gymnasium, swimming pools, contact sports.
SCABIES	2 to 6 weeks initial exposure; 1 to 4	Tinny burrows in skin caused by mites.	Until 24 hours after treatment.
SCARLET FEVER SCARLATINA STREP THROAT	1 to 3 days	Sudden onset, vomiting, sore throat, fever, later fine rash (not on face). Rash usually with first infection.	24 hours after antibiotics started and no fever.
WHOOPING COUGH* (PERTUSSIS)	7 to 10 days	Head cold, slight fever, cough, characteristic whoop after 2 weeks.	5 days after start of antibiotic treatment.

Readmission to School – It is advisable that school authorities require written permission from the health officer, school physician or attending physician before any pupil is readmitted to class following any disease which requires exclusion, not mere absence, from school.

507.3E2 REPORTABLE INFECTIOUS DISEASES

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

- Acquired Immune Deficiency Syndrome (AIDS)
- Amebiasis
- Anthrax
- Botulism
- Campylobacteriosis
- Chlamydia trachomatis
- Cholera
- Diphtheria
- E. Coli 0157:h7
- Encephalitis
- Giardiasis
- Hepatitis, viral (A,B, Non-A Inguinale
- Non-B, Unspecified Lymphogranuloma
- Histoplasmosis
- Human Immunodeficiency Virus (HIV) infection other than AIDS
- Influenza
- Legionellosis
- Leprosy
- Leptospirosis
- Lyme disease
- Malaria
- Meningitis (bacterial or viral)
- Mumps
- Parvovirus B 19 infection (5th disease and other complications)
- Pertussis (whooping cough)
- Plague
- Poliomyelitis
- Psittacosis
- Rabies
- Reye's Syndrome
- Rheumatic fever
- Rocky Mountain spotted fever
- Rubella (congenital syndrome)
- Rubella (German measles)
- Rubeola (measles)
- Salmonellosis
- Shigellosis
- Tetanus
- Toxic Shock
- Trichinosis
- Tuberculosis
- Tularemia
- Typhoid fever
- Typhus fever
- Venereal disease (Chancroid, Gonorrhea, Granuloma)
- Venereum
- Syphilis
- Yellow fever

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

507.3E3 REPORTING FORM

Source: Iowa Department of Public Health (1997).

REPORT THE FOLLOWING DISEASES IMMEDIATELY BY TELEPHONE (1-800-362- 2736)

Botulism
Cholera
Diphtheria
Plague
Poliomyelitis
Rabies (Human)
Rubella
Rubeola (measles)
Yellow Fever
Disease outbreaks of any public health concern

WEEK ENDING _____

REPORT ALL OTHER DISEASES BELOW.

See 507.3E2 for list of reportable infectious diseases.

DISEASE	PATIENT	COUNTY OR CITY	DOB	SEX
	Name Parent (If applicable) Address Attending Physician			
	Name Parent (If applicable) Address Attending Physician			
	Name Parent (If applicable) Address Attending Physician			
	Name Parent (If applicable) Address Attending Physician			
	Name Parent (If applicable) Address Attending Physician			

Reporting Physician, Hospital, or Other Authorized Person

_____

Address

Remarks:

FOR SCHOOLS ONLY: Report over 10% absent only. Total enrollment:					
	Monday	Tuesday	Wednesday	Thursday	Friday
No. Absent					
% of Enrollment					

REPORT NUMBER OF CASES ONLY

___ Chickenpox
Erythema infectiosum (5th Disease

___ Gastroenteritis
Influenza-like illness (URI)

507.4 STUDENT ILLNESS OR INJURY AT SCHOOL

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

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

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

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

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

Legal Reference: Iowa Code § 613.17 (2009).

Cross Reference:
403.3 Communicable Diseases – Employees
403.1 Employee Physical Examinations
507 Student Health and Well-Being

Approved 8/8/94 Reviewed 3/13/17 Revised 1/10/11

507.5 EMERGENCY PLANS AND DRILLS

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

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

NOTE: The last sentence of the first paragraph is a legal requirement.

Legal Reference: Iowa Code § 100.31.

Cross Reference: 507 Student Health and Well-Being
711.10 School Bus Safety Instruction
804 Safety Program

Approved 8/8/94 Reviewed 3/13/17 Revised 1/10/11

507.6 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 intramural or 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.

Legal Reference: Iowa Code § 279.8 (2009).

Cross Reference: 504 Student Activities
507 Student Health and Well-Being

Approved 8/8/94 Reviewed 3/13/17 Revised 1/10/11

507.7 CUSTODY AND PARENTAL RIGHTS

Disagreements between family members are not the responsibility of the school district. The school district will not take the "side" of one family member over another in a disagreement about custody or parental rights. Court orders that have been issued are followed by the school district. It is the responsibility of the person requesting an action by the school district to inform and provide the school district the court order allowing such action.

This policy does not prohibit an employee from listening to a student's problems and concerns.

It is the responsibility of the superintendent to ensure employees remain neutral in a disagreement about custody and parental rights.

Legal Reference: Iowa Code §§ 232.67, .70, .73, .75; 235A; 279.8; 710.6 (2009).
441 I.A.C. 9.2; 155; 175.

Cross Reference: 506 Student Records
507 Student Health and Well-Being

Approved 8/8/94 Reviewed 3/13/17 Revised 1/10/11

507.8 STUDENT ASSISTANCE TEAMS

The school district is committed to providing quality education in an environment that promotes learning. To assist students in grades kindergarten through twelve, the school district shall create a student assistance program.

This program shall be designed to:

- Provide assistance to students troubled by physical, social, emotional, sexual, legal, medical, family or chemical problems;
- Improve the quality of the education program and the school environment;
- Utilize existing human resources in the school district community rather than acquiring new employees in the school district; and,
- Enlist the support and involvement of the employees and officials.

Information shared with a student assistance team shall be confidential and shall not be disseminated without written permission from the student or parents.

Legal Reference: Iowa Code § 279.8 (2009).

Cross Reference: 502.9 Smoking-Drinking-Drugs

Approved 8/8/94 Reviewed 3/13/17 Revised 1/10/11

507.9 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 health plan.

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

Legal Reference:
Board of Education v. Rowley, 458 U.S. 176 (1982).
Springdale School District #50 v. Grace, 693 F.2d 41 (8th Cir. 1982). *Southeast Warren Comm. School District v. Dept. of Public Instructio*n, 285 N.W.2d 173 (Iowa 1979).
20 U.S.C. §§ 1400 *et seq.*
34 C.F.R. Pt. 300 *et seq.*
Iowa Code §§ 256.11(7); 256B; 273.2, .5, .9(2)-(3); 280.8.
281 I.A.C. 14.2

Cross Reference:
502 Student Rights and Responsibilities
506 Student Records
603.3 Special Education

Approved 8/8/94 Reviewed 04/12/21 Revised 04/12/21

507.9R1 SPECIAL HEALTH SERVICES REGULATION

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

A. Definitions

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

"Co-administration" - the eligible student's participation in the planning, management and implementation of the student's special health service and demonstration of proficiency to licensed health personnel.
"Educational program" - includes all school curricular programs and activities both on and off school grounds.

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

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

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

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

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

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

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

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

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

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

- physically present.
- available at the same site.
- available on call.

B. Licensed health personnel will provide special health services under the auspices of the school. Duties of the licensed personnel include the duty to:
   - Participate as a member of the education team.
   - Provide the health assessment.
   - Plan, implement and evaluate the written individual health plan.
   - Plan, implement and evaluate special emergency health services.
   - Serve as liaison and encourage participation and communication with health service agencies and individuals providing health care.
   - Provide health consultation, counseling and instruction with the eligible student, the student's parent and the staff in cooperation and conjunction with the prescriber.
   - Maintain a record of special health services. The documentation includes the eligible student's name, special health service, prescriber or person authorizing, date and time, signature and title of the person providing the special health service and any unusual circumstances in the provision of such services.
   - Report unusual circumstances to the parent, school administration, and prescriber.
   - Assign and delegate to, instruct, provide technical assistance and supervise qualified designated personnel.
   - Update knowledge and skills to meet special health service needs.

C. Prior to the provision of special health services the following will be on file:
   - Written statement by the prescriber detailing the specific method and schedule of the special health service, when indicated.
   - Written statement by the student's parent requesting the provision of the special health service.
   - Written report of the preplanning staffing or meeting of the education team.
   - Written individual health plan available in the health record and integrated into the IEP or IFSP.

D. Licensed health personnel, in collaboration with the education team, will determine the special health services to be provided and the qualifications of individuals performing the special health services. The documented rationale will include the following:
   - Analysis and interpretation of the special health service needs, health status stability, complexity of the service, predictability of the service outcome and risk of improperly performed service.
   - Determination that the special health service, task, procedure or function is part of the person's job description.
   - Determination of the assignment and delegation based on the student's needs.
   - Review of the designated person's competency.
   - Determination of initial and ongoing level of supervision required to ensure quality services.

E. Licensed health personnel will supervise the special health services, define the level of supervision and document the supervision.

F. Licensed health personnel will instruct qualified designated personnel to deliver and perform special health services contained in the eligible individual health plan. Documentation of instruction and periodic updates are on file at school.

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.

Approved 8/8/94 Reviewed 3/13/17 Revised 1/10/11

507.10 WELLNESS POLICY

I. Purpose and Goals

The Shenandoah Community School District promotes healthy students by supporting wellness, good nutrition and regular physical activity as a part of the total learning environment. By facilitating learning through the support and promotion of good nutrition and physical activity, schools contribute to the basic health status of students. Improved health optimizes student performance potential.

The school district will develop, implement, monitor, and, as necessary review school nutrition and physical activity policies with the input from a local wellness policy committee.

II. Nutritional Quality of Foods and Beverages Sold and Served on Campus

Meals served through the National School Lunch and Breakfast Programs will:

- be appealing and attractive to children and be served in clean and pleasant settings;
- meet, at a minimum, nutrition requirements established by local, state, and federal law
- offer a variety of fruits and vegetables;
- serve only low-fat (1%) and fat-free milk and nutritionally-equivalent non-dairy alternatives (as defined by USDA); and
- ensure that as many of the served grains are whole grain.

Breakfast. To ensure that all children have breakfast, either at home or at school, in order to meet their nutritional needs and enhance their ability to learn, schools will:

- operate the School Breakfast Program to the extent possible.
- arrange bus schedules and utilize methods to serve school breakfasts that encourage participation.
- notify parents and students of the availability of the School Breakfast Program.
- encourage parents to provide a healthy breakfast for their children.

Free and Reduced-Priced Meals. Schools will make every effort to eliminate any social stigma attached to, and prevent the overt identification of, students who are eligible for free and reduced-price school meals. Toward this end, schools will utilize electronic identification and payment systems to promote the availability of school meals to all students.

Summer Food Service Program. Schools in which more than 50% of students are eligible for free or reduced-priced school meals may sponsor the Summer Food Service Program for at least six weeks between the last day of the academic school year and the first day of the following school year, and preferably throughout the entire summer vacation.

Meal Times and Scheduling. Adequate time to eat in a pleasant dining environment should be provided. Drinking fountains will be available for students to get water at meals and throughout the day. A short snack-free recess for elementary is encouraged to be scheduled sometime before lunch so children will come to lunch less distracted and ready to eat.

School personnel will assist all students in developing the healthy practice of washing hands before eating. School personnel will schedule enough time so students do not have to spend too much time waiting in line.

Schools should not schedule tutoring, pep rallies, assemblies, club/organization meetings and other activities during lunch times.

Schools will encourage socializing among students and between students and adults. Adults will properly supervise dining rooms and serve as role models to students by demonstrating proper conduct and using

creative, innovative methods to keep noise levels appropriate.

Qualifications of School Food Service Staff. Qualified nutrition professionals will administer the school meal programs. As part of the school district's responsibility to operate a food service program, the school district will provide continuing professional development for all nutrition professionals in schools.

Staff development programs should include appropriate certification and/or training programs for child nutrition directors, school nutrition managers, and cafeteria workers, according to their levels of responsibility.

Sharing of Food and Beverages. The school district discourage students from sharing their foods or beverages with one another during meal or snack times, given concerns about allergies and other restrictions on some children's diets. The district does support the use of a shared table for prepacked foods that are available through the cafeteria and can be monitored.

Foods and Beverages Sold Individually: The Shenandoah Community School District believes that the health of our children is of utmost importance to the future of our society. Therefore, we wish to improve the health of our school children by promoting healthy food and beverage choices by replacing non-nutritious foods and beverages with more nutritious choices in school vending machines. Bottled water and other items that meet the five percent or more nutritional value rule recommended for school vending will be allowed in student accessible school vending machines. Vending machines, other than milk and juice, will not be operational for student use during school hours at the PK8 building. Vending machines, other than milk and juice, will be operational for student use at the high school building according to the federal guidelines for school breakfast and lunch.

Fundraising Activities: To support children's health and school nutrition-education efforts, it is recommended that school fundraising activities will not involve food or will use only foods that meet nutritional standards. Schools will encourage fundraising activities that promote physical activity.

Snacks: Snacks served during the school day or in after-school care or enrichment programs will make a positive contribution to children's diets and health.

Celebrations: Schools should evaluate their celebrations practices that involve food during the school day. Parents will be encouraged to provide healthy food choice options to students.

Rewards: The school district will not use foods or beverages, especially those that do not meet the nutrition standards for foods and beverages, as rewards for academic performance of good behavior, and will not withhold food or beverages (including food served through meals) as a punishment.

School Sponsored Events: It is recommended that food and beverages offered or sold at school-sponsored events outside the school day meet the nutrition standards for meals.

III. Nutrition and Physical Activity Promotion and Food Marketing

Nutrition Education and Promotion. Shenandoah Community School District aims to teach, encourage, and support healthy eating by students. Students will receive nutrition education and engage in nutrition promotion that is as part of a comprehensive, standards-based program designed to provide students with the knowledge and skills necessary to promote and protect their health. Teachers are encouraged to integrate nutrition education into core curriculum areas such as math, science, social studies, and language arts as applicable. The District will promote the meal program in connection with other nutrition-related community services. Students will be encouraged to start each day with a healthy breakfast.

Communications with Parents. The school district will support parents' efforts to provide a healthy diet and daily physical activity for their children. The school district will send home nutrition information, post nutrition tips on school websites, and provide nutrient analyses of school menus. Schools should encourage parents to pack healthy lunches and snacks and to refrain from including beverages and foods that do not meet nutritional standards. The school district will provide parents a list of recommended foods ideas for celebrations, parties, rewards, and fundraising activities.

Food Marketing In Schools. The school district will be consistent with nutrition education and health promotion. The school district will promote healthy foods, including fruits, vegetables, whole grains, and low-fat dairy products; and market activities that promote healthful behaviors.

IV. Physical Activity Goals

Physical activity will be integrated across curricula and throughout the school day. Movement can be made a part of science, math, social studies and language arts.

Physical education includes the instruction of individual activities as well as competitive and non-competitive team sports to encourage life-long physical activity. The school will provide a physical and social environment that encourages safe and enjoyable activity for all students, including those who are not athletically gifted.

Physical education courses will be taught by a state-certified physical education instructor in an environment where students learn, practice and are assessed on developmentally appropriate motor skills, social skills and knowledge. Classes shall have a student/teacher ratio similar to other classes. Time allotted for physical activity will be consistent with research, national and state standards.

The school will provide, when possible, a daily recess period for PK-8 students, which is not used as a punishment or a reward. Consider planning recess before lunch since research indicates that physical activity prior to lunch can increase the nutrient intake and reduce food waste. Physical activity participation will take into consideration the "balancing equation" of food intake and physical activity.

V. Monitoring and Policy Review

Monitoring. Principals as the leaders of their school environment are expected to ensure compliance with all federal, state and local regulations pertaining to the sale of food and beverages. They will be responsible for monitoring the content of food and beverages in vending machines to ensure that only acceptable items are available for sale to students. If they determine that non-compliant items are in the vending machines, they will take corrective action.

Policy Review. The superintendent will ensure compliance with established district-wide nutrition and physical activity wellness policies.

In each school, the principal will ensure compliance with those policies and will report on the school's compliance to the superintendent.

School food service staff will ensure compliance with nutrition policies within the school food service areas and will report on this matter to the superintendent. Food service will report on the most recent USDA School Meals Initiative (SMI) review findings and any resulting changes.

The superintendent will develop a summary report every three years on school district-wide compliance with the school district's established wellness polices, based on input from the schools within the school district. The report will be provided to the school board, school wellness committees, parent/teacher organizations, principals and health services personnel in the school district.

Assessments will be every five years to help review policy compliance, assess progress, and determine areas in need of improvement. As part of that review, the school district will review the nutrition and physical activity policies; provision of an environment that supports healthy eating and physical activity; and nutrition and physical education policies and program elements. The district will, as necessary, revise the wellness policies and develop work plans to facilitate their implementation.

Legal Reference: Richard B. Russell National School Lunch Act, 42 U.S.C. 1751 *et seq.* (2005)
Child Nutrition Act of 1966, 42 U.S.C. 1771 et seq.,

Cross Reference: 504.8 Student Activity Program
710 School Food Services

Approved 4/10/06 Reviewed 3/13/17 Revised 09/10/18

508.1 CLASS OR STUDENT GROUP GIFTS

The board welcomes gifts to the school district from a class or student group. While class gifts to the school district do not require the approval of the superintendent, the board encourages students to consult with the superintendent or other licensed employees prior to selecting a gift for the school district.

Legal Reference: Iowa Code §§ 68B; 722.1, .2 (2009).

Cross Reference:
502 Student Rights and Responsibilities
704.4 Gifts - Grants - Bequests

Approved 8/8/94 Reviewed 3/13/17 Revised 1/10/11

508.2 OPEN NIGHT

In keeping with good community relations, student school activities will not be scheduled on Wednesday night whenever possible. It is the responsibility of the principal to oversee the scheduling of school activities for compliance with this policy.

Legal Reference: Iowa Code § 279.8 (2009).

Cross Reference: 901.2 Board of Directors and Community Relations
906 Other Interdistrict Relations

Approved 8/8/94 Reviewed 3/13/17 Revised 1/10/11

508.3 STUDENT TELEPHONE CALLS

Generally, students receiving telephone calls shall not be called to the phone. The administrative office in their attendance center will take a message and forward it to the student. Only in an emergency situation will a student be removed from the classroom or a school activity to receive a telephone call.

Students may, in an emergency situation, use the telephone in the administrative office of their attendance center to make a telephone call. Prior permission must be obtained from the principal or the principal's secretary.

Items like cell phones, CD players, cameras, radios, or any other devices not used appropriately will be taken away from the student and given back at a later time.

1st Offense - items will be held in the school office and returned at the end of the following day. (If offense occurs on a Friday, item will be returned after school on Monday)

2nd Offense—items will be returned, after school, following two school days

3rd Offense—items will be returned, after school, following five school days

Saturday and Sunday are not school days nor will items be returned during the weekend. Building principals may consider extended vacations and holidays differently.

Legal Reference: Iowa Code §§ 279.8; 280.14 (2009).

Cross Reference: 502 Student Rights and Responsibilities

Approved 8/8/94 Reviewed 3/13/17 Revised 1/10/11

508.4 SUPERVISION AFTER SCHOOL EVENTS

There shall be an employee or a person designated by the school district available to supervise the school building while students wait at the school building after a school activity.

It shall be the responsibility of the supervisor to ensure that the students and other individuals in the school building have a valid and clear purpose for being in the school building at that time. If there is no valid and clear purpose for the student or other individual to be in the school building, the supervisor shall require them to leave the school building at once. Persons or students who do not leave upon request may be reported to the local law enforcement authorities.

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

Legal Reference: McClain v. Lafayette County Bd. Of Education, 673 F.2d 106 (5th Cir. 1982).
Iowa Code § 279.8 (1993).

Cross Reference:
502 Student Rights and Responsibilities
503 Student Discipline
507 Student Health and Well-Being
903 Public Participation in the School District

Approved 8/8/94 Reviewed 3/13/17 Revised 1/10/11

EDUCATION PROGRAM (Series 600)

600 GOALS AND OBJECTIVES OF THE EDUCATION PROGRAM

This series of the board policy manual is devoted to the goals and objectives for the delivery of the education program. The board's objective in the design, contents and the delivery of the education program is to provide an equal opportunity for students to pursue an education free of discrimination on the basis of race, creed, color, sex, national origin, marital status, religion or disability.

In providing the education program of the school district, the board will strive to meet its overall goal of providing the students an opportunity to develop a healthy social, intellectual, emotional, and physical self-concept in a learning environment that provides guidance and encourages critical thinking in students.

In striving to meet this overall goal, the objectives of the education program are to provide students with an opportunity to:

- Students will listen for information and respond effectively.
- Student will use math skills to solve problems encountered as consumers and workers
- Students will apply technology to gather and use information in real situations.
- Students will write clearly to express their own ideas and to convey information to an audience.
- Students will reason to logically solve problems, make decisions, and solve conflicts.
- Students will speak to clearly express their own ideas and to communicate information using language that is appropriate for the audience.
- Students will read for information and pleasure.
- Students will demonstrate study skills needed to be independent, life-long learners.
- Students will experience and recognize the value of the fine arts.
- Students will make choices leading to continuous personal growth and responsible, healthy lifestyles.
- Students will use visual communication to express and interpret ideas.
- Students will recognize the need to tolerate and cooperate with others in order to maintain harmony in their lives.
- Students will apply scientific concepts to understand self, world and universe.

An advisory committee of representatives of the school district community and the school district is appointed to make recommendations for the goals and objectives of the education program. Annually, the board will report to the committee regarding progress toward achievement of the goals and objectives of the education program.

Approved 08/08/94 Reviewed 05/08/17 Revised 07/10/06

601.1 SCHOOL CALENDAR

The school calendar will accommodate the education program of the school district. The school calendar is for a minimum of 1080 hours 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 is for a minimum of one-hundred and eighty days in the school calendar. The academic school year for students may not begin prior to September but may begin in the week in which September 1 falls unless a waiver is obtained from the Iowa Department of Education. Should September 1 fall on a Sunday, school may begin any day during the calendar week which immediately precedes September 1. Employees may be required to report to work at the school district prior to this date.

Special education students may attend school on a school calendar different from that of the regular education program consistent with their Individualized Education Program.

The board, in its discretion, may excuse graduating seniors from up to five days of instruction after the school district requirements for graduation have been met. The board may also excuse graduating seniors from making up days missed due to inclement weather if the student has met the school district's graduation requirements.

It is the responsibility of the superintendent to develop the school calendar for recommendation, approval, and adoption by the board annually.

The board may amend the official school calendar when the board considers the change to be in the best interests of the school district's education program.

Legal Reference: Iowa Code §§ 20.9; 279.10, 280.3 (2009).
281 I.A.C. 12.2(1).

Cross Reference:
501.3 Compulsory Attendance
601.2 School Day
603.3 Special Education

Approved 08/08/94 Reviewed 05/08/17 Revised 07/14/14

601.2 SCHOOL DAY

The student school day for grades one through twelve will 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. Time during which students are released from school for parent/teacher conferences may be counted as part of the student's instructional time. The minimum school day will 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 will consist of a schedule as recommended by the superintendent and approved by the board.

The school district may also record a day of school with less than the minimum instructional hours if the total hours of instructional time for grades one through twelve in any five consecutive school days equals a minimum of thirty (30) hours, even though any one day of school is less than the minimum instructional hours because of a staff development opportunity provided for the instructional staff or parent-teacher conferences have been scheduled beyond the regular school day. If the total hours of instructional time for the first four consecutive days equal at least thirty (30) hours because parent-teacher conferences have been scheduled beyond the regular school day, the school district may record zero hours of instructional time on the fifth consecutive school day as a school day. Schedule revisions and changes in time allotments will be made by the superintendent.

When the school is forced to close due to weather or other emergencies, the part of the day during which school was in session will constitute a school day. The [s*uperintendent/building principal*] will create administrative regulations necessary to utilize any remote learning opportunities that are available and permitted by law during the period of closure. Remote learning opportunities will count toward instructional time requirements as allowed by law. During the time of remote learning, student attendance will be taken, assessments may be administered and grades will count toward students' cumulative grade point average. The provision of special education and accommodations for students who have individualized education programs (IEPs) or Section 504 plans during periods of closure will be determined by each respective IEP or Section 504 team.

It is the responsibility of the superintendent to inform the board annually of the length of the school day.

Legal Reference: 34 C.F.R. sec. 300
28 C.F.R. pt. 35
Iowa Code § 256.7, 279.8, .10.
281 I.A.C. 12.1(1), .1(7-10).

Cross Reference: 601.1 School Calendar

Approved 08/08/94 Reviewed 05/08/17 Revised 07/14/14

602.1 CURRICULUM DEVELOPMENT

Curriculum development is an ongoing process in the school district and consists of both research and design. Research is the studious inquiry and critical investigation of the various content areas for the purpose of revising and improving curriculum and instruction based on relevant information pertaining to the discipline. This study is conducted both internally (what and how we are currently doing at the local level) and externally (what national standards, professional organizations, recognized experts, current research, etc. tell us relative to the content area). Design is the deliberate process of planning and selecting the standards and instructional strategies that will improve the learning experiences for all students.

A systematic approach to curriculum development (careful research, design, and articulation of the curriculum) serves several purposes:

- Focuses attention on the content standards of each discipline and ensure the identified learnings are rigorous, challenging, and represent the most important learning for our students.
- Increases the probability that students will acquire the desired knowledge, skills and dispositions and that our schools will be successful in providing appropriate learning experiences.
- Facilitates communication and coordination.
- Improves classroom instruction.

The superintendent is responsible for curriculum development and for determining the most effective method of conducting research and design activities. A curriculum framework will describe the processes and procedures that will be followed in researching, designing, and articulating each curriculum area. This framework will at a minimum, describe the processes and procedures for the following curriculum development activities to:

- Study the latest thinking, trends research and expert advice regarding the content/discipline;
- Study the current status of the content/discipline (what and how well students are currently learning);
- Identify content standards, benchmarks, and grade level expectations for the content/discipline;
- Describe the desired learning behaviors, teaching and learning environment related to the content/discipline;
- Identify differences in the desired and present program and develop a plan for addressing the differences;
- Communicate with internal and external publics regarding the content area;
- Involve staff, parents, students, and community members in curriculum development decisions;
- Verify integration of local, state, and/or federal mandates (MCNS, school-to-work, etc);
- Verify how the standards and benchmarks of the content/discipline support each of the broader student learning goals and provide a K-12 continuum that builds on the prior learning of each level.

It is the responsibility of the superintendent to keep the board apprised of necessary curriculum revisions, progress or each content area related to curriculum development activities, and to develop administrative regulations for curriculum development including recommendations to the board.

Legal Reference: 20 U.S.C. § 1232h (2006).
34 C.F.R. Pt. 98 (2006).
Iowa Code §§ 216.9; 256.7, 279.8; 280.3 (2009).
281 I.A.C. 12.5, .8.

Cross Reference:
101 Educational Philosophy of the School District
103 Long-Range Needs Assessment
602 Curriculum Development
603 Instructional Curriculum
605 Instructional Materials

Approved 08/08/94 Reviewed 05/08/17 Revised 07/14/14

602.2 CURRICULUM IMPLEMENTATION

Without careful and continuing attention to implementation, planned changes in curriculum and instruction rarely succeed as intended. How change is put into practice, to a large extent, determines how well it fares.

Implementation refers to what actually happens in practice as compared to what was supposed to happen. Curriculum implementation includes the provision of organized assistance to staff in order to ensure that the newly developed curriculum and the most powerful instructional strategies are actually delivered at the classroom level. There are two components of any implementation effort that must be present to guarantee the planned changes in curriculum and instruction succeed as intended:

- Understanding the conceptual framework of the content/discipline being implemented; and,
- Organized assistance to understand the theory, observe exemplary demonstrations, have opportunities to practice, and receive coaching and feedback focused on the most powerful instructional strategies to deliver the content at the classroom level.

The superintendent is responsible for curriculum implementation and for determining the most effective way of providing organized assistance and monitoring the level of implementation. A curriculum framework will describe the processes and procedures that will be followed to assist all staff in developing the knowledge and skills necessary to successfully implement the developed curriculum in each content area. This framework will, at a minimum, describe the processes and procedures for the following curriculum implementation activities to:

- Study and identify the best instructional practices and materials to deliver the content;
- Describe procedures for the purchase of instructional materials and resources (See Policy 605.1).
- Identify/develop exemplars that demonstrate the learning behaviors, teaching, and learning environment to deliver the content;
- Study the current status of instruction in the content area (how teachers are teaching);
- Compare the desired and present delivery system, identify differences (gap analysis), and develop a plan for addressing the differences;
- Organize staff into collaborative study teams to support their learning and implementation efforts (address the gaps);
- Provide ongoing professional development related to instructional strategies and materials that focuses on theory, demonstration, practice and feedback;
- Regularly monitor and assess the level of implementation;
- Communicate with internal and external publics regarding curriculum implementation;
- Involve staff, parents, students, and community members in curriculum implementation decisions.

It is the responsibility of the superintendent to keep the board apprised of curriculum implementation activities, progress of each content area related to curriculum implementation activities, and to develop administrative regulations for curriculum implementation including recommendations to the board.

Legal Reference: 20 U.S.C. § 1232h (2006).
34 C.F.R. pt. 98 (2006).
Iowa Code §§ 216.9, 256.7, 279.8, 280.3 (2009).
281 I.A.C. 12.8.

Cross Reference:
101 Educational Philosophy of the School District
103 Long-Range Needs Assessment
505 Student Scholastic Achievement
602 Curriculum Development
603 Instructional Curriculum

Approved 08/08/94 Reviewed 05/08/17 Revised 04/11/11

602.3 CURRICULUM EVALUATION

Regular evaluation of the total curriculum is necessary to ensure that the written and delivered curriculum is having the desired effect for students.

Curriculum evaluation refers to an ongoing process of collecting, analyzing, synthesizing, and interpreting information to aid in understanding what students know and can do. It refers to the full range of information gathered in the school district to evaluate (make judgments about) student learning and program effectiveness in each content area.

Curriculum evaluation must be based on information gathered from a comprehensive assessment system that is designed for accountability and committed to the concept that all students will achieve at high levels, is standards-based, and informs decisions which impact significant and sustainable improvements in teaching and student learning.

The superintendent is responsible for curriculum evaluation and for determining the most effective way of ensuring that assessment activities are integrated into instructional practices as part of school improvement with a particular focus on improving teaching and learning. A curriculum framework will describe the procedures that will be followed to establish an evaluation process that can efficiently and effectively evaluate the total curriculum. This framework will, at a minimum, describe the procedures for the following curriculum evaluation activities:

- Identify specific purposes for assessing student learning;
- Develop a comprehensive assessment plan;
- Select/develop assessment tools and scoring procedures that are valid and reliable;
- Identify procedures for collecting assessment data;
- Identify procedures for analyzing and interpreting information and drawing conclusions based on the data (including analysis of the performance of various sub-groups of students);
- Identify procedures for establishing at least three levels of performance (specific to the content standard and the assessment tool when appropriate) to assist in determining whether students have achieved at a satisfactory level (at least two levels describe performance that is proficient or advanced and at least one level describes students who are not yet performing at the proficient level);
- Identify procedures for using assessment information to determine long-range and annual improvement goals;
- Identify procedures for using assessment information in making decisions focused on improving teaching and learning (data based decision making);
- Provide support to staff in using data to make instructional decisions;
- Define procedures for regular and clear communication about assessment results to the various internal and external publics (mandatory for communication about students receiving special education services);
- Define data reporting procedures;
- Verify that assessment tools are fair for all students and are consistent with all state and federal mandates;
- Verify that assessment tools measure the curriculum that is written and delivered;
- Identify procedures for deciding when multiple assessment measures are necessary for making good decisions and drawing appropriate conclusions about student learning;
- Identify roles and responsibilities of key groups;
- Involve staff, parents, students, and community members in curriculum evaluation;
- Ensure participation of eligible students receiving special education services in district-wide assessments.

It is the responsibility of the superintendent to keep the board apprised of curriculum evaluation activities, the progress of each content area related to curriculum evaluation activities, and to develop administrative

regulations for curriculum evaluation including recommendations to the board.

Legal Reference: 20 U.S.C. § 1232h (2006).
34 C.F.R. pt. 98 (2006).
Iowa Code §§ 216.9, 256.7, 279.8, 280.3 (2009).
281 I.A.C. 12.8.

Cross Reference:
101 Educational Philosophy of the School District
103 Long-Range Needs Assessment
505 Student Scholastic Achievement
602 Curriculum Development
603 Instructional Curriculum

Approved 08/08/94 Reviewed 05/08/17 Revised 04/11/11

602.4 PILOT - EXPERIMENTAL - INNOVATIVE PROJECTS

The board welcomes new ideas in curriculum. Proposals for pilot or experimental projects will first be reviewed and analyzed by the superintendent. Projects recommended by the superintendent will be considered by the board. Pilot and experimental projects approved by the board, the Iowa Department of Education, or the U. S. Department of Education may be utilized in the education program.

Students, who may be or are asked to participate in a research or experimental project or program, must have their parents' written consent on file prior to participating in the project or program. A research or experimental program or project requiring parents' prior written consent is a program or project designed to explore or develop new or unproven teaching methods or techniques. These programs or projects are designated as research or experimental projects or programs. The educational materials of a program or project designated as a research or experimental program or project may be inspected and reviewed by the parents of the students participating or being considered for participation in the program or project. The inspection and review by the parents is in accordance with board policy 605.2, "Instructional Materials Inspection."

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

Legal Reference:
20 U.S.C. § 1232h (2006).
34 C.F.R. Pt. 98 (2006).
Iowa Code §§ 279.8, .10; 280.3 (2009).
281 I.A.C. 12.5, .8.

