

CLARKE COMMUNITY SCHOOL DISTRICT

Series 100

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Updated 10/27/08, 3/24/14, 9/23/14, 3/14/16, 4/25/16, 6/17/19; 12/14/20; 2/8/21; 2/12/24

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 Clarke Community School District.

This school corporation is located in Clarke, Decatur and Lucas Counties, and its affairs are conducted by elected school officials, the Clarke 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; 279.8; 594A

Cross Reference: 200 Legal Status of the Board of Directors

Approved August 18, 2003

Reviewed 10/27/08; 3/24/14; 5/13/19; 2/12/24

Revised 5/10/21

## EDUCATIONAL PHILOSOPHY OF THE SCHOOL DISTRICT

As a school corporation of Iowa, the Clarke 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 students' 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.

Cross Reference: 102 Equal Educational Opportunity  
103 Long-Range Needs Assessment  
209 Board of Directors' Management Procedures  
600 Goals and Objectives of the Education Program  
602 Curriculum Development

Approved August 18, 2003

Reviewed 10/27/08, 3/24/14; 5/13/19; 2/12/24

Revised \_\_\_\_\_

## 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 same educational opportunity.

The Clarke Community School District does not to discriminate on the basis of race, color, national origin, sex, disability, religion, creed, age (for employment), marital status (for programs), sexual orientation, gender identity and socioeconomic status (for programs) in its educational programs and its employment practices. This belief in equal educational opportunity serves as a guide for the board and employees in making decisions relating to school district facilities, employment, selection of educational materials, equipment, curriculum, and regulations affecting students. There is a grievance procedure for processing complaints of discrimination. If you have questions or a grievance related to this policy please contact the Equity Coordinator, 802 N Jackson, Osceola, IA 50213, (641) 342-4969.

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.

Inquiries by students regarding compliance with equal educational opportunity and affirmative action laws and policies, including but not limited to complaints of discrimination, are directed to the Affirmative Action Coordinator by writing to the Affirmative Action Coordinator, 802 N Jackson, Osceola, IA 50213. (641) 342-4969.

Inquires 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 Region VII office of Civil Rights, U.S. Department of Education, John C. Kluczynski Federal Building, 230 S. Dearborn St., 37<sup>th</sup> Floor, Chicago, IL, 60604 (312) 730-1560, fax (312) 730-1576 [OCR.Chicago@ed.gov](mailto:OCR.Chicago@ed.gov), the Iowa Civil Rights Commission, <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.

EQUAL EDUCATIONAL OPPORTUNITY

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 August 12, 1991

Reviewed 10/27/08; 2/12/24

Revised 1/26/98; 8/18/03; 7/30/07; 4/22/13; 3/24/14; 3/14/16; 6/12/17; 12/10/18; 8/10/20; 5/10/21; 12/12/22

ANNUAL NOTICE OF NONDISCRIMINATION

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

- Agriculture
- Business
- Family consumer Science
- Health Science
- Industrial Arts

It is the policy of the Clarke Community School District not to discriminate on the basis of race, color, national origin, sex, disability, religion, creed, age (for employment), marital status (for programs), sexual orientation, gender identity, and socioeconomic status (for programs) in its educational programs and 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 Equity Coordinator, 802 N Jackson St., Osceola, IA 50213, 641-342-4969.

Revised: 4/22/13, 3/24/14, 4/25/16; 6/12/17; 12/10/18; 8/10/20; 12/12/22

CONTINUOUS NOTICE OF NONDISCRIMINATION

It is the policy of the Clarke Community School District not to discriminate on the basis of race, color, national origin, sex, disability, religion, creed, age (for employment), marital status (for programs), sexual orientation, gender identity and socioeconomic status (for programs) in its educational programs and its employment practices. There is a grievance procedure for processing complaints of discrimination. If you have questions or a grievance related to this policy please contact the Equity Coordinator, 802 N Jackson, Osceola, IA 50213, 641-342-4969.

Reviewed 3/24/14; 2/12/24

Revised 3/14/16; 6/12/17; 12/10/18; 8/10/20; 12/12/22

## SECTION 504 STUDENT AND PARENTAL RIGHTS

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

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

It is the policy of the Clarke Community School District not to discriminate on the basis of race, color, national origin, sex, disability, religion, creed, age (for employment), marital status (for programs), sexual orientation, gender identity and socioeconomic status (for programs) in its educational programs and its employment practices. There is a grievance procedure for processing complaints of discrimination. If you have questions or a grievance related to this policy please contact the Equity Coordinator, 802 N Jackson, Osceola, IA 50213, (641) 342-4969.

Reviewed 3/24/14; 2/12/24

Revised 3/14/16; 6/12/17; 12/10/18; 8/10/20; 12/12/22



## 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: \_\_\_\_\_

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

<input type="radio"/> Age	<input type="radio"/> Physical Attribute	<input type="radio"/> Sex	
<input type="radio"/> Disability	<input type="radio"/> Physical/Mental Ability	<input type="radio"/> Sexual Orientation	
<input type="radio"/> Familial Status	<input type="radio"/> Political Belief	<input type="radio"/> Socio-economic Status	
<input type="radio"/> Gender Identity	<input type="radio"/> Political Party Preference		
<input type="radio"/> Marital Status	<input type="radio"/> Race/Color		
<input type="radio"/> National Origin/Ethnic Background/Ancstry	<input type="radio"/> 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: \_\_\_\_\_

Reviewed: 2/12/24

Revised: 4/22/13, 3/24/14; 9/22/14; 3/14/16; 6/17/19; 5/10/21

WITNESS DISCLOSURE FORM

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

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

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

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

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

\_\_\_\_\_

\_\_\_\_\_

Nature of discrimination alleged (check all that apply):

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

Description of incident witnessed:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Additional information: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

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

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

Approved: 3/14/16

Revised: 6/17/19

Reviewed: 2/12/24

## GRIEVANCE PROCEDURE

It is the policy of the Clarke Community School District not to discriminate on the basis of race, color, national origin, sex, disability, religion, creed, age (for employment), marital status (for programs), sexual orientation, gender identity and socioeconomic status (for programs) in its educational programs and its employment practices. There is a grievance procedure for processing complaints of discrimination. If you have questions or a grievance related to this policy please contact the Equity Coordinator, 802 N Jackson, Osceola, IA 50213, (641)342-4969.