Cross Reference:
602 Curriculum Development
603 Instructional Curriculum

Approved 08/08/94 Reviewed 05/08/17 Revised 04/11/11

603.1 BASIC INSTRUCTION PROGRAM

The basic instruction program will include the courses required for each grade level by the State Department of Education. The instructional approach will be gender fair and multicultural.

The basic instruction program of students enrolled in kindergarten is designed to develop healthy emotional and social habits, language arts and communication skills, the capacity to complete individual tasks, character education and the ability to protect and increase physical well-being with attention given to experiences relating to the development of life skills and human growth and development.

The basic instruction program of students enrolled in grades one through six will include English-language arts, social studies, mathematics, science, health, human growth and development, physical education, traffic safety, music, visual art and computer science. Computer science will be offered during at least one grade level.

The basic instruction program of students enrolled in grades seven and eight will include English-language arts, social studies, mathematics, science, health, human growth and development, family and consumer, career, technology education, physical education, music, visual art and computer science. Computer science will be offered during at least one grade level.

The basic instruction program of students enrolled in grades nine through twelve will include English-language arts (6 units), social studies (5 units), mathematics (6 units), science (5 units), health (1 unit), physical education (1 unit), fine arts (3 units), foreign language (4 units), financial literacy (1/2 unit), vocational education (12 units) and computer science (1/2 unit).

The board may, in its discretion, offer additional courses in the instruction program for any grade level.

Each instruction program is carefully planned for optimal benefit taking into consideration the financial condition of the school district and other factors deemed relevant by the board or superintendent. Each instruction program's plan should describe the program, its goals, the effective materials, the activities and the method for student evaluation.

It is the responsibility of the superintendent to develop administrative regulations stating the required courses and optional courses for kindergarten, grades one through six, grades seven and eight, and grades nine through twelve.

NOTE: This policy reflects the educational standards. The financial literacy requirement is effective with the 2021 graduation class. The computer science requirement for grades one through eight are effective with the school year beginning July 1, 2023. The computer science requirement for grades nine through twelve is effective with the school year beginning July 1, 2022. Districts must also develop and implement a kindergarten through grade twelve computer science plan by July 1, 2022 which incorporates the educational standards.

Legal Reference:
20 U.S.C. § 1232h.
34 C.F.R. Pt. 98.
Iowa Code §§ 216.9; 256.11; 279.8; 280.3-.14.
281 I.A.C. 12.5; .11.

Cross Reference:
102 Equal Educational Opportunity
103 Long-Range Needs Assessment
505 Student Scholastic Achievement
602 Curriculum Development
603 Instructional Curriculum

Approved 08/08/94 Reviewed 04/12/21 Revised 04/12/21

603.2 SUMMER SCHOOL INSTRUCTION

The Shenandoah Community School District recognizes the importance of ongoing learning opportunities for students. As such, the district shall offer summer school instruction in accordance with the following:

- The board, in its discretion, may offer summer school for one or more courses and student activities for students who need additional help and instruction or for enrichment in those areas. Upon receiving a request for summer school, the board will weigh the benefit to the students and the school district as well as the school district's budget and availability of licensed employees to conduct summer school.

- If a child who is eligible for special education has been determined to need extended school year services as necessary to receive a free appropriate public education, as determined according to state and federal law, such services shall be provided as described in the child's individualized education program.

- In additional instances as provided by law.

The superintendent may develop administrative regulations regarding this policy.

Legal Reference: Iowa Code §§ 279.8,; 280.3; 282.6.
281 IAC 41.106.

Cross Reference:
410.3 Summer School Licensed Employees
505.2 Student Promotion – Retention – Acceleration
603 Instructional Curriculum
711.7 Summer School Transportation

Approved 08/08/94 Reviewed 05/08/17 Revised 04/11/11

603.3 SPECIAL EDUCATION

The board recognizes some students have different educational needs than other students. The board will provide a free appropriate public education program and related services to students identified in need of special education. The special education services will be provided from birth until the appropriate education is completed, age twenty-one or to maximum age allowable in accordance with the law. Students requiring special education will attend general education classes, participate in nonacademic and extracurricular services and activities and receive services in a general education setting to the maximum extent appropriate to the needs of each individual student. The appropriate education for each student is written in the student's Individualized Education Program (IEP).

Special education students are required to meet the requirements listed for special education students in board policy 505.5 and in their IEPs for graduation. It is the responsibility of the superintendent and the area education agency director of special education to provide or make provisions for appropriate special education and related services.

Children from birth through age 2 and children age 3 through age 5 are provided comprehensive special education services within the public education system. The school district will work in conjunction with the area education agency to provide services, at the earliest appropriate time, to children with disabilities from birth through age 2. This is done to ensure a smooth transition of children entitled to early childhood special education services.

NOTE: This is a mandatory policy and reflects state and federal law. For more detailed discussion of this issue, see IASB's Policy Primers, Vol. 20 #7 – Dec. 4, 2008 and 13 #3- Jan. 22, 2001.

Legal Reference:
Board of Education v. Rowley, 458 U.S. 176 (1982).
Springdale School District #50 v. Grace, 693 F.2d 41 (8th Cir. 1982). *Southeast Warren Comm. School District v. Dept. of Public Instruction*, 285 N.W.2d 173 (Iowa 1979).
20 U.S.C. §§1400 *et seq.*
34 C.F.R. Pt. 300 *et seq.*
Iowa Code §§ 256.11(7); 256B; 273.1, .2, .5, .9(2)-(3); 280.8.
281 I.A.C. 41.109; 41.404

Cross Reference:
503 Student Discipline
505.5 Graduation Requirements
506 Student Records
507.2 Administration of Medication to Students
507.8 Student Special Health Services
601.1 School Calendar
603 Instructional Curriculum

Approved 08/08/94 Reviewed 04/12/21 Revised 04/12/21

603.4 MULTICULTURAL AND NONSEXIST 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 or disability.

The education program is free of discrimination and provides equal opportunity for the students. The education program will foster knowledge of and respect and appreciation for the historical and contemporary contributions of diverse cultural groups, as well as men and women, to society. Special emphasis is placed on Asian-Americans, African-Americans, Hispanic-Americans and persons with disabilities. It will also reflect the wide variety of roles open to both men and women and provide equal opportunity to both sexes.

Legal Reference: Iowa Code §§ 216.9; 256.11 (2011).
281 I.A.C. 12.5(8).

Cross Reference:
103 Equal Educational Opportunity
505 Student Scholastic Achievement
600 Goals and Objectives of the Education Program

Approved 08/08/94 Reviewed 05/08/17 Revised 04/11/11

603.5 HEALTH EDUCATION

Students in grade levels one through twelve will receive, as part of their health education, instruction about personal health; food and nutrition; environmental health; safety and survival skills; consumer health; family life; human growth and development; substance abuse and non- use, including the effects of alcohol, tobacco, drugs and poisons on the human body; human sexuality; self-esteem; stress management; interpersonal relationships; emotional and social health; health resources; prevention and control of disease; and communicable diseases, including acquired immune deficiency syndrome. The purpose of the health education program is to help each student protect, improve and maintain physical, emotional and social well-being.

The areas stated above are included in health education and the instruction are adapted at each grade level to aid understanding by the students.

Parents who object to health education instruction in human growth and development may file a written request that the student be excused from the instruction. The written request will include a proposed alternate activity or study acceptable to the superintendent. The superintendent will have the final authority to determine the alternate activity or study.

Legal Reference: Iowa Code §§ 256.11; 279.8; 280.3-.14 (2011).
281 I.A.C. 12.5.

Cross Reference:
502 Student Rights and Responsibilities
503 Student Discipline
603 Instructional Curriculum
607 Instructional Services

Approved 08/08/94 Reviewed 05/08/17 Revised 04/11/11

603.5 E1 HUMAN GROWTH AND DEVELOPMENT STUDENT EXCUSE FORM

Student Name:_____ Grade: _____

Parent/Guardian:_____ Phone #: _____

Please list the curricular objective(s) from which you wish to have your child excused and the class or grade in which each is taught. An example is provided for you to follow.

	Objective	Class / Grade
Ex.	To understand the consequences of responsible and irresponsible sexual behavior.	Health Education
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		

I have reviewed the Human Growth and Development program goals, objectives, and materials and wish my child to be excused from class when these objectives are taught. I understand my child will incur no penalty but may/will 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)

603.6 PHYSICAL EDUCATION

Students in grades one through twelve are required to participate in physical education courses unless they are excused by the principal of their attendance center.

Students may be excused from physical education courses if the student presents a written statement from a doctor stating that such activities could be injurious to the health of the student or the student has been exempted because of a conflict with the student's religious beliefs.

Students in grades 9-12 may also be excused from physical education courses if:

- the student is enrolled in academic courses not otherwise available, or
- the student has obtained a physical education waiver for a [*semester or trimester*] because the student is actively involved in an athletic program.

Twelfth grade students may also be excused from physical education courses if the student is enrolled in a cooperative, work study or other educational program authorized by the school which requires the student's absence from school.

Students who will not participate in physical education must have a written request or statement from their parents.

Legal Reference: Iowa Code § 256.11 (2011).
281 I.A.C. 12.5.

Cross Reference:
502 Student Rights and Responsibilities
504 Student Activities
603 Instructional Curriculum

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603.7 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 will 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 is 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, will review the means in which career education is combined with other instructional programs.

Legal Reference: Iowa Code §§ 256.11, .11A; 280.9 (2011).
281 I.A.C. 12.5(7).

Cross Reference: 603 Instructional Curriculum

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603.8 TEACHING ABOUT RELIGION

The school district is required to keep the practice of religion out of the school curriculum. The board recognizes the key role religion has played in the history of the world and authorizes the study of religious history and traditions as part of the curriculum. Preferential or derogatory treatment of a single religion will not take place.

It is the responsibility of the superintendent to ensure the study of religion in the schools in keeping with the following guidelines:

- the proposed activity must have a secular purpose;
- the primary objective of the activity must not be one that advances or inhibits religion; and
- the activity must not foster excessive governmental entanglement with religion.

Legal Reference:
U.S. Const. amend. I.
Lee v. Weisman. 112 S.Ct. 2649 (1992).
Lemon v. Kurtzman, 403 U.S. 602 (1971).
Graham v. Central Community School District of Decatur County, 608 F.Supp. 531 (S.D. Iowa 1985).
Iowa Code §§ 279.8; 280.6 (2011).

Cross Reference:
502 Student Rights and Responsibilities
603 Instructional Curriculum
604.5 Religious-Based Exclusion from a School Program

Approved 08/08/94 Reviewed 05/08/17 Revised 04/11/11

603.8R1 TEACHING ABOUT RELIGION REGULATION - RELIGIOUS HOLIDAYS

The historical and contemporary significance of religious holidays may be included in the education program provided that the instruction is presented in an unbiased and objective manner. The selection of holidays to be studied will take into account major celebrations of several world religions, not just those of a single religion. Holiday-related activities will be educationally sound and sensitive to religious differences and will be selected carefully to avoid the excessive or unproductive use of school time. Teachers will be especially careful in planning activities that are to take place immediately preceding or on a religious holiday.

Music, art, literature and drama having religious themes (including traditional carols, seasonal songs and classical music) will be permitted if presented in an objective manner without sectarian indoctrination. The emphasis on religious themes is only as extensive as necessary for a balanced and comprehensive study or presentation. Religious content included in student performances is selected on the basis of its independent educational merit and will seek to give exposure to a variety of religious customs, beliefs and forms of expression. Holiday programs, parties or performances will not become religious celebrations or be used as a forum for religious worship, such as the devotional reading of sacred writings or the recitations of prayers.

The use of religious symbols (e.g. a cross, menorah, crescent, Star of David, lotus blossom, nativity scene or other symbol that is part of a religious ceremony) are permitted as a teaching aid, but only when such symbols are used temporarily and objectively to give information about a heritage associated with a particular religion. The Christmas tree, Santa Claus, Easter eggs, Easter bunnies and Halloween decorations are secular, seasonal symbols and as such can be displayed in a seasonal context.

Expressions of belief or nonbelief initiated by individual students is permitted in composition, art forms, music, speech and debate. However, teachers may not require projects or activities which are indoctrina or force students to contradict their personal religious beliefs or nonbeliefs.

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603.9 ACADEMIC FREEDOM

The board believes students should have an opportunity to reach their own decisions and beliefs about conflicting points of view. Academic freedom is the opportunity of licensed employees and students to study, investigate, present, interpret, and discuss facts and ideas relevant to the subject matter of the classroom and appropriate to and in good taste with the maturity and intellectual and emotional capacities of the students.

It is 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 is the responsibility of the principal to ensure academic freedom is allowed but not abused in the classroom.

Legal Reference: Iowa Code §§ 279.8; 280.3, .6 (2011).

Cross Reference:
- 502 Student Rights and Responsibilities
- 603 Instructional Curriculum
- 903.5 Distribution of Materials

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603.10 GLOBAL EDUCATION

Because of our growing interdependence with other nations in the world, global education is incorporated into the education program for grades kindergarten through twelve so that students have the opportunity to acquire a perspective on world issues, problems, and prospects for an awareness of the relationship between an individual's self-interest and the concerns of people elsewhere in the world.

Legal Reference: Iowa Code §§ 256.11.
281 I.A.C. 12.5(11).

Cross Reference: 602 Curriculum Development
603 Instructional Curriculum

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603.11 CITIZENSHIP

Being a citizen of the United States, of Iowa and of the school district community entitles students to special privileges and protections as well as requiring the students to assume civic, economic and social responsibilities and to participate in their country, state and school district community in a manner that entitles them to keep these rights and privileges.

As part of the education program, students will have an opportunity to learn about their rights, privileges, and responsibilities as citizens of this country, state and school district community. As part of this learning opportunity students are instructed in the elements of good citizenship and the role quality citizens play in their country, state and school district community.

NOTE: This is a mandatory policy.

Legal Reference: Iowa Code §§ 256.11.
281 I.A.C. 12.3(6), 12.5(3)(b)-(5)(b).

Cross Reference:
101 Educational Philosophy of the School District
502 Student Rights and Responsibilities
503 Student Discipline

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603.12 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 is the responsibility of the instructor to present full and fair opportunity and means for students to study, consider and discuss all sides of controversial issues including, but not limited to, political philosophies.

It is the responsibility of the instructor to protect the right of the student to study pertinent controversial issues within the limits of good taste and to allow the student to express personal opinions without jeopardizing the student's relationship with the teacher.

It is 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 will 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.

Legal Reference: Iowa Code §§ 256.11, .11A; 279.8 (2011).

Cross Reference:
- 502.5 Freedom of Expression
- 603 Instructional Curriculum
- 604.5 Religious-Based Exclusion From A School Program

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604.1 COMPETENT PRIVATE INSTRUCTION

In the event a child of compulsory attendance age, over age six and under age sixteen, does not attend public school or an accredited nonpublic school the child must receive competent private instruction.

A parent choosing competent private instruction for a student must notify the school district prior to the first day of school on forms provided by the school district. The forms are available in the central administration office. One copy of the completed forms will be kept by the school district and another copy will be forwarded to the area education agency.

The superintendent will determine whether the completed form is in compliance with the law. Specifically, the superintendent will determine whether the individual providing the instruction is either the student's parent, guardian, legal custodian or an Iowa licensed practitioner; whether the licensed practitioner's license is appropriate for the age and grade level of the student; that the student is being instructed a minimum of one hundred and forty-eight days per year; that immunization evidence is provided for students placed under competent private instruction for the first time and that the report is timely filed.

The school district will report noncompliance with the reporting, immunization, attendance, instructor qualifications, and assessment requirements of the compulsory attendance law to the county attorney of the county of residence of the student's parent, guardian or custodian.

Students receiving competent private instruction are eligible to request open enrollment to another school district. Prior to the request for open enrollment, the student will request dual enrollment in the resident district. The receiving district will 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 will notify the resident district. The resident district will then report the noncompliance to the county attorney of the county of residence of the parent, guardian or custodian.

Students receiving competent private instruction from a parent, guardian or legal custodian must be evaluated annually by May 1 unless such person is properly licensed. The parent, guardian or legal custodian may choose either a standardized test approved by the Iowa Department of Education or a portfolio evaluation. If the parent, guardian or legal custodian chooses standardized testing and the student is dual enrolled, the school district will pay for the cost of the standardized test and the administration of the standardized test. If the student is not dual enrolled, the parent, guardian or legal custodian will reimburse the school district for the cost of the standardized test and the administration of the standardized test. If a parent, guardian or legal custodian of a student receiving competent private instruction chooses portfolio assessment as the means of annual assessment, the portfolio evaluator must be approved by the superintendent. Portfolio evaluators must hold a valid Iowa practitioner's license or teacher certificate appropriate to the ages and grade levels of the children whose portfolios are being assessed. No annual evaluation is required for students receiving competent private instruction from an appropriately licensed or certified Iowa practitioner.

Upon the request of a parent, guardian or legal custodian of a student receiving competent private instruction or upon referral of a licensed practitioner who provides instruction or instructional supervision of a student under competent private instruction, the school district will refer a student who may require special education to the area education agency, Division of Special Education, for evaluation.

Students in competent private instruction must make adequate progress. Adequate progress includes scoring at the thirtieth percentile on a standardized test or a report by the portfolio evaluator indicating adequate progress. Students who fail to make adequate progress under competent private instruction provided by the student's parent, guardian or legal custodian will attend an accredited public or nonpublic school beginning the next school year. The parent, guardian or legal custodian of a student who fails to make adequate progress may apply to the director

of the Department of Education for approval of continued competent private instruction under a remediation plan.

The remediation plan is for no more than one year. Before the beginning of the school year, the student may be re-tested and if the student achieves adequate progress the student may remain in competent private instruction.

Legal Reference: Iowa Code §§ 256.11; 279.10, .11; 299.1-.6, .11, .15, .24, 299A (2011).
281 I.A.C. 31.

Cross Reference:
501 Student Attendance
502 Student Rights and Responsibilities
504 Student Activities
507.1 Student Health and Immunization Certificates
604.1E1 Competent Private Instruction Report
604.7 Dual Enrollment
604.9 Home School Assistance Program

Approved 08/08/94 Reviewed 05/08/17 Revised 04/11/11

604.1E1 COMPETENT PRIVATE INSTRUCTION REPORT

IOWA CODE § 299.4
20 -20 School Year

Form A (Completed by the Parent) Date when returned_____
Required information:

Required Information: See instructions before completing (pages 4-6).
The following information is required in accordance with IOWA CODE section 299A.9. Parent/Guardian must submit this report in duplicate to the school district of residence. This report is required if the student is between the ages of 6 years old and 15 by September 15 and does not attend an Iowa public or accredited nonpublic school or is not enrolled in a home school assistance program operated by an Iowa public or accredited nonpublic school. **Return this form to the school district secretary by September 15 or within 14 calendar days of removing the student from a public or accredited nonpublic school or 14 calendar days from moving into the school district.** *(If you are enrolled in a home school assistance program, please notify the district if you plan to dual enroll.)*

1) Child and Family Information: (Name and birth date of child under competent private instruction.)

Name:	**Birth Date:**

2) Name and address of person filing report. (Please check the appropriate box after "name")

Name:	**Parent**	**Guardian**	**Legal Custodian**
Address:	**City, Zip:**		
Phone # (optional)			

3) Immunization Evidence: If filing Form A for the 1st time, attach immunization information. (Proof of immunization is required of all children receiving CPI, including those enrolled in a HSAP)

4) Instructional Program Information:
Outline the course of study on a separate page(s) as shown below. Attach lesson plans on separate page(s).

Subject:	**Text, Publisher, and Author:**	**Time Spent:**

5) List number of days of instruction under competent private instruction _____
(Must be at least 148 days per academic year, IOWA CODE section 299A.1).

6) If an appropriately licensed Iowa teacher will provide or supervise the parent, guardian, or legal custodian in providing the instruction, give the teacher's name and folder number.

Name:	**Teacher Folder Number:**
Address:	**Teacher signature- (optional):**
City, State / Zip:	**Phone Number- (optional):**

7) If an Iowa licensed teacher is not providing instruction or supervising the parent, guardian, or legal custodian providing instruction the child must take an annual assessment. (Please see the acceptable annual assessments listed in this Iowa Department of Education handbook: http://tinyurl.com/52xj2t). The school district will notify parents by October 1st of testing dates.)

Parent / Guardian / Legal Custodian Signature:

The Following Information is Optional….
However, if you want your child to access special education programs or services,
Or if your child plans to participate in any academic or extracurricular activities at your local school district,
Or if you wish to have your child's annual assessment provided at no charge, ***complete the following:***

8) Is the child currently identified as a child requiring special education pursuant to the rules of special education? (281-31.2(1)"b"(2). _____Yes _____No

If the child is currently identified as a child requiring special education, prior approval must be sought from the special education director at the Area Education Agency before the child may receive Competent Private Instruction in Iowa. IOWA CODE section 299A.9

9) Do you desire dual enrollment in the public school for the child under competent private instruction? Yes _____No_____(If no, skip to #10.)

Dual enrollment is desired for: *(Check all that apply)*

A. Academic_____Extra-curricular activities___Testing____Special Education _____

B. Grade Level for the 20 -___school year _____

C. Subjects or Activities you wish your child to dual enroll in:

1st Semester:	2nd Semester:

10) Do you desire to enroll in a Home School Assistance Program if offered? Yes__No _____

Deadline for dual enrollment and/or Home School Assistance Program is September 15th, within 14 calendar days after moving to the district, or within 14 calendar days after removing the child from school.

Note: Due to the restrictions as to the number of students who may be served in a Home School Assistance Program, timely filed requests may be denied if the program already serves 20 families or 40 students per teacher. 281-IAC 31.3(3)

INSTRUCTIONS FOR FORM A

Parents with children under competent private instruction need to submit two copies of Form A to the local public school district. After the school district receives and checks the form for completion, one copy of the form should be filed **with the local district and the other copy the district sends to the secretary of the AEA. DO NOT SEND A COPY TO THE Department of Education.** *NOTE: If you change your district of residence during the school year, you must also complete this form for your new district of residence.*

The due date is the first day of school or no more than 14 calendar days after the child has been removed from an Iowa accredited school or after moving into the district,

The form is designed to allow the parent to provide the required information, items 1-6. Items 7 and 8 are informational and items 9 and 10 are optional. If you plan to dual enroll your child in an academic course or extracurricular activity, complete item 9. *(See the timeline page 8 in the handbook http://tinyurl.com/3vd6aq)* for an explanation of the dual enrollment deadline.)

Items 1& 2: All information must be supplied. Only one child per form.

Item 3: If filing Form A for the first time, attach immunization evidence. A child who begins home schooling/competent private instruction for the first time in Iowa (including children enrolled in a HSAP) must have received the required immunizations unless parents file a doctor's statement or an affidavit of religious exemption as outlined in section 139A.8, Code of Iowa. For exemption forms, please call 1-888- 398-9696.

Item 4: List the subjects taught, the texts used, the text publisher or author, and the amount of time spent on each subject listed. Parents need to attach the course of study information separately. Lesson plans may be accepted for the entire year or for shorter periods of time. The lessons should show evidence of planning.

Item 5: The number listed must be at least 148 school days. *Exception:* If a child was enrolled in a public or accredited nonpublic school during the current academic year, then switched to home schooling, the number on this line may be the number of days remaining of the 148 school days after subtracting the number of days the child was in attendance in the school.

Item 6: In some situations, a person other than the child's parent, legal guardian, or legal custodian either provides or supervises the instruction for the child. This person must hold a valid Iowa-teaching license appropriate to the age and grade of the child. The teacher's name, address, and folder number must be provided in this item. The school district will check the licensure of this person by contacting the Bureau of Practitioner Preparation and Licensure, Iowa Department of Education at the following Web site: http://www.boee.iowa.gov/ or by calling (1-515-281-3245). An elementary classroom teacher license is appropriate for teaching or supervising home schooling in grades K-6; a middle school or secondary license is appropriate for grades 5-8, and a secondary classroom teacher license is appropriate for grades 7-12. If item 6 is blank, and the child is between the ages of 7 and 15, inclusive, during the current school year, the child is subject to the baseline testing/annual assessment requirement. (If parent/guardian/legal custodian is a licensed teacher or working with a licensed teacher who holds a license appropriate to the age and grade of the child or if the child is enrolled in a private school accredited by a regional or national accrediting organization, the child is not required to take an annual assessment. A courtesy test may be requested, see note in item number 7.)

Item 7: Children receiving competent private instruction are subject to the assessment requirement if they fit both of these criteria:

1. AGE -- the child is between the ages of 7 and 15, inclusive, of the current school year.

2. TEACHER -- the child's instruction is not provided or supervised by a person holding a valid Iowa teacher license appropriate to the age and grade ofthe child.

All children fitting both criteria must have a baseline test in their first year of home schooling. Each year after the baseline test, as long as they still fit both criteria, they need an annual assessment of educational progress, which may be conducted using standardized testing, portfolio assessment, or a report card from an accredited correspondence school, Children under or over the age limits by September 15 are not subject to the annual assessment. Likewise, if an appropriately licensed Iowa teacher provides or supervises a parent, guardian, or legal custodian in providing the child's instruction, the child is not subject to assessment, regardless of age.

Subjects that must be assessed:

- For children up through grade 5:Reading, Language Arts, and Mathematics:
- For children in grades 6-12: Reading, Language Arts, Mathematics, Science, and Social Studies.

Home-schooled children subject to the testing requirement must be tested annually in these subjects even if the school district does not test its own students. National percentile ranks and national grade equivalents must be included on the score report from the test scoring service.

A detailed list of tests is in this handbook. Schools or AEAs providing the testing should attempt to accommodate these preferences. Schools may provide the testing themselves or may delegate it to the AEA. Schools should notify parents by October 1 of the dates, sites, and time of testing. If parents of a dual enrolled student subject to the assessment requirement request testing in their home, it must be provided at that site. If a portfolio is used as an annual assessment, the parent, guardian, or legal custodian identifies the licensed teacher to evaluate the portfolio. The deadline for completing assessments is May 1st of each year and the test administrator or portfolio evaluator must send a copy of the results to the parents and the school district by June 30. An evaluator holding an elementary teaching license is appropriate for evaluating a portfolio for students in grades K-6, a middle school license for grades 5-8, and a secondary classroom teacher license is appropriate for grades 7-12. 281 l.A.C. 31.7(4)

Special note about "courtesy testing." Occasionally, parents of children who are not subject to the baseline/annual assessment requirement may want their child tested anyway. As when an annual assessment is required, if the child is not dual enrolled, the parents pay the costs. If the child is dual enrolled, the school or AEA must provide the testing free, but need not provide a test, testing time, or testing site other than the one(s) established by the school for its regular enrollees.

Item 8: A child of compulsory attendance age, who is identified as requiring special education under chapter 256B and is receiving Competent Private Instruction, is eligible for placement under Competent Private Instruction with prior approval of the placement by the director of special education of the area education agency of the child's district of residence. It is the duty of the parent/guardian to send a copy of Form A to the school district and the Area Education Agency Director of Special Education for approval. IOWA CODE section 299A.9 *Note: In order for a child who receives CPI to receive special education services, the child must be dual enrolled. (See Item 9)*

Item numbers 9 and 10 are optional.

Item 9: Dual enrolled students may participate in coursework or activities on the same basis as regularly enrolled students. This item is required if parents wish to have their children participate in an academic course, extracurricular activity, or to have the standardized test paid for by the district. Dual enrollment is also required if the child is to receive special education programs or services. If parents/guardians/legal custodians want their

child dual enrolled in a course or activity the course or activities need to be listed. Districts need to develop procedures to ensure that dual enrolled students and their parents are given adequate notice of the time and place of the activities they have chosen.

The deadline for dual enrollment is September 1 5 if the parents begin CPI at the start of the school year, 14 calendar days after moving, or 14 calendar days after withdrawing from school. The district may deny dual enrollment if the request is after the deadline.

Item 10: School districts are not required to offer a home school assistance program. If your local school district has a program, students will be supervised by a licensed teacher that is hired by the school district. To participate in courses or activities that are offered by the school, the child must be dual enrolled. (This item is designed to help districts determine if they need to start a program.)

SCHOOLS-Please give parents the FERPA notification letter when a Form A is requested. Districts shall determine what directory information is and who the local contact is. When the parent gives "opt out" instructions to the school, the AEA's have requested that the LEA send a copy to them.

PARENTS/GUARDIANS-Please review the FERPA form and return to the school.

604.2 INDIVIDUALIZED INSTRUCTION

The board's primary responsibility in the management of the school district is the operation and delivery of the regular education program. Generally, students attending the school district will receive the regular education program offered by the district. Only in exceptional circumstances will the board approve students receiving individualized instruction at the expense of the school district.

Recommendations from the superintendent for individualized instruction will state the need for the instruction, the objectives and goals sought for the instruction, the employee requirements for the instruction, the implementation procedures for the instruction and the evaluation procedures and processes that will be used to assess the value of the instruction.

It is the responsibility of the superintendent to develop administrative regulations for individualized instruction.

Legal Reference: Iowa Code §§ 256.11; 279.8, .10, .11; 280.3, .14; 299.1-.6, .11, .15, .24; 299A (2009).

Cross Reference: 501.12 Pregnant Students
604.1 Competent Private Instruction

Approved 08/08/94 Reviewed 05/08/17 Revised 04/11/11

604.3 PROGRAM FOR TALENTED AND GIFTED STUDENTS

The board recognizes some students require programming beyond the regular education program. The board will identify students with special abilities and provide education programming.

It is the responsibility of the superintendent to develop a talented and gifted program which provides for identifying students, for program evaluation, and for training of employees.

Legal Reference: Iowa Code §§ 257.42-.49 (2009).
281 I.A.C. 12.5(12); 59.

Cross Reference: 505 Student Scholastic Achievement
604.6 Instruction at a Post-Secondary Educational Institution

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604.4 PROGRAM FOR AT-RISK STUDENTS

The board recognizes some students require additional assistance in order to graduate from the regular education program. The board will provide a plan to encourage and provide an opportunity for at-risk students to achieve their potential and obtain their high school diploma.

It is the responsibility of the superintendent to develop a plan for students at-risk which provides for identifying students, for program evaluation, and for the training of employees.

Legal Reference: Iowa Code §§ 257.38-.41; 280.19, .19A (2009).
281 I.A.C. 12.5(13); 33; 61; 65.

Cross Reference: 505 Student Scholastic Achievement
607.1 Student Guidance and Counseling Program

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604.5 RELIGIOUS-BASED EXCLUSION FROM A SCHOOL PROGRAM

Parents who wish to have their child excluded from a school program because of religious beliefs must inform the superintendent. The board authorizes the administration to allow the exclusion if it is not disruptive to the education program and it does not infringe on a compelling state or educational interest. Further, the exclusion must not interfere with other school district operations. Students who are allowed to be excluded from a program or activity which violates their religious beliefs are required to do an alternate supervised activity or study.

In notifying the superintendent, the parents will abide by the following:

- The notice is in writing;
- The objection is based on religious beliefs;
- The objection will state which activities or studies violate their religious beliefs;
- The objection will state why these activities or studies violate their religious beliefs; and
- The objection will state a proposed alternate activity or study.

The superintendent will have discretion to make this determination. The factors the superintendent will consider when a student requests to be excluded from a program or activity because of religious beliefs include, but are not limited to, staff available to supervise a student who wishes to be excluded, space to house the student while the student is excluded, available superintendent-approved alternative course of study or activity while the student is excluded, number of students who wish to be excluded, whether allowing the exclusion places the school in a position of supporting a particular religion, and whether the program or activity is required for promotion to the next grade level or for graduation.

Legal Reference:
U.S. Const. amend. I.
Lee v. Weisman, 112 S.Ct. 2649 (1992).
Lemon v. Kurtzman, 403 U.S. 602 (1971).
Graham v. Central Community School District of Decatur County, 608 F.Supp. 531 (S.D. Iowa 1985).
Iowa Code §§ 256.11(6); 279.8 (2009).

Cross Reference:
603 Instructional Curriculum
606.3 School Ceremonies and Observances

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604.6 INSTRUCTION AT A POST-SECONDARY EDUCATIONAL INSTITUTION

In accordance with this policy, students in grades nine through twelve may receive academic or career and technical credits that count toward the graduation requirements set out by the board for courses successfully completed in post-secondary educational institutions. Students and parents or guardians shall be made aware of the post-secondary instructional opportunities as part of the development of each student's individual career and academic plan as required by law. The Superintendent or designee is responsible for developing the appropriate forms and procedures for implementing this policy and following post-secondary educational opportunities:

Concurrent Enrollment
The board may, in its discretion, enter into a contractual agreement with a community college to provide courses for eligible students in grades nine through twelve when comparable courses are not offered by the school district. Notice of the availability of the concurrent enrollment program shall be included in the school district's registration handbook, and the handbook shall identify which courses, if successfully completed, generate post-secondary credit. Students shall not be charged tuition for concurrent enrollment courses and shall not be required to reimburse the school district for tuition if they do not successfully complete a course. Students or their parents or guardians may be required to pay a fee consistent with the school district's established textbook policy and other materials for the concurrent enrollment course to the extent permitted by law. Students or their parents or guardians may also be required to provide their own transportation to and from concurrent enrollment courses to the extent permitted by law. However, transportation shall be the responsibility of the school district for any contracted course that is used to meet school district accreditation requirements.

Students who successfully complete a concurrent enrollment course, as determined by the postsecondary institution, shall receive postsecondary credit in accordance with the institution's policies and high school credit that will be reflected on their high school transcript. The Superintendent or designee shall grant to a student who successfully completes a concurrent enrollment course a unit of high school graduation credit for every unit of high school level instruction successfully completed.

Post-Secondary Enrollment Option
Ninth and tenth grade students who have been identified by the school district as gifted and talented, and eligible eleventh and twelfth grade students, may utilize the Post-Secondary Enrollment Option ("PSEO") program. To qualify, a course must be a nonsectarian, credit-bearing course that leads to a degree, and in the areas of: mathematics, science, social sciences, humanities, career and technical education. A course is not eligible for PSEO if a comparable course is offered by the school district. In addition, courses at a community college with which the district has a concurrent enrollment agreement are not eligible for PSEO. Students shall not be charged for tuition, textbooks, materials, or fees related to a PSEO course with the exception of equipment that becomes the property of the student.

The school district shall reimburse the post-secondary institution for tuition and other expenses for each PSEO course up to $250. Students who successfully complete a PSEO course, as determined by the postsecondary institution, shall receive postsecondary credit and high school credit. The Superintendent or designee shall grant to a student who successfully completes a PSEO course a unit of high school graduation credit for every unit of high school level instruction successfully completed.

Transportation to and from the postsecondary institution is the responsibility of the student or parent or legal guardian of the student enrolled in a PSEO course. Eligible students may take up to seven hours of post-secondary credit during the summer months and receive high school credit upon successful completion of a post-secondary course. However, the student or student's parent or legal guardian are responsible for all costs

secondary course. However, the student or student's parent or legal guardian are responsible for all costs associated with courses taken during the summer.

Students who fail a PSEO course and fail to receive credit are required to reimburse the school district for all costs directly related to the course up to the $250.00 reimbursement maximum. Prior to registering, students under the age of eighteen are required to have a parent or guardian sign a form indicating that the parent is responsible for the costs of the course should the student fail the course and fail to receive credit. Reimbursement waivers may be granted by the board if sufficient verification is provided to show that the student was unable to complete the course for reasons outside the student's control, including but not limited to physical incapacity, a death in the student's immediate family, or a move out of the school district.

If a student is unable to demonstrate proficiency or the school district or accredited nonpublic school determines that the course unit completed by the student does not meet the school district's standards, the superintendent shall provide in writing to the student's parent or guardian the reason for the denial of credit.

Legal Reference: Iowa Code §§ 256.7, 11; 285; 261E; 279.61; 280.3, 280.14.
281 I.A.C. 12 and 22.

Cross Reference:
505 Student Scholastic Achievement
604.3 Program for Talented and Gifted Students
604.4 Program for At-Risk Students

Approved 08/08/94 Reviewed 04/12/21 Revised 04/12/21

604.7 DUAL ENROLLMENT

The parent, guardian, or custodian of a student receiving competent private instruction may also enroll the student in the school district. The student is considered under dual enrollment. The parent, guardian, or custodian requesting dual enrollment for the student should notify the board secretary prior to the third Friday of September each year on forms provided by the school district. On the form, they will indicate the extracurricular and academic activities in which the student is interested in participating. The forms are available at the central administration office.

A dual enrollment student is eligible to participate in the school district's extracurricular and academic activities in the same manner as other students enrolled in the school district. The policies and administrative rules of the school district will apply to the dual enrollment students in the same manner as the other students enrolled the school district. These policies and administrative rules will include, but not be limited to, athletic eligibility requirements, the good conduct rule, academic eligibility requirements, and payment of the fees required for participation.

A dual enrollment student whose parent, guardian, or custodian has chosen standardized testing as the form of the student's annual assessment will not be responsible for the cost of the test or the administration of the test.

After the student notifies the school district which activities in which they wish to participate, the school district will provide information regarding the specific programs.

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

Legal Reference: Iowa Code §§ 279.8, 299A (2009).
281 I.A.C. 31.

Cross Reference:
502 Student Rights and Responsibilities
503 Student Discipline
504 Student Activities
507 Student Health and Well-Being
604.1 Competent Private Instruction
604.1E1 Competent Private Instruction Report
604.9 Home School Assistance Program

Approved 08/08/94 Reviewed 05/08/17 Revised 04/11/11

604.8 FOREIGN STUDENTS

Foreign students must meet all district entrance requirements including age, place of residence and immunization. Foreign students must be approved by the board. The board reserves the right to limit the number of foreign students accepted. Students who are citizens of a foreign country will be considered residents if they meet one of the following requirements:

- The student resides with his/her parents(s) or legal guardian;
- The student is in the United States with appropriate documentation (Form I-20) from the United States Department of Justice-Immigration and Naturalization Services; or
- The student is a participant in a recognized foreign exchange program; and
- The student is physically able to attend school and has provided the school district with such proof, including a current TB test.

Legal Reference: Iowa Code § 279.8 (2009).

Cross Reference: 501 Student Attendance
507.1 Student Health and Immunization Certificates

Approved 08/08/94 Reviewed 05/08/17 Revised 04/11/11

604.9 HOME SCHOOL ASSISTANCE PROGRAM

The board, recognizing alternatives to education outside the formal public school system, authorizes the establishment of a home school assistance program. This program will assist students receiving competent private instruction by providing licensed employees of the school district to assist the parent, guardian or legal custodian in the education of the student.

The parent, guardian or legal custodian registering for the home school assistance program will agree to comply with the requirements established by the faculty of the program.

Students registered for the home school assistance program will be counted in the basic enrollment.

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

Legal Reference: Iowa Code §§ 279.8; 299A (2009).
281 I.A.C. 31.

Cross Reference:
504 Student Activities
507 Student Health and Well-Being
604.1 Competent Private Instruction
604.7 Dual Enrollment

Approved 08/08/94 Reviewed 05/08/17 Revised 04/11/11

604.10 ONLINE COURSES

The board recognizes that online coursework may be a good alternative for students to not only meet graduation requirements but, also have the opportunity to take advanced or other courses not offered by the school district.

High school students may earn a maximum of seven (7) credits per semester to be applied toward graduation requirements by completing online courses offered through the district or through agencies approved by the board and the Iowa Department of Education. Credit from an on-line or virtual course may be earned only in the following circumstances: *(Choose from the following or add others that fit the policy of the school district.)*

- The course is not offered at the high school;
- Although the course is offered at the high school, the virtual educational setting will be more conducive to the student's individual learning needs;
- Although the course is offered at the high school, the student will not be able to take it due to an unavoidable scheduling conflict that would keep the student from meeting graduation requirements;
- The course will serve as a supplement to extend homebound instruction;
- The student has been expelled from the regular school setting, but educational services are to be continued; or
- The principal, with agreement from the student's teachers and parents, determines the student requires a differentiated or accelerated learning environment.

Students applying for permission to take an online course shall complete prerequisites and provide teacher/counselor recommendations to confirm the student possesses the maturity level needed to function effectively in an online learning environment. In addition, the express approval of the principal shall be obtained before a student enrolls in an on-line course. The school must receive an official record of the student's final percentage and suggested grade before credit toward graduation will be recognized.

Provided online courses are part of the student's regular school day coursework and within budgetary parameters, the tuition costs for an online course shall be borne by the school district during the fall and spring semesters, but may be passed on to the parent/guardian during the summer semester. Any additional costs such as textbooks, rentals or school supplies, shall be borne by the *(school district, parents)* for students enrolled full-time.

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

Legal Reference: Iowa Code § 2569.9(55); 279.8.
281 I.A.C. 15

Cross Reference: 605.6 Internet Appropriate Use
501.6 Student Transfers In

Approved 08/08/94 Reviewed 05/08/17 Revised 04/11/11

Code No. 604.11

604.11 APPROPRIATE USE OF ONLINE LEARNING PLATFORMS

It is important to embrace technology that can foster a creative, interactive learning environment for students, and facilitate employee professional development and collaboration. The use of online platforms to host remote interaction between students and employees and to facilitate learning is encouraged in the district.

While student and employee instruction and communication using virtual and online platforms provides a wide array of learning opportunities, it is imperative that employees and students recognize that the use of such platforms is a privilege. Training related to the use of online learning platforms will be provided to employees and students.

The district shall carefully safeguard the right of students and employees to learn and teach in a respectful environment regardless of the method. All instruction and communication through online learning platforms should be appropriate to the age and ability of the participants. Students and employees should be aware that online platforms may be monitored by the district. Verbal and written communication occurring on these platforms may be recorded and stored by the district in accordance with applicable laws.

Any verbal or written communication on these platforms deemed to be inappropriate will subject the student and/or employee to the same disciplinary measures that would exist if the interaction took place through traditional in-person learning. Students and employees who have concerns about the proper use of these platforms are encouraged to speak with their teachers or building principal. The superintendent will make administrative regulations necessary to enforce this policy.

Legal Reference: 20 U.S.C. §1232g; 34 C.F.R. Part 99
47 U.S.C. §254
20 U.S.C. §6777
Iowa Code §§ 715C

Cross Reference: 104 Anti-Bullying/Anti-Harassment
401.13 Staff Technology Use/Social Networking
506.1 Student Records
605.4 Technology in the Classroom
605.6 Internet Appropriate Use
501.6 Student Transfers In

Approved _____ Reviewed _____ Revised _____

605.1 INSTRUCTIONAL MATERIALS SELECTION

The board recognizes that the selection of instructional materials is a vital component of the school district's curriculum.

The board has sole discretion to approve instructional materials for the school district. The board delegates its authority to determine which instructional materials will be utilized and purchased by the school district to licensed employees. The licensed employees 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 select materials which:

- support the educational philosophy, goals and objectives of the school district;
- consider the needs, age, and maturity of students;
- are within the school district's budget;
- foster respect and appreciation for cultural diversity and difference of opinion;
- stimulate growth in factual knowledge and literary appreciation;
- encourage students to become decision-makers, to exercise freedom of thought and to make independent judgment through the examination and evaluation of relevant information, evidence and differing viewpoints;
- portray the variety of careers, roles, and lifestyles open to persons of both sexes; and,
- 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. The gift must be received in compliance with board policy 704.4, "Gifts - Grants - Bequests."

Legal Reference: Iowa Code §§ 279.8; 280.3, .14; 301 (2009).

Cross Reference:
209.1 Ad Hoc Committees
505 Student Scholastic Achievement 602 Curriculum
605 Instructional Materials

Approved 08/08/94 Reviewed 05/08/17 Revised 04/11/11

605.1R1 SELECTION OF INSTRUCTIONAL MATERIALS

I. Responsibility for Selection of Instructional Materials

A. The Board is responsible for matters relating to the operation of the Shenandoah Community School District.

B. The responsibility for the selection of instructional materials is delegated to the professionally trained and licensed employees of the school system. For the purpose of this rule the term "instructional materials" includes printed and audiovisual materials (not equipment), whether considered text materials or media center materials. The board retains the final authority for the approval of textbooks.

C. While selection of materials may involve many people including principals, teachers, students, parents, community members and media specialists, the responsibility for coordinating the selection of most instructional materials and making the recommendation for the purchase rests with licensed employees. For the purpose of this rule the term "media specialist" includes librarians, school media specialists or other appropriately licensed persons responsible for the selection of media equipment and materials.

D. Responsibility for coordinating the selection of text materials for distribution to classes will rest with the licensed employees, principal and superintendent. For the purpose of this rule the term 'text materials' includes textbooks and other printed and nonprinted material provided in multiple copies for use of a total class or major segment of a class.

E. If the board appoints an ad hoc committee to make recommendations on the selection of instructional materials, the ad hoc committee is formed and appointed in compliance with the board policy on Ad Hoc Committees.

1. The superintendent will inform the committee as to their role and responsibility in the process.

2. The following statement is given to the ad hoc committee members:

- *Bear in mind the principles of the freedom to learn and to read and base your decision on these broad principles rather than on defense of individual materials. Freedom of inquiry is vital to education in a democracy.*

- *Study thoroughly all materials referred to you and read available reviews. The general acceptance of the materials should be checked by consulting standard evaluation aids and local holdings in other schools.*

- *Passages or parts should not be pulled out of context. The values and faults should be weighed against each other and the opinions based on the material as a whole.*

- *Your report, presenting both majority and minority opinions, will be presented by the principal to the complainant at the conclusion of our discussion of the questioned material.*

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 in considered appropriate, but material which advocates rather than informs, or is designed to sway reader judgement 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 of an individual.

C. Sexism - Material will reflect a 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 media specialists and licensed staff who will take into consideration their reading of public and community standards of morality.

G. Controversial issues materials will be directed toward maintaining a balanced collection representing various views.

The selection decision should be made on the basis of whether the material presents an accurate representation of society and culture, whether the circumstances depicted are realistically portrayed, or whether the material has literary or social value when the material is viewed as a whole.

These guidelines 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, media center 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 is consistent with stated principles of selection. These principles are:
   a. To select material, within established standards, which will meet the goals and objectives of the school district;
   b. To consider the educational characteristics of the community in the selection of materials within a given category;
   c. To present the sexual, racial, religious and ethnic groups in the community by:
      1. Portraying people, both men and women, adults and children, whatever their ethnic, religious or social class identity, as human and recognizable, displaying a familiar range of emotions, both negative and positive.
      2. Placing no constraints on individual aspirations and opportunity.
      3. Giving comprehensive, accurate, and balanced representation to minority groups and women - in art and science, history and literature, and in all other fields of life and culture.
      4. Providing abundant recognition of minority groups and women by showing them frequently in positions of leadership and authority.
   d. To intelligently, quickly, and effectively anticipate and meet needs through awareness of subjects of local, national and international interest and significance; and,
   e. To strive for impartiality in the selection process.

3. The materials selected 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 finding of recent and authoritative research.
   c. Treatment of subject-shows an objective reflection for the multi-ethnic character and cultural diversity of society.
   d. Language:
      1. Vocabulary:
         a. Does not indicate bias by the use of words which may result in negative value judgments about groups of people;
         b. Does not use "man" or similar limiting word usage in generalization or ambiguities which may cause women to feel excluded or dehumanized.
      2. Compatible to the reading level of the student for whom it is intended.
   e. Format:
      1. Book
         a. Adequate and accurate index;
         b. Paper of good quality and color;
         c. Print adequate and well spaced;
         d. Adequate margins;
         e. Firmly bound; and,
         f. Cost.
      2. Nonbook
         a. Flexibility, adaptability;
         b. Curricular orientation of significant interest to students;
         c. Appropriate for audience;
         d. Accurate authoritative presentation;
         e. Good production qualities (fidelity, aesthetically adequate);
         f. Durability; and,
         g. Cost.
      3. Illustrations of book and nonbook materials should:

a. Depict instances of fully integrated grouping and settings to indicate equal status and nonsegregated social relationships.
b. Make clearly apparent the identity of minorities;
c. Contain pertinent and effective illustrations;

4. Flexible to enable the teacher to use parts at a time and not follow a comprehensive instructional program on a rigid frame of reference.

f. Special Features:
1. Bibliographies.
2. Glossary.
3. Current charts, maps, etc.
4. Visual aids.
5. Index.
6. Special activities to stimulate and challenge students.
7. Provide a variety of learning skills.

g. Potential use:
1. Will it meet the requirement of reference work?
2. Will it help students with personal problems and adjustments?
3. Will it serve as a source of information for teachers and librarians?
4. Does it offer an understanding of cultures other than the student's own and is it free of racial, religious, age, disability, ethnic, and sexual stereotypes?
5. Will it expand students' sphere of understanding and help them to understand the ideas and beliefs of others?
6. Will it help students and teachers keep abreast of and understand current events?
7. Will it foster and develop hobbies and special interest?
8. Will it help develop aesthetic tastes and appreciation?
9. Will it serve the needs of students with special problems?
10. Does it inspire learning?
11. Is it relevant to the subject?
12. Will it stimulate a student's interest?

4. Gifts of library or instructional materials may be accepted if the gift meets existing criteria for library and instructional materials. The acceptance and placement of such gifts is within the discretion of the board.

5. In order to provide a current, highly usable collection of materials, media specialists will provide for constant and continuing renewal of the collection, not only the addition of up-to-date materials, but by the judicious elimination of materials which no longer meet school district needs or find use. The process of weeding instructional materials will be done according to established and accepted standards for determining the relevance and value of materials in a given context.

605.2 INSTRUCTIONAL MATERIALS INSPECTION

Parents and other members of the school district community may view the instructional materials used by the students. All instructional materials, including teacher's manuals, films, tapes or other supplementary material which will be used in connection with any survey, analysis, or evaluation as part of any federally funded programs must be available for inspection by parents.

The instructional materials must be viewed on school district premises. Copies may be obtained according to board policy.

It is the responsibility of the superintendent to develop administrative regulations regarding the inspection of instructional materials.

Legal Reference: Goals 2000: Educate America Act, Pub. L. No. 103-227, 108 Stat. 125 (1994).
Iowa Code §§ 279.8; 280.3, .14; 301 (2009).

Cross Reference:
602 Curriculum Development
605 Instructional Materials
901.1 Public Examination of School District Records

Approved 08/08/94 Reviewed 05/08/17 Revised 04/11/11

605.3 OBJECTION TO INSTRUCTIONAL MATERIALS

Members of the school district community may object to the instructional materials utilized in the school district and ask for their use to be reconsidered.

It is the responsibility of the superintendent, in conjunction with the principals, to develop administrative regulations for reconsideration of instructional materials.

Legal Reference: Iowa Code §§ 279.8; 280.3, .14; 301 (2009).

Cross Reference:
- 215 Public Participation in Board Meetings
- 402.5 Public Complaints About Employees
- 505 Student Scholastic Achievement
- 602 Curriculum Development
- 605 Instructional Materials

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605.3E1 INSTRUCTIONS TO THE RECONSIDERATION COMMITTEE

The policy of this school district related to selection of learning materials states that any member of the school district community may formally challenge instructional materials used in the district's education program. This policy allows those persons in the school and the community who are not directly involved in the selection of materials to make their own opinions known. The task of the reconsideration committee is to provide an open forum for discussion of challenged materials and to make an informed recommendation on the challenge. The meetings of the committee may be subject to the open meetings law.

The most critical component of the reconsideration process is the establishment and maintenance of the committee's credibility in the community. For this purpose, the committee is composed of community members. The community should not, therefore, infer that the Committee is biased or is obligated to uphold prior professional decisions. For this same reason, a community member will be selected to chair the committee.

The reconsideration process, the task of this committee, is just one part of the selection continuum. Material is purchased to meet a need. It is reviewed and examined, if possible, prior to purchase. It is periodically re-evaluated through updating, discarding, or re- examination. The committee must be ready to acknowledge that an error in selection may have been made despite this process. Librarians and school employees regularly read great numbers of reviews in the selection process, and occasional errors are possible.

In reconsidering challenged materials, the role of the committee, and particularly the chairperson, is to produce a climate for disagreement. However, the committee should begin by finding items of agreement, keeping in mind that the larger the group participating, the greater the amount of information available and, therefore, the greater the number of possible approaches to the problem.

If the complainant chooses, the complainant may make an oral presentation to the committee to expand and elaborate on the complaint. The committee will listen to the Complainant, to those with special knowledge, and any other interested persons. In these discussions, the committee should be aware of relevant social pressures which are affecting the situation. Individuals who may try to dominate or impose a decision must not be allowed to do so. Minority viewpoints expressed by groups or individuals must be heard, and observers must be made to feel welcome. It is important that the committee create a calm, nonvolatile environment in which to deal with a potentially volatile situation. To this end, the complainant will be kept informed of the progress of the complaint.

The committee will listen to the views of all interested persons before making recommendations. In deliberating its recommendation, the committee should remember that the school system must be responsive to the needs, tastes, and opinions of the community it serves. Therefore, the committee must distinguish between broad community sentiment and attempts to impose personal standards. The deliberations should concentrate on the appropriateness of the material. The question to be answered by the committee is, "Is the material appropriate for its designated audience at this time?"

The committee's final recommendation will be (1) to remove the challenged material from the total school environment, (2) to take no removal action, or (3) to agree on a limitation of the educational use of the materials.

The committee chairperson will instruct the secretary to convey the committee's recommendation to the office of the superintendent. The recommendation should detail the rationale on which it was based. A letter will be sent to the complainant outlining the outcome.

605.3E2 RECONSIDERATION OF INSTRUCTIONAL MATERIALS

RECONSIDERATION REQUEST FORM

Request for re-evaluation of printed or audiovisual material to be submitted to the superintendent.

REVIEW INITIATED BY: DATE: _____

Name _____

Address _____

City/State _____ Zip Code _____ Telephone _____

School(s) in which item is used _____

Relationship to school (parent, student, citizen, etc.) _____

BOOK OR OTHER PRINTED MATERIAL IF APPLICABLE:

Author _____ Hardcover _____ Paperback _____ Other _____

Title _____

Publisher (if known) _____

Date of Publication _____

AUDIOVISUAL MATERIAL IF APPLICABLE:

Title _____

Producer (if known) _____

Type of material (filmstrip, motion picture, etc.) _____

PERSON MAKING THE REQUEST REPRESENTS: *(circle one)*

Self Group or Organization

Name of group _____

Address of Group _____

1 What brought this item to your attention?

2 To what in the item do you object? (please be specific; cite pages, or frames, etc.)

3 In your opinion, what harmful effects upon students might result from use of this item?

4 Do you perceive any instructional value in the use of this item?

5 Did you review the entire item? If not, what sections did you review?

6 Should the opinion of any additional experts in the field be considered?

_____ yes _____ No

If yes, please list specific suggestion _____

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?

_____ (a) Please call the office of the Superintendent
Yes

(b) Please be prepared at this time to indicate the approximate length of time your Minutes.

_____ N

_____ _____

Dated Signature

605.3E3 SAMPLE LETTER TO INDIVIDUAL CHALLENGING INSTRUCTIONAL MATERIALS

Dear:

We recognize your concern about the use of_____in our school district. The school district has developed procedures for selection of instructional materials but realizes that not everyone will agree with every selection made.

To help you understand the selection process, we are sending copies of the school district's:

1. Instructional goals and objectives,
2. Instructional Materials Selection policy statement, and
3. Procedure for reconsideration of instructional materials.

If you are still concerned after you review this material, please complete the Reconsideration Request Form and return it to me. You may be assured of prompt attention to your request. If I have not heard from you within one week, we will assume you no longer wish to file a formal complaint.

Sincerely,

605.3R1 RECONSIDERATION OF INSTRUCTIONAL MATERIALS REGULATION

A. A member of the school district community may raise an objection to instructional materials used in the school district's education program despite the fact that the individuals selecting such material were duly qualified to make the selection and followed the proper procedure and observed the criteria for selecting such material.
   1. The school official or employee receiving a complaint regarding instructional materials will try to resolve the issue informally. The materials will remain in use pending the outcome of the reconsideration procedure.
      a. The school official or employee initially receiving a complaint will explain to the individual the board's selection procedure, criteria to be met by the instructional materials, and qualifications of those persons selecting the material.
      b. The school official or employee initially receiving a complaint will explain to the individual the role of the objected material in the education program, its intended educational purpose, and additional information regarding its use. In the alternative, the employee may refer the individual to the media specialist who can identify and explain the use of the material.
   2. The employee receiving the initial complaint will advise the building principal of the initial contact no later than the end of the school day following the discussion with the individual, whether or not the individual has been satisfied by the initial contact. A written record of the contact is maintained by the principal in charge of the attendance center. Each building principal shall inform employees of their obligation to report complaints.
   3. In the event the individual making an objection to instructional materials is not satisfied with the initial explanation, the individual is referred to the principal or to the media specialist of the attendance center. If, after consultation with the principal or media specialist, the individual desires to file a formal complaint, the principal or media specialist will assist in filling out a Reconsideration Request Form in full and filing it with the superintendent.

B. Request for Reconsideration
   1. A member of the school district community may formally challenge instructional materials on the basis of appropriateness used in the school district's education program. This procedure is for the purpose of considering the opinions of those persons in the school district and the community who are not directly involved in the selection process.
   2. Each attendance center and the school district's central administrative office will keep on hand and make available Reconsideration Request Forms. Formal objections to instructional materials must be made on this form.
   3 The individual will state the specific reason the instructional material is being challenged. The Reconsideration Request Form is signed by the individual and filed with the superintendent.
   4 The superintendent will promptly file the objection with the reconsideration committee for re-evaluation.
   5 Generally, access to challenged instructional material will not be restricted during the reconsideration process. However, in unusual circumstances, the instructional material may be removed temporarily by following the provisions of Section B.6.d. of this rule.
   6 The Reconsideration Committee
      a. The reconsideration committee is made up of eight members.
         (1) One licensed employee designated annually by the superintendent.
         (2) One media specialist designated annually by the superintendent.
         (3) One member of the administrative team designated annually by the superintendent.
         (4) (4)Three members of the community appointed annually by the board.
         (5) (5)Two high school students, selected annually by the high school principal.
      b. The committee will annually select their chairperson and secretary.
      c. The committee will meet at the request of the superintendent.
      d. Special meetings may be called by the board to consider temporary removal of materials in unusual

circumstances. A recommendation for temporary removal will require a two-thirds vote of the committee.

e. Notice of committee meetings is made public through appropriate publications and other communications methods.
f. The committee will receive the completed Reconsideration Request Form from the superintendent.
g. The committee will determine its agenda for the first meeting which may include the following:
   (1) Distribution of copies of the completed Reconsideration Request Form.
   (2) An opportunity for the individual or a group spokesperson to talk about or expand on the
   (3) Reconsideration Request Form.
   (4) Distribution of reputable, professionally prepared reviews of the challenged instructional
   (5) material if available.
   (6) Distribution of copies of the challenged instructional material as available.
h. The committee may review the selection process for the challenged instructional material and may, to its satisfaction, determine that the challenge is without merit and dismiss the challenge. The committee will notify the individual and the superintendent of its action.
i. At a subsequent meeting, if held, interested persons, including the individual filing the challenge, may have the opportunity to share their views. The committee may request that individuals with special knowledge be present to give information to the committee.
j. The individual filing the challenge is kept informed by the reconsideration committee secretary on the status of the Reconsideration Request Form throughout the reconsideration process. The individual filing the challenge and known interested parties is given appropriate notice of meetings.
k. At the second or a subsequent meeting the committee will make its final recommendation.
l. 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 my also make a recommendation but if so, it should be independent from the committee's.

   Following the board's decision with respect to the committee's recommendation, the individual or the chairperson of the reconsideration committee may appeal the decision to the board for review. Such appeal must be presented to the superintendent in writing within five days following the announcement of the superintendent's decision. The board will promptly determine whether to hear the appeal.
m. 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.
n. Requests to reconsider materials which have previously been reconsidered by the committee must receive approval of two-thirds of the committee members before the materials will again be reconsidered. Completed and filed Reconsideration Request Forms are acted upon by the committee.
o. 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.
p. Committee members directly associated with the selection, use, or challenger of the challenged material are excused from the committee during the deliberation of the challenged instructional materials. The superintendent may appoint a temporary replacement for the excused committee member, but the replacement is of the same general qualifications as the member excused.
q. Persons dissatisfied with the decision of the board may appeal to the Iowa Board of Education pursuant to state law.

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605.4 TECHNOLOGY AND INSTRUCTIONAL MATERIALS

The board supports the use of innovative methods and the use of technology in the delivery of the education program. The board encourages employees to investigate economic ways to utilize instructional television, audiovisual materials, computers, and other technological advances as a part of the curriculum.

It is the responsibility of the superintendent to develop a plan for the use of technology in the curriculum and to evaluate it annually. The superintendent will report the results of the evaluation and make a recommendation to the board annually regarding the use of technology in the curriculum.

Legal Reference: Iowa Code § 279.8 (2009).
281 I.A.C. 12.5(10), .5(22).

Cross Reference:
217.4 Board of Directors and Area Education Agency
602 Curriculum Development
605 Instructional Materials

Approved 08/08/94 Reviewed 05/08/17 Revised 04/11/11

605.5 MEDIA CENTERS

The school district will maintain a media center in each building for use by employees and by students during the school day.

Materials for the centers will be acquired according to board policy, "Instructional Materials Selection."

It is the responsibility of the principal of the building in which the media center is located to oversee the use of materials in the media center.

It is the responsibility of the superintendent to develop procedures for the selection and replacement of both library and instructional materials, for the acceptance of gifts, for the weeding of library and instructional materials, and for the handling of challenges to either library or classroom materials.

Legal Reference: Iowa Code §§ 256.7(24); 279.8; 280.14; 301 (2009).
281 I.A.C. 12.3(11).

Cross Reference:
505 Student Scholastic Achievement
602 Curriculum Development
605 Instructional Materials

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605.6 INTERNET - APPROPRIATE USE

Because technology is a vital part of the school district curriculum, the Internet will be made available to employees and students. Appropriate and equitable use of the Internet will allow employees and students to access resources unavailable through traditional means.

Students will be able to access the Internet through their teachers. Individual student accounts and electronic mail addresses may be issued to students. If a student already has an electronic mail address, the student will not be permitted to use the address to send and receive mail at school.

The Internet can provide a vast collection of educational resources for students and employees. It is a global network which makes it impossible to control all available information. Because information appears, disappears and changes constantly, it is not possible to predict or control what students may locate. The school district makes no guarantees as to the accuracy of information received on the Internet. Although students will be under teacher supervision while on the network, it is not possible to constantly monitor individual students and what they are accessing on the network. Some students might encounter information which may not be of educational value. Student Internet records and access records are confidential records treated like other student records. Students' Internet activities will be monitored by the school district to ensure students are not accessing inappropriate sites that have visual depictions that include obscenity, child pornography or are harmful to minors. The school district will use technology protection measures to protect students from inappropriate access, including sites that include obscenity, child pornography or are harmful to minors.

The school district will monitor the online activities of students and will educate students about appropriate online behavior, including interacting on social networking sites and chat rooms. Students will also be educated on cyber bullying, including awareness and response. Employees will provide age appropriate training for students who use the Internet. The training provided will be designed to promote the school district's commitment to:

- The standards and acceptable use of Internet services as set forth in the Internet Safety Policy:
- Student safety with regard to:
  - safety on the Internet;
  - appropriate behavior while online, on social networking Web sites, and in chat rooms; and
  - cyberbullying awareness and response.
- Compliance with the E-Rate requirements of the Children's Internet Protection Act

Employees and students will be instructed on the appropriate use of the Internet. Parents will be required to sign a permission form to allow their students to access the Internet. Students will sign a form acknowledging they have read and understand the Internet Acceptable Use policy and regulations, that they will comply with the policy and regulations, and that they understand the consequences for violation of the policy or regulations.

In compliance with federal law, this policy will be maintained at least five years beyond the termination of funding of the Children's Internet Protection Act (CIPA) or E-Rate.

Note: This is a mandatory policy. Parents must give permission to allow their children to access the internet according to the policy language; and districts are obligated to provide education/training on the safe use of the internet for students.

Legal References:	47 C.F.R. 54.520 Iowa Code § 279.8.
Cross References:	104 Anti-Bullying/Harassment 502 Student Rights and Responsibilities 506 Student Records 605.5 School Library

Approved 02/12/96 Reviewed 05/08/17 Revised 05/14/12

605.6E1 INTERNET ACCESS PERMISSION LETTER TO PARENTS

Your child has access to the Internet. The vast domain of information contained within Internet's libraries can provide unlimited opportunities to students.

Students will be able to access the Internet through their teachers. Individual student accounts and electronic mail addresses will not be issued to students at this time. If a student already has an electronic mail address, he/she will not permitted to use the address to send and receive mail at school.

Students will be expected to abide by the following network etiquette:

- The use of the network is a privilege and may be taken away for violation of board policy or regulations. As a user of the Internet, students may be allowed access to other networks. Each network may have its own set of policies and procedures. Students will abide by the polices and procedures of these other networks.
- Students will respect all copyright and license agreements.
- Students will cite all quotes, references, and sources.
- Students will only remain on the system long enough to get needed information.
- Students will apply the same privacy, ethical and educational considerations utilized in other forms of communication.
- Student access for electronic mail will be through the supervising teacher's account and/or their own account, with permission of the supervising teacher. Students should adhere to the following guidelines:
  - Others may be able to read or access the mail, so private messages should not be sent.
  - Delete unwanted messages immediately.
  - Use of objectionable language is prohibited.
  - Always sign messages.
  - Always acknowledge receipt of a document or file.
- Students accessing Internet services that have a cost involved will be responsible for payment of those costs.

Please sign the form if you would like your child to be granted Internet access and return the permission form to your child's school.

Student Name _____ Grade _____

School _____ Date _____

_____
(Parent or guardian's signature)

If you have granted your child Internet access, please have them respond to the following:

I have read the expected network etiquette and agree to abide by these provisions. I understand that violation of these provisions may constitute suspension or revocation of Internet privileges.

I agree to be responsible for payment of costs incurred by accessing any Internet services that have a cost involved.

_____
(Student signature)

605.6E2 INTERNET APPROPRIATE USE VIOLATION NOTICE

Student: _____

Teacher: _____

Date: _____

Students who access restricted items on the Internet are subject to the appropriate action described in the school's discipline policy or student handbook or to the following consequences:

_____ First Offense:
The above student has violated the Student Internet Policy by intentionally accessing restricted material. He/she may lose Internet access for up to three weeks at the discretion of the supervising teacher. A second offense will result in the student losing Internet access for a period of nine weeks.

_____ Second Offense:
The above student has violated the Student Internet Policy by intentionally accessing restricted material for a second time. As a consequence of this violation the above student has lost Internet access for a period of nine weeks.

_____ Third Offense:
The above student has violated the Student Internet Policy by intentionally accessing restricted material for a third time. As a consequence of this violation the above student has forfeited all Internet privileges indefinitely.

A student who has lost his/her Internet privileges by committing a third violation may at the beginning of the next regular school year petition the Board of Education to have his/her Internet privileges reinstated on a one-year probationary basis. If, during the one-year probationary period, the student commits an additional violation, his/her Internet privileges will be permanently suspended for the remainder of his/her time as a student in the Shenandoah Community School District.

The administration and the Board of Education reserve the right to deviate from the suggested progression of consequences if the severity of the offense deems that appropriate.