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

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

### **Filing a Complaint**

A Complainant who wishes to avail himself/herself of this grievance procedure may do so by filing a complaint with the equity coordinator(s). An alternate will be designated in the event it is claimed that the equity coordinator or superintendent committed the alleged discrimination or some other conflict of interest exists. Complaints shall be filed within 180 days of the event giving rise to the complaint or from the date the Complainant could reasonably become aware of such occurrence. The Complaint will state the nature of the complaint and the remedy requested. The equity coordinator(s) shall assist the Complainant as needed.

### **Investigation**

Within 15 working days, the equity coordinator will begin the investigation of the complaint or appoint a qualified person to undertake the investigation (hereinafter "equity coordinator"). If the Complainant is under 18 years of age, the equity coordinator shall notify his or her parent(s)/guardian(s) that they may attend investigatory meetings in which the complainant is involved. The complaint and identity of the Complainant, Respondent, or witnesses will only be disclosed as reasonably necessary in connection with the investigation or as required by law or policy. The investigation may include, but is not limited to the following:

- A request for the Complainant to provide a written statement regarding the nature of the complaint;
- A request for the individual named in the complaint to provide a written statement;
- A request for witnesses identified during the course of the investigation to provide a written statement;
- Interviews of the complainant, Respondent, or witnesses;
- An opportunity to present witnesses or other relevant information; and
- Review all collection of documentation or information deemed relevant to the investigation.

Within 60 working days, the equity coordinator shall complete the investigation and issue a report with respect to the findings.

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

### **Decision and Appeal**

The complaint is closed after the equity coordinator has issued the report, unless within 10 working days after receiving the decision, either party appeals the decision to the superintendent by making

## GRIEVANCE PROCEDURE

a written request detailing why he/she believes the decision should be reconsidered. The equity coordinator shall promptly forward all materials relative to the complaint and appeal to the superintendent. Within 30 working days, the superintendent shall affirm, reverse, amend the decision, or direct the equity coordinator to gather additional information. The superintendent shall notify the Complaint, Respondent, and the equity coordinator of the decision within 5 working days of the decision. Notification shall be by U.S. mail, first class.

The decision of the superintendent shall be final.

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

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

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

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

Revised: 4/22/13, 3/24/14; 3/14/16; 6/12/17; 12/10/18; 8/10/20; 12/12/22

Reviewed: 2/12/24

## LONG-RANGE NEEDS ASSESSMENT

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

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

Advisory committees and Advisory Boards representing students, parents, teachers, administrators, and the community shall be appointed to make recommendations for the goals and objectives of the educational program and the school district as a whole. Clarke CSD School Improvement Advisory Committee (SIAC) fulfills this role and the Annual Progress Report is presented to the Board of Directors, distributed in the community, and posted on the District's website.

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

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

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

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

Approved August 12, 1991

Reviewed 10/27/08; 2/12/24

Revised August 18, 2003; 3/24/14; 12/10/18

## LONG-RANGE NEEDS ASSESSMENT

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

1. provisions for collecting, analyzing and reporting information derived from local, state and national sources;
2. 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;
3. provisions for collecting and analyzing assessment data on the following:
  - state indicators,
  - locally determined indicators,
  - locally established student learning goals.

Reviewed 3/24/14; 5/13/19; 2/12/24

## ANTI-BULLYING/ANTI-HARASSMENT POLICY

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

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

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

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

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

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

### **Retaliation Prohibited**

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

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

### **Definitions**

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

- "Electronic" means any communication involving the transmission of information by wire, radio, optic cable, electromagnetic, or other similar means. "Electronic" includes but is not limited to
- communication via electronic mail, internet-based communications, pager service, cell phones, and electronic text messaging. "Harassment" and "bullying" mean any repeated or potentially repeated electronic, written, verbal, or physical act or other ongoing conduct toward and individual based on any trait or characteristic of the individual which creates an objectively hostile school environment that meets one or more of the following conditions:

## ANTI-BULLYING/ANTI-HARASSMENT POLICY

- (1) Places the individual in reasonable fear of harm to the individual's person or property.
  - (2) Has a substantial detrimental effect on the individual's physical or mental health.
  - (3) Has the effect of substantially interfering with the individual's academic or career performance. Has the effect of substantially interfering with the individual's ability to participate in or benefit from the services, activities, or privileges provided by a school.
- (1) "Trait or characteristic of the individual" includes but is not limited to age, color, creed, national origin, race, religion, marital status, sex, sexual orientation, gender identity, physical attributes, physical or mental ability or disability, ancestry, political party preference, political belief, socioeconomic status, or familial status.
- "Volunteer" means an individual who has regular, significant contact with students

**Publication of Policy**

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

- Inclusion in the student handbook,
- Inclusion in the employee handbook,
- Inclusion in the registration materials
- Inclusion on the school or school district's website,
- (other) \_\_\_\_\_

Legal References: 20 U.S.C. §§ 1221-1234i  
 29 U.S.C. § 794  
 42 U.S.C. §§ 2000d-2000d-7  
 42 U.S.C. §§ 12101 *et. seq.*  
 Iowa Code §§ 216.9; 280.3, 28;  
 281 I.A.C. 12.3(6).  
*Morse v. Frederick*, 551 U.S. 393 (2007)

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

Approved June 25, 2007

Reviewed 10/27/08; 2/12/24

Revised 8/20/07; 10/22/07; 10/13/08; 4/22/13, 3/24/14; 3/14/16; 6/17/19; 2/8/21; 12/12/22; 8/14/23



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

**Anti-Bully/Harassment Form**  
**Target Form**

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

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

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

Witnesses: \_\_\_\_\_

**Please identify each of the following 18 categories (real or perceived) for which the student is reported to have bullied/harassed. Check all that apply:**