605.6R1 INTERNET - APPROPRIATE USE REGULATION

I. Responsibility for Internet Appropriate Use.
   A. The authority for appropriate use of electronic Internet resources is delegated to the licensed employees.
   B. Instruction in the proper use of the Internet will be available to employees who will then provide similar instruction to their students.
   C. Employees are expected to practice appropriate use of the Internet, and violations may result in discipline up to, and including, discharge.

II. Internet Access.
   A. Access to the Internet is available to teachers and students as a source of information and a vehicle of communication.
   B. Students will be able to access the Internet through their teachers. Individual student accounts and electronic mail addresses (*will not /may*) be issued to students at this time.
      1. Making Internet access available to students carries with it the potential that some students might encounter information that may not be appropriate for students. However, on a global network, it is impossible to control all materials. Because information on the Internet appears, disappears and changes, it is not possible to predict or control what students may locate.
      2. It is a goal to allow teachers and students access to the rich opportunities on the Internet, while we protect the rights of students and parents who choose not to risk exposure to questionable material.
      3. The smooth operation of the network relies upon the proper conduct of the end users who must adhere to strict guidelines which require efficient, ethical and legal utilization of network resources.
      4. To reduce unnecessary system traffic, users may use real-time conference features such as talk/chat/Internet relay chat only as approved by the supervising teacher.
      5. Transmission of material, information or software in violation of any board policy or regulation is prohibited.
      6. System users will perform a virus check on downloaded files to avoid spreading computer viruses.
      7. The school district makes no guarantees as to the accuracy of information received on the Internet.

III. Permission to Use Internet - Annually, parents will grant permission for their student to use the Internet using the prescribed form.

IV. Student Use of Internet.
   A. A.Equal Opportunity - The Internet is available to all students within the school district through teacher access. The amount of time available for each student may be limited by the number of available terminals and the demands for each terminal.
   B. On-line Etiquette.
      1. The use of the network is a privilege and may be taken away for violation of board policy or regulations. As a user of the Internet, students may be allowed access to other networks. Each network may have its own set of policies and procedures. It is the user's responsibility to abide by the policies and procedures of these other networks.
      2. Students should adhere to on-line protocol:
         a. Respect all copyright and license agreements.
         b. Cite all quotes, references and sources.
         c. Remain on the system long enough to get needed information, then exit the system.
         d. Apply the same privacy, ethical and educational considerations utilized in other forms of communication.
      3. Student access for electronic mail will be through (*the supervising teacher's account/their own account*). Students should adhere to the following guidelines:
         a. Others may be able to read or access the mail so private messages should not be sent.
         b. Delete unwanted messages immediately.
         c. Use of objectionable language is prohibited.
         d. Always sign messages.
         e. Always acknowledge receipt of a document or file.

C. Restricted Material - Students will not intentionally access or download any text file or picture or engage in any conference that includes material which is obscene, libelous, indecent, vulgar, profane or lewd; advertises any product or service not permitted to minors by law; constitutes insulting or fighting words, the very expression of which injures or harasses others; or presents a clear and present likelihood that, either because of its content or the manner of distribution, it will cause a material and substantial disruption of the proper and orderly operation and discipline of the school or school activities, will cause the commission of unlawful acts or the violation of lawful school regulations.

D. Unauthorized Costs - If a student gains access to any service via the Internet which has a cost involved or if a student incurs other types of costs, the student accessing such a service will be responsible for those costs.

V. Student Violations--Consequences and Notifications.

Students who access restricted items on the Internet are subject to the appropriate action described in board policy or regulations or the following consequences:

1. First Violation - A verbal and written "Warning" notice will be issued to the student. The student may lose Internet access for a period of three weeks at the discretion of the supervising teacher. A copy of the notice will be mailed to the student's parent and a copy provided to the building principal.
2. Second Violation - A verbal and written "Second Violation" notice will be issued to the student. A copy of the notice will be sent to the student's parent and a copy provided to the building principal. The student will forfeit all Internet privileges for a minimum period of nine weeks.
3. Third Violation - A verbal and written "Third Violation" notice will be issued to the student. A copy of the notice will be sent to the student's parent and a copy provided to the building principal. The student will forfeit all Internet privileges indefinitely.

A student who has lost his/her Internet privileges by committing a third violation may at the beginning of the next regular school year petition the Board of Education to have his/her Internet privileges reinstated on a one-year probationary basis. If, during the one-year probationary period, the student commits an additional violation, his/her Internet privileges will be permanently suspended for the remainder of his/her time as a student in the Shenandoah Community School District.

The administration and the Board of Education reserve the right to deviate from the suggested progression of consequences if the severity of the offense deems that appropriate.

606.1 CLASS SIZE - CLASS GROUPING

It is within the sole discretion of the board to determine the size of classes and to determine whether class grouping will take place. The board shall review the class sizes annually.

It is the responsibility of the superintendent to make a recommendation to the board on class size based upon the financial condition of the school district, the qualifications of and number of licensed employees, and other factors deemed relevant to the board.

Legal Reference: Iowa Code §§ 279.8; 280.3 (2009).

Cross Reference: 603 Instructional Curriculum
606.7 Insufficient Classroom Space

Approved 08/08/94 Reviewed 05/08/17 Revised 04/11/11

606.2 HOMEWORK

Homework, extra class activities or assignments beyond the regular classroom instruction program are a part of the education program. Homework will not be an extension and an enrichment of the classroom instruction.

Homework shall be an opportunity for students to practice skills and activities, to share and discuss ideas, to review materials, to become acquainted with resources, to organize thoughts, to prepare for classroom activity, or to make up incomplete assignments.

Guidelines regarding homework shall be developed in conjunction with the curriculum of the education program.

Legal Reference: Iowa Code §§ 279.8; 280.3, .14 (2009).

Cross Reference:
- 501.9 Student Absences – Excused
- 605 Instructional Materials
- 606 Instructional Arrangements

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606.3 SCHOOL CEREMONIES AND OBSERVANCES

The school district will continue school ceremonies and observances which have become a tradition and a custom of the education program. These include, but are not limited to, reciting the Pledge of Allegiance and observance of holidays, such as Christmas, Halloween and Easter, by programs and performances. Such ceremonies or observances will have a secular purpose and will not advocate or sponsor a particular religion.

Students who do not wish to participate in these activities may be silent during the ceremony or observance or receive permission from the principal to be excused from the ceremony for religious reasons in compliance with board policy.

Legal Reference:
U.S. Const. amend. I.
Lee v. Weisman, 112 S.Ct. 2649 (1992).
Lemon v. Kurtzman, 403 U.S. 602 (1971).
Graham v. Central Community School District of Decatur County, 608 F.Supp. 531 (S.D. Iowa 1985).
Iowa Code § 279.8 (2009).

Cross Reference:
603 Instructional Curriculum
604.5 Religious-Based Exclusion From A School Program

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606.4 ANIMALS IN THE CLASSROOM

Live animals will not be allowed in school district facilities except under special circumstances and only for an educational purpose. Permission from the principal will be required of anyone wishing to bring an animal into school district facilities. Appropriate supervision of animals is required when animals are brought into the school district facilities.

The person bringing the animal must furnish transportation for the animal brought to school. Animals will not be allowed to travel to and from the student's attendance center on the school bus without prior approval from the principal.

It is the responsibility of the principal to determine appropriate supervision of animals in the classroom.

Legal Reference: Iowa Code § 279.8 (2009).

Cross Reference: 507 Student Health and Well-Being

Approved 08/08/94 Reviewed 05/08/17 Revised 04/11/11

606.5 STUDENT PRODUCTION OF MATERIALS AND SERVICES

Materials and services produced by students at the expense of the school district are the property of the school district. Materials and services produced by students at the student's expense, except for incidental expense to the school district, are the property of the student.

It is the responsibility of the superintendent to determine incidental expense.

Legal Reference: Iowa Code § 279.8 (2009).

Cross Reference: 408.2 Licensed Employee Publication or Creation of Materials

Approved 08/08/94 Reviewed 05/08/17 Revised 04/11/11

606.6 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 will consider the financial condition of the school district, the educational benefit of the activity, the inherent risks or dangers of the activity, and other factors deemed relevant by the superintendent. Written parental permission will be required prior to the student's participation in field trips and excursions. The superintendent's approval will be required for field trips and excursions 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. A detailed schedule and budget must be submitted by the employee. The school district will be responsible for obtaining a substitute teacher if one is needed. Following field trips and excursions, the teacher may be required to submit a written summary of the event.

Legal Reference: 390 C.F.R. Pt. 390.3(f) (2002).
Iowa Code § 279.8 (2009).
281 I.A.C. 43.9.

Cross Reference:
503.1 Student Conduct
503.4 Good Conduct Rule
603 Instructional Curriculum
711 Transportation

Approved 08/08/94 Reviewed 05/08/17 Revised 04/11/11

606.7 INSUFFICIENT CLASSROOM SPACE

Insufficient classroom space is determined on a case-by-case basis. In making its determination whether insufficient classroom space exists, the board may consider several factors, including but not limited to, the nature of the education program, the grade level, the available licensed employees, the instructional method, the physical space, student-teacher ratios, equipment and materials, facilities either being planned or under construction, facilities planned to be closed, financial condition of the school district and projected to be available, a sharing agreement in force or planned, a bargaining agreement in force, laws or rules governing special education class size, board-adopted school district goals and objectives, and other factors considered relevant by the board.

This policy is reviewed by the board annually. It is the responsibility of the superintendent to bring this policy to the attention of the board each year.

Legal Reference: Iowa Code § 282.18(13) (2009).
281 I.A.C. 17.6(3).

Cross Reference:
105 Long-Range Needs Assessment
501.16 Open Enrollment Transfers - Procedures as a Receiving District 605 Instructional Materials
606.1 Class Size - Class Grouping
903.2 Community Resource Persons and Volunteers

Approved 08/08/94 Reviewed 05/08/17 Revised 04/11/11

607.1 STUDENT GUIDANCE AND COUNSELING PROGRAM

The board will provide a student guidance and counseling program. The guidance counselor will be certified with the Iowa Department of Education and hold the qualifications required by the board. The guidance and counseling program will serve grades kindergarten through twelve. The program will assist students with their personal, educational, and career development. The program is coordinated with the education program and will involve licensed employees.

Legal Reference: Iowa Code § 280.14; 622.10 (2009).
281 I.A.C. 12.3(11).

Cross Reference:
506 Student Records
603 Instructional Curriculum
604.4 Program for At-Risk Students

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607.2 STUDENT HEALTH SERVICES

Health services are an integral part of comprehensive school improvement, assisting all students to increase learning, achievement, and performance. Health services coordinate and support existing programs to assist each student in achievement of an optimal state of physical, mental and social wellbeing. Student health services ensure continuity and create linkages between school, home, and community service providers. The school district's comprehensive school improvement plan, needs, and resources determine the linkages.

The superintendent, in conjunction with the (school nurse, health advisory committee, public health nurse, school health team, etc.) will develop administrative regulations implementing this policy. The superintendent will provide a written report on the role of health services in the education program to the board annually.

Note: This is a mandatory policy. If a school district will be using federal money to perform physical exams or screenings on students, the school district must annually notify parents of the exam or screening except for hearing, vision or scoliosis. The following language is suggested;

> ***"The school district will annually notify parents of physical exams or screenings conducted on students except for vision, hearing or scoliosis."***

For more detailed discussion of this issue, see IASB's Policy Primer, Vol. 14 #3- June 28, 2001.

Legal Reference:
42 U.S.C. §§ 12101 *et seq*.
34 C.F.R. pt. 99, 104, 200, 300 *et seq.*
29 U.S.C. § 794(a)
28 C.F.R. 35
20 U.S.C. 1232g § 1400 6301 *et seq.*
Iowa Code §§ 22.7, 139A.3. .8, .21; 143.1, 152, 256.7(24), .11, 280.23
.
281 I.A.C. 12.3(4), (7), (11); 12.4(12); 12.8.
282 I.A.C. 15.3(14); 22.
641 I.A.C. 7.
655 I.A.C. 6.

Cross Reference:

501.4	Entrance - Admissions
507	Student Health and Well-Being

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607.2R1 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
- nutrition
- healthy, safe environment
- staff wellness
- health education
- physical education and activity
- counseling, psychological, and social services
- family and community involvement

Student health services are provided to identify health needs; facilitate access to health care; provide for health needs related to educational achievement; promote health, well- being, and safety; and plan and develop the health services program.

II. Student Health Services Essential Functions

A. Identify student health needs:
1. Provide individual initial and annual health assessments
2. Provide needed health screenings
3. Maintain and update confidential health records
4. Communicate (written, oral, electronic) health needs as consistent with confidentiality laws

B. Facilitate student access to physical and mental health services:
1. Link students to community resources and monitor follow through
2. Promote increased access and referral to primary health care financial resources such as Medicaid, HAWK-I, social security, and community health clinics
3. Encourage appropriate use of heath care

C. Provide for student health needs related to educational achievement:
1. Manage chronic and acute illnesses
2. Provide special health procedures and medication including delegation, training, and supervision of qualified designated school personnel
3. Develop, implement, evaluate, and revise individual health plans (IHPs) for all students with special health needs according to mandates in the Individuals with Disabilities Education Act (IDEA), Rehabilitation Act (Section 504), and American with Disabilities Act (ADA)
4. Provide urgent and emergency care for individual and group illness and injury
5. Prevent and control communicate disease and monitor immunizations
6. Promote optimal mental health
7. Promote a safe school facility and a safe school environment

8. Participate in and attend team meetings as a team member and health consultant

D. Promote student health, well-being, and safety to foster healthy living:
   1. Provide developmentally appropriate health education and health counseling for individuals and groups
   2. Encourage injury and disease prevention practices
   3. Promote personal and public health practices
   4. Provide health promotion and injury and disease prevention education

E. Plan and develop the student health services program collaboratively with the superintendent, school nurse, and school health team:
   1. Gather and interpret data to evaluate needs and performance
   2. Establish health advisory council and school health team
   3. Develop health procedures and guidelines
   4. Collaborate with staff, families, and community
   5. Maintain and update confidential student school health records
   6. Coordinate program with all school health components
   7. Coordinate with school improvement
   8. Evaluate and revise the health service program to meet changing needs
   9. Organize scheduling and direct health services staff
   10. Develop student health services annual status report
   11. Coordinate information and program delivery within the school and between school and major constituents
   12. Provide health services by qualified health professionals to effectively deliver services, including multiple levels of school health expertise such as registered nurses, physicians, and advanced registered nurse practitioners
   13. Provide for professional development for school health services staff

III. Expanded Health Services

These additional health services address learning barriers and the lack of access to health care. Examples include school-based services in the school, school-linked services connected to the school, primary care, mental health, substance abuse, and dental health.

608 ADULT EDUCATION

The board supports post-high school and adult education programs for the members of the school district community. The goal of the adult education program shall be to prepare individuals for democratic citizenship, to provide them with means for economic improvement and cultural development, and to enrich their personal lives.

The school district facilities shall be available for these education programs as long as they do not interfere with or disrupt the education program or other school district activities. It shall be the responsibility of the superintendent to oversee these programs.

Adult education programs may be provided in conjunction with a local post-secondary institution.

Legal Reference: Iowa Code § 259A; 276; 279.8; 288.1; 297.9-.12 (1993)
1936 Op. Att'y Gen. 196.
1940 Op. Att'y Gen. 232.
1982 Op. Att'y Gen. 561.

Cross Reference: 609 Community Education
905 Use of School District Facilities & Equipment

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609 COMMUNITY EDUCATION

Learning is a life-long activity and the board supports community education programs to further this activity. The school district facilities shall be available for community education programs as long as they do not interfere with or disrupt the education program or other school district activities.

It shall be the responsibility of the superintendent to develop administrative regulations regarding the use of the school district facilities for community education programs.

Legal Reference: Iowa Code § 276; 279.8; 288.1; 297.9-.12 (1993)
1936 Op. Att'y Gen. 196.
1940 Op. Att'y Gen. 232.
1982 Op. Att'y Gen. 561.

Cross Reference: 608 Community Education
905 Use of School District Facilities & Equipment

Approved 08/08/94 Reviewed 05/08/17 Revised 04/11/11

NON-INSTRUCTIONAL OPERATIONS & BUSINESS SERVICES (Series 700)

700 PURPOSE OF NONINSTRUCTIONAL AND BUSINESS SERVICES

This series of the board policy manual is devoted to the goals and objectives for the school district's noninstructional services and business operations that assist in the delivery of the education program. These noninstructional services include, but are not limited to, transportation, the school nutrition program and child care. The board, as it deems necessary, will provide additional noninstructional services to support the education program. To the extent a group of employees has a recognized collective bargaining unit, the provision of the master contract regarding such topics shall prevail.

It is the goal of the board to provide noninstructional services and to conduct its business operations in an efficient manner.

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701.1 FISCAL YEAR

The school district fiscal year shall begin July 1 and end June 30 of each year. The budget shall state the expenditures for the fiscal year, and it shall be the responsibility of the superintendent to operate the education program within the budget.

It shall be the responsibility of the board to ensure the budget is managed effectively.

Legal Reference: Iowa Code § 24.2 (2009).

Cross Reference:
703 Budget
704 Revenue
705 Expenditures

Approved 08/08/94 Reviewed 7/13/20 Revised 05/09/11

701.2 DEPOSITORY OF FUNDS

Each year at its annual meeting, the board will designate by resolution the name and location of the Iowa located financial depository institution or institution to serve as the official school district depository or depositories. The maximum deposit amount to be kept in the depository will be stated in the resolution. The amount stated in the resolution must be for all depositories and include all of the school district's funds.

It shall be the responsibility of the board secretary to include the resolution in the minutes of the meeting.

Legal Reference: Iowa Code §§ 279.33.

Cross Reference:
211.1 Annual Meeting
206.3 Secretary-Treasurer
704.1 Local – State – Federal – Miscellaneous Revenue

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701.3 CLASIFICATION OF ACCOUNTS

The money received from the regular and the voter-approved physical plant and equipment levies, the levy for public educational and recreational activities imposed under chapter 300, the proceeds of the sale of bonds authorized by law, and the proceeds of a tax estimated and certified by the board for the purpose of paying interest and principal on lawful bonded indebtedness shall be deposited in the schoolhouse fund and, except when authorized by the electors, shall be used only for the purpose for which originally authorized or certified. The money received from the district management levy shall be deposited in a sub-fund of the general fund of the school district. All other revenue received for any other purpose shall be deposited in the general fund of the school district. The treasurer shall keep a separate account for each fund and shall not pay an order that fails to state the fund upon which it is drawn and the specific use for which it is to be applied.

Legal Reference: Iowa Code §§ 11.23; 291.13 (2009).

Cross Reference: 704 Revenue
705 Expenditures

Approved 08/08/94 Reviewed 7/13/20 Revised 05/09/11

701.4 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 School Business Official to make recommendations to the board regarding transfers and to provide the documentation justifying the transfer.

Legal Reference: Iowa Code §§ 24.21-.22; 279.8; 279.42; 298A.

Cross Reference:
- 701.5 Financial Records
- 703 Budget
- 704.2 Sale of Bonds

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701.5 FINANCIAL RECORDS

Financial records of the school district are maintained in accordance with generally accepted accounting principles (GAAP) as required or modified by law. School district monies are received and expended from the appropriate fund and/or account. The funds and accounts of the school district will include, but not be limited to:

Governmental fund type:

- General fund
- Special revenue fund
  - Management Levy fund
  - Public Education and Recreation Levy fund (PERL)
  - Student activity fund
- Capital projects fund
  - Physical Plant and Equipment Levy fund (PPEL)
  - Secure an Advanced Vision for Education (SAVE)
- Debt service fund

Proprietary fund type:

- Enterprise fund
  - School nutrition fund
  - Child care fund
- Internal service fund

Fiduciary funds:

- Trust
  - Expendable trust funds
  - Nonexpendable trust funds
  - Pension trust funds
- Custodial Funds

Account groups:

- General capital assets account group
- General long-term debt account group

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. Capital projects funds are used to account for financial resources to acquire or construct major capital facilities (other than those of proprietary funds and trust funds) and to account for revenues from SAVE. A debt service fund is used to account for the accumulation of resources for, and the payment of, general long-term debt principal and interest. Proprietary funds account for operations of the school district operated similar to private business, or 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 capital assets and long-term debt.

The board may establish other funds in accordance with generally accepted accounting principles and may certify other taxes to be levied for the funds as provided by state law. The status of each fund must be included in the annual report.

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.

NOTE: The list of funds above does not include the "Library levy fund," which is only available to one school district. The school district eligible to levy the library levy must add this fund to its policy.

NOTE: For additional information about school district fund structure, please see Chapter 9 of the "Uniform Administrative Procedures for Iowa School District and AEA Officials," located on the "Uniform Administrative Procedures Manual" section of the Iowa Department of Education's website.

Legal Reference: Iowa Code §§ 291; 298; 298A.
281 I.A.C. 98

Cross Reference: 704 Revenue
705 Expenditures

Approved 08/08/94 Reviewed 4/12/21 Revised 04/12/21

701.6 GOVERNMENTAL ACCOUNTING PRACTICES AND REGULATIONS

School district accounting practices will follow state and federal laws and regulations, generally accepted accounting principles (GAAP) and the uniform financial accounting system provided by the Iowa Department of Education. As advised by the school district's auditor, determination of liabilities and assets, prioritization of expenditures of governmental funds and provisions for accounting disclosures shall be made in accordance with governmental accounting standards.

In Governmental Accounting Standards Board (GASB) Statement No. 54, the board identifies the order of spending unrestricted resources applying the highest level of classification of fund balance - restricted, committed, assigned, and unassigned - while honoring constraints on the specific purposes for which amounts in those fund balances can be spent. A formal board action is required to establish, modify and or rescind a committed fund balance. The resolution will state the exact dollar amount. In the event, the board chooses to make changes or rescind the committed fund balance, formal board action is required.

The Board authorizes the superintendent and/or School Business Official 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 develop administrative regulations implementing this policy. It is also the responsibility of the superintendent to make recommendations to the board regarding fund balance designations.

Legal Reference: Iowa Code §§ 257.31(4); 279.8; 297.22-.25; 298A.

Cross Reference:
- 701.5 Financial Records
- 703 Budget
- 704 Revenue

Approved 04/11/11 Reviewed 7/13/20 Revised 7/13/20

702 CASH IN SCHOOL BUILDINGS

The amount of cash that may be kept in the school building for any one day is sufficient for that day's operations. Funds raised by students are kept in a secure place.

A minimal amount of cash is kept in the central administration office at the close of the day. Excess cash is 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.

Legal Reference: Iowa Code § 279.8.

Cross Reference: 701.2 Depository of Funds
704 Revenue

Approved 08/08/94 Reviewed 7/13/20 Revised 7/13/20

702.1R1 GATE RECIEPTS

Gate receipts from any given school event have the potential to amount to a substantial sum of cash. In consideration of the board policy to limit cash in the central administration office, at the close of the school day, cash receipts should be removed and deposited on the same day of the event whenever possible.

In those instances when same-day deposits are impossible, gate receipts are to be locked in a safe until the first business day when a deposit can be made. The board discourages the individual in charge of collection of the gate receipts from personally holding the receipts except in special circumstances approved by the superintendent.

The superintendent shall be responsible for designating the individual who shall be in charge of collecting, counting and depositing the gate receipts. The superintendent shall provide administrative regulations to be followed by those chosen to handle the receipts.

Approved 08/08/94 Reviewed 7/13/20 Revised 05/09/11

703.1 BUDGET PLANNING

Prior to certification of the budget, the board will review the projected revenues and expenditures for the school district and make adjustments where necessary to carry out the education program within the revenues projected.

A budget for the school district is prepared annually for the board's review. The budget will include the following:

- the amount of revenues to be raised by taxation;
- the amount of revenues from sources other than taxation;
- an itemization of the amount to be spent in each fund; and,
- a comparison of the amount spent and revenue received in each fund for like purposes in the two prior fiscal years.

It is 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 is 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 will have an opportunity to review and comment on the proposed budget. A public hearing for the proposed budget of the board is 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 is published in a newspaper designated for official publication in the school district. It is the responsibility of the board secretary to publish the proposed budget and public hearing information at least ten but no more than 20 days prior to the public hearing.

The board will adopt and certify a budget for the operation of the school district to the county auditor by April 15. It is 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 will 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.

Legal Reference: Iowa Code §§ 24; 257; 279.8; 297; 298; 618.

Cross Reference:
- 216 Public Hearings
- 703 Budget
- 704 Revenue
- 705 Expenditures

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703.2 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.

Legal Reference: Iowa Code § 24.9.

Cross Reference:
703 Budget
704 Revenue

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703.3 FUND BALANCE REPORTING AND GOVERNMENTAL FUND TYPE DEFINITIONS

Inasmuch as GASB 54, Fund Balance Reporting and Governmental Fund Type Definitions, which establishes accounting and financial reporting standards for all governments that report governmental funds required the District to disclose certain requirements, the District identifies the following as District operating policy.

The fund balance identified as 'committed fund balance' will be determined by the Board of Directors and will require formal board action. An identified committed fund balance should be for a specific purpose pursuant to constraints imposed by the formal action of the Board of Directors. The Board of Directors will take action to 'commit' a fund balance prior to year-end (June 30) of the year the original committed amount is determined. The exact amount of the committed balance may be determined after the year-end; however, in compliance with GASB 54 the intended committed purpose must be identified, prior to the year-end (June 30).

In the event that a committed fund balance is identified subsequent to year-end (june30), the amount will be reflected on the balance sheet as assigned for that year.

The committed amounts cannot be used for any other purpose unless the Board of Education at a public meeting by formal action makes changes or rescind the committed balance.

The Board of Directors authorizes the School Business Official to assign amounts to a specific purpose in compliance with GASB 54. As assigned Fund Balance should be reported for constraints by the District's intent to be used for specific purpose, but are not restricted or committed.

In accordance with the GASB 54 the District identifies that when an expenditure is incurred, it is applied to the highest level of classification of fund balance and then subsequently applied to honor constraints on the specific purposes for which amounts in those fund balances can be spent.

Legal Reference: Governmental Accounting Standards Board (GASB) Statement 54

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704.1 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 physical plant and equipment levy (PPEL) fund. The proceeds from the sale 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, tapes, 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.

Legal Reference: Iowa Code §§ 12C; 23A; 257.2; 279.8; 282.2, .6, .24; 291.12; 297.9-.12, .22; 301.1.

Cross Reference:
- 701.2 Depository of Funds
- 703 Budget
- 803 Selling and Leasing
- 905 Use of School District Facilities & Equipment

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704.2 DEBT MANAGEMENT POLICY

DEBT LIMITS

Credit Ratings

The school district seeks to maintain the highest possible credit ratings for all categories of short- and long-term debt that can be achieved without compromising the delivery of services and the achievement of adopted objectives. The school district recognizes that external economic, natural, or other events may from time to time affect the creditworthiness of its debt. Nevertheless, the school district is committed to ensuring that actions within their control are prudent.

Debt Limits

For general obligation debt, the school district's outstanding debt limit shall be no more than five percent (5%) of the actual value of property within the school district's boundaries, as prescribed the Iowa constitution and statutory restrictions.

For revenue debt, the school district's goal is to provide adequate debt service coverage of at least 1.20 times the annual debt service costs.

In accordance with Iowa law, the school district may not act as a conduit issuer or issue municipal securities to raise capital for revenue-generating projects where the funds generated are used by a third party ("conduit borrower") to make payments to investors.

PURPOSES AND USES OF DEBT

Capital Planning

To enhance creditworthiness and prudent financial management, the school district is committed to systematic capital planning, intergovernmental cooperation and coordination and long-term financial planning.

Capital Financing

The school district may issue long-term debt for capital projects as authorized by Iowa law, which include, but are not limited to, the costs of planning, design, land acquisition, buildings, permanent structures, attached fixtures or equipment, and movable pieces of equipment. Capitalized interest may be included in sizing any capital project debt issue. The types of debt instruments to be used by the school district include:

- General Obligation Bonds
- General Obligation Capital Loan Notes
- Bond Anticipation Notes
- Revenue Anticipation Notes
- School Infrastructure Sales, Services and Use Tax Revenue Bonds
- Lease Purchase Agreements, including Certificates of Participation

Working Capital Financing

The school district may issue debt for working capital for operations after cash flow analysis has determined that there is a mismatch between available cash and cash outflows. The school district shall strive to repay working capital debt by the end of the fiscal year in which the debt was incurred. A Working Capital Reserve may be included in sizing any working capital debt issue.

Refundings

Periodic reviews of all outstanding debt will be undertaken to determine if refunding opportunities exist. Refunding will be considered (within federal tax law restraints) if and when there is a net economic benefit of the refunding or if the refunding is otherwise in the best interests of the school district, such as to release restrictive bond covenants which affect the operations and management of the school district.

In general, advance refundings for economic savings will be undertaken when a net present value savings exceeds three percent of the refunded debt can be achieved. Current refundings, which produce a new present value savings of less than three percent will be considered on a case by case basis taking into consideration bond covenants and general conditions. Refundings with negative savings will not be considered unless there is a compelling public policy objective for doing so.

DEBT STANDARDS AND STRUCTURE

Length of Debt

Debt will be structured for the shortest period consistent with a fair allocation of costs to current and future beneficiaries or users. Long-term debt will not be issued for periods exceeding the useful life or average useful lives of the project or projects to be financed. All debt issued will adhere to state and federal law regarding the length of time the debt may be outstanding.

Debt Structure

Debt will be structured to achieve the lowest possible net cost to the school district given market conditions, the urgency of the capital project, the type of debt being issued, and the nature and type of repayment source. To the extent possible, the school district will design the repayment of its overall debt to rapidly recapture its credit capacity for future use.

Generally, the school district will only issue fixed-rate debt. In very limited circumstances, the school district may issue variable rate debt, consistent with the limitations of Iowa law and upon a finding of the board that the use of fixed rate debt is not in the best interest of the school district and a statement of the reasons for the use of variable rate debt.

All debt may be structured using discount, par or premium coupons, and as serial or term bonds or notes, or any combination thereof, consistent with Iowa law. The school district should utilize the coupon structure that produces the lowest True Interest Cost (TIC) taking into consideration the call option value of any callable maturities.

The school district will strive to structure their debt in sinking fund installments for each debt issue that achieves, as nearly as practicable, level debt service within an issue or overall debt service within a particular classification of debt.

Derivatives (including, but not limited to, interest rate swaps, caps, collars, corridors, ceiling and floor agreements, forward agreements, float agreements, or other similar financing arrangements), zero-coupon or capital appreciation bonds are not allowed to be issued consistent with State law.

Decision Analysis to Issue Debt

Whenever the school district is contemplating the issuance of debt, information will be developed concerning the following four categories commonly used by rating agencies assessing the school district's credit worthiness, listed below.

Debt Analysis – Debt capacity analysis; purpose for which debt is proposed to be issued; debt structure; debt burden; debt history and trends; and adequacy of debt and capital planning.

Financial Analysis – Stability, diversity, and growth rates of tax or other revenue sources; trend in assessed valuation and collections; current budget trends; appraisal of past revenue and expenditure trends; history and long-term trends of revenues and expenditures; evidences of financial planning; adherence to GAAP; audit results; fund balance status and trends in operating and debt funds; financial monitoring systems and capabilities; and cash flow projections.

Governmental and Administrative Analysis – Government organization structure; location of financial responsibilities and degree of control; adequacy of basic service provision; intergovernmental cooperation/conflict and extent of duplication; and overall planning efforts.

Economic Analysis – Geographic and location advantages; population and demographic characteristics; wealth indicators; types of employment, industry and occupation; housing characteristics; new construction; evidences of industrial decline; and trend of the economy.

DEBT ISSUANCE

Credit Enhancement

Credit enhancements (i.e., bond insurance, etc.) may be used but only when the net debt service on the debt is reduced by more than the costs of the credit enhancement.

Costs and Fees

All costs and fees related to issuing the debt will be paid out of debt proceeds and allocated across all projects receiving proceeds of the debt issue.

Method of Sale

Generally, all school district debt will be sold through a competitive bidding process. Bids will be awarded on a TIC basis providing other bidding requirements are satisfied.

The school district may sell debt using a negotiated process in extraordinary circumstances when the complexity of the issue requires specialized expertise, when the negotiated sale would result in substantial savings in time or money, or when market conditions of school district credit are unusually volatile or uncertain.

Professional Service Providers

The school district will retain external bond counsel for all debt issues. All debt issued by the school district will include a written opinion by bond counsel affirming that the school district is authorized to issue the debt, stating that the school district has met all Iowa constitutional and statutory requirements necessary for issuance and determining the debt's federal income tax status. The bond counsel retained must have comprehensive municipal debt experience and a thorough understanding of Iowa law as it relates to the issuance of the particular debt.

The school district will retain an independent financial advisor. The financial advisor will be responsible for structuring and preparing all offering documents for each debt issue. The financial advisor retained will have comprehensive municipal debt experience, experience with diverse financial structuring and pricing of municipal securities.

The treasurer shall have the authority to periodically select other service providers (e.g., escrow agents, verification agents, trustees, arbitrage consultants, rebate specialist, etc.) as necessary to meet legal requirements and minimize net debt costs. These services can include debt restructuring service and security or escrow purchases.

Compensation for bond counsel, financial advisor and other service providers will be as economical as possible and consistent with industry standards for the desired qualification levels.

DEBT MANAGEMENT

Investment of Debt Proceeds

The school district shall invest all proceeds received from the issuance of debt separate from the school district's consolidated cash pool unless otherwise specified by the authorizing bond resolution or trust indenture. Investments will be consistent with those authorized by Iowa law and the school district's Investment Policy to maintain safety of principal and liquidity of the funds.

Arbitrage and Record Keeping Compliance
The treasurer shall maintain a system of record keeping reporting and compliance procedures with respect to all federal tax requirements which are currently, or may become applicable through the lifetime of all tax-exempt or tax credit bonds.