<input type="checkbox"/> Age	<input type="checkbox"/> Color	<input type="checkbox"/> Race	<input type="checkbox"/> Creed
<input type="checkbox"/> National Origin	<input type="checkbox"/> Ancestry	<input type="checkbox"/> Marital Status	<input type="checkbox"/> Sex
<input type="checkbox"/> Religion	<input type="checkbox"/> Gender Identity	<input type="checkbox"/> Physical Attributes	<input type="checkbox"/> Physical/Mental Abilities
<input type="checkbox"/> Political Belief	<input type="checkbox"/> Political Party Preference	<input type="checkbox"/> Socioeconomic Status	<input type="checkbox"/> Sexual Orientation
<input type="checkbox"/> Familial Status	<input type="checkbox"/> Other:		

**Method of bullying/harassment (check all that apply):**

<input type="checkbox"/> Electronic Communication	<input type="checkbox"/> Written Communication (e.g. cyber, notes...)
<input type="checkbox"/> Verbal	<input type="checkbox"/> Physical
<input type="checkbox"/> Social/Relational (ostracizing, exclusion)	<input type="checkbox"/> Other:

**Location of the incident (check all that apply):**

<input type="checkbox"/> Bus	<input type="checkbox"/> Hallway	<input type="checkbox"/> Classroom	<input type="checkbox"/> Locker Room
<input type="checkbox"/> Gym	<input type="checkbox"/> Cafeteria	<input type="checkbox"/> Extracurricular Activity (on/off campus)	<input type="checkbox"/> Bathroom
<input type="checkbox"/> Hallway	<input type="checkbox"/> School Grounds	<input type="checkbox"/> Other:	

**\*Please attach a copy of the target's written statement**

\_\_\_\_\_  
Parent Signature Required

\_\_\_\_\_  
Date

## WITNESS DISCLOSURE FORM

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

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

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

Name of Complainant (include \_\_\_\_\_  
whether the Complainant is a  
student or employee): \_\_\_\_\_Date and place of alleged \_\_\_\_\_  
incident(s): \_\_\_\_\_

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

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

Description of incident witnessed:

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Additional information: \_\_\_\_\_

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

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

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

Approved: 3/14/16; 6/17/19Reviewed: 2/12/24

DISPOSITION OF COMPLAINT FORM  
**Anti-Bully/Harassment Form**  
*Bully/Harasser Form*

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

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

Witnesses: \_\_\_\_\_

**Please identify the alleged person to have bullied/harassed:**

<input type="radio"/> District Student	<input type="radio"/> Student from other district	<input type="radio"/> School Staff Member	<input type="radio"/> Volunteer
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**If the Iowa Anti-Bullying/Harassment law was violated, please check all of the reasons that apply below:**

<input type="radio"/> Was violated because the conduct places the student in reasonable fear of harm to the student's person or property
<input type="radio"/> Was violated because conduct has a substantially detrimental effect of the student's physical or mental health
<input type="radio"/> Was violated because conducted has the effect of substantial interfering with the student's academic performance.
<input type="radio"/> Was violated because the conduct has the effect of substantially interfering with the student' ability to participate in or benefit from the services, actives, or privileges provided by a school

**If the Iowa Anti-Bullying/Harassment law was violated, please check the box indicating another law, school policy, or rule was violated OR check the box indicating that no law, school policy, or rule was violated.**

<input type="radio"/> Was NOT violated nor was any other law/school policy/rule violated
<input type="radio"/> Was NOT violated but another law/school policy/rule was violated. (such as school code of conduct) *

Please indicate which law/school policy/rule was violated: \_\_\_\_\_

\_\_\_\_\_

Other information: \_\_\_\_\_

\_\_\_\_\_

**Please check all of the following consequences/remedial actions that apply:**

<input type="checkbox"/> Verbal Warning	<input type="checkbox"/> Written Warning	<input type="checkbox"/> Parent(s) or guardian(s) notified	<input type="checkbox"/> Parent(s) or guardian(s) conference
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○ Signed agreement to avoid further incidents	○ Support from counselor (follow-up)	○ Restricted privileges (includes loss of recess, isolated lunch, extracurricular activities, etc...)	○ Specialized seating arrangement
○ Individual Behavior Plan Focusing on bullying behaviors	○ Detention (includes Saturday school)	○ In School Suspension # of Days:	○ SRO Referral
○ Suspension or expulsion ○ # of Days:	○ Law enforcement involved	○ Community Service	○ Bus Suspension ○ # of Days:
○ Student conference with Administrator	○ Referral to Internal Team	○ No consequences warranted	○
○ Other:			

\*Attach the bully's written statement or any evidence of the harassment or bullying (i.e. letters, notes, photos...)

Approved: 3/14/16

Reviewed: 5/13/19; 2/12/24

## ANTI-BULLYING/ANTI-HARASSMENT INVESTIGATION PROCEDURES

### **Filing a Complaint**

An individual who believes that the individual has been harassed or bullied may file a complaint with the superintendent or superintendent's designee. The complaint form is available in the main office of each building. If the complainant is a school employee, after filing the complaint with the superintendent or superintendent's designee, the employee may separately notify the parent or guardian of the student alleged to have been harassed or bullied.

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

### **Investigation**

The school district will promptly and reasonably investigate allegations of bullying or harassment upon receipt of a written complaint. The Middle School Principal (hereinafter "Investigator") will be responsible for handling all complaints alleging bullying or harassment.

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

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

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

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

*Additional suggestions for administrative procedures regarding this policy include:*

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

## ANTI-BULLYING/ANTI-HARASSMENT INVESTIGATION PROCEDURES

### **Decision**

The Investigator, building principal or superintendent, depending on the individuals involved, shall inform the Complainant and the accused about the outcome of the investigation. If, after an investigation, a student is found to be in violation of this policy, the student shall be disciplined by appropriate measures, which may include suspension and expulsion. If after an investigation a school employee is found to be in violation of this policy, the employee shall be disciplined by appropriate measures, which may include termination. If after an investigation as school volunteer is found to be in violation of this policy, the volunteer shall be subject to appropriate measures, which may include exclusion from school grounds.

Individuals who knowingly file false bullying and/or harassment complaints and any person who gives false statements in an investigation may be subject to discipline by appropriate measures, as shall any person who is found to have retaliated against another in violation of this policy. Any student found to have retaliated in violation of this policy shall be subject to measures up to, and including, suspension and expulsion. Any school employee found to have retaliated in violation of this policy shall be subject to measures up to, and including, termination of employment. Any school volunteer found to have retaliated in violation of this policy shall be subject to measures up to, and including, exclusion from school grounds.

Reviewed 3/24/14; 5/13/19; 2/12/24  
Revised 3/14/16; 2/8/21; 8/14/23

## SERVICE ANIMALS

It is the policy of Clarke Community School District to foster an equal education environment for all students, employees and community members within the district. The purpose of this policy is to provide guidance to the district on the proper use of assistance animals while on district property. The district shall allow the use of qualified service animals to accompany individuals with disabilities in all areas of district buildings where the public is normally allowed to go. This can include classrooms, cafeteria and school buses. Individuals with disabilities are people who have a physical or mental impairment that substantially limits one or more major life activities. Service animals are dogs and in some instances miniature horses trained to do work or perform tasks for individuals with disabilities.

Service animals must be current on all required vaccinations. Service animals also must be under control while on district grounds. The animal may be under control by either the individual with a disability, or a handler of the service animal. Under control means harnessed, leashed or tethered, unless these devices interfere with the animal's work, in which case under voice or other directive control.

### **Miniature Horses as Service Animals**

Miniature horses shall be allowed as service animals within the district whenever it is reasonable to allow them. Factors to consider when determining reasonableness include: whether the miniature horse is house broken; whether the miniature horse is under the owner's control; whether the facility can accommodate the miniature horse's type, size and weight; and whether the miniature horse's presence will not compromise legitimate safety requirements necessary for safe operation of the facility.

### **Establishing the Need for a Service Animal**

When no prior notice is given to the district of the use of a service, the superintendent and/or school administrators are permitted to ask the following questions:

*"Do you need/require this animal because of a disability?"*

If the animal's trained tasks are not readily apparent, the administrator may ask:

*"What work or task has the animal been trained to perform?"*

### **Service Animals in training**

Assuming the handler and animal are otherwise allowed, individuals who train service and will also be allowed access with their service animal in training to public areas of district buildings and property. The service animal in training is expected to abide by the same requirements as a service animal.

### **Exclusion of Service Animals**

In certain limited circumstances, it may be reasonable to exclude the use of a service animal from district property. The superintendent is permitted to exclude service animals from district buildings and property in the following circumstances: The presence of the animal poses a direct threat to the health and safety of others; the owner or handler is unable to control the animal; the animal is not house broken; the presence of the animal significantly disrupts or interferes with the educational process; or the presence of the animal would require a fundamental alteration to the program. If a service animal is properly excluded from district property, the district shall provide the student served by the animal the opportunity to participate in the program, service or activity without having the service animal on district property.

Legal References: 29 U.S.C. §794  
42 U.S.C. §12132  
28 C.F.R. 35  
Iowa Code §216C

Cross References: 606.3 Animals in the Classroom

Approved 6/17/19

Reviewed 2/12/24

Revised 2/23/22



DISCRIMINATION AND HARASSMENT BASED ON SEX PROHIBITED

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

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

Any individual with questions about the District's Title IX policy and procedures, or who would like to make a report or file a formal complaint of sex discrimination or sexual harassment may contact the District's designated Title IX Coordinator, 802 North Jackson; Osceola, Iowa 50213; 641-342-4969.

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

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

Approved 12/14/20  
Reviewed 2/12/24  
Revised: 12/12/22

Formal Complaint of Sexual Harassment

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

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

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

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

Date(s) of each incident:

Location(s) of each incident:

Names of possible witnesses:

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

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

Approved 12/14/20

Reviewed 2/12/24

Revised \_\_\_\_\_

Reporting Form for Individuals to Report Sexual Harassment

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

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

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

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

Name of individual who engaged in the conduct alleged below:

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

Date(s) of each incident:

Location(s) of each incident:

Names of possible witnesses:

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

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

Approved 12/14/20

Reviewed 2/12/24

Revised \_\_\_\_\_

Notice of Investigation to Complainant

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

[Date]

Dear [Complainant's Name],

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

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

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

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

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

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

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

\_\_\_\_\_.

You are expected to cooperate in an honest and forthright manner with this investigation. Making false statements or knowingly submitting false information during the grievance process is prohibited by the District and may constitute an independent basis for disciplinary sanctions against any student or employee, up to and including suspension or expulsion of a student or termination of an employee's employment.

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

Sincerely,

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Title IX Coordinator  
Community School District  
802 N Jackson St, Osceola, IA 50213; 641-342-4969.

Approved 12/14/20  
Reviewed 2/12/24  
Revised: 12/12/22

Notice of Investigation to Respondent

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

[Date]

Dear [Respondent's Name],

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

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

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

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

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

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

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

\_\_\_\_\_.

You are expected to cooperate in an honest and forthright manner with this investigation. Making false statements or knowingly submitting false information during the grievance process is prohibited by the District and may constitute an independent basis for disciplinary sanctions against any student or employee, up to and including suspension or expulsion of a student or termination of an employee's employment.

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

Sincerely,

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Title IX Coordinator  
Community School District  
802 N Jackson St, Osceola, IA 50213; 641-342-4969.

Notice of Interview

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

[Date]

Dear [name of party]:

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

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

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

If you have any questions, please let me know.

Sincerely,

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Title IX Coordinator  
Community School District  
802 N Jackson St, Osceola, IA 50213; 641-342-4969.



Witness Disclosure Form [OPTIONAL but not required]

**Introductory Overview**

A complaint has been made and an investigation is being conducted pursuant to District policy and practice. You have been identified as a potential witness. The purpose of the interview today is for designated investigator to ask you questions and gather information. This document provides you with a summary of the District's expectations for you in this process.

**Duty to Cooperate and be Honest**

The District fully expects all students and employees to be cooperative, honest, and forthright to help the District reach a fair and reasonable outcome. Failure to honestly cooperate in an investigation may result in disciplinary action.