Federal tax compliance, record-keeping reporting and compliance procedures shall include not shall not be limited to:

1) post-issuance compliance procedures (including proper use of proceeds, timely expenditure of proceeds, proper use of bond financed property, yield restriction and rebate, and timely return filing);
2) proper maintenance of records to support federal tax compliance;
3) investments and arbitrage compliance;
4) expenditures and assets;
5) private business use; and
6) designation of primary responsibilities for federal tax compliance of all bond financings.

Financial Disclosure
The school district is committed to full and complete financial disclosure, and to cooperating fully with rating agencies, institutional and individual investors, other levels of government, and the general public to share comprehensible and accurate financial information. The school district is dedicated to meeting secondary disclosure requirements on a timely and comprehensive basis, as promulgated by the Securities and Exchange Commission.

The Official Statements accompanying debt issues, Annual Audits, and Continuing Disclosure statements will meet the standards articulated by the Municipal Securities Rulemaking Board (MSRB), the Government Accounting Standards Board (GASB), the Securities and Exchange Commission (SEC), Generally Accepted Accounting Principles (GAAP) and the Internal Revenue Service (IRS). The treasurer shall be responsible for ongoing debt disclosure as required by any Continuing Disclosure Certificate for any debt issue and for maintain compliance with disclosure standards promulgated by state and federal regulatory bodies.

Legal Reference	Iowa Code §§ 74-76; 278.1; 298; 298A.	
Cross Reference:	701	Financial Accounting System
	704	Revenue

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704.2R1 POST-ISSUANCE COMPLIANCE REGULATION FOR TAX-EXEMPT OBLIGATIONS

1. Role of Compliance Coordinator/Board Treasurer

   The board treasurer shall:
   a) Be responsible for monitoring post-issuance compliance;
   b) Maintain a copy of the transcript of proceedings or minutes in connection with the issuance of any tax-exempt obligations and obtain records that are necessary to meet the requirements of this regulation;
   c) Consult with bond counsel, a rebate consultant, financial advisor, IRS publications and such other resources as are necessary to understand and meet the requirements of this regulation;
   d) Seek out training and education to be implemented upon the occurrence of new developments in the area and upon the hiring of new personnel to implement this regulation.

2. Financing Transcripts' Filing and Retention

   The board treasurer shall confirm the proper filing of an IRS 8038 Series return and maintain a transcript of proceedings and minutes for all tax-exempt obligations issued by the school district including, but not limited to, all tax-exempt bonds, notes and lease- purchase contracts. Each transcript shall be maintained until 11 years after the tax-exempt obligation documents have been retired. The transcript shall include, at a minimum:
   a) Form 8038;
   b) Minutes, resolutions and certificates;
   c) Certifications of issue price from the underwriter;
   d) Formal elections required by the IRS;
   e) Trustee statements;
   f) Records of refunded bonds, if applicable;
   g) Correspondence relating to bond financings; and
   h) Reports of any IRS examinations for bond financings.

3. Proper Use of Proceeds

   The board treasurer shall review the resolution authorizing issuance for each tax-exempt obligation issued by the school district and the school district shall:
   a) Obtain a computation of the yield on such issue from the school district's financial advisor;
   b) Create a separate Project Fund (with as many sub-funds as shall be necessary to allocate proceeds among the projects being funded by the issue) into which the proceeds of issue shall be deposited;
   c) Review all requisitions, draw schedules, draw requests, invoices and bills requesting payment from the Project Fund;
   d) Determine whether payment from the Project Fund is appropriate and, if so, make payment from the Project Fund (and appropriate sub-fund, if applicable);
   e) Maintain records of the payment requests and corresponding records showing payment;
   f) Maintain records showing the earnings on, and investment of, the Project Fund;
   g) Ensure that all investments acquired with proceeds are purchased at fair market value;
   h) Identify bond proceeds or applicable debt service allocations that must be invested with a yield-restriction and monitor the investments of any yield-restricted funds to ensure that the yield on such investments do not exceed the yield to which such investments are restricted;
   i) Maintain records related to any investment contracts, credit enhancement transactions and the bidding of financial products related to the proceeds.

4. Timely Expenditure and Arbitrage/Rebate Compliance

   The board treasurer shall review the Tax-Exemption Certificate (or equivalent) for each tax-exempt obligation

issued by the school district and the expenditure records provided in Section 2 of this regulation, above and shall:

a) Monitor and ensure that proceeds of each such issue are spent within the temporary period set forth in such certificate;
b) Monitor and ensure that the proceeds are spent in accordance with one or more of the applicable exceptions to rebate as set forth in such certificate if the school district does not meet the "small issuer" exception for said obligation;
c) Not less than 60 days prior to a required expenditure date, confer with bond counsel and a rebate consultant, if the school district will fail to meet the applicable temporary period or rebate exception expenditure requirements of the Tax- Exemption Certificate. In the event the school district fails to meet a temporary period or rebate exception:
    1. Procure a timely computation of any rebate liability and, if rebate is due, file a Form 8038-T and arrange for payment of such rebate liability;
    2. Arrange for timely computation and payment of yield reduction payments (as such term is defined in the Code and Treasury Regulations), if applicable.

5. Proper Use of Bond Financed Assets The board treasurer shall:
    a) Maintain appropriate records and a list of all bond financed assets. Such records shall include the actual amount of proceeds (including investment earnings) spent on each of the bond financed assets;
    b) Monitor and confer with bond counsel with respect to all proposed bond financed assets;
        1. management contracts;
        2. service agreements;
        3. research contracts;
        4. naming rights contracts;
        5. leases or sub-leases;
        6. joint venture, limited liability or partnership arrangements;
        7. sale of property; or
        8. any other change in use of such asset.
    c) Maintain a copy of the proposed agreement, contract, lease or arrangement, together with the response by bond counsel with respect to said proposal for at least three years after retirement of all tax-exempt obligations issued to fund all or any portion of bond financed assets; and
    d) Contact bond counsel and ensure timely remedial action under IRS Regulation Sections 1.141-12 in the event the school district takes an action with respect to a bond financed asset, which causes the private business tests or private loan financing test to be met.

6. General Project Records

    For each project financed with tax-exempt obligations, the board treasurer shall maintain, until three years after retirement of the tax-exempt obligations or obligations issued to refund those obligations, the following:
    a) Appraisals, demand surveys or feasibility studies;
    b) Applications, approvals and other documentation of grants;
    c) Depreciation schedules;
    d) Contracts respecting the project.

7. Advance Refundings

    The board treasurer shall be responsible for the following current, post issuance and record retention procedures with respect to advance refunding bonds. The board treasurer shall:
    a) Identify and select bonds to be advance refunded with advice from internal financial personnel and a financial advisor;

b) Identify, with advice from the financial advisor and bond counsel, any possible federal tax compliance issues prior to structuring any advance refunding;
c) Review the structure with the input of the financial advisor and bond counsel, of advance refunding issues prior to the issuance to ensure;
   (1) that the proposed refunding is permitted pursuant to applicable federal tax requirements if there has been a prior refunding of the original bond issue;
   (2) that the proposed issuance complies with federal income tax requirements which might impose restrictions on the redemption date of the refunded bonds;
   (3) that the proposed issuance complies with federal income tax requirements which allow for the proceeds and replacement proceeds of an issue to be invested temporarily in higher yielding investments without causing the advance refunding bonds to become "arbitrage bonds"; and
   (4) that the proposed issuance will not result in the issuer's exploitation of the difference between tax exempt and taxable interest rates to obtain a financial advantage nor overburden the tax exempt market in a way that might be considered an abusive transaction for federal tax purposes;
d) Collect and review data related to arbitrage yield restriction and rebate requirements for advance refunding bonds. To ensure such compliance, the board treasurer shall engage a rebate consultant to prepare a verification report in connection with the advance refunding issuance. Said report shall ensure said requirements are satisfied;
e) Whenever possible, purchase State and Local Government Series (SLGS) to size each advance refunding escrow. The financial advisor shall be included in the process of subscribing SLGS. To the extent SLGS are not available for purchase, the Board treasurer shall, in consultation with bond counsel and the financial advisor, comply with IRS regulations;
f) Ensure, after input from bond counsel, compliance with any bidding requirements set forth by the IRS regulations to the extent as issuer elects to the purchase of a guaranteed investment contract;
g) In determining the issue price for any advance refunding issuance, obtain and retain issue price certification by the purchasing underwriter at closing;
h) After the issuance of an advance refunding issue, ensure timely identification of violations of any federal tax requirements and engage bond counsel in attempt to remediate same in accordance with IRS regulations.

8. Continuing Disclosure

The board treasurer shall assure compliance with each continuing disclosure certificate and annually, per continuing disclosure agreements, file audited annual financial statements and other information required by each continuing disclosure agreement. The board treasurer will monitor material events as described in each continuing disclosure agreement and assure compliance with material event disclosure. Events to be reported shall be reported promptly, but in no event not later than 10 business days after the day of the occurrence of the event. Currently, such notice shall be given in the event of:

a) Principal and interest payment delinquencies;
b) Non-payment related defaults, if material;
c) Unscheduled draws on debt service reserves reflecting financial difficulties;
d) Unscheduled draws on credit enhancements relating to the bonds reflecting financial difficulties;
e) Substitution of credit or liquidity providers, or their failure to perform;
f) Adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701- TEB), or other material notices, or determinations with respect to the tax-exempt status of the bonds, or material events affecting the tax-exempt status of the bonds;
g) Modifications to rights of Holders of the Bonds, if material;
h) Bond calls (excluding sinking fund mandatory redemptions), if material and tender offers;
i) Defeasances of the bonds;
j) Release, substitution, or sale of property securing repayment of the bonds, if material;

k) Rating changes on the bonds;
1) Bankruptcy, insolvency, receivership or similar event of the Issuer;
m) The consummation of a merger, consolidation, or acquisition involving the Issuer or the sale of all or substantially all of the assets of the Issuer, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material; and
n) Appointment of a successor or additional trustee or the change of name of a trustee, if material.

Legal Reference: Iowa Code §§ 257.31(4); 279.8; 297.22-.25; 298A.

http://www.irs.gov/taxexemptbond/article/0,,id=243503,00.html

Cross Reference: 704 Revenue
707 Fiscal Reports

Approved 03/10/14 Reviewed 7/13/20 Revised 7/13/20

704.3 INVESTMENTS

School district funds in excess of current needs are 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 will exercise the care, skill, prudence and diligence under the circumstances then prevailing that a prudent person acting in a like capacity and familiar with such matters would use to meet the goals of the investment program.

School district funds are monies of the school district, including operating funds. "Operating funds" of the school district are funds which are reasonably expected to be used during a current budget year or within fifteen months of receipt. When investing operating funds, the investments must mature within three hundred and ninety-seven days or less. If, during the current budget year an amount of public funds will exceed operating funds by at least thirty-three percent, the amount of public funds that exceed operating funds by greater than thirty-three percent may be invested in certificates of deposit at federally insured depository institutions which mature within sixty-three months or less, in accordance with state and federal laws. When investing funds other than operating funds, the investments must mature according to the need for the funds.

The board authorizes the treasurer to invest funds in excess of current needs in the following investments.

- Interest bearing savings, money market, and checking accounts at the school district's authorized depositories;
- Iowa Schools Joint Investment Trust Program (ISJIT);
- 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 is the responsibility of the treasurer to oversee the investment portfolio in compliance with this policy and the law.

It is 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 will also provide the board with information about and verification of the outside person's fiduciary bond. Contracts with outside persons will 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 school district audit. The compensation of the outside persons will not be based on the performance of the investment portfolio.

The treasurer is responsible for reporting to and reviewing with the board at its regular meetings the investment portfolio's performance, transaction activity and current investments including the percent of the investment portfolio by type of investment and by issuer and maturities. The report will also include trend lines by month over the last year and year-to-year trend lines regarding the performance of the investment portfolio. It will 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 is the responsibility of the superintendent to deliver a copy of this policy to the school district’s depositories, auditor and outside persons doing investment business with the school district.

It will also be the responsibility of the superintendent, in conjunction with the treasurer, to develop a system of investment practices and internal controls over the investment practices. The investment practices are designed to prevent losses, to document the officers' and employees' responsibility for elements of the investment process and address the capability of the management.

Legal Reference: Iowa Code §§ 11.2, .6; 12.62; 12B.10; 12C; 22.1, .14; 28E.2; 257; 279.29; 283A; 285; 502.701; 633.123.

Cross Reference: 206.3 Secretary-Treasurer
704 Revenue

Approved 08/08/94 Reviewed 7/13/20 Revised 7/13/20

704.4 GIFTS - GRANTS - BEQUESTS

The board believes gifts, grants, and bequests to the school district may be accepted when they will further the interests of the school district. The board will have sole authority to determine whether the gift furthers the interests of the school district.

Gifts, grants, and bequests are approved by the board. Once it has been approved by the board, a board member or the superintendent may accept the gift on behalf of the school district.

Gifts, grants, and bequests once accepted on behalf of the school district become the property of the school district. Gifts, grants, and bequests are administered in accordance with terms, if any, agreed to by the board.

Legal Reference: Iowa Code §§ 279.42; 565.6.

Cross Reference:
- 221 Gifts to Board of Directors
- 402.4 Gifts to Employees
- 508.1 Class or Student Group Gifts

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704.5 STUDENT ACTIVITIES FUND

Revenue raised by students or from student activities is deposited and accounted for in the student activities fund. This revenue is the property of and is under the financial control of the board. Students may use this revenue for purposes approved by the building principal.

Whether such revenue is collected from student contributions, club dues, and special activities or result from admissions to special events or from other fund-raising activities, all funds will be under the jurisdiction of the board and under the specific control of the building principal. They will be deposited in a designated depository and will be disbursed and accounted for in accordance with instructions issued by the superintendent.

It is the responsibility of the School Business Official 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.

Legal Reference: Iowa Code §§ 279.8.

Cross Reference: 504 Student Activities
701 Financial Accounting System

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Code No. 704.6

704.6 ONLINE FUNDRAISING CAMPAIGNS – CROWDFUNDING

The Shenandoah Community School District Board of Education believes online fundraising campaigns, including crowdfunding campaigns, may further the interests of the district. Any person or entity acting on behalf of the district and wishing to conduct an online fundraising campaign for the benefit of the district shall begin the process by seeking prior approval from the Superintendent. Money or items raised by an online fundraising campaign will be the property of the district only upon acceptance by the board, and will be used only in accordance with the terms for which they were given, as agreed to by the board.

Approval of requests shall depend on factors including, but not limited to:

- Compatibility with the district's educational program, mission, vision, core values, and beliefs;
- Congruence with the district and school goals that positively impact student performance;
- The district's instructional priorities;
- The manner in which donations are collected and distributed by the crowdfunding platform;
- Equity in funding; and
- Other factors deemed relevant or appropriate by the district.

If approved, the requestor shall be responsible for preparing all materials and information related to the online fundraising campaign and keeping district administration apprised of the status of the campaign.

The requestor is responsible for compliance with all state and federal laws and other relevant district policies and procedures. All items and money generated are subject to the same controls and regulations as other district property and shall be deposited or inventoried accordingly. No money raised or items purchased shall be distributed to individual employees.

NOTE: Online fundraising campaigns have become an increasingly popular mechanism for individual educators to raise money. "Crowdfunding" can be defined as, the use of small amounts of capital from a large number of individuals to finance a project, business venture, or to fundraise for a specific cause or charity. For examples of organizations dedicated to crowdfunding for education please visit:

- ***DonorsChoose.org, an organization with a mission to empower "public school teachers from across the country to request much-needed materials and experiences for their students."***
- ***AdoptAClassroom.org, an organization with a mission to give "teachers a hand by providing needed classroom materials so that students can succeed."***

Legal Reference: Iowa Code §§ 279.8; 279.42; 565.6.

Cross Reference:
- 508.1 Class or Student Group Gifts
- 504.6 Student Fundraising
- 704.4 Gifts – Grants – Bequests
- 904.2 Advertising and Promotion

Approved 7/13/20 Reviewed _____ Revised _____

705.1 PURCHASING – BIDDING

The board supports economic development in Iowa, particularly in the school district community. As permitted by law, purchasing preference will be given to Iowa goods and services from locally-owned businesses located within the school district or Iowa based companies 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 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 as described below 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 shall conform to the following:

- The superintendent shall have the authority to authorize purchases without prior board approval and without competitive requests 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 $25,000, 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 $25,000, 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) has been paid for in whole or in part with funds of the governmental entity, (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 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 quotes. If the total cost of the public improvement does not warrant either competitive bidding or competitive quotations, the 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, please refer to board policy 802.3 – Emergency Repairs.

The district shall comply with all federal and state laws and regulations required for procurement, including the selection and evaluation of contractors. The superintendent or designee is responsible for developing an administrative process to implement this policy, including, but not limited to, procedures related to suspension and debarment for transactions subject to those requirements.

Legal Reference:	Iowa Code §§ 26; 28E; 72; 73; 73A; 285,297; 301. 261 I.A.C. 54. 281 I.A.C. 43.25.	
Cross Reference:	705	Expenditures
	801.5	Site Acquisition
	802	Maintenance, Operation and Management
	802.3	Emergency Repairs
	803	Selling and Leasing

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Code No. 705.1R1

705.1R1 SUSPENSION AND DEBARMENT OF VENDORS AND CONTRACTORS PROCEDURE

In connection with transactions subject to federal suspension and debarment requirements, the district is prohibited from entering into transactions with parties that are debarred, suspended, or otherwise excluded from or ineligible for participation in federal assistance programs or activities.

When soliciting bids or otherwise preparing to enter into such a transaction, the superintendent or designee will use at least one of the following verification methods to ensure that any parties to the transaction are not suspended or debarred prior to committing to any sub-award, purchase, or contract:

(1) Obtaining a certification of a party's compliance with the federal suspension and debarment requirements in connection with any application, bid, or proposal;
(2) Requiring compliance with the federal suspension and debarment requirements as an express condition of any sub-award, purchase, or contract in question; or
(3) Prior to committing to any sub-award, purchase, or contract, check the online Federal System for Award Management at https://sam.gov/portal/SAM/##11 to determine whether the relevant party is subject to any suspension or debarment restrictions.

2 CFR Part 200 Subpart B-General Provisions
200.113 Mandatory Disclosures

A non-Federal entity or applicant for a Federal award must disclose, in a timely manner, in writing to the Federal awarding agency or pass-through entity all violations of Federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the Federal award. Non-Federal entities that have received a Federal award including the term and condition outlined in Appendix XII—Award Term and Condition for Recipient Integrity and Performance Matters are required to report certain civil, criminal, or administrative proceedings to SAM. Failure to make required disclosures can result in any of the remedies described in §200.338 Remedies for noncompliance, including suspension or debarment. (See also 2 CFR part 180, 31 U.S.C. 3321, and 41 U.S.C. 2313.) It is the responsibility of the Superintendent to timely report to the relevant federal or pass through agency any violations of federal criminal law involving fraud, bribery or gratuity potentially impacting a federal grant.

Approved 7/13/20 Reviewed _____ Revised _____

705.1R2 USING FEDERAL FUNDS IN PROCUREMENT CONTRACTS

In addition to the District's standard procurement and purchasing procedures, the following procedures for vendors/contractors paid with federal funds are required. When federal, state, and local requirements conflict, the most stringent requirement will be followed.

2 CFR Part 200, Subpart D Subsection §200.318 (c)(1)
No District employee, officer, or agent may participate in the selection, award and administration of contracts supported by a Federal award if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract. District officers, employees, and agents may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts. However, for situations where the financial interest is not substantial or the gift is an unsolicited item of nominal value, district employees must abide by all relevant board policies. Violation of this requirement may result in disciplinary action for the District employee, officer, or agent.

2 CFR Part 200, Subpart D Subsection §200.320 (e)(1-4)
Procurement for contracts paid with federal funds may be conducted by noncompetitive (single source) proposals when one or more of the following circumstances apply: (1) the item is only available from a single source; (2) public exigency or emergency will not permit the delay resulting from competitive bids; (3) the Federal awarding agency or pass-through entity expressly authorizes noncompetitive proposals in response to a written request from the non-Federal entity; or (4) after solicitation of a number of sources, competition is inadequate.

2 CFR Part 200, Subpart D Subsection §200.321
The District will take all necessary affirmative steps to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible. Affirmative steps must include: (1) placing such businesses on solicitation lists; (2) soliciting such businesses whenever they are potential sources; (3) when economically feasible, dividing contracts into smaller tasks or quantities to allow participation from such businesses; (4) establishing delivery schedules that encourage participation by such businesses; (5) when appropriate, utilizing the Small Business Administration and the Minority Business Development Agency of the Department of Commerce; and (6) requiring the primary contractor to follow steps (1) through (5) when subcontractors are used.

The district will include the following provisions in all procurement contracts or purchase orders include the following provisions when applicable:
2 CFR Part 200 Appendix II
(A) Contracts for more than the simplified acquisition threshold currently set at $150,000, which is the inflation adjusted amount determined by the Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council (Councils) as authorized by 41 U.S.C. 1908, must address administrative, contractual, or legal remedies in instances where contractors violate or breach contract terms, and provide for such sanctions and penalties as appropriate.

(B) All contracts in excess of $10,000 must address termination for cause and for convenience by the non-Federal entity including the manner by which it will be effected and the basis for settlement.

(C) Equal Employment Opportunity. Except as otherwise provided under 41 CFR Part 60, all contracts that meet the definition of "federally assisted construction contract" in 41 CFR Part 60-1.3 must include the equal opportunity clause provided under 41 CFR 60-1.4(b), in accordance with Executive Order 11246, "Equal Employment Opportunity" (30 FR 12319, 12935, 3 CFR Part, 1964-1965 Comp., p. 339), as amended by

Executive Order 11375, "Amending Executive Order 11246 Relating to Equal Employment Opportunity," and implementing regulations at 41 CFR part 60, "Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor."

(D) Davis-Bacon Act, as amended (40 U.S.C. 3141-3148). When required by Federal program legislation, all prime construction contracts in excess of $2,000 awarded by non-Federal entities must include a provision for compliance with the Davis-Bacon Act (40 U.S.C. 3141-3144, and 3146-3148) as supplemented by Department of Labor regulations (29 CFR Part 5, "Labor Standards Provisions Applicable to Contracts Covering Federally Financed and Assisted Construction"). In accordance with the statute, contractors must be required to pay wages to laborers and mechanics at a rate not less than the prevailing wages specified in a wage determination made by the Secretary of Labor. In addition, contractors must be required to pay wages not less than once a week. The non-Federal entity must place a copy of the current prevailing wage determination issued by the Department of Labor in each solicitation. The decision to award a contract or subcontract must be conditioned upon the acceptance of the wage determination. The non-Federal entity must report all suspected or reported violations to the Federal awarding agency. The contracts must also include a provision for compliance with the Copeland "Anti-Kickback" Act (40 U.S.C. 3145), as supplemented by Department of Labor regulations (29 CFR Part 3, "Contractors and Subcontractors on Public Building or Public Work Financed in Whole or in Part by Loans or Grants from the United States"). The Act provides that each contractor or subrecipient must be prohibited from inducing, by any means, any person employed in the construction, completion, or repair of public work, to give up any part of the compensation to which he or she is otherwise entitled. The non-Federal entity must report all suspected or reported violations to the Federal awarding agency.

(E) Contract Work Hours and Safety Standards Act (40 U.S.C. 3701-3708). Where applicable, all contracts awarded by the non-Federal entity in excess of $100,000 that involve the employment of mechanics or laborers must include a provision for compliance with 40 U.S.C. 3702 and 3704, as supplemented by Department of Labor regulations (29 CFR Part 5). Under 40 U.S.C. 3702 of the Act, each contractor must be required to compute the wages of every mechanic and laborer on the basis of a standard work week of 40 hours. Work in excess of the standard work week is permissible provided that the worker is compensated at a rate of not less than one and a half times the basic rate of pay for all hours worked in excess of 40 hours in the work week. The requirements of 40 U.S.C. 3704 are applicable to construction work and provide that no laborer or mechanic must be required to work in surroundings or under working conditions which are unsanitary, hazardous or dangerous. These requirements do not apply to the purchases of supplies or materials or articles ordinarily available on the open market, or contracts for transportation or transmission of intelligence.

(F) Rights to Inventions Made Under a Contract or Agreement. If the Federal award meets the definition of "funding agreement" under 37 CFR §401.2 (a) and the recipient or subrecipient wishes to enter into a contract with a small business firm or nonprofit organization regarding the substitution of parties, assignment or performance of experimental, developmental, or research work under that "funding agreement," the recipient or subrecipient must comply with the requirements of 37 CFR Part 401, "Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Grants, Contracts and Cooperative Agreements," and any implementing regulations issued by the awarding agency.

(G) Clean Air Act (42 U.S.C. 7401-7671q.) and the Federal Water Pollution Control Act (33 U.S.C. 1251-1387), as amended—Contracts and subgrants of amounts in excess of $150,000 must contain a provision that requires the non-Federal award to agree to comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act (42 U.S.C. 7401-7671q) and the Federal Water Pollution Control Act as amended (33 U.S.C. 1251-1387). Violations must be reported to the Federal awarding agency and the Regional Office of the Environmental Protection Agency (EPA).

(H) Debarment and Supsension (Executive Orders 12549 and 12689)—A contract award (see 2 CFR 180.220) must not be made to parties listed on the government wide exclusions in the System for Award Management

(SAM), in accordance with the OMB guidelines at 2 CFR 180 that implement Executive Orders 12549 (3 CFR part 1986 Comp., p. 189) and 12689 (3 CFR part 1989 Comp., p. 235), "Debarment and Suspension." SAM Exclusions contains the names of parties debarred, suspended, or otherwise excluded by agencies, as well as parties declared ineligible under statutory or regulatory authority other than Executive Order 12549.

(I) Byrd Anti-Lobbying Amendment (31 U.S.C. 1352)—Contractors that apply or bid for an award exceeding $100,000 must file the required certification. Each tier certifies to the tier above that it will not and has not used Federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, officer or employee of Congress, or an employee of a member of Congress in connection with obtaining any Federal contract, grant or any other award covered by 31 U.S.C. 1352. Each tier must also disclose any lobbying with non-Federal funds that takes place in connection with obtaining any Federal award. Such disclosures are forwarded from tier to tier up to the non-Federal award.

(J) See §200.322 Procurement of recovered materials.

Legal Reference: Title 2 Code of Federal Regulation (C.F.R.) Grants and Agreements, Part 200 Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards

Approved _____ Reviewed _____ Revised _____

705.2 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 is made unless the employee has paid the school district prior to the order being placed and the employee has agreed to be responsible for any taxes or other expenses due.

Legal Reference: Iowa Code § 279..

Cross Reference: 703 Budget

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705.3 REQUISITIONS AND PURCHASE ORDERS

Supplies, equipment, and services may only be approved for purchase by the superintendent. Requisition for supplies, equipment, and services shall be made by employees to their immediate supervisor. Only those purchases approved by the superintendent shall be processed by the school district.

The superintendent may authorize a procedure for the purchase of small, emergency items, usually at a cost of $500 or less.

Legal Reference: Iowa Code § 279.8 (2009).

Cross Reference: 705 Expenditures

Approved 08/08/94 Reviewed 7/13/20 Revised 05/09/11

705.4 RECEIVING GOODS AND SERVICES

To assure goods and services procured by the school district are properly accounted for and are of the quality and type ordered, goods will be received by the board secretary. Goods and services which do not meet the requirements specified in the purchase order or contract will not be paid for or accepted.

If goods must be delivered to and received by someone other than the board secretary, it shall be the responsibility of that person to inform the board secretary, to assure the goods and services are properly accounted for, and to ensure they are of the quality and type ordered.

Legal Reference: Iowa Code § 279.8 (2009).

Cross Reference: 705 Expenditures

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705.5 PAYMENT FOR GOODS AND SERVICES

The board authorizes the issuance payment of claims against the school district for goods and services. The board will allow the payment after the goods and services have been received and accepted in compliance with board policy.

The board authorizes the board secretary, upon approval of the superintendent, to issue payment for verified bills, for reasonable and necessary expenses, when the board is not in session. The board secretary will examine the claims and verify bills. The board will approve the bills at its next regular meeting.

The secretary will determine to the secretary's satisfaction that the claims presented to the board are in order and are legitimate expenses of the school district. It is the responsibility of the secretary to bring claims to the board.

The board president and board secretary may sign warrants by use of a signature plate or rubber stamp. If the board president is unavailable to personally sign warrants, the vice president may sign warrants on behalf of the president.

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

Legal Reference: Love v. City of Des Moines, 210 Iowa 90, 230 N.W. 373 (1930).
Iowa Code §§ 279.8, .29, .30, .36; 291.12; 721.2(5).
281 I.A.C. 12.3(1).

Cross Reference: 705 Expenditures

Approved 08/08/94 Reviewed 7/13/20 Revised 7/13/20

705.5R1 PAYMENT FOR GOODS AND SERVICES REGULATION

The board secretary may pay bills for approved registrations, claims offering a discount for early payment, approved travel expenses, approved goods and services delivered C.O.D. and other verified bills filed with the secretary when the board is not in session prior to payment of these claims and prior to audit and approval by the board.

For bills and claims to be paid prior to board approval the board secretary shall:

- Examine claims and verify the bills
- Receive approval of the superintendent to pay bills
- Notify Board President of bills prior to being paid

The secretary and the board president may sign checks by use of a signature plate or rubber stamp. If personal signatures are used, the board vice-president may sign checks in the absence of the board president.

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705.6 UNPAID WARRANTS

Generally, the board shall authorize claims to be paid only when sufficient revenue is available for such claims. The board may authorize the payment of claims for which insufficient funds are available.

When the board deems it necessary to authorize warrants without sufficient funds available, stamped warrants or anticipatory warrants may be authorized.

It shall be the responsibility of the board secretary to issue anticipatory warrants when needed.

Legal Reference: Iowa Code chs. 74; 74A (2009).

Cross Reference: 705 Expenditures

Approved 08/08/94 Reviewed 7/13/20 Revised 05/09/11

705.7 PETTY CASH

A petty cash fund shall be maintained by the school district in each building's administrative office for incidental expenditures from the petty cash fund.

Legal Reference: Iowa Code § 279.8 (2009).

Cross Reference: 702 Cash in School Buildings
705 Expenditures

Approved 08/08/94 Reviewed 7/13/20 Revised 05/09/11

705.8 EXPENDITURES FOR PUBLIC PURPOSE

The board recognizes that school district funds are public funds, and as such, should be used to further a public purpose and the overall educational mission of the school community. The district is committed to managing and spending public funds in a transparent and responsible manner. Prior to making a purchase with public funds, an individual should be comfortable defending the purchase/reimbursement to the taxpayers in the district. If the individual is uncomfortable doing so, the purchase may not fulfill a public purpose and additional guidance should be sought before the purchase is made.

Individuals who have concerns about the public purpose of a purchase or reimbursement should utilize the district's *Internal Controls* policy and regulation as a resource for questioning a purchase. Concerns should be reported to the superintendent and/or the board president.

The superintendent shall develop a process for approving expenditures of public funds. The board will review expenditures and applicable reports as necessary to ensure proper oversight of the use of public funds. To the extent possible, expenditures shall be pre-approved by the district prior to expending the funds. Purchases of food and refreshment for district staff, even within district, should comply with the district's *Employee Travel Compensation* policy, and all other applicable policies. All purchases/reimbursements shall comply with applicable laws, board policies and district accounting requirements.

Additional guidance regarding appropriate expenditures of school funds is provided in the regulation accompanying this policy.

NOTE: All use of public funds should directly serve a public purpose in a clear and transparent manner. Districts should consider what purchasing and reimbursement flexibility is needed for their district and apply all restrictions equally.

Legal References:	Iowa Constitution Article III, Section 31; Iowa Code §§ 68A.505; 279.8; 721.2. 281 I.A.C. 98.70
Cross References:	401.12 Employee Travel Compensation 704.1 Local-State-Federal-Miscellaneous Revenue 704.5 Student Activities Funds 705.1 Purchasing-Bidding 705.2 Purchasing on Behalf of Employees 705.5 Payment for Goods and Services 707.5 Internal Controls 905.1 Community Use of School District Facilities & Equipment

Approved 01/13/14 Reviewed 7/13/20 Revised 01/13/14

705.8R1 USE OF PUBLIC FUNDS REGULATION

The following is a list of examples organized by activity for what is allowable, or not allowable as a purchase/reimbursement using public funds. This regulation is intended as guidance and there may be situations that are not listed here. Any questions regarding the appropriateness of an expenditure should be submitted to administration **prior** to expending funds.

Reimbursements to an Individual

- Use of Credit/Procurement Card: All purchases through a district-owned credit or procurement card shall be pre-approved and comply with the district's policy *401.10 – Credit and Procurement Cards*.
- Mileage: Individuals who are required to travel (other than to and from work) as part of fulfilling their job duties to the district shall be reimbursed for mileage costs in accordance with the requirements stated in the district's *Employee Travel Compensation* policy.
- Travel accommodations: Employees who are required to travel and stay overnight as part of fulfilling their job duties to the district shall be reimbursed for costs in accordance with the requirements stated in the district's *Employee Travel Compensation* policy.
- Alcohol: Alcohol is a personal expense and is never allowable for purchase or reimbursement using public funds.
- Food/Refreshments: Food and refreshments are typically a personal expense. Meetings spanning meal times should be avoided when possible. When a district meeting is required to take place spanning a customary meal time, the superintendent or designee shall determine whether food and/or refreshment will be provided to employees whose presence is required during the meeting. The cost of food and refreshment for employees shall be reasonable, and when possible, a separate itemized receipt for each employee is required. If an itemized receipt is not available, approval is required by the school business official prior to reimbursement. In all cases, the names and number of employees shall be noted on the receipt.
- Apparel/Personal Items: Apparel and personal items including, but not limited to items such as t-shirts, hats, mugs, etc. provide personal benefit to individuals and are a personal expense. These items shall not be purchased or reimbursed with public funds.
- Gifts: Gift cards or gifts given to individuals are personal expenses and public funds should not be used (except for recognition/staff retirement, listed below) for these purposes. Voluntary collections from staff would be an acceptable way of purchasing gifts.
- Retirement and Recognition Gifts: Recognizing an employee or volunteer's years of dedication to educating the community and commitment to the district serves a public purpose by honoring individuals with a token gift, or honorarium, in recognition of their service. The same is true for individual awards, mementos, or items purchased in recognition of employee service to the district. These purchases may use public funds, provided the expenditures are modest and approved by the superintendent.
- Honoraria: District employees may at times receive an honorarium from an outside source as compensation for the employee's time devoted to preparing and delivering a presentation within the scope of their professional field. Honorariums may only be accepted by employees when the employee has used their personal time outside of their work for the district to prepare and deliver the presentation. If the employee uses district time or resources to prepare or deliver a presentation, any honorarium shall be given to the district.