**Confidentiality**

Confidentiality is an important part of the complaint process. Any individual participating in the complaint process as a witness is expected to respect the confidentiality of the process. The District expects you to keep confidential everything discussed during your interview.

If, after your interview, you recall or learn of more information that you think may be helpful to the investigation, contact \_\_\_\_\_.

The District cannot promise you confidentiality, but we will only disclose information on a need to know basis consistent with federal and state law and District policy and procedures.

**No Retaliation**

Retaliation against persons filing conduct complaints and/or witnesses participating in the investigation of conduct complaints is strictly prohibited by District policy and federal and state law. Retaliation occurs when an individual who participated in the District's process is subjected to any conduct or action because of their participation that would make a reasonable person unwilling to participate in the District's process in the future. Please immediately inform \_\_\_\_\_ if you feel retaliation has occurred.

I acknowledge that I have received and read the above disclosures and that I understand the District's expectations of me:

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Witness Signature	Witness Name	Date
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Approved 12/14/20  
 Reviewed 2/12/24  
 Revised \_\_\_\_\_

## Title IX Investigation Report Form

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

**Name of Investigator:****Date of report:**

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

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

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

**Parties (list all):**

Complainant- NAME

Respondent – NAME

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

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

**Summary of Interviews:**

Complainant Interview:

Witness A interview:

Witness B interview:

Respondent Interview:

**Summary of Other Evidence Received:**

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

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

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

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

Sincerely,

\_\_\_\_\_

[Name, title], Investigator

Approved 12/14/20  
Reviewed 2/12/24  
Revised \_\_\_\_\_

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

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

**Date of Determination:**

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

**List the allegations in the complaint:**

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

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

**Findings of fact for each allegation:**

Statement of undisputed material facts:

Findings on disputed material facts:

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

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

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

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

- A procedural irregularity that affected the outcome of the matter;
- New evidence that was not reasonably available at the time the written decision was issued that could affect the outcome of the matter; or

- The Title IX Coordinator, Investigator(s), or Decision-Maker had a conflict of interest or bias that affected the outcome of the matter.

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

**Retaliation:** Retaliation against a person who reports sexual misconduct, assists someone with a report of sexual misconduct, or participates in any manner in an investigation or resolution of a sexual misconduct report is strictly prohibited. Retaliation includes threats, coercion, discrimination, intimidation, reprisals, and/or adverse actions related to employment or education. Any individual who believed they have been retaliated against in violation of this Policy should immediately contact the District's Title IX Coordinator, 802 N Jackson St, Osceola, IA 50213; 641-342-4969.

Sincerely,

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

Date

**Appeal Form**

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

Name of Appealing Party:

Role in complaint: [Complainant or Respondent]

Date:

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

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

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

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

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

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

Approved 12/14/20  
Reviewed 2/12/24  
Revised \_\_\_\_\_

Notice of Appeal

[to be provided simultaneously to both Complainant and Respondent]

[date]

Dear [party name]:

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

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

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

If you have any questions, please let me know.

Sincerely,

---

[name, title, contact information]

Approved 12/14/20  
Reviewed 2/12/24  
Revised \_\_\_\_\_

Determination on Appeal

[to be delivered simultaneously to both Complainant and Respondent]

[date]

Dear [party name]:

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

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

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

\_\_\_\_\_.

Sincerely,

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

Approved 12/14/20  
Reviewed 2/12/24  
Revised \_\_\_\_\_



Informal Resolution

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

[date]

Re: Informal resolution of complaint involving [complainant’s name] and [respondent’s name]

Dear [party name]:

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

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

To resolve this complaint, the Title IX Coordinator will meet separately with each party to gather information relevant to the complaint and discuss possible ways to resolve the complaint. If the parties agree to a resolution, the Title IX Coordinator will draft a resolution agreement to be reviewed by both parties. Each party may sign the resolution agreement if they voluntarily agree to the terms. Once the agreement is signed by each party, it is final and is not subject to appeal.

Either party may withdraw from informal resolution at any point prior to signing the resolution agreement. The Complainant may then decide whether to proceed with the formal grievance process under District policy (including investigation and determination of responsibility) or to withdraw the formal complaint. Supportive measures may be provided during informal resolution, during a formal grievance, and/or after the formal complaints is resolved, dismissed, or withdraw.

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

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

Sincerely,

\_\_\_\_\_  
Title IX Coordinator

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

Signature

Date

Approved 12/14/20

Reviewed 2/12/24

Revised: 12/12/22

Notice of Dismissal

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

[date]

Dear [party name]:

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

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

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

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

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

If you have any questions, please let me know.  
Sincerely,

\_\_\_\_\_  
Title IX Coordinator,  
802 N Jackson St, Osceola, IA 50213, 641-342-4969.

Approved 12/14/20  
Reviewed 2/12/24  
Revised: 12/12/22

Documentation of District Response

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

[date]

**Complaint Information:**

Complainant name:

Respondent name:

Was a formal complaint filed?

If so, on what date?

**District Response:**

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

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

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

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

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

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

---

Title IX Coordinator

Date

Approved 12/14/20

Reviewed 2/12/24

Revised \_\_\_\_\_

# BOARD OF DIRECTORS

Series 200

## Code No.

### **200 Legal Status of the Board of Directors**

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- 200.1R1 Organizational Meeting Procedures
- 200.2 Powers of the Board of Directors
- 200.3 Responsibilities of the Board of Directors
- 200.4 Board Member Social Media Engagement

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- 202.1 Qualifications
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**216 Board of Directors' Member Services**

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**217 Gifts to Board of Directors**

**218 Recognition of Past Service on Board of Education**

Updated: 7/12/2010; 6/13/16; 7/15/19; 5/10/21; 2/23/22

Reviewed: 9/12/22; 7/24/23; 2/12/24

## ORGANIZATION OF THE BOARD OF DIRECTORS

The Clarke Community School District board is authorized by and derives its organization from Iowa law. The board will consist of seven (7) board members. Board members are elected: five (5) by director district and two (2) at-large.

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

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

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

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

Approved Nov. 13, 1995

Reviewed Sept. 8, 2003; 3/23/09; 2/13/12; 3/13/17; 9/12/22; 2/12/24

Revised 12/8/08; 5/10/21; 2/23/22

## ORGANIZATIONAL MEETING PROCEDURES

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

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

### Meeting Procedure

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

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

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

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

- (1) The 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.
- (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 board secretary will administer the oath of office to the newly elected president and the newly elected president will assume the chair.

Approved Sept. 8, 2003

Reviewed 3/23/09; 2/13/12; 9/12/22; 2/12/24

Revised 3/13/17; 5/10/21

## ORGANIZATIONAL MEETING PROCEDURES

- (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 705.3.
- (11) Superintendent's report.
- (12) Adjournment.



POWERS OF THE BOARD OF DIRECTORS

The board of the Clarke 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.  
281 I.A.C. 12.1(2).  
1990 Op. Att'y Gen. 66.

Cross Reference:        209     Board of Directors' Management Procedures

Approved Nov. 13, 1995

Reviewed Sept. 8, 2003; 3/23/09; 2/13/12; 3/13/17; 9/12/22; 2/12/24

Revised \_\_\_\_\_

## RESPONSIBILITIES OF THE BOARD OF DIRECTORS

The board is authorized to govern the school district which it oversees. The board is entrusted with public funds and is responsible for overseeing the improvement of student outcomes, including student academic achievement and skill proficiency. As the governing board of the school district, the board has four duties to perform: legislative duty, executive duty, evaluative duty, and quasi-judicial duty.

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

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

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

The board fulfills its quasi-judicial duties in serving as a neutral arbiter for hearings related to student suspension or expulsion proceedings and certain employment termination hearings and appeals. This important power was granted by the Iowa Legislature and cannot be delegated. To preserve the board's neutrality to hear and decide upon these matters, the board does not investigate or become involved in student disciplinary matters or employment matters that may come before it and would require the board to serve in its quasi-judicial role.

Legal Reference: Iowa Code §§ 274.1; 279; 280.12.  
281 I.A.C. 12.3(2).

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

Approved Nov. 13, 1995

Reviewed Sept. 8, 2003; 3/23/09; 2/12/24

Revised 11/8/21; 7/19/22; 2/13/12; 3/13/17; 9/12/22

## BOARD MEMBER SOCIAL MEDIA ENGAGEMENT

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

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

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

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

Legal Reference:       U.S. Const. Amend. I  
                              Iowa Const. Art. I, sec. 7  
                              20 U.S.C. 1417(c)  
                              34 C.F.R. 99.3  
                              Iowa Code §§ 21; 22

Cross Reference:       200.03 Responsibilities of the Board  
                              902.01 News Media Relations

Approved 7/24/23  
Reviewed 2/12/24  
Revised \_\_\_\_\_

BOARD OF DIRECTORS' ELECTIONS

The school election takes place on the first Tuesday after the first Monday in November of odd numbered years. Each school election is used to elect citizens to the board to maintain a seven (7) member board and to address questions that are submitted to the voters.

Citizens of the school district community seeking a seat on the board must file their nomination papers with the board secretary, or the board secretary's designee, in accordance with the timelines established by law.

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

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

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

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

Approved Nov. 13, 1995  
Reviewed Sept. 8, 2003; 3/23/09; 2/13/12; 9/12/22; 2/12/24  
Revised 6/23/2008, 12/8/08; 3/13/17; 7/9/18

## 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.

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

Approved Nov. 13, 1995

Reviewed Sept. 8, 2003; 3/23/09; 2/13/12; 3/13/17; 9/12/22; 2/12/24

Revised \_\_\_\_\_

OATH OF OFFICE

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

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

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

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

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

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

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

Approved Nov. 13, 1995

Reviewed Sept. 8, 2003; 3/23/09; 2/13/12; 3/13/17; 9/12/22; 2/12/24

Revised 12/8/08

TERM OF OFFICE

Board members elected for a full term at a regularly scheduled school election in November, of odd-numbered years, serve for four years. Board members appointed to fill a vacant position will serve until a successor is elected and qualified at the next regular school election, unless there is an intervening special election for the school district, in which event a successor shall be elected at the intervening special election. A board member elected to fill a vacancy will serve out the unexpired term.

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

Legal Reference: Iowa Code §§ 69.12; 274.7; 279.6; 279.7.

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

Approved Nov. 13, 1995  
Reviewed Sept. 8, 2003; 3/23/09; 2/13/12; 9/12/22; 2/12/24  
Revised 6/23/08, 12/8/08; 3/13/17; 7/9/18

## VACANCIES

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

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 board shall publish notice stating that the board intends to fill the vacancy by appointment, but the electors of the school district have the right to file a petition within 14 days of the publication of the notice requiring the vacancy be filled by a special election.

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

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

Legal Reference: Iowa Code §§ 69, 277.29; 279.  
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).  
1944 Op. Att'y Gen. 39.

Cross Reference: 201 Board of Directors' Elections  
202 Board of Directors Members  
202.3 Term of Office

Approved Nov. 13, 1995  
Reviewed Sept. 8, 2003; 3/23/09; 2/13/12; 9/12/22; 2/12/24  
Revised 12/8/08; 3/13/17; 5/10/21



## STUDENT SCHOOL BOARD REPRESENTATIVES

The *Clarke Community School District* Board of Education believes it is important to seek out and consider student ideas, viewpoints, and opinions regarding the district's educational program. To provide student input, the Board shall include at least *1* non-voting representative(s) from the student body.

Student school board representative eligibility and duties:

- The student school board representative shall be a full-time high school student in the district;
- The student school board representative shall participate in an orientation of board responsibilities and procedures as determined by the Superintendent;
- The student school board representative shall be eligible to participate in discussion, but not vote, at all regular board meetings held in open session;
- The student school board representative shall be responsible for communicating board decisions and information to the student body; and
- The student school board representative will be provided with and shall abide by all applicable sections of the Board Members' Code of Ethics.

The term of office shall be from *the annual meeting in even-numbered years to the last regular board meeting in May*.

If the student school board representative is unable to attend a board meeting, the student school board representative must notify the Superintendent of the absence. A student school board representative who neglects his/her duties may be removed from the position at the discretion of the Board.