Supplies for Public Areas

- Limited refreshments such as water and coffee may be available in public reception areas of the district including, but not limited to the central office, the building administrator's office, etc. These refreshments may be purchased with the use of public funds, as they provide light refreshment to members of the community.

Staff Parties/Receptions

- Parties and receptions to benefit individual staff members are considered a personal expense and should not be purchased or reimbursed with public funds. This includes but is not limited to holiday parties.
- Hosting a group reception to honor all employees retiring from the district in a given school year is allowable as a public expense. Hosting a retirement reception provides a direct benefit to the community as an opportunity for the community to attend and honor the retiring employees' years of dedication and service to the district.

School/ Student Activity Banquets

- School/student activity banquets are typically a personal expense and will not be purchased or reimbursed with public funds unless the public purpose is submitted for review and pre-approved by the superintendent.

Memorial Gifts

- Memorial flowers to convey sympathy or congratulations are allowable as a public expense if they have been approved by the superintendent. Memorial cards are always appropriate.
- Memorial gifts of any sort other than flowers and a card are a personal expense.

Student Incentives

- It is within the discretion of the building principal to authorize the purchase of awards holding a nominal value to commemorate the achievements of a student or group of students. These awards should be designed to reward behavior and values that exemplify the educational and community mission of the district. Awards should not be gift cards or other monetary awards.
- Flowers and decorations for school dances held as part of the district's student activity program are an allowable expense paid out of the student activity fund, provided the purchases are approved by the building principal.

Meetings

- To the extent possible, meetings which span normal meal times should be avoided.
- Meetings of the district's board of directors and board committees are made up of individuals who volunteer a large amount of their personal time to serve the needs of the school community. These meetings are also scheduled at time most convenient for the public, and often span normal meal hours. Food and refreshment purchased for board members is an acceptable use of public funds. The service of these unpaid volunteers directly benefits the entire school community. The superintendent has discretion to purchase/reimburse reasonable expenses for providing food and refreshment to these unpaid volunteers during these meetings.

Some expenditures will be considered personal expenses regardless of the context. These include purchase or reimbursement of alcohol, and personal items not included as retirement or memorial gifts listed above.

706.1 PAYROLL PERIODS

The payroll period for the school district is monthly. Employees are paid on the 20th day of each month. If this 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 School Business Official to issue payroll to employees in compliance with this policy.

The requirements stated in the Handbook between employees in a certified collective bargaining unit and the board regarding payroll periods of such employees will be followed.

Legal Reference: Iowa Code §§ 91A.

Cross Reference: 706.2 Payroll Deductions

Approved 08/08/94 Reviewed 7/13/20 Revised 05/09/11

706.2 PAYROLL DEDUCTIONS

Ease of administration is the primary consideration for payroll deductions, other than those required by law. Payroll deductions are made for federal income tax withholdings, Iowa income tax withholdings, social security, Medicare and the Iowa Public Employees' Retirement System (IPERS).

Employees may elect to have amounts withheld from their pay for items authorized by law, subject to agreement of the district. Requests for these deductions will be made in writing to the superintendent.

It is the responsibility of the superintendent to determine which additional payroll deductions will be allowed.

The requirements stated in the Handbook between employees in a certified collective bargaining unit and the board regarding payroll deductions of such employees will be followed.

Legal Reference: Iowa Code §§ 91A.2(4), .3; 294.8-.9, .16.

Cross Reference:
406.6 Licensed Employee Tax Shelter Programs
412.4 Classified Employee Tax Shelter Programs
706.1 Payroll Periods

Approved 08/08/94 Reviewed 7/13/20 Revised 7/13/20

706.3 PAY DEDUCTIONS

The district provides leaves of absences to allow employees to be absent from work to attend to important matters outside of the workplace. As public employers, school districts are expected to record and monitor the work that employees perform and to conform to principles of public accountability in their compensation practices.

Consistent with principles of public accountability, it is the policy of the district that, when an employee is absent from work for less than one work day and the employee does not use accrued leave for such absence, the employee's pay will be reduced or the employee will be placed on leave without pay if:

- the employee has not sought permission to use paid leave for this partial-day absence,
- the employee has sought permission to use paid leave for this partial-day absence and permission has been denied,
- the employee's accrued paid leave has been exhausted, or,
- the employee chooses to use leave without pay.

In each case in which an employee is absent from work for part of a work day, a deduction from compensation will be made or the employee will be placed on leave without pay for a period of time which is equal to the employee's absence from the employee's regularly scheduled hours of work on that day.

Legal Reference: 29 U.S.C. Sec. 2 13(a)
29 C.F.R. Part 541

Cross References: 409.8 Licensed Employee Unpaid Leave
414.8 Classified Employee Unpaid Leave

Approved 7/13/20 Received _____ Revised _____

706.3R1 PAY DEDUCTION REGULATION

The district complies with all applicable laws with respect to payment of wages and benefits to employees including laws such as the federal Fair Labor Standards Act and the Iowa Wage Payment Collection Act. The district will not make pay deductions that violate either the federal or state laws.

Any employee who believes that the district has made an inappropriate deduction or has failed to make proper payment regarding wages or benefits is encouraged to immediately consult with the appropriate supervisor. Alternatively, any employee may file a formal written complaint with the School Business Official. Within 15 business days of receiving the complaint, the School Business Official 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.

707.1 SECRETARY'S REPORTS

The board secretary will report to the board each month about the receipts, disbursements and balances of the various funds. This report will be in written form and sent to the board with the agenda for the board meeting.

Legal Reference: Iowa Code §§ 279.8; 291.7.

Cross Reference:
206.3 Secretary-Treasurer
211.1 Annual Meeting
707 Fiscal Reports

Approved 08/08/94 Reviewed 7/13/20 Revised 7/13/20

707.2 TREASURER'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.

Legal Reference: Iowa Code §§ 279.31, .33.

Cross Reference:
206.3 Secretary-Treasurer
211.1 Annual Meeting
707 Fiscal Reports

Approved 08/08/94 Reviewed 7/13/20 Revised 7/13/20

707.3 PUBLICATION OF FINANCIAL REPORTS

Each month the schedule of bills allowed by the board is published in a newspaper designated as a newspaper for official publication. Annually, the total salaries paid to employees regularly employed by the school district will 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.

Legal Reference: Iowa Code §§ 279.35, .36; 618.

Cross Reference: 206.3 Secretary-Treasurer

Approved 08/08/94 Reviewed 7/13/20 Revised 7/13/20

707.4 AUDIT

To review the funds and accounts of the school district, the board will employ an auditor to perform an annual audit of the financial affairs of the school district. The superintendent will use a request for proposal procedure in selecting an auditor. The administration will cooperate with the auditors.

Legal Reference: Iowa Code § 11.6.

Cross Reference:
- 701 Financial Accounting System
- 707 Fiscal Reports

Approved 08/08/94 Reviewed 7/13/20 Revised 7/13/20

707.5 INTERNAL CONTROLS

The board expects all board members, employees, volunteers, consultants, vendors, contractors, students and other parties maintaining any relationship with the school district to act with integrity, due diligence, and in accordance with all laws in their duties involving the school district's resources. The board is entrusted with public dollars and no one connected with the school district should do anything to erode that trust.

Internal controls are used to help ensure the integrity of district financial and accounting information. Adherence to district-established internal control procedures is the responsibility of all employees of the school district. The superintendent, school business official and board secretary shall be responsible for developing internal controls designed to prevent and detect fraud, financial impropriety, or fiscal irregularities within the school district subject to review and approval by the board. Administrators shall be alert for any indication of fraud, financial impropriety, or irregularity within the administrator's area of responsibility.

Any employee who suspects fraud, impropriety, or irregularity shall report their suspicions immediately to his/her immediate supervisor and/or the superintendent. The superintendent shall have primary responsibility for any necessary investigations and shall coordinate investigative efforts with the board's legal counsel, auditing firm, the Auditor of State's office 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 president or vice-president, who shall be empowered to contact the board's legal counsel, Auditor of State's office, insurance agent, auditing firm, and any other agency to investigate the concern or complaint.

The superintendent or board president shall ensure the Auditor of State's office is notified of any suspected embezzlement, theft or other financial irregularity pursuant to Iowa law. The superintendent and/or board president in coordination with the Auditor of State's office, will determine whether to conduct a complete or partial audit. 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. In the event there is an investigation, records will be maintained for use in the investigation. Individuals found to have altered or destroyed records will be subject to disciplinary action, up to and including termination.

Legal References: American Competitiveness and Corporate Accountability Act of 2002, Pub. L. No. 107-204.
Iowa Code §§ 11, 279.8.

Cross References: 401.20 Employee Use of Cell Phones
707.6 Audit Committee

Approved 7/13/20 Revised _____ Reviewed _____

707.5R1 INTERNAL CONTROLS PROCEDURES

Fraud, financial improprieties, or fiscal irregularities include, but are not limited to:

- Forgery or unauthorized alteration of any document or account belonging to the district.
- Forgery or unauthorized alteration of a check, bank draft, or any other financial document.
- Misappropriation of funds, securities, supplies, or other assets.
- Impropriety in the handling of money or reporting of financial transactions.
- Profiteering because of "insider" information of district information or activities.
- Disclosing confidential and/or proprietary information to outside parties.
- Accepting or seeking anything of material value, other than items used in the normal course of advertising, from contractors, vendors, or persons providing services to the district.
- Destroying, removing, or inappropriately using district records, furniture, fixtures, or equipment.
- Failing to provide financial records to authorized state or local entities.
- Failure to cooperate fully with any financial auditors, investigators or law enforcement.
- Any other dishonest or fraudulent act involving district monies or resources.
- Acting for purposes of personal financial gain, rather than in the best interests of the district.
- Providing false, inaccurate, or misleading financial information to district administrators or the board of directors.

The superintendent, or the board president if the investigation centers on 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. The superintendent, or the board president if the investigation centers on the superintendent, may engage qualified independent auditors to assist in the investigation.

If an investigation substantiates the occurrence of a fraudulent activity, the superintendent, or the board president if the investigation centers on the superintendent, shall issue a report to the board and appropriate personnel. The final disposition of the matter and any decision to file or not file a criminal complaint or to refer the matter to the appropriate law enforcement and/or regulatory agency for independent investigation shall be made in consultation with district legal counsel. The results of the investigation shall not be disclosed to or discussed with anyone other than those individuals with a legitimate right to know until the results are made public.

707.6 AUDIT COMMITTEE

The board recognizes that it is charged with raising tax revenues and related expenditures to maintain the educational program for the school district. Public funds are held in trust by the board to be spent appropriately on the educational program. To further ensure funds are spent appropriately, the board establishes an audit committee to assist the board on internal financial matters and with the annual audit.

The audit committee is comprised of:

[List members that may include board members, administrators and public members. It's recommended that there be a balance between internal and external members.]

The audit committee chair is selected by *[either the board or the audit committee – insert appropriate process.]*

The major responsibilities of the audit committee are to:

- Recommend an auditor to the board *[insert frequency, every three years, annually, etc.]*.
- Oversee the selection of the independent auditor and the resolution of audit findings including compliance with the mandatory request for proposal process.
- Act as a liaison between the board and the auditor during the audit process.
- Annually report to the board about the annual audit.
- Recommend internal changes that may need to be made to ensure appropriate internal controls are being implemented.

(insert other duties as desired by the board)

The audit committee will meet as directed by its chair. The audit committee is subject to the open meetings law.

Legal References: American Competitiveness and Corporate Accountability Act of 2002, Pub. L. No. 107-204.
Iowa Code ch. 11, 279.8.

Cross References: 209.1 Ad Hoc Committees
707.5 Internal Controls

Approved 7/13/20 Revised _____ Reviewed _____

708 CARE, MAINTENANCE AND DISPOSAL OF SCHOOL DISTRICT RECORDS

School district records are housed in the central administration office of the school district. It is the responsibility of the superintendent to oversee the maintenance and accuracy of the records. The following records are 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 related records	5 years
Recordings and minutes of closed meetings	1 year
Program grants	As determined by the grant
Nonpayroll personnel records	10 years after leaving the district
Employment applications	2 years
Payroll records	3 years
School meal 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 that 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.

Employees' records are housed in the central administration office of the school district. The employees' records are maintained by the superintendent, the building administrator, the employee's immediate supervisor, and the board secretary.

An inventory of the furniture, equipment, and other nonconsumable items other than real property of the school district is conducted annually under the supervision of the superintendent. This report is filed with the board secretary.

The permanent and cumulative records of students currently enrolled in the school district are housed in the central administration office 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 is responsible for keeping these records current. Permanent records of students who have graduated or are no longer enrolled in the school district are housed in the high school office. These records will be maintained by the superintendent.

Special education records shall be maintained in accordance with law.

The superintendent may digitize or otherwise electronically retain school district records and may destroy paper

copies of the records. An electronic record which accurately reflects the information set forth in the paper record after it was first generated in its final form as an electronic record, and which remains accessible for later reference meets the same legal requirements for retention as the original paper record.

Legal Reference: 7 C.F.R. § 210.23(c)
Iowa Code §§ 22.3; 22.7; 279.8; 291.6; 554D.114; 554D.119; 614.1(12).
281 I.A.C. 12.3(4); 41.624.
City of Sioux City v. Greater Sioux City Press Club, 421 N.W.2d 895 (Iowa 1988).
City of Dubuque v. Telegraph Herald, Inc., 297 N.W.2d 523 (Iowa 1980).

Cross Reference:
206.3 Secretary
218 Board of Directors' Records
401.6 Employee Records
506 Student Records
901.1 Public Examination of School District Records

Approved 08/08/94 Reviewed 7/13/20 Revised 7/13/20

709.1 INSURANCE PROGRAM

The board will maintain a comprehensive insurance program to provide adequate coverage against major types of risk, loss, or damage, as well as legal liability. The board will purchase insurance at replacement values, when possible, after reviewing the costs and availability of such insurance. The comprehensive insurance program is reviewed once every three years.
Insurance will only be purchased through legally licensed Iowa insurance agents.

The school district will assume the risk of property damage, legal liability, and dishonesty in cases in which the exposure is so small or dispersed that a loss does not significantly affect the operation of the education program or financial condition of the school district.

Insurance of buildings, structures, or property in the open will not generally be purchased to cover loss exposures below $1,000 unless such insurance is required by statute or contract.

The board may retain a private organization for fixed assets management services.

Administration of the insurance program, making recommendations for additional insurance coverage, placing the insurance coverage and loss prevention activities is the responsibility of the superintendent. The school business official is responsible for maintaining the capital assets management system, processing claims and maintaining loss records.

Legal Reference: Iowa Code §§ 20.9; 85.2; 279.12, .28; 285.5(6), .10(6); 296.7; 298A; 517A.1; 670.7.

Cross Reference: 205.1 Board Member Liability
804 Safety Program

Approved 08/08/94 Reviewed 7/13/20 Revised 7/13/20

709.2 INSURANCE REPORT

At the annual meeting each year, the board shall receive a written report indicating the types, amounts of, and cost of the insurance for the school district. This report shall include bonds purchased for employees and board officers. It shall be in written form and sent to the board with the agenda for the board meeting.

It is the responsibility of the school business official to file this report with the board.

Legal Reference: Iowa Code § 279.8 (2009).

Cross Reference: 709.1 Insurance Program

Approved 08/08/94 Reviewed 7/13/20 Revised 7/13/20

710.1 SCHOOL NUTRITION PROGRAM

The school district will operate a school nutrition program in each attendance center. The school nutrition program 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 program facilities are provided to serve students and employees when school is in session and during school-related activities. They may also be used under the supervision of the food service director for food service to employee groups, parent-teacher meetings, civic organizations meeting for the purpose of better understanding the schools, and senior citizens in accordance with law and board policy.

The school nutrition program is operated on a nonprofit basis. The revenues of the school nutrition program will be used only for the operation or improvement of such programs. Supplies of the school nutrition program will only be used for the school nutrition program.

The board will set, and annually review, the prices for school nutrition programs. It is the responsibility of the superintendent to make a recommendation regarding the prices of the school nutrition program.

It is 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 district shall comply with all federal and state laws and regulations required for procurement, including the selection and evaluation of contractors. The superintendent or designee is responsible for developing an administrative process to implement this policy, including, but not limited to, procedures related to suspension and debarment for transactions subject to those requirements.

Legal Reference:
42 U.S.C. §§ 1751 *et seq.*
7 C.F.R. Pt. 210 *et seq.*
Iowa Code ch. 283A.
281 I.A.C. 58.

Cross Reference:
710.2 Free or Reduced Cost Meals Eligibility
710.3 Vending Machines
710.5 Meal Charge Policy
905 Use of School District Facilities and Equipment

Approved 08/08/94 Reviewed 7/13/20 Revised 7/13/20

710.2 FREE OR REDUCED COST MEALS ELIGIBILITY

Students enrolled and attending school in the school district who meet USDA eligibility guidelines will be provided the school 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 district shall at least twice annually notify all families of the availability, eligibility criteria, and application procedures for free or reduced price meals in accordance with state and federal law.

It is the responsibility of the food service director to determine the eligibility of students for free or reduced price school nutrition programs, in accordance with criteria established by state and federal law. If school personnel have knowledge of a student who is in need of free or reduced-price meals, school personnel shall contact the food service director.

If a student owes money for five or more meals, the food service director may contact the student's parent or guardian to provide information regarding the application for free or reduced price meals. The school is encouraged to provide reimbursable meals to students who request reimbursable meals unless the students' parent or guardian has specifically provided written direction to the school to withhold a meal from the student.

Employees will be required to pay for meals consumed.

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

Legal Reference:
2 U.S.C. §§ 1751 *et seq.*
7 C.F.R. §§ 210 *et seq.*
Iowa Code § 283A.
281 I.A.C. 58.

Cross Reference:
710.1 School Nutrition Program
710.3 Vending Machines
710.4 Meal Charges

Approved 08/08/94 Reviewed 7/13/20 Revised 7/13/20

710.3 VENDING MACHINES

Food served or purchased by students during the school day and food served or purchased for other than special circumstances is approved by the superintendent. Vending machines in the school building are the responsibility of the building principal. Purchases from the vending machines, will reflect the guidelines in the Wellness policy 507.9.

It is the responsibility of the superintendent to develop administrative regulations for the use of vending machines and other sales of food to students.

Legal Reference: 42 U.S.C. §§ 1751 *et seq.*
7 C.F.R. Pt. 210 *et seq.*
Iowa Code ch. 283A.
281 I.A.C. 58.

Cross Reference: 504.6 Student Fund Raising
710 School Food Services

Approved 08/08/94 Reviewed 7/13/20 Revised 7/13/20

710.4 RECORDS AND REPORTS

The records of the school food program shall be accurate and up-to-date. It shall be the responsibility of the food service director to maintain the records of the program in compliance with this policy and the accounting system of the school district.

The food service director shall report the food service activities to the board on a monthly basis.

Legal Reference: 42 U.S.C. §§ 1751 *et seq*. (2004).
7 C.F.R. Pt. 210 *et seq.* (2001).

Cross Reference: 710 School Food Services

Approved 08/08/94 Reviewed 7/13/20 Revised 05/09/11

710.5 MEAL CHARGES

In accordance with state and federal law, the Shenandoah Community School District adopts the following policy to ensure school district employees, families, and students have a shared understanding of expectations regarding meal charges. The policy seeks to allow students to receive the nutrition they need to stay focused during the school day, prevent the overt identification of students with insufficient funds to pay for school meals, and maintain the financial integrity of the nonprofit school nutrition program.

Payment of Meals Students have use of a meal account. When the balance reaches $0.00, a student shall not be allowed to charge meals or a la carte items until there are funds available in the account. Payments can be made at the school offices at Shenandoah High School, Shenandoah K-8, Logan Administration Office or at either Lunchroom Office. You may pay by cash, check or by our electronic option of MySchoolBucks. Directions to MySchoolBucks are on our school website or by calling a secretary for assistance.

Students who are eligible for free lunch will be provided a reimbursable meal regardless of the account balance. Students with outstanding meal charge debt shall be allowed to purchase a la carte items and or a different meal option if the student pays for the meal when it is received. Schools are encouraged to provide a reimbursable meal to students with outstanding meal charge debt. If an alternate meal is provided, the meal must be the same meal presented in the same manner to any student requesting an alternate meal.

Employees may use a meal account, but may not charge against this account. An employee shall not be allowed to charge meals or a la carte items.

Negative Account Balances
The school district will make reasonable efforts to notify families when meal account balances are low or at a zero balance. Additionally, the school district will make reasonable efforts to collect unpaid meal charges classified as delinquent debt. The school district will coordinate communications with families to resolve the matter of unpaid charges. Negative balances of more than $5.00, not paid prior to June 30th will be turned over to the business office for collection. Options may include: collection agencies, small claims court, or any other legal method permitted by law.

Unpaid Student Meals Account
The district will establish an unpaid student meals account in a school nutrition fund. Funds from private sources and funds from the district flexibility account may be deposited into the unpaid school meals account in accordance with law. Funds deposited into this account shall be used only to pay individual student meal debt.

Communication of the Policy
The policy and supporting information regarding meal charges shall be provided in writing to:

- All households at or before the start of each school year;
- Students and families who transfer into the district, at time of transfer; and
- All staff responsible for enforcing any aspect of the policy.

Records of how and when the policy and supporting information was communicated to households and staff will be retained.

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

Legal Reference:
42 U.S.C. §§ 1751 *et seq.*
7 C.F.R. §§ 210 *et seq.*
U.S. Dep't of Agric., SP 46-2016, Unpaid Meal Charges: Local Meal Charge Policies (2016).
U.S. Dep't of Agric. SP 46-2016, Unpaid Meal Charges: Clarification on Collection of Delinquent Meal Payments (2016).
U.S. Dep't of Agric., Sp 57-2016, Unpaid Meal Charges: Guidance and Q&A (2016).
Iowa Code 283A.
281 I.A.C. 58.

Cross Reference:
710.1 School Food Program
710.2 Free or Reduced Cost Meals Eligibility
710.3 Vending Machine

Approved 9/10/18 Reviewed 7/13/20 Revised 7/13/20

711.1 STUDENT SCHOOL TRANSPORTATION ELIGIBILITY

Elementary and middle school students living more than two miles from their designated school attendance centers and high school students living more than three miles from their designated attendance centers are entitled to transportation to and from their attendance center at the expense of the school district.

Transportation of students who require special education services will generally be provided as for other students, when appropriate. Specialized transportation of a student to and from a special education instructional service is a function of that service and, therefore, an appropriate expenditure of special education instructional funds generated through the weighting plan.

Transportation of a student to and from a special education support service is a function of that service, and is specified in the individualized education program (IEP) or the individualized family service plan (IFSP). When the IEP or IFSP team determines that unique transportation arrangements are required and the arrangements are specified in the IEP or IFSP, the school district will provide one or more of the following transportation arrangements for instructional services and the AEA for support services:

- Transportation from the student's residence to the location of the special education and back to the student's residence, or child care placement for students below the age of six.
- Special assistance or adaptations in getting the student to and from and on and off the vehicle, en route to and from the special education.
- Reimbursement of the actual costs of transportation when by mutual agreement the parents provide transportation for the student to and from the special education.

The school district is not required to provide reimbursement to parents who elect to provide transportation in lieu of agency-provided transportation.

A student may be required, at the board's discretion, to meet a school vehicle without reimbursement up to three-fourths of a mile. The board may require the parent to transport their children up to two miles to connect with school bus vehicles at the expense of the school district when conditions deem it advisable. It is within the discretion of the board to determine such conditions. Parents of students who live where transportation by bus is impracticable or unavailable may be required to furnish transportation to and from the designated attendance center at the expense of the school district. Parents, who transport their children at the expense of the school district, are reimbursed at the rate per mile set by the state.

Transportation arrangements made by agreement with a neighboring school district will follow the terms of the agreement. Students, who choose to attend a school in a school district other than their resident school district, will provide transportation to and from the school at their own expense.

Legal Reference: 20 U.S.C. §§ 1401, 1701 *et seq*.
34 C.F.R. Pt. 300 *et seq*.
Iowa Code §§ 256B.4; 285; 321.
281 I.A.C. 41.412.

Cross Reference:
501.17 Homeless Children and Youth
507.9 Student Special Health Services
603.3 Special Education
711 Transportation

Approved 08/08/94 Reviewed 7/13/20 Revised 7/13/20

711.2 STUDENT CONDUCT ON SCHOOL TRANSPORTATION

Students utilizing school 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 vehicle driver and the other passengers. Students who fail to behave in an orderly manner will be subject to disciplinary measures.

The driver will have the authority to maintain order on the school vehicle. It is the responsibility of the driver to report misconduct to the building administrator.

The board supports the use of video cameras on school buses used for transportation to and from school as well as for field trips, curricular or extracurricular events. The video cameras will be used to monitor student behavior and may be used as evidence in a student disciplinary proceeding. The videotapes are student records subject to school district confidentiality, board policy and administrative regulations.

After two warnings for bad conduct, the building principal will have the authority to suspend transportation privileges of the student or impose other appropriate discipline.

It is the responsibility of the superintendent, in conjunction with the building principal, to develop administrative regulations regarding student conduct and discipline when utilizing school district transportation.

Legal Reference: Iowa Code §§ 279.8; 285; 321.

Cross Reference:
503 Student Discipline
506 Student Records

Approved 08/08/94 Reviewed 7/13/20 Revised 7/13/20

711.2R1 STUDENT CONDUCT ON SCHOOL TRANSPORTATION REGULATION

All persons riding in school district vehicles will adhere to the following rules. The driver, sponsor or chaperones are to follow the school bus discipline procedure for student violations of this policy. Video cameras may be in operation on the school buses.

1. Bus riders will be at the designated loading point before the bus arrival time.
2. Bus riders will wait until the bus comes to a complete stop before attempting to enter.
3. Riders must not extend arms or heads out of the windows at any time.
4. Aisles must be kept cleared at all times.
5. All bus riders will load and unload through the right front door. The emergency door is for emergencies only.
6. A bus rider will depart from the bus at the designated point unless written permission to get off at a different location is given to the driver.
7. A rider may be assigned a seat by the driver.
8. Riders who damage seats or other equipment will reimburse the district for the cost of the repair or replacement.
9. Riders are not permitted to leave their seats while the vehicle is in motion.
10. Waste containers are provided on all buses for bus riders' use.
11. Permission to open windows must be obtained from the driver.
12. Classroom conduct is to be observed by students while riding the bus except for ordinary conversation.
13. The driver is in charge of the students and the vehicle, and the driver is to be obeyed promptly and cheerfully.
14. Students will assist in looking after the safety and comfort of younger students.
15. A bus rider who must cross the roadway to board or depart from the bus will pass in front of the bus (no closer than 10 feet), look in both directions and proceed to cross the road or highway only on signal from the driver.
16. Students will not throw objects about the vehicle nor out through the windows.
17. Shooting paper wads, squirt guns or other material in the vehicle is not permitted.
18. Students will keep feet off the seats.
19. Roughhousing in the vehicle is prohibited.
20. Students will refrain from crowding or pushing.
21. The use or possession of alcohol, tobacco or look-alike substances is prohibited in the vehicle.
22. The Good Conduct Rule is in effect.

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711.2R2 USE OF RECORDING DEVICES ON SCHOOL BUSES REGULATION

The board supports the use of recording devices on school buses as a means to monitor and maintain a safe environment for students and employees. The recording devices may be used on buses used for transportation to and from school, field trips, curricular events and extracurricular events. The contents of the recordings may be used as evidence in a student disciplinary proceeding.

Student Records

The content of the recordings is a student record subject to board policy and administrative regulations regarding confidential student records. Only those persons with a legitimate educational purpose may view the recordings. In most instances, those individuals with a legitimate educational purpose may be the superintendent, building principal, transportation director, bus driver and special education staffing team. A parent may view the recordings without consent from any student or parent also shown in the recording if the other students are bystanders. But if there is an altercation between multiple students, then all parents must give consent in order for the recordings to be viewed by parents.

A recording during a school-sponsored trip, such as an athletic event, may also be accessible to the sponsor or coach of the activity. If the content of the recording becomes the subject of a student disciplinary proceeding, it will be treated like other evidence in the proceeding.

Notice

The school district will annually provide the following notice to students and parents:

> The Shenandoah Community School District Board of Directors has authorized the use of recording devices on school district buses. The recording devices will be used to monitor student behavior to maintain order on the school buses to promote and maintain a safe environment. Students and parents are hereby notified that the content of the recordings may be used in a student disciplinary proceeding. The content of the recordings are confidential student records and will be retained with other student records. Recordings will only be retained if necessary for use in a student disciplinary proceeding or other matter as determined necessary by the administration. Parents may request to view the recording of their child if the recordings are used in a disciplinary proceeding involving their child.

The following notice will also be placed on all school buses equipped with recording devices:

> This bus is equipped with a recording/audio monitoring system.

Review of Recording Devices

The school district will review the recordings when necessary as a result of an incident reported by a bus driver or student. The recordings may be recirculated for erasure after 10 days.

Viewing of the recordings is limited to the individuals having a legitimate educational purpose. A written log will be kept of those individuals viewing the recordings stating the time, name of individual viewing and the date the recording was viewed.

Recording Monitoring System

Recording devices will be rotated randomly on school district buses.

Determination of how recording devices will be used and which school buses will be equipped with recording equipment will be made by the superintendent in consultation with the building principals and transportation director.

Student Conduct

Students are prohibited from tampering with the recording devices on the school buses. Students found in violation of this regulation will be disciplined in accordance with the school district discipline policy and Good Conduct Rule and will reimburse the school district for any repairs or replacement necessary as a result of the tampering.

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711.3 STUDENT TRANSPORTATION FOR EXTRACURRICULAR ACTIVITIES

The board in its discretion may provide school district transportation for extracurricular activities including, but not limited to, transporting student participants and other students to and from extracurricular events.

Students participating in extracurricular events, other than those held at the school district facilities, may be transported to the extracurricular event by school district transportation vehicles or by another means approved by the superintendent.

Students, who are provided transportation in school district transportation vehicles for extracurricular events, will ride both to and from the event in the school vehicle unless arrangements have been made with the building principal prior to the event. A student's parent may personally appear and request to transport the student home from a school-sponsored event in which the student traveled to the event on a school district transportation vehicle.

It is the responsibility of the superintendent to make a recommendation to the board annually as to whether the school district will provide the transportation authorized in this policy. In making the recommendation to the board, the superintendent will consider the financial condition of the school district, the number of students who would qualify for such transportation, and other factors the board or superintendent deem relevant.

Legal Reference: Iowa Code §§ 256B.4; 285.1-.4; 321.
281 I.A.C. 41.412.

Cross Reference: 504 Student Activities
711 Transportation

Approved 08/08/94 Reviewed 7/13/20 Revised 7/13/20

711.4 TRANSPORTATION EQUIPMENT

The school district shall purchase transportation vehicles which meet the requirements of the board and Iowa Department of Education. The purchase of such vehicles shall be in compliance with board policy.

School district student transportation vehicles shall be inspected by the Iowa Department of Education. It shall be the responsibility of the superintendent to arrange for the inspection of the school district transportation vehicles requiring inspection and to develop a program for routine maintenance of school district vehicles.

Legal Reference: Iowa Code § 285.10(3) (2009).
281 I.A.C. 43.30-.31, .41

Cross Reference: 705.1 Purchasing-Bidding
711 Transportation

Approved 08/08/94 Reviewed 7/13/20 Revised 05/09/11

711.5 SCHOOL VEHICLE ROUTES

It shall be the responsibility of the superintendent to develop the school bus routes keeping in mind the safety of the student, the size of the school buses, the length of the route, the cost to the school district, and other factors deemed relevant by the superintendent. The superintendent shall also develop emergency school bus routes that may be necessary due to weather or other conditions.

Legal Reference: Iowa Code §§ 285.10-.11 (2009).
281 I.A.C. 43.1-.2

Cross Reference: 711 Transportation

Approved 08/08/94 Reviewed 7/13/20 Revised 05/09/11

711.6 DISCRETIONARY STOPS BY SCHOOL VEHICLES

The school district is required to provide a certain level of transportation service to its resident students. The board has complete discretion to provide additional transportation service to its resident and nonresident students. School district transportation vehicles may, at the discretion of the board, make special stops on the bus route as a courtesy to the passengers. Changes in the bus route for discretionary stops must be reviewed by the board.

It shall be the responsibility of the superintendent to recommend to the board whether a school vehicle will make a discretionary stop. In making this recommendation, the superintendent shall consider the safety of the students, the size of the school buses, the length of the route, the cost to the school district, and other factors deemed relevant by the board or superintendent.

Legal Reference: Iowa Code § 285.10 (2009).
281 I.A.C. 43.10.