Legal Reference: Iowa Code §§ 21; 279.8.  
Cross Reference: 204 Code of Ethics  
211 Open Sessions

Approved 6/13/16  
Reviewed 3/13/17; 9/12/22; 2/12/24  
Revised \_\_\_\_\_

## BOARD OF DIRECTORS' CONFLICT OF INTEREST

Board members must be able to make decisions objectively. It is a conflict of interest for a board member to receive direct compensation from the school district, unless exempted in law or 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 school textbooks or school supplies, including sports apparel or equipment, in any transaction with a director, officer, or other staff member of the school district during the board member's term of office. It will not be a conflict of interest for board members to receive compensation from the school district for contracts for the purchase goods or services which benefits a board member, or to compensation for part-time or temporary employment which benefits a board member, if the benefit to the board member does not exceed \$20,000 in a fiscal year or if the contracts are made by the board, upon competitive bid in writing, publicly invited and opened.

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

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

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

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

- Cease the outside employment or activity; or
- Publicly disclose the existence of the conflict and refrain from taking any official action or performing any official duty that would detrimentally affect or create a benefit for the outside

## BOARD OF DIRECTORS' CONFLICT OF INTEREST

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, determining the facts or law in a contested case or rulemaking proceeding, conducting any inspection, 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, board members 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 board member, board member's immediate family, partner, or a non-school district employer of these individuals is a party to the contract.

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

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

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

Approved Nov. 13, 1995

Reviewed 3/23/09; 2/13/12; 3/13/17; 2/12/24

Revised Sept. 8, 2003; 10/12/09; 11/14/11; 6/13/16; 12/9/19; 12/12/22

## 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

## CODE OF ETHICS

4. I will attempt to procure adequate financial support for the school district.
5. I will represent the entire school district rather than individual electors, patrons or groups.
6. I will not regard the school district facilities as my own private property but as the property of the people.

### IN MY RELATIONSHIP WITH SUPERINTENDENT AND EMPLOYEES

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

### TO COOPERATE WITH OTHER SCHOOL BOARDS

1. I will not employ a superintendent, principal or teacher who is already under contract with another school district without first securing assurance from the proper authority that the person can be released from contract.
2. I will consider it unethical to pursue any procedure calculated to embarrass a neighboring board or its representatives.
3. 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.

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

Approved Nov. 13, 1995

Reviewed Sept. 8, 2003; 3/23/09; 2/13/12; 3/13/17; 9/12/22; 2/12/24

Revised 7/9/18; 7/15/19

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.

Cross Reference:        709 Insurance Program

Approved Nov. 13, 1995  
Reviewed Sept. 8, 2003; 3/23/09; 2/13/12; 3/13/17; 9/12/22; 2/12/24  
Revised \_\_\_\_\_

PRESIDENT

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

The president of the board is elected to serve a one-year term by a majority vote at the organizational meeting, in odd-numbered years, or in even-numbered years, at a regular meeting held between twelve to thirteen months after the most recent organizational meeting.

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

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

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

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

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

Approved Nov. 13, 1995

Reviewed Sept. 8, 2003; 3/23/09; 2/13/12; 3/13/17; 9/12/22; 2/12/24

Revised 12/8/08; 7/12/10; 11/8/21

VICE-PRESIDENT

The vice-president of the board is elected by a majority vote at the organizational meeting in odd-numbered years, or in even-numbered years at a regular meeting held between twelve to thirteen months after the most recent organizational meeting, to serve a one-year term of office.

By this election, 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 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.

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

Approved Nov. 13, 1995

Reviewed Sept. 8, 2003; 3/23/09; 2/13/12; 3/13/17; 9/12/22; 2/12/24

Revised 12/8/08; 7/12/10; 12/9/19; 11/8/21



## 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 to evaluate the board secretary-treasurer annually.

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.

In the event the board secretary-treasurer is unable to fulfill the responsibilities set out by the board and the law, the superintendent secretary 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.  
281 I.A.C. 12.3(1).  
1978 Op. Att'y Gen. 328.

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

Approved Nov. 13, 1995  
Reviewed 3/23/09; 2/13/12; 3/13/17; 9/12/22; 2/12/24  
Revised 9/803; 5/10/21

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.

Cross Reference:            200    Legal Status of the Board of Directors

Approved Nov. 13, 1995

Reviewed Sept. 8, 2003; 3/23/09; 2/27/12; 3/13/17; 9/12/22; 2/12/24

Revised \_\_\_\_\_

## AD HOC COMMITTEES

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

An ad hoc committee 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).  
281 I.A.C. 12.3(3), .3(8); .5(8).  
O.A.G., Nov. 18, 1993

Cross Reference: 103 Long-Range Needs Assessment  
211 Open Meetings  
212 Closed Sessions  
215 Board of Directors' Records  
605.1 Instructional Materials Selection  
900 Principles and Objectives for Community Relations

Approved Jan. 15, 1996

Reviewed Sept. 8, 2003; 3/23/09; 2/27/12; 3/13/17; 9/12/22; 2/12/24

Revised \_\_\_\_\_

## AD HOC COMMITTEES EXHIBIT

### Ad Hoc Committee Purpose and Function

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

### Role of an Ad Hoc Committee Member

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

### Ad Hoc Committee Membership

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

## DEVELOPMENT OF POLICY

The board has jurisdiction to legislate policy for the school district with the force and effect of law. Board policy provides the general direction as to what the board wishes to accomplish 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.  
281 I.A.C. 12.3(2).  
1970 Op. Att'y Gen. 287.

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

Approved Jan. 15, 1996

Reviewed Sept. 8, 2003; 3/23/09; 2/27/12; 3/13/17; 9/12/22; 2/12/24

Revised \_\_\_\_\_

ADOPTION OF POLICY

The board will give notice of proposed policy changes or adoption of new policies by placing the item on the agenda of two regular board meetings. The proposed policy changes 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, a 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.  
281 I.A.C. 12.3(2).  
1970 Op. Att'y Gen. 287.