Cross Reference: 711 Transportation

Approved 08/08/94 Reviewed 7/13/20 Revised 05/09/11

711.7 SUMMER SCHOOL PROGRAM TRANSPORTATION SERVICE

The school district may use school vehicles for transportation to and from summer extracurricular activities. The superintendent will make a recommendation to the board annually regarding their use.

Transportation to and from the student's attendance center for summer school instructional programs is within the discretion of the board. It is the responsibility of the superintendent to make a recommendation regarding transportation of students in summer school instructional programs at the expense of the school district. In making the recommendation to the board, the superintendent will consider the financial condition of the school district, the number of students involved in summer school programs, and other factors deemed relevant by the board or the superintendent.

Legal Reference	Iowa Code § 285.10. 281 I.A.C 41.412 281 I.A.C. 43.10.
Cross Reference:	603.2 Summer School Instruction 711 Transportation

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711.8 TRANSPORTATION OF NONRESIDENT AND NONPUBLIC SCHOOL STUDENTS

The board has sole discretion to determine the method to be utilized for transporting nonresident and nonpublic students. Nonresident students paying tuition may be, and resident students attending a nonpublic school accredited by the State Department of Education, will be transported on an established public school vehicle route as long as such transportation does not interfere with resident public students' transportation. Nonresident and nonpublic school students will obtain the permission of the superintendent prior to being transported by the school district.

Parents of resident students who provide transportation for their children attending a nonpublic school accredited by the Iowa Department of Education will be reimbursed at the established state rate. This reimbursement is paid only if the school district receives the funds from the state. If less than the amount of funds necessary to fully reimburse parents of the nonpublic students is received by the school district, the funds will be prorated.

The charge to the nonresident students is determined based on the students' pro rata share of the actual costs for transportation. The parents of these students are billed for the student's share of the actual costs of transportation. The billing is according to the schedule developed by the superintendent. It is the responsibility of the superintendent to determine the amount to be charged and report it to the School Business Official for billing.

Continued transportation of nonresident and nonpublic school students on a public school vehicle route will be subject to resident public school students' transportation needs. The superintendent will make a recommendation annually to the board regarding the method to be used. In making a recommendation to the board, the superintendent will consider the number of students to be transported, the capacity of the school vehicles, the financial condition of the school district and other factors deemed relevant by the board or the superintendent.

Nonresident and nonpublic school students are subject to the same conduct regulations as resident public students as prescribed by board policy, and to other policies, rules, or regulations developed by the school district regarding transportation of students by the school district.

Legal Reference: Iowa Code §§ 285.1-.2, .10, .16.

Cross Reference: 711 Transportation

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711.9 TRANSPORTATION OF NONSCHOOL GROUPS

School district vehicles may be available to local nonprofit entities which promote cultural, educational, civic, community, or recreational activities for transporting to and from nonschool- 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 nonprofit 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 nonprofit entity, the "school bus" signs will 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 others to school-sponsored events within the state and for application for, use of, and payment for using the school district transportation vehicles by local nonprofit entities for a nonschool-sponsored activity.

Legal Reference: Iowa Code §§ 285.1(21), .10(9), (10).
281 I.A.C. 43.10.

Cross Reference: 711 Transportation
900 Principles and Objectives for Community Relations

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711.10 SCHOOL BUS SAFETY INSTRUCTION

The school district will conduct school bus safe riding practices instruction and emergency safety drills at least twice during the school year, once in the fall and once in the spring, for students who utilize school district transportation. Documentation of these safety drills will be maintained by the district for five years and made available upon request.

Each school bus vehicle will 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 will include, but not be limited to, students with disabilities.

Employees are responsible for instructing the proper techniques to be followed during an emergency, as well as safe riding practices. It is the responsibility of the superintendent to develop administrative regulations regarding this policy.

Legal Reference: Iowa Code §§ 279.8; 321.
281 I.A.C. 41.412; 43.40.

Cross Reference:
503 Student Discipline
507 Student Health and Well-Being
804.2 Warning Systems and Emergency Plans

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711.11 TRANSPORTATION IN INCLEMENT WEATHER

School district buses will not operate when weather conditions due to fog, rain, snow or other natural elements make it unsafe to do so. Because weather conditions may vary around the school district and may change quickly, the best judgment possible will be used with the information available.

The final judgment as to when conditions are unsafe to operate will be made by the superintendent. The superintendent will be assisted by the actual "on location" reports of the drivers.

Several drivers each year will be specially designated to report weather and road conditions by bus radio when requested to do so. Other employees and students will be notified by commercial radio 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. Students will be returned to their regular drop-off sites unless weather conditions prevent it. In that case, students will be kept at or returned to school until they are picked up by the parents.

Legal Reference: Iowa Code § 279.8.

Cross Reference: 601.2 School Day

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711.12 DISTRICT VEHICLE IDLING

The board recognizes that it has a role in reducing environmental pollutants and in assisting students and others be free from pollutants that may impact their respiratory health. Unnecessary vehicle idling emits pollutants and wastes fuel. The board directs the superintendent, in conjunction with the Director of Transportation, to work on administrative regulations to implement this policy and reduce school vehicle idling time.

Legal References: Iowa Code §279.8

Cross References:
- 403 Employee Health and Well-Being
- 507 Student Health and Well-Being
- 711 Transportation

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711.13 SCHOOL BUS PASSENGER RESTRAINTS

The district shall utilize three-point lap-shoulder belts on district school buses as required by state law. All three-point lap-shoulder belts available on district buses will be used by passengers when the vehicle is in any non-stationary gear.

Legal Reference: 281 I.A.C. 43.10(6)

Cross Reference: 711.10 School Bus Safety Instruction

Approved 7/13/20 Reviewed _____ Revised _____

712 TECHNOLOGY AND DATA SECURITY

The Shenandoah Community School District recognizes the increasingly vital role technology plays in society. It is the goal of the district to embrace technology as a resource to further educate our students, and better prepare students for the future. It is the intent of the district to support secure data systems in the district, including security for all personally identifiable information (PII) that is stored digitally on district-maintained devices, computers and networks. Technology also has incredible potential to support increased efficiency, communication and growth through collaboration among administration, students, staff, employees and volunteers.

However, with this growth opportunity comes increased potential for valuable sensitive data to become public. The district takes seriously its responsibility to protect private data. The purpose of this policy is to ensure the secure use and handling of all district data, computer systems, devices and technology equipment by district students, employees, and data users.

The district supports the use of third-party vendors to perform necessary education functions for the district. Utilizing third party vendors to outsource functions the district would traditionally perform provides a cost-effective means to deliver high quality educational opportunities to all students. However, it is paramount that third party vendors with access to sensitive data and PII of district students, employees and data users be held to the highest standards of data privacy and security.

The selection of third-party vendors shall be in accordance with appropriate law and policy. Third-party vendors with access to PII shall meet all qualifications to be designated as a School Official under the Family Educational Rights and Privacy Act (FERPA). The board shall ensure that any approved contract with a third-party vendor will require that the vendor comply with all applicable state and federal laws, rules, or regulations, regarding the privacy of PII.

It is the responsibility of the superintendent to develop procedures for the district to enhance the security of data and the learning environment. The procedures shall address, but not be limited to, the following topics:

Access Control –Access control governs who may access what information within the district and the way users may access the information. Increased access to secure networks and data will inevitably increase the risk of security compromise to those networks and data. It is the responsibility of the superintendent to develop procedures for determining which individuals will have access to district networks, devices and data; and to what extent such access will be granted. System and network access will be granted based upon a need-to-have requirement, with the least amount of access to data and programs by the user as possible.

Security Management –Security management addresses protections and security measures used to protect digital data. These include measures related to audits and remediation, as well as security plans for responding to, reporting and remediating security incidents. It is the responsibility of the superintendent to develop procedures to govern the secure creation, storage and transmission of any sensitive data and personally identifiable information (PII). The superintendent or designee shall implement network perimeter controls to regulate data moving between trusted internal resources to external entities.

Technology and Data Use Training – Technology and data use training addresses acceptable use best practices to safeguard data for students, employees and staff. It is the responsibility of the superintendent to develop procedures for creating and administering a training program on proper data and technology use. The training shall address the proper use and security of all district owned or controlled technology, devices, media and data. Training should be administered to all district data users. The training program should be updated and presented to the school board for approval on an annual basis.

In furtherance of this policy, the superintendent or designee shall be responsible for overseeing district-wide data and technology security, to include development of standards and procedures and adherence to the administrative procedures defined in this document.

Legal References:
20 U.S.C. §1232g; 34 C.F.R. Part 99
47 U.S.C. §254
20 U.S.C. §6777
Iowa Code §§ 279.70; 715C

Cross References:
401.17 Staff Technology Use/Social Networking
506.1 Student Records
605.4 Technology and Instructional Materials

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Code No. 712R1

712R1 SECURITY REQUIREMENTS OF THIRD-PARTY VENDORS REGULATION

The District must ensure proper safeguards and procedures exist to use third-party vendors as a resource to further educational functions. The following procedures shall be used to investigate and contract only with qualifying third-party vendors for the performance of necessary educational functions of the district; and to ensure that third-party vendors meet the required standards to be designated under the Family Educational Rights and Privacy Act (FERPA) as a School Official to handle personally identifiable information (PII) within the district.

Third-party vendors may be designated by the district as a School Official when the vendor:

1. Performs an institutional service or function for which the school or district would otherwise use its own employees;
2. Has met the criteria set forth in the district's annual notification of FERPA rights for being a school official with a legitimate educational interest in the education records;
3. Is under the direct control of the district regarding the use and maintenance of education records; and
4. Uses education records only for authorized purposes and may not re-disclose PII from education records to other parties (unless the provider has specific authorization from the district to do so and is otherwise permitted by FERPA).

Third party vendor data use requirements shall include, but not be limited to the following:

1. The vendor implement and maintain security procedures and practices consistent with current industry standards; and
2. The vendor be prohibited from collecting and using PII for:
   a. Targeted advertising;
   b. Amassing a profile about a student or students except in furtherance of educational purposes;
   c. Selling or renting PII for any purpose other than those expressly permitted by law; and
   d. Disclosing PII for any purposes other than those expressly permitted by law.

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BUILDINGS & SITES (Series 800)

800 OBJECTIVES OF BUILDINGS & SITES

This series of the board policy manual sets forth the board objectives and goals for the school district's buildings and sites. It is the goal of the board to provide sufficient school district buildings and sites for the education program. The board will 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 has final authority to determine what is necessary to meet the needs of the education program.

It is the responsibility of the superintendent to oversee the day-to-day operations of the school buildings and sites and to notify the board of areas in need of improvement.

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801.1 BUILDINGS & SITES LONG RANGE PLANNING

As part of the board's long-range plan for the school district's education program, the board will include the buildings and sites needs for the education program. The long-term needs for building and will be discussed and determined by the board.

It is the responsibility of the superintendent to provide information including, but not limited to, enrollment projections and education program requirements to the board.

Legal Reference: Iowa Code §§ 280.3, .12, .14; 297.

Cross Reference: 105 Long-Range Needs Assessment

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801.2 BUILDINGS & SITES SURVEYS

The board may engage the services of consultants or other personnel to study the needs of the school district's buildings and sites in providing the education program. The results of these services will be considered in planning the education program and in making decisions about the improvement and acquisition of additional buildings and sites.

It is the responsibility of the superintendent to make a recommendation to the board regarding the need for such services and who should perform such services for the board.

Legal Reference: Iowa Code §§ 280.3, .14; 297.

Cross Reference:
105 Long-Range Needs Assessment
801 Site Acquisition and Building Construction

Approved 08/08/94 Reviewed 7/13/20 Revised 7/13/20

801.3 EDUCATIONAL SPECIFICATIONS FOR BUILDINGS & SITES

Buildings and sites considered for purchase or construction by the board or currently owned by the school district and used for the education program must meet, or upon improvement be able to meet, the specifications set by the board. The board will make this determination.

Prior to remodeling or other construction of buildings and sites, the board may appoint a committee of consultants, employees, citizens, or others to assist the board in developing the specifications for the new or improved buildings and sites. These specifications will be consistent with the education program, and they will provide the architect with the information necessary to determine what is expected from the facility. It is within the discretion of the board to determine whether a committee is appointed.

The education specifications will include, but not be limited to, the financial resources available for the project, the definition and character of classrooms, the functional use to be made of the rooms, description of specialized needs, and other pertinent information as the board deems necessary.

It is the responsibility of the superintendent to make a recommendation to the board regarding the specifications of buildings and sites.

Legal Reference: Cedar Rapids Community School District, Linn County v. City of Cedar Rapids, 252 Iowa 205, 106 N.W.2d 655 (1960).
Iowa Code §§ 8A; 280.3, .14; 297; 544A.

Cross Reference: 801 Site Acquisition and Building Construction

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801.4 SELECTION OF AN ARCHITECT

The board shall have the authority to select the architect for construction requiring these services. The financial condition of the school district, the ability of the architect to meet the specifications of the board and the State Department of Education if necessary, the experience of the architect and other factors deemed relevant by the board will be considerations for selection of an architect.

It shall be the responsibility of the board to interview the architects and make a decision.

Legal Reference: Iowa Code chs. 297; 544A (2009)

Cross Reference: 801 Site Acquisitions and Building Construction

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801.5 SITE ACQUISITION

Sites acquired by the board will 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 is the responsibility of the superintendent to assist the board and to make recommendations concerning the acquisition of sites.

Legal Reference: Iowa Code §§ 21.5(j); 297.

Cross Reference:
213 Closed Sessions
705.1 Purchasing - Bidding
801 Site Acquisition and Building Construction

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801.7 FINANCING SITES AND CONSTRUCTION

Prior to the approval of a construction contract, except emergency construction, the board shall review methods for financing the project. The board may use the means it deems necessary to pay for the purchase of sites and construction. In determining the means of financing for these purposes, the board shall consider the financial condition of the school district and the uses allowed for the monies of the school district.

It shall be the responsibility of the superintendent to analyze the various methods of financing for the purchase of sites and construction and make a recommendation to the board.

Legal Reference:
Harney v. Clear Creek Community School District, 261 Iowa 315, 154 N.W..2d 88 (1967).
Liggett v. Abbott, 192 Iowa 742, 185 N.W. 569 (1921)
Iowa Code §§ 73A; 74; 74A; 75; 278.1; 296; 297; 298 (1993)
1974 Op. Att'y Gen. 598.
1972 Op. Att'y Gen. 295.
1938 Op. Att'y Gen. 167.
1936 Op. Att'y Gen. 423.

Cross Reference:
705 Expenditures
801 Site Acquisition and Building Construction

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801.8 SUPERVISION OF CONSTRUCTION

Construction authorized by the board must be supervised for proper execution. The board will tour the completed construction area before allowing final payment on the project.

It shall be the responsibility of the superintendent to supervise construction projects of the school district as they are completed. The superintendent shall be responsible for providing the board with progress reports at each meeting until the construction is completed and shall work closely with the architect.

Legal Reference: Iowa Code §§ 279.8 (2009)

Cross Reference: 801 Site Acquisition and Building Construction

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802.1 MAINTENANCE SCHEDULE

The school district buildings and sites, including the grounds, buildings and equipment, will be kept clean and in good repair. Employees should notify the building principal when something is in need of repair or removal, including graffiti.

It is the responsibility of the superintendent to maintain the school district buildings and sites. As part of this responsibility, a maintenance schedule is created and adhered to in compliance with this policy.

Legal Reference: Iowa Code §§ 279.8; 280.3, .14.

Cross Reference:
- 502.2 Care of School Property/Vandalism
- 502.7 Student Lockers
- 802 Maintenance, Operation and Management
- 804.1 Facilities Inspections

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802.2 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.

Legal Reference: Iowa Code §§ 279.8; 280.3, .14.

Cross Reference: 802.1 Maintenance Schedule
802.3 Emergency Repairs

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802.3 EMERGENCY REPAIRS

In the event an emergency requiring repairs in excess of the state limit, to a school district facility are necessary to correct or control the situation and to prevent the closing of school, the provisions relating to bidding will not apply.

It is the responsibility of the superintendent to obtain certification from the area education agency administrator stating such repairs in excess of the state limit were necessary to prevent the closing of school.

It is the responsibility of the superintendent to notify the board as soon as possible considering the circumstances of the emergency.

Legal Reference: Iowa Code §§ 280.3, .14; 297.8.

Cross Reference: 705.1 Purchasing - Bidding
802 Maintenance, Operation and Management

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802.4 CAPITAL ASSETS

The school district will establish and maintain a capital assets management system for reporting capitalized assets owned or under the jurisdiction of the school district in its financial reports in accordance with generally accepted accounting principles (GAAP) as required or modified by law; to improve the school district's oversight of capital assets by assigning and recording them to specific facilities and programs and to provide for proof of loss of capital assets for insurance purposes.

Capital assets, including tangible and intangible assets, are reported in the government-wide financial statements (i.e. governmental activities and business type activities) and the proprietary fund financial statements. Capital assets reported include school district buildings and sites, construction in progress, improvements other than buildings and sites, land and machinery and equipment. Capital assets reported in the financial reports will include individual capital assets with an historical cost equal to or greater than $5,000. The Federal regulations governing school nutrition programs require capital assets attributable to the school nutrition 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 $150,000 with useful life of two or more years, are included in the intangible asset inventory for capitalization purposes. Such assets are recorded at actual historical cost and amortized over the designated useful lifetime applying a straight-line method of depreciation. If there are no legal, contractual, regulatory, technological or other factors that limit the useful life of the asset, then the intangible asset needs to be considered to have an indefinite useful life and no amortization should be recorded.

Phase III districts, as determined under GASB 34, will not retroactively report intangible assets. If actual historical cost cannot be determined for intangible assets due to lack of sufficient records, estimated historical cost will be used.

This policy applies to all intangible assets. If an intangible asset that meets the threshold criteria is fully amortized, the asset must be reported at the historical cost and the applicable accumulated amortization must also be reported. It is not appropriate to “net” the capital asset and amortization to avoid reporting. For internally generated intangible assets, outlays incurred by the government's personnel, or by a third-party contractor on behalf of the government, and for development of internally generated intangible assets should be capitalized.

The capital assets management system must be updated monthly to account for the addition/acquisition, disposal, relocation/transfers of capital assets. It is the responsibility of the superintendent to count and reconcile the capital assets with the capital assets management system on June 30 each year.

It is the responsibility of the superintendent to develop administrative regulations implementing this policy. It will also be the responsibility of the superintendent to educate employees about this policy and its supporting administrative regulations.

Legal Reference: Iowa Code §§ 257.31(4); 279.8; 297.22-.25; 298A .

Cross Reference: 709.1 Insurance Program
701.5 Financial Records

Approved 08/08/94 Reviewed 7/13/20 Revised 7/13/20

802.4R1 CAPITAL ASSETS REGULATION

A. Capital Assets Management System.
   1. The superintendent, and/or other designated staff, shall:
      a. Conduct the capital assets physical count;
      b. Develop the capital assets listing;
      c. Tag capital assets included in the capital assets management system with a bar code identification number;
      d. Make a recommendation of a computer software program for managing the capital assets management system;
      e. Enter the necessary data into the capital assets management system and compile the appropriate reports;
      f. Develop forms and procedures for maintaining the integrity of the capital assets management system; and
      g. 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 on 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 capital 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 $500. 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.

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.

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802.4R2 CAPITAL ASSETS MANAGEMENT SYSTEM DEFINITIONS

Back trending/standard costing - an estimate of the historical original cost using a known average installed cost for like units as of the estimated addition/ acquisition date. This cost is only applied to the capital assets initially counted upon implementation of the capital assets management system when the historical original cost cannot be determined. It is inappropriate to apply the back trending/standard costing method to any capital assets acquired after the assets management system implementation date.

Balance sheet accounting/class codes - the codes set out for assets in the Iowa Department of Education Uniform Accounting Manual. They are: 200-capital assets; 211-land and land improvements; 221-site improvements; 222-accumulated depreciation on site improvements; 231-buildings and building improvements; 232-accumulated depreciation on buildings and building improvements; 241-machinery and equipment; 242-accumulated depreciation on machinery and equipment, 251-works of art and historical treasures, 252-accumulated depreciation on works of art and historical treasures, 261- infrastructure, 262-accumulated depreciation on infrastructure, and 271-construction in progress.

Book value - The value of capital assets on the records of the school district, which can be the cost or, the cost less the appropriate allowances, such a 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 $500 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 on the school district’s capital assets.

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, drainage systems, tater 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 ($*capitalization threshold*), 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.

Approved 9/11/06 Reviewed 7/13/20 Revised 7/13/20

802.5 BUILDINGS & SITES ADAPTATION FOR PERSONS WITH DISABILITIES

The board recognizes the need for access to its buildings and sites by persons with disabilities. School district buildings and sites currently in use will be altered to be accessible to persons with disabilities unless the alteration would cause an undue hardship for the school district. Renovated and new buildings and sites 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.

Legal Reference: 29 U.S.C. §§ 621-634.
42 U.S.C. §§ 12101 *et seq.*
Iowa Code chs. 104A; 216.

Cross Reference: 103 Equal Educational Opportunity
603.3 Special Education

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802.6 VANDALISM

The board believes everyone should treat school district buildings and sites and property with respect for the benefit of the education program. Users of school district property 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.

Legal Reference: Iowa Code § 279.8.

Cross Reference: 502 Students Rights and Responsibilities
903.4 Public Conduct on School Premises

Approved 08/08/94 Reviewed 7/13/20 Revised 7/13/20

802.7 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, reducing the temperature of the facility, particularly when it is not in use, and keeping windows and doors properly closed or open, depending upon the weather.

It is the responsibility of the superintendent to develop energy conservation guidelines for employees and students. Employees and students will abide by these guidelines.

Legal Reference: Iowa Code §§ 279.44; 473.19-.20.

Cross Reference: 700 Purpose of Noninstructional and Business Services

Approved 08/08/94 Reviewed 7/13/20 Revised 7/13/20

802.8 CONTRACT FOR MAINTENANCE SERVICES

The board may contract for custodial and other maintenance services for the school district buildings and sites. The superintendent is authorized to contract for such services. Except in the case of emergency, the board shall approve the contracts for these services if the cost exceeds $2,000.

It shall be the responsibility of the superintendent to consider the financial condition of the school district and other factors deemed relevant by the superintendent in making such contracts.

Legal Reference: Iowa Code § 279.8 (2009).

Cross Reference:
703 Budget
705 Expenditures
802.3 Emergency Repairs

Approved 08/08/94 Reviewed 7/13/20 Revised 07/11/11

802.9 CAPITAL ASSETS

General Capital Assets:
General capital assets are assets that generally result from expenditures in the governmental funds and are capitalized in the General Fixed Assets Account Group. These assets are reported in the governmental activity column of the government-wide statement of net assets, but are not reported in the fund financial statements.

Business-Type Capital Assets:
Business-type capital assets are those assets reported in the proprietary funds. These assets are reported in the business-type activity column of the government-wide statement of net assets, but are not reported in the fund financial statements.

All capital assets are capitalized at cost for estimated historical cost and updated for additions and retirements during the year. Donated fixed assets are recorded at their fair market value as of the date received. The District does not possess any infrastructure. Improvements are capitalized, the cost of normal maintenance and repairs that do not add to the value of the asset or materially extend an asset's life are not.

The District maintains a reporting threshold of $3,000 for general capital assets and a reporting threshold of $500 for business-type capital assets. All reported capital assets except land and construction-in-progress are depreciated. Improvements are depreciated over the remaining useful lives of the related capital assets. Depreciation is computed using the straight-line method over the useful life.

Asset Class	Useful Life
Computers, TV	5 years
School Nutrition Vehicles	7 years
Licensed Vehicles	7 years
Musical Instruments	7 years
School Nutrition Equipment	12 years
Machinery & Equipment	15 years
Buildings	50 years

Approved 12/08/03 Reviewed 7/13/20 Revised 07/11/11

802.10 INTANGIBLE ASSET REPORTING

Effective for the fiscal year beginning on July 1, 2010, and each fiscal year thereafter, the Shenandoah Community School District will conform to GASB Statement 51, Accounting and Financial Reporting for Intangible Assets.

The following criteria shall be used to identify and report intangible assets on the District's Statement of Net Assets.

Identification
An intangible asset will be recognized in the Statement of Net Assets only if it is identifiable using the following tests:

a) Separable (it can be separated/divided from the government and sold, transferred, licensed, rented or exchanged **or**
b) Arose from the contractual or other legal rights, regardless of whether those rights are transferable or separable.

Threshold for Capitalization
The Shenandoah Community School District will not capitalize any intangible asset with a value of less than $150,000.00.

Measurement/Recognition
Effective July 1, 2010, intangible assets exceeding the District's threshold will be recorded at actual historical cost.

Amortization
The straight-line method of depreciation will be used to amortize intangible assets meeting District criteria. If is noted that the useful life of an intangible asset that arises from contractual or other legal rights should not exceed the period to which the service capacity of the asset is limited by those contractual or legal provisions.

Miscellaneous
This policy must be applied to all intangible assets. If an intangible asset meets the threshold criteria and is fully amortized, the asset must be reported at historical cost and the applicable accumulated depreciation must be reported as well.

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803.1 DISPOSITION OF OBSOLETE EQUIPMENT

School property, such as equipment, furnishings, or supplies (hereafter equipment), will be disposed of when it is determined to be of no further use to the school district. It is the objective of the school district in disposing of the equipment to achieve the best available price or most economical disposal.

Obsolete equipment having a value of less than $5000 will be sold or disposed of in a manner determined by the board. *(Insert method here.)* However, the sale of equipment, furnishings or supplies disposed of in this manner will be published in a newspaper of general circulation. The publication of the sale or disposition will be published with at least one insertion each week for two consecutive weeks. Any other disposition may be done in any other manner so with only one insertion in same newspaper.

A public hearing will be held regarding the disposal of the equipment with a value of $5,000 or more prior to the board's final decision. The board will adopt a resolution announcing the proposed sale and will publish notice of the time and place of the public hearing and the description of the property will be in the resolution. Notice of the public hearing will be published at least once, but not less than 10 days and not more than 20 days, prior to the hearing date. Upon completion of the public hearing, the board may dispose of the equipment.

It is the responsibility of the superintendent to make a recommendation to the board regarding the method for disposing of equipment of no further use to the school district.

Legal Reference: Iowa Code §§ 297.22-.25.

Cross Reference:
- 704 Revenue
- 705.1 Purchasing - Bidding
- 803 Selling and Leasing

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803.2 LEASE, SALE OR DISPOSAL OF SCHOOL DISTRICT BUILDINGS & SITES

Decisions regarding the lease, sale, or disposal of school district real property are made by the board. In making its decision the board will consider the needs of the education program and the efficient use of public funds.

Prior to the board's final decision regarding real property, a public hearing will be held. The board will adopt a resolution announcing the proposed sale which will contain notice of the time and place of the public hearing and the description of the property or locally known address. Notice of the time and place of the public hearing will be published at least once, but not less than 10 days and not more than 20 days, prior to the hearing date. Upon completion of the public hearing, the board may dispose of the property.

If the real property contains less than two acres, is located outside of a city, is not adjacent to a city and was previously used as a schoolhouse site, the property may revert to the owner of the tract from whom the property was taken following the procedures set forth in Iowa Code §§ 297.15-.25.

In the case of a sale or lease of school district real property not being used for the education program, unless otherwise exempted, advertisements for bids will be taken. If the bids received by the board are deemed inadequate, the board may decline to sell or lease the property and re-advertise.

In the case of the razing of a school district facility, in an amount in excess of the statutory minimum required by law, the board will advertise and take bids for the purpose of awarding the contract for the project.

The superintendent is responsible for coordinating the action necessary for the board to accomplish the lease, sale, or disposal of school district real property, including student-constructed buildings. It will also be the responsibility of the superintendent to make a recommendation to the board regarding the use of school district real property not being utilized for the education program.

Legal Reference: Iowa Code §§ 297.15-.25.

Cross Reference:
704 Revenue
705.1 Purchasing - Bidding
803 Selling and Leasing

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804.1 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.

Legal Reference: Iowa Code § 279.8.

Cross Reference: 802 Maintenance, Operation and Management

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804.2 DISTRICT EMERGENCY OPERATIONS PLANS

The safety and security of the school community is paramount to the Shenandoah Community School District. While there is no absolute guarantee of safety, it is the goal of the district to encourage and support physically secure learning and working environment within its buildings. The district shall work in conjunction with community stakeholders including local emergency management coordinators and local law enforcement agencies to create emergency operations plans for all district buildings and school buildings where students are educated.

The superintendent shall be responsible for the development, review and implementation of the district emergency operations plan. The plan shall include procedures for transmitting alerts regarding emergency situations to school personnel, students, and employers for non-school employees whose presence is regularly required in the school building. The emergency operations plan shall be updated and reviewed annually by the Board and shall address responses to natural disasters, active shooter scenarios and other emergencies as determined by the district. The emergency operations plans are confidential and shall not be subject to disclosure under Iowa Code Chapter 22. However, the district shall publish procedures for students, school personnel, parents, and family members to report possible safety threats on school grounds and at school activities.

The administration shall hold annual emergency operations drills at each district building covered by an emergency operation plan in accordance with law. The district shall determine which school personnel shall participate and whether local law enforcement and students participate in annual drills.

Legal Reference: Iowa Code § 280.30

Cross Reference: 800 Objectives of Buildings & Sites

Approved 08/08/94 Reviewed 7/13/20 Revised 7/13/20

804.3 FACILITIES SECURITY

To protect the school district buildings and sites and equipment, the facilities shall be locked when school is not in session. When school activities or public activities are held in the school district facilities, only the main entrance doors, as determined by the superintendent and the building principals, shall be unlocked for access to the school district facilities.

It shall be the responsibility of employees and users of the school district facilities to abide by this policy.

Legal Reference: Iowa Code §§ 279.8; 280.3, .14 (2009)

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

Approved 08/08/94 Reviewed 7/13/20 Revised 07/11/11

804.5 ASBESTOS CONTAINING MATERIAL

Friable and nonfriable asbestos containing materials will be maintained in good condition and appropriate precautions will be followed when the material is disturbed. If there is a need to replace asbestos it will be replaced with nonasbestos containing materials. Each school building will maintain a copy of the asbestos management plan.

The school district will annually notify, appoint and train appropriate employees as necessary.

Legal Reference: 20 U.S.C. §§ 3601 *et seq.*
40 C.F.R. Pt. 763.84.
Iowa Code §§ 279.52-.54.

Cross Reference: 403.4 Hazardous Chemical Disclosure
802 Maintenance, Operation and Management

Approved 08/08/94 Reviewed 7/13/20 Revised 7/13/20

804.5 STOCK EPINEPHRINE AUTO-INJECTOR SUPPLY

The Shenandoah Community School District seeks to provide a safe environment for students, staff, and visitors who are at risk of severe allergic reactions. Therefore, it is the policy of the district to annually obtain a prescription for epinephrine auto-injectors from a licensed health care professional, in the name of the school district, for administration by a school nurse or personnel trained and authorized to a student or individual who may be experiencing an anaphylactic reaction.

Procurement and maintenance of supply: The district shall stock a minimum of one pediatric dose and one adult dose epinephrine auto-injector for each school building. The supply of such auto-injectors shall be maintained in a secure, dark, temperature-controlled location in each school building.

[Insert employee responsible] shall routinely check stock epinephrine auto-injectors and document in a log monthly:

- The expiration date;
- Any visualized particles; or
- Color change.

The employee shall be responsible for ensuring the district replaces, as soon as reasonably possible, any logged epinephrine auto-injector that is used, close to expiration, or discolored or has particles visible in the liquid.

Training: A school nurse or personnel trained and authorized may provide or administer an epinephrine auto-injector from a school supply to a student or individual if the authorized personnel or school nurse reasonably and in good faith believes the student or individual is having an anaphylactic reaction. Training to obtain a signed certificate to become personnel authorized to administer an epinephrine auto-injector shall consist of the requirements established by law.

Authorized personnel will be required to provide a procedural skills demonstration to the school nurse demonstrating competency in the administration of stock epinephrine auto-injectors to retain authorization to administer stock epinephrine auto-injectors if the following occur:

- Failure to administer an epinephrine auto-injector to a student or individual by proper route, failure to administer the correct dosage, or failure to administer an epinephrine auto-injector according to generally accepted standards of practice (“medication error”); or
- Accidental injection of an epinephrine auto-injector into a digit of the authorized personnel administering the medication (“medication incident”).

Reporting: The district will contact emergency medical services (911) immediately after a stock epinephrine auto-injector is administered to a student or individual. The school nurse or authorized personnel will remain with the student or individual until emergency medical services arrive.

Within 48 hours, the district will report to the Iowa Department of Education:

- Each medication incident with the administration of stock epinephrine;
- Each medication error with the administration of stock epinephrine; or
- The administration of a stock epinephrine auto-injector.

As provided by law, the district, board, authorized personnel or school nurse, and the prescriber shall not be liable for any injury arising from the provision, administration, failure to administer, or assistance in the administration of an epinephrine auto-injector provided they acted reasonably and in good faith.

The superintendent may develop an administrative process to implement this policy.

NOTE: Districts are not required by law to stock and maintain a supply of epinephrine auto-injectors. However, if a district decides to stock and maintain a supply of epinephrine auto-injectors, the board is required to establish a policy.

Legal Reference: Iowa Code §§ 135.185; 279.8.
281 I.A.C. 14.3.

Cross Reference: 507.2 Administration of Medication

Approved 7/13/20 Reviewed _____ Revised _____

SCHOOL DISTRICT COMMUNITY RELATIONS (Series 900)

900 PRINCIPLES AND OBJECTIVES FOR COMMUNITY RELATIONS

Successful education programs require the support of the school district community. The board addresses the importance of the role of the school district community in the school district in this series of the policy manual. The board recognizes this support is dependent on the school district community's understanding of participation in the efforts, goals, problems and programs of the school district.

In this section, the board sets out its policies defining its relationship with the school district community. In striving to obtain the support of the school district community, the board will:

- Provide access to school district records;
- Inform the school district community of the school district's goals, objectives, achievements, and needs;
- Invite the input of the school district community; and,
- Encourage cooperation between the school district and the school district community.

Approved 08/08/94 Reviewed 05/14/18 Revised

901.1 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 9:00 a.m. to 4:00 p.m. Monday through Friday, except for holidays and recesses.

Persons wishing to view the school district's public records will contact the board secretary and make arrangements for the viewing. The board secretary will make arrangements for viewing the records as soon as practicable, depending on the nature of the request.

Persons may request copied of public records by telephone or in writing, including electronically. The school district may require pre-payment of the costs prior to copy and mailing.

Persons wanting copies may be assessed a fee for the copy. Persons wanting compilation of information may be assessed a fee for the time of the employee to compile the requested information. Printing of materials for the public at the expense of the school district will only occur when the event is sponsored by the school district.

Records defined by law as confidential records are viewed or copied upon receipt of written permission by the board secretary or superintendent from the person or entity whose confidential records are being requested.

It is the responsibility of the board secretary to maintain accurate and current records of the school district. It is the responsibility of the board secretary to respond in a timely manner to requests for viewing and receiving public information of the school district.

Legal Reference: Iowa Code §§ 21.4; 22; 291.6 (2009).
1980 Op. Att'y Gen. 88.
1972 Op. Att'y Gen. 158.
1968 Op. Att'y Gen. 656.

Cross Reference:
218 Board of Directors' Records
401.6 Employee Records
506 Student Records
708 Care, Maintenance, and Disposal of School District Records
710.4 School Food Service Records and Reports
902.1 News Media Relations

Approved 08/08/94 Reviewed 05/14/18 Revised 07/11/11

901.2 BOARD OF DIRECTORS AND COMMUNITY RELATIONS

The board recognizes the need for a communications program to provide effective two-way communication between the school district and the school district community. The school district's communications program shall strive to meet the following goals.

- To keep citizens informed through a regular flow of information about the school district and its programs;

- To encourage and organize the interchange of ideas between the school district and the community by developing and implementing techniques for community involvement in the school district and for school district involvement in the community; and

- To assess public knowledge, attitudes and concerns on a regular basis.

It shall be the responsibility of the superintendent to establish and maintain an on-going communications program with the community. The superintendent shall make a recommendation to the board annually for changes in the communications program.

Legal Reference: Iowa Code §§ 22;279.8 (2009)

Cross Reference: 217 Board of Directors' Relationships
302 Administration Relationships 402
Employees and Outside Relations
903 Public Participation in the School District

Approved 08/08/94 Reviewed 05/14/18 Revised 07/11/11

902.1 NEWS MEDIA RELATIONS

The board recognizes the value of and supports open, fair and honest communication with the news media. The board will maintain a cooperative relationship with the news media. As part of this cooperative relationship, the board and the media will develop a means for sharing information while respecting each party's limitations.

Members of the news media are encouraged and welcome to attend open board meetings. The board president is the spokesperson for the board, and the superintendent is the spokesperson for the school district. It is the responsibility of the board president and superintendent to respond to inquiries from the news media about the school district.

Members of the news media seeking information about the school district 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.

Legal Reference: Iowa Code §§ 21.4; 22; 279.8 (2009).

Cross Reference:
- 708 Care, Maintenance, and Disposal of School District Records
- 901 Public Communications
- 902 Press, Radio and Television News Media

Approved 08/08/94 Reviewed 05/14/18 Revised 07/11/11

902.2 NEWS CONFERENCES AND INTERVIEWS

The superintendent, on behalf of the board and the school district, may hold a news conference or respond to a request for an interview with the news media.

The superintendent will respond accurately, openly, honestly, and objectively to inquiries from the news media about the school district.

News conferences and interviews planned or pre-arranged for school district activities will include 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.

It is the responsibility of the superintendent to keep the board apprised of news conferences and interviews.

Legal Reference: Iowa Code §§ 21.4; 22; 279.8 (2009).

Cross Reference:
901 Public Communications
902 Press, Radio and Television News Media

Approved 08/08/94 Reviewed 05/14/18 Revised 07/11/11

902.3 NEWS RELEASES

The superintendent 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.

Legal Reference: Widmer v. Reitzler, 182 N.W.2d 177 (Iowa 1970).
Dobrovolny v. Reinhardt, 173 N.W.2d 837 (Iowa 1970).
Iowa Code §§ 21.4; 22.2 (2009).
1980 Op. Att'y Gen. 73.
1952 Op. Att'y Gen. 133.

Cross Reference: 902 Press, Radio and Television News Media

Approved 08/08/94 Reviewed 05/14/18 Revised 07/11/11

902.4 STUDENTS AND THE NEWS MEDIA

Generally, students may not be interviewed during the school day by members of the news media. The students, while on the school district premises, shall refer interview requests and information requests from the news media to their principal.

It shall be within the discretion of the principal, after consulting with the superintendent, to allow or disallow the news media to interview and to receive information from the student while the student is under the control of the school district. The principal may also contact the student's parents.

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

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

Cross Reference: 502.11 Interviews of Students by Outside Agencies
901 Public Communications

Approved 08/08/94 Reviewed 05/14/18 Revised 07/11/11

902.5 EMPLOYEES AND THE NEWS MEDIA

Employees shall refer interview requests and information requests from the news media to the superintendent's/ principal's office. Employees may be interviewed or provide information about school district matters after receiving permission from the superintendent/principal.

It shall be within the discretion of the superintendent/principal to allow news media to interview and to receive information from employees.

It shall be the responsibility of the superintendent/principal to develop guidelines for assisting employees in following this policy.

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

Cross Reference: 901 Public Communications

Approved 08/08/94 Reviewed 05/14/18 Revised 07/11/11

902.6 LIVE BROADCAST OR VIDEOTAPING

Individuals may broadcast or videotape public school district events, including open board meetings, as long as it does not interfere with or disrupt the school district event and it does not create an undue burden in adapting the buildings and sites to accommodate the request.

It is within the discretion of the superintendent to determine whether the request is unduly burdensome and whether the broadcast or videotaping will interfere with or disrupt the school district event.

Videotaping of classroom activities will be allowed at the discretion of the superintendent. Parents will be notified prior to videotaping of classroom activities.

It is the responsibility of the superintendent to develop administrative regulations outlining the procedures for making the request and the rules for operation if the request is granted.

Legal Reference: Iowa Code §§ 21.4, .7; 22; 279.8 (2009).

Cross Reference:
- 506.2 Student Directory Information
- 901.2 Board of Directors and Community Relations
- 902.1 News Media Relations
- 903.3 Visitors to School District Buildings and Sites

Approved 08/08/94 Reviewed 05/14/18 Revised 07/11/11

903.1 SCHOOL - COMMUNITY GROUPS

The board values the participation and the support of school district-community groups, including, but not limited to, the booster club and 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 to be the liaison with the school district- community groups affiliated with the building principal's attendance center.

Legal Reference: Iowa Code §§ 279.8; 291.13 (2009).

Cross Reference: 903 Public Participation in the School District

Approved 08/08/94 Reviewed 05/14/18 Revised 07/11/11

903.2 COMMUNITY RESOURCE PERSONS AND VOLUNTEERS

The board recognizes the valuable resource it has in the members of the school district community. When possible and in concert with the education program, members of the school district community may be asked to make presentations to the students or to assist employees in duties other than teaching. The school district may officially recognize the contributions made by volunteers.

Recruitment, training, utilization, and the maintenance of records for the purposes of insurance coverage and/or recognition of school district volunteers is the responsibility of the superintendent.

Legal Reference: Iowa Code §§ 279.8; 670 (2009).

Cross Reference: 603.1 Basic Instruction Program
903.3 Visitors to School District Buildings and Sites

Approved 08/08/94 Reviewed 05/14/18 Revised 07/11/11

903.3 VISITORS TO SCHOOL DISTRICT BUILDINGS & SITES

The board welcomes the interest of parents and other members of the school district community and invites them to visit the school buildings and sites. Visitors, which include persons other than employees or students, must notify the principal of their presence in the facility upon arrival.

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 will not take time from their duties to discuss matters with visitors.

Visitors will 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 is the responsibility of employees to report inappropriate conduct. It is 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 will act to cease the inappropriate conduct.

Legal Reference: Iowa Code §§ 279.8; 716.7 (2009).

Cross Reference: 902 Press, Radio and Television News Media
903.2 Community Resource Persons and Volunteers

Approved 08/08/94 Reviewed 05/14/18 Revised 07/11/11

903.4 PUBLIC CONDUCT ON SCHOOL PREMISES

School sponsored or approved activities are an important part of the school program and offer students the opportunity to participate in a variety of activities not offered during the regular school day. School sponsored or approved activities are provided for the enjoyment and opportunity for involvement they afford the students.

Individuals are permitted to attend school sponsored or approved activities or visit the school building only as guests of the school district, and, accordingly as a condition of such permission, they must comply with the school district's rules and policies. Individuals will not be allowed to interfere with the education program, enjoyment of the students participating, other individuals or with the performance of employees and officials supervising the school sponsored or approved activity. Individuals, like the student participants, are expected to display mature behavior and sportsmanship. The failure of individuals to do so is not only disruptive but embarrassing to the students, the school district and the entire community.

To protect the rights of students to participate in the education program, or activities without fear of interference, and to permit the employees or sponsors and officials of sponsored or approved activities to perform their duties without interference, the following provisions are in effect:

- Abusive, verbal or physical conduct of individuals directed at students, employees, officials or sponsors of sponsored or approved activities or at other individuals will not be tolerated.
- Verbal or physical conduct of individuals that interferes with the performance of students, employees, officials or sponsors of sponsored or approved activities will not be tolerated.
- The use of vulgar, obscene or demeaning expression directed at students, employees, officials or sponsors participating in an sponsored or approved activity or at other individuals will not be tolerated.

If an individual becomes physically or verbally abusive, uses vulgar, obscene or demeaning expression, or in any way interrupts an activity, the individual may be removed from the event by the individual in charge of the event and the superintendent may recommend the exclusion of the individual from the school buildings or from future sponsored or approved activities.

Upon recommendation of the superintendent, the board will cause a notice of exclusion from the school building or from sponsored or approved activities to be sent to the individual involved.

The notice will advise the individual of the school district's right to exclude the individual from school buildings, school district activities and events and the duration of the exclusion. If the individual disobeys the school official or district's order, law enforcement authorities may be contacted and asked to remove the individual. If an individual has been notified of exclusion and thereafter tries to enter a school building or attends an sponsored or approved activity, the individual will be advised that his/her attendance will result in prosecution. The school district may obtain a court order for permanent exclusion the school building or from future school sponsored or approved activities.

Legal Reference: Iowa Code §§ 279.8; 716.7 (2009).

Cross Reference:
- 205.2 Board Member Liability
- 504 Student Activities
- 802.6 Vandalism
- 903 Public Participation in the School District

Approved 08/08/94 Reviewed 05/14/18 Revised 07/11/11

903.5 DISTRIBUTION OF MATERIALS

The board recognizes that students, employees, parents or citizens may want to distribute materials within the school district that are noncurricular. Noncurricular materials to be distributed must be approved by the building principal and meet certain standards prior to their distribution.

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

Legal Reference:	U.S. Const. amend. I. Hazelwood School District v. Kuhlmeier, 484 U.S. 260 (1988). Bethel School District v. Fraser, 478 U.S. 675 (1986). New Jersey v. T.L.O., 469 U.S. 325 (1985). Tinker v. Des Moines Ind. Comm. Sch. Dist., 393 U.S. 503 (1969). Bystrom v. Fridley High School, 822 F.2d 747 (8th Cir. 1987). Iowa Code §§ 279.8; 280.22 (2009).
Cross References:	502.5 Freedom of Expression 503.1 Student Conduct 504 Student Activities 603.9 Academic Freedom

Approved 08/08/94 Reviewed 05/14/18 Revised 07/11/11

903.5R1 DISTRIBUTION OF MATERIALS REGULATION

I. Guidelines.

Individuals, including students, may have the right to distribute on school premises, at reasonable times and places, unofficial written material, petitions, buttons, badges or other insignia, except expression which:

1. is obscene to minors;
2. is libelous;
3. contains indecent, vulgar, profane or lewd language;
4. advertises any product or service not permitted to minors by law;
5. constitutes insulting or fighting words, the very expression of which injures or harasses other people (e.g., threats of violence, defamation of character or of a person's race, religion, gender, disability, age or ethnic origin);
6. presents a clear and present likelihood that, either because of its content or the manner of distribution, it will cause a material and substantial disruption of the proper and orderly operation and discipline of the school or school activities, will cause the commission of unlawful acts or the violation of lawful school regulations.

Distribution on school premises of material in categories (1) through (4) to any student is prohibited. Distribution on school premises of material in categories (5) and (6) to a substantial number of students is prohibited.

II. Procedures.

Anyone wishing to distribute unofficial written material must first submit for approval a copy of the material to the building principal at least twenty-four hours in advance of desired distribution time, together with the following information:

1. Name and phone number of the person submitting request and, if a student, the homeroom number;
2. Date(s) and time(s) of day of intended display or distribution;
3. Location where material will be displayed or distributed;
4. The grade(s) of students to whom the display or distribution is intended.

Within twenty-four hours of submission, the principal will render a decision whether the material violates the guidelines in subsection I or the time, place and manner restrictions in subsection III of this policy. In the event that permission to distribute the material is denied, the person submitting the request should be informed in writing of the reasons for the denial. Permission to distribute material does not imply approval of its contents by either the school, the administration, the board or the individual reviewing the material submitted.

If the person submitting the request does not receive a response within twenty-four hours of submission, the person will contact the building principal's office to verify that the lack of response was not due to an inability to locate the person. If the person has made this verification and there is no response to the request, the material may be distributed in accordance with the time, place and manner provisions in subsection III.

If the person is dissatisfied with the decision of the principal, the person may submit a written request for appeal to the superintendent. If the person does not receive a response within three school days of submitting the appeal, the person will contact the superintendent to verify that the lack of response is not due to an inability to locate the person. If the person has made this verification and there is no response to the appeal, the material may be distributed in accordance with the time, place and manner provisions in subsection III.

At every level of the process the person submitting the request will have the right to appear and present the reasons, supported by relevant witnesses and material, as to why distribution of the written material is appropriate.

Permission to distribute material does not imply approval of its contents by either the school district, the board, the administration or the individual reviewing the material submitted.

III. Time, place and manner of distribution.

The distribution of written material is prohibited when it blocks the safe flow of traffic within corridors and entrance ways of the school or otherwise disrupts school activities. The distribution of unofficial material is limited to a reasonable time, place and manner as follows:

1. The material will be distributed from a table set up for the purpose in a location designated by the principal, which location will not block the safe flow of traffic or block the corridors or entrance ways, but which will give reasonable access to students.
2. The material will be distributed either before and/or after the regular instructional day.
3. No written material may be distributed during and at the place of a normal school activity if it is reasonably likely to cause a material and substantial disruption of that activity.

IV. Definitions.

The following definitions apply to the following terms used in this policy:

1. "Obscene to minors" is defined as:

   (a) The average person, applying contemporary community standards, would find that the written material, taken as a whole, appeals to the prurient interest of minors of the age to whom distribution is requested;
   (b) The material depicts or describes, in a manner that is patently offensive to prevailing standards in the adult community concerning how such conduct should be presented to minors of the age to whom distribution is requested, sexual conduct such as intimate sexual acts (normal or perverted), masturbation, excretory functions, and lewd exhibition of the genitals; and
   (c) The material, taken as a whole, lacks serious literary, artistic, political or scientific value for minors.

2. "Minor" means any person under the age of eighteen.

3. "Material and substantial disruption" of a normal school activity is defined as follows:

   (a) Where the normal school activity is an educational program of the district for which student attendance is compulsory, "material and substantial disruption" is defined as any disruption which interferes with or impedes the implementation of that program.
   (b) Where the normal school activity is voluntary in nature (including, without limitation, school athletic events, school plays and concerts, and lunch periods), "material and substantial disruption" is defined as student rioting, unlawful seizures of property, widespread shouting or boisterous demonstration, sit-in, stand-in, walk-out, or other related forms of activity.
   (c) In order for expression to be considered disruptive, there must exist specific facts upon which the likelihood of disruption can be forecasted including past experience in the school, current events influencing student activities and behavior, and instances of actual or threatened disruption relating to the written material in question.

4. "School activities" means any activity of students sponsored by the school and includes, by way of example but not limited to, classroom work, library activities, physical education classes, official assemblies and other similar gatherings, school athletic contests, band concerts, school plays and in-school lunch periods.

5. "Unofficial" written material includes all written material except school newspapers, literary magazines, yearbooks, and other publications funded and/or sponsored or authorized by the school. Examples include leaflets, brochures, flyers, petitions, placards and underground newspapers, whether written by students or others.

6. "Libelous" is a false and unprivileged statement about a specific individual that tends to harm the individual's reputation or to lower him/her in the esteem of the community.

7. "Distribution" means circulation or dissemination of written material by means of handing out free copies, selling or offering copies for sale and accepting donations for copies. It includes displaying written material in areas of the school which are generally frequented by students.

V. Disciplinary action.

Distribution by any student of unofficial written material prohibited in subsection I or in violation of subsection III may be halted, and students may be subject to discipline including suspension and expulsion. Any other party violating this policy may be requested to leave the school property immediately and, if necessary, local law enforcement officials will be called.

VI. Notice of policy to students.

A copy of this policy will be published in student handbooks and posted conspicuously in school buildings.

Approved 08/08/94 Reviewed 05/14/18 Revised 07/11/11

904.1 TRANSPORTING STUDENTS IN PRIVATE VEHICLES

Generally, transporting students for school purposes is done in a vehicle owned by the school district and driven by a school bus driver. Students may be transported in private vehicles for school purposes. It is within the discretion of the superintendent to determine when this is appropriate.

Individuals transporting students for school purposes in private vehicles must have the permission of the superintendent. Private vehicles will be used only when proof of insurance has been supplied to the superintendent and when the parents of the students to be transported have given written permission to the superintendent. The school district assumes no responsibility for those students who have not received the approval of the superintendent and who ride in private vehicles for school purposes.

This policy statement applies to transportation of students for school purposes in addition to transporting students to and from their designated attendance center. It is the responsibility of the superintendent to develop administrative regulations regarding this policy.

Legal Reference: Iowa Code §§ 279.8; 285; 321 (2009).
281 I.A.C. 43.

Cross Reference: 401.11 Transporting of Students by Employees
401.12 Employee Travel Compensation
711 Transportation

Approved 08/08/94 Reviewed 05/14/18 Revised 07/11/11

904.2 ADVERTISING AND PROMOTION

The use of students, the school district name, or its buildings and sites for advertising and promoting products and/or services of entities and organizations operating for a profit is disallowed. Nonprofit entities and organizations may be allowed to use students, the school district name, or its buildings and sites if the purpose is educationally related and prior approval has been obtained from the superintendent.

Legal Reference: Iowa Code § 279.8 (2009).

Cross Reference:
- 402.9 Solicitations from Outside
- 504.6 Student Fund Raising
- 904 Community Activities Involving Students

Approved 08/08/94 Reviewed 05/14/18 Revised 07/11/11

905.1 COMMUNITY USE OF SCHOOL DISTRICT FACILITIES & EQUIPMENT

Authorized users of the ICN shall ensure their use of the ICN is consistent with their written mission. The ICN will not be used for profit making ventures. Authorized users may not resell time on the ICEN. Entities that wish to use the school district's ICN classroom to originate, receive, or broadcast programming must follow the state scheduling requirements. However, it is recommended that entities that wish to use the school district's ICN classroom to originate, receive, or broadcast programming contact the school district's ICN scheduler's office to inform them of their needs.

It shall be the responsibility of the entities that wish to use the school district's ICN classroom to originate, receive or broadcast programming in compliance with the law regarding authorized use of and content of the programming on the ICN. The school district assumes no responsibility or liability for entities using the ICN classroom in violation of the law, the authorized user's mission or school district policy and its supporting administrative regulations. The school district reserves the right to charge all costs, including attorney fees, that may arise to the entity for the entity's failure to comply with the law or school district policy and is supporting administrative regulations.

The board may allow entities such as the Boy and Girl Scouts and 4-H, to use the school district facilities and equipment without charge. While such entities may use the facilities and equipment without charge, they may be required to pay a custodial fee.

It shall be the responsibility of the superintendent to develop a fee schedule for the board's approval and to develop administrative regulations regarding this policy.

Legal Reference: Iowa Code §§8D; 276:278.1(4);279.8;288;297.9-.11 (2009) 751 I.A.C. 14.
1982 Op. Att'y Gen. 561.
1940 Op. Att'y Gen. 232. 1936 Op.
Att'y Gen. 196/

Cross Reference: 704 Revenue

Approved 08/08/94 Reviewed 05/14/18 Revised 07/11/11

905.1R1 COMMUNITY USE OF SCHOOL DISTRICT FACILITIES & EQUIPMENT REGULATION

1. No smoking will be allowed.
2. There shall be no alcoholic beverages brought to or consumed in the buildings or on the grounds.
3. The presence of a custodian or employee may be required.
4. After a school building has been used by an outside group, cleaning will be done by school district employees. Fees for such work will be charged to the group.

Legal Reference: Iowa Code §§ 123.46; 142B.2, .3: 297.9 (2009).

Cross Reference: 905 Use of School District Facilities & Equipment

Approved 08/08/94 Reviewed 05/14/18 Revised 07/11/11

905.1R2 COMMUNITY USE OF SCHOOL DISTRICT BUILDINGS & SITES & EQUIPMENT FEES SCHEDULE

Rates for Use of Buildings and Sites	
Elementary school gym (first two hours)	_____
Elementary school gym with kitchen (first two hours)	_____
Middle school gym (first two hours)	_____
Middle school kitchen and lunch room (two hours)	_____
High school gym (two hours)	_____
High school auditorium	_____
High school lunch room	_____
[Add other items]	_____
Add to above:	
For each additional hour or fraction thereof	_____
For providing chairs and/or tables for meetings	_____
Custodial charges	_____
[Add other items]	_____
ICN classroom per hour (maximum $12.50 per hour)	_____

In addition to paying the above fees, other than entities using the ICN classroom, each entity must make arrangements with the school district to have adequate custodial and supervisory services. Buildings will not be available unless a contract is signed by the entity and the school district well in advance of scheduled usage.

Rates for Use of Equipment	
VCR (one-half day)	_____
Overhead projector (one-half day)	_____
[Add other items]	_____
Add to above:	
For each additional hour or fraction thereof	_____
[Add other items]	_____

1. *First time use of the ICN will require prior training and should be organized through the school district ICN scheduler at_____.**

2. *Use or transmission of copyrighted material, without prior approval of the copyright holder, is strictly prohibited. Appropriate use of the copyrighted material is the responsibility of the sponsored or authorized user, not the school district.**

3. *The school district reserves the right to amend these rules as necessary to reflect the ICN's usage and changes at the state or federal level.**

4. *The school district reserves the right to charge all costs, including attorneys' fees, that may arise to the authorized user for the sponsored or authorized user's failure to comply with the law, board policy and administrative regulations.**

**Items with an asterisk are not legal requirements but are items that should be considered when writing an ICN room usage regulation.*

905.1E1 COMMUNITY USE OF SCHOOL DISTRICT FACILITIES & EQUIPMENT APPLICATION FORM

The undersigned entity makes application for the use of the school district facility or equipment as designated below. The entity will provide police protection at its own expense, if necessary, to maintain order and to properly protect the building, site, or equipment. Police protection is required when admission is charged.

Please refer to Policy 905.1 to determine the proper use of school facilities and equipment. The entity is responsible for complying with the law, board policy and the administrative regulations.

The entity must provide an Indemnity and Liability Insurance Agreement, Code No. 905.1E2, prior to the use of school district buildings, sites, or equipment

*Building/Site/Equipment*_____ *Date*__

*Purpose*_____ *Hours*__

Auditorium

*Seating requirements on stage*_____
*Tables required on stage*_____
*Stage curtain and attendant*_____
*Spotlights*_____
*Microphones*_____
Podium Stand
*Table*_____ *Stand in audience* _____
*Other equipment*_

Gymnasium

*Seating*_____ *Scoreboard*_____
Public address system _____
Matron _____

Classroom

ICN
Computer lab _____
Other _____

Swimming Pool

Total Fee $ _____

*Name of entity making application:*___

*Name of person making application:*___

*Address:*_____ *Phone #:*__

_____ _____

(Signature of Applicant) *(Date)*

905.1E2 COMMUNITY USE OF SCHOOL DISTRICT FACILITIES & EQUIPMENT INDEMNITY AND LIABILITY INSURANCE AGREEMENT

The undersigned, hereafter referred to as "entity," states that it will hold the _____ School District, hereafter referred to as "school district," harmless from any and all damages and claims that may arise by reason of any negligence on the part of the entity in the use of any facilities or equipment owned by the school district. In case any action is brought therefore against the school district or any of its officers, employees or agents, the entity will assume full responsibility for the legal defense thereof, and upon its failure to do so on proper notice, the school district reserves the right to defend such action and to charge all costs, including attorneys' fees, to the entity.

The entity agrees to furnish and maintain during the usage of the facilities or equipment owned by the school district such bodily injury and property damage liability insurance as will protect the entity and the school district from claims or damages for personal injury, including accidental death, and from claims for property damages which may arise from the entity's use of the school district's facilities or equipment whether such operations be by the entity or by anyone directly or indirectly employed by the entity.

The entity will furnish the school district with a certificate of insurance acceptable to the school district's insurance carrier before the contract is issued.

Dated at_____, Iowa, this_____day of_____, 20___.

_____

School District
(Entity)

*By*_____

*Title*_____

*Address*_____

*By*_____
Superintendent

By _____
Secretary

905.2 COMMUNITY USE OF SCHOOL DISTRICT BUILDINGS & SITES & EQUIPMENT FOR PRIVATE PROFIT

The buildings and sites of the school district may be made available for a fee to local for-profit entities. Such use will be permitted only when it does not interfere with or disrupt the education program or school-related activity, and it is approved by the board. This includes, but is not limited to, deliveries of flowers, balloons, packages and other personal items to employees and students. Only in unusual circumstances and with prior permission of the superintendent, will deliveries of personal items to employees and students be accepted. The board reserves the right to deny use of the buildings and sites to any group.

There shall be a written contract and proof of insurance coverage on file with the board secretary prior to a scheduled event. An employee of the school district must be present at the event.

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

Legal Reference: Iowa Code §§ 276; 278.1(4); 288; 297.9-.11 (2009)
1982 Op. Att'y Gen. 561.
1972 Op. Att'y Gen. 339.
1940 Op. Att'y Gen. 232.
1936 Op. Att'y Gen 196.

Cross Reference: 608 Adult Education
609 Community Education
905.1 Community Use of School District Building & Sites & Equipment

Approved 08/08/94 Reviewed 05/14/18 Revised 07/11/11

905.2R2 GUIDELINES REGARDING ACCEPTANCE OF FLOWERS/DELIVERIES AT SCHOOL BUILDINGS

1. Flowers/deliveries may be made at the high school for students and staff to a designated location. Names of the recipients will be placed on the bulletin board.

2. Deliveries will be accepted at the K-8 Building for staff only. Deliveries will be made to the offices. Staff may pick them up after school.

3. Deliveries will be accepted after 3:00 p.m.

The Board of Education believes that personal deliveries should be made to one's home.

Cross Reference: 905.2 Community Use of School District Buildings and Sites and Equipment for Private Profit

Approved 08/08/94 Reviewed 05/14/18 Revised 07/11/11

905.3 SUNDAY USE OF SCHOOL DISTRICT BUILDINGS & SITES & EQUIPMENT

Generally, the school district buildings and sites will not be used for student activities on Sundays. It shall be within the discretion of the superintendent to allow student activities on Sundays.

The buildings and sites may be used by the community with the approval of the board and in compliance with board policy.

Legal Reference: Iowa Code § 297.9-.11 (2009)

Cross Reference: 905.1 Community Use of School District Building & Sites & Equipment

Approved 08/08/94 Reviewed 05/14/18 Revised 07/11/11

905.4 TOBACCO-FREE ENVIRONMENT

School district facilities and grounds, including school vehicles, are off limits for tobacco or nicotine use, including the use of look-a-likes where the original would include tobacco or nicotine. This requirement extends to students, employees and visitors. This policy applies at all times, including school-sponsored and non-school-sponsored events. Persons failing to abide by this request are required to extinguish their smoking material, dispose of the tobacco, nicotine or other product or leave the school district premises immediately. It is the responsibility of the administration to enforce this policy.

Legal Reference: Goals 2000: Educate America Act, Pub. L. No. 103-227, 108 Stat. 125 (1994).
House File 2212, Iowa General Assembly (2008)
Iowa Code §§ 142D; 279.8, .9; 297 (2011).

Cross Reference:
- 404 Employee Conduct and Appearance
- 905.1 Community Use of School District Buildings & Sites & Equipment
- 905 Use of School District Facilities and Equipment

Approved 08/08/94 Reviewed 05/14/18 Revised 07/16/13

906 OTHER INTRADISTRICT RELATIONS

The board shall work with other local government units, colleges and universities, technical schools, businesses and industries, private schools, education associations, local community organizations and associations to provide additional education opportunities for the students in the school district.

It shall be the responsibility of the superintendent to bring opportunities for cooperation to the attention of the board.

Legal Reference: Iowa Code § 279.8 (2009)

Cross Reference:
- 217 Board of Directors' Relationships
- 302 Administration Relationships
- 402 Employees and Outside Relations

Approved 08/08/94 Reviewed 05/14/18 Revised 07/11/11

907 DISTRICT OPERATION DURING PUBLIC EMERGENCIES

The district believes that student learning is the heart of its core mission. While traditional in-person teaching continues to provide the greatest learning opportunity to all students, there may be rare and unusual circumstances that prevent the school community from convening in traditional in-person settings. At times of a public emergency declared by federal, state or local officials, the district will seek guidance and recommendations from federal, state and local agencies to assist in determining the safety of convening traditional in-person learning.

[During a declared public emergency, the school board delegates to the Superintendent the authority to determine whether to close school buildings to traditional in-person learning if the Superintendent determines in-person learning would hinder the health and safety of the school community. The district will instead utilize remote or hybrid learning opportunities permitted by law.]

Or

[If, due to the public emergency, the school board determines that holding traditional in-person learning at district facilities would hinder the health and safety of the school community the district will instead utilize remote or hybrid learning opportunities permitted by law.]

Following guidance and recommendations from federal, state, and local agencies when reasonably possible, the administration will create regulations related to district operations during a public emergency, including, but not limited to, student, employee and visitor safety and security; the use and safeguarding of district property; public meetings and events, and when applicable, measures to prevent or slow the spread of infectious disease.

These measures will be enforced for the period of time of the public emergency, or until the [*school board and*] superintendent, in consultation with federal, state and local agencies determine it is appropriate for the safety measures to end.

NOTE: Districts should choose between the options listed in the italicized language, remove text that is not used then remove italics. The language requiring board approval of school closure to in-person learning due to a declared public emergency is a legal requirement from Senate File 2310. However, boards can choose to delegate this decision to the Superintendent, but that delegation should be specified in board policy.

NOTE: The optional language listed in this policy and accompanying regulation are just some examples of the local flexibility districts have to make decisions based upon the priorities of their individual school communities. Districts are strongly encouraged to consult with their legal counsel and adapt the optional language to best suit the needs of their individual communities.

Legal Reference: Senate File 2310
Iowa Code ch. 279.8

Cross Reference: 403.3 Communicable Diseases - Employees
506 Student Records
507 Student Health and Well-Being

Approved _____ Reviewed _____ Revised _____

907.R1 DISTRICT OPERATIONS DURING A PUBLIC HEALTH EMERGENCY REGULATION

During a public health emergency, the district will seek guidance and recommendations from federal, state and local agencies that monitor and respond to the emergency. The district will follow any mandatory closures or other mandatory measures imposed by such agencies.

The superintendent, in conjunction with relevant government agencies and/or athletic and activity associations, will determine under what circumstances the district will restrict or cancel in-person learning, student events or activities including sporting events, extracurricular clubs or meetings for students, and the use of district facilities by outside organizations.

The district will promote and follow other recommended measures and guidance from federal, state and local agencies to the extent reasonably practicable under the circumstances. These measures may include, but are not limited to the following:

On-line learning, hybrid models of learning, or modified in-person learning may occur dependent on the circumstances and in accordance with applicable law.

Hand washing and any other recommended hygiene practices will be taught to all students and employees.

Non-medical-grade face masks are encouraged to be worn by all individuals on school grounds, including students, employees and volunteers. Masks will be provided to individuals who request them. Reusable masks should be washed regularly by individuals wearing them.

Employees, volunteers and students are encouraged to monitor their temperatures each morning prior to traveling to any school building or event. Individuals with a temperature over 100.3 degrees may not enter school buildings or attend school events.

Due to the increased cost to the district of providing additional cleaning and disinfecting measures, and in order to preserve cleaning supplies for school use during the time of a public health emergency, the superintendent has discretion to restrict the use of school buildings and facilities for non-school groups in a neutral and non-discriminatory manner.

[or]

Due to the increased cost to the district of providing additional cleaning and disinfecting measures and in order to preserve cleaning supplies for school use during the time of a public health emergency, the superintendent has discretion to require, as a condition of using district facilities, non-school groups to provide the school district with EPA-approved cleaning and disinfecting supplies to properly clean and disinfect the space used after each event. The district may also require non-school groups to reimburse the district the actual cost of school personnel time needed to clean and disinfect school facilities after the event.