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

Approved Jan. 15, 1996

Reviewed Sept. 8, 2003; 3/23/09; 2/27/12; 3/13/17; 9/12/22; 2/12/24

Revised \_\_\_\_\_

## DISSEMINATION OF POLICY

A board policy manual is housed in each school attendance center and in the central administration office and on the school district web-site at [www.clarkecsd.org](http://www.clarkecsd.org). Persons wishing to review the board policy manual will contact the board secretary, who will have a board policy manual available for public inspection.

It is the responsibility of the board secretary to ensure copies of new and revised policy statements are distributed to the custodians of board policy manuals no later than the first regular board meeting following the policy's adoption. Copies of changes in board policy 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.  
281 I.A.C. 12.3(2).

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

Approved: Jan. 15, 1996

Reviewed: Sept. 8, 2003; 3/23/09; 2/27/12; 3/13/17; 9/12/22; 2/12/24

Revised: 1/28/08; 12/12/22

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. Reasons for suspension of board policy will be documented in board minutes.

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

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

Approved Jan. 15, 1996

Reviewed Sept. 8, 2003; 3/23/09; 2/27/12; 3/13/17; 9/12/22; 2/12/24

Revised \_\_\_\_\_



ADMINISTRATION IN THE ABSENCE OF POLICY

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

It 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 (~~2003~~);  
281 I.A.C. 12.3(2).

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

Approved Jan. 15, 1996

Reviewed Sept. 8, 2003; 3/23/09; 2/27/12; 3/13/17; 9/12/22; 2/12/24

Revised \_\_\_\_\_

REVIEW AND REVISION OF POLICY

The board shall, at least once every five years, review board policy. Once the policy has been reviewed, even if no changes were made, a notation of the date of review 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.  
281 I.A.C. 12.3(2).

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

Approved Jan. 15, 1996

Reviewed 3/23/09; 11/14/11; 2/27/12; 3/13/17; 9/12/22; 2/12/24

Revised Sept. 8, 2003

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 *approved* 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.

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

Approved Jan. 15, 1996

Reviewed Sept. 8, 2003; 3/23/09; 2/27/12; 3/13/17; 9/12/22; 2/12/24

Revised \_\_\_\_\_

ANNUAL MEETING

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

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

Legal Reference: Iowa Code §§ 279.1, .3, .33

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

Approved Jan. 15, 1996

Reviewed 3/23/09; 2/27/12; 3/13/17; 9/12/22; 2/12/24

Revised 9/8/03; 7/12/10; 5/10/21

REGULAR MEETING

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

The regular meetings of the board will be held on the 2<sup>nd</sup> Monday of each month. Meetings will begin promptly at 5:30 p.m. The board will adhere to this meeting date unless the board requires additional meetings or, due to circumstances beyond the board's control, the meeting cannot be held on the regular meeting date, and the meeting will be re-scheduled in accordance with law and policy. Public notice of the meetings will be given.

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

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

Approved Jan. 15, 1996

Reviewed 3/23/09; 2/27/12; 9/12/22; 2/12/24

Revised Sept. 8, 2003; Dec. 12, 2005; 10/27/2008; 7/12/10; 10/11/10; 10/12/15; 6/13/16; 3/13/17; 10/9/2017; 12/11/2017

SPECIAL MEETING

It may be necessary for the board to conduct a special meeting in addition to the regularly scheduled board meeting. Special meetings may be called by the president of the board or by the board secretary at the request of a majority of the board. Should a special meeting be called, public notice 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  
1980 Op. Att'y Gen. 148.

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

Approved Jan. 15, 1996

Reviewed Sept. 8, 2003; 3/23/09; 2/27/12; 3/13/17; 9/12/22; 2/12/24

Revised \_\_\_\_\_

## WORK SESSIONS

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

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

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

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

Approved Jan. 15, 1996

Reviewed Sept. 8, 2003; 3/23/09; 2/27/12; 3/13/17; 9/12/22; 2/12/24

Revised \_\_\_\_\_

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 in a prominent place clearly designated for posting agendas in the central administration office, and on an exterior facing door/window so that community members may see the agenda when the building is physically closed. The agenda will be posted at least one   1   day before it is scheduled, but, at the minimum, twenty-four hours notice needs to be given.

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

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

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

Legal Reference:            *Dobrovolny v. Reinhardt*, 173 N.W.2d 837 (Iowa 1970).  
Iowa Code §§ 21.2-.4; 279.1, .2

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

Approved Jan. 15, 1996  
Reviewed Sept. 8, 2003; 3/23/09; 2/12/24  
Revised 5/10/21; 2/27/12; 3/13/17; 9/12/22; 7/24/23



## 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 in person participation is encouraged, board members may attend meetings either in person or electronically provided each member can hear and be heard in real time by all members present and the public.

While board members are encouraged to attend board meetings, four (4) 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

Cross Reference: 210 Board of Directors' Meetings

Approved Jan. 15, 1996

Reviewed Sept. 8, 2003; 3/23/09; 2/27/12; 3/13/17; 9/12/22; 2/12/24

Revised 5/10/21

## 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.

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.

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.

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

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

Approved Jan. 15, 1996

Reviewed Sept. 8, 2003; 3/23/09; 2/27/12; 3/13/17; 9/12/22; 2/12/24

Revised \_\_\_\_\_

## RULES OF ORDER REGULATION

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

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

Adopted: 7/12/10

Reviewed: 2/27/12; 3/13/17; 9/12/22; 2/12/24

## BOARD MEETING AGENDA

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

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

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

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

It is the responsibility of the board president and superintendent to develop the agenda for each board meeting. Any board member may place an item on the next regular agenda with the consent of a majority of the board. Board members wishing to do so should provide notice to the Superintendent and board president five (5) days prior to the schedule meeting.

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

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

Approved Jan. 15, 1996

Reviewed Sept. 8, 2003; 3/23/09; 2/27/12; 3/13/17; 9/12/22; 2/12/24

Revised 2/23/22

OPEN MEETINGS

A gathering of a majority of board members either in person or electronically in which deliberation of an issue within the scope of the board's policy-making duties takes place is a board meeting. A gathering for the purpose of social or ministerial action will not constitute a board meeting when there is no discussion of policy or no intent to avoid the purpose of the open meetings law. 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  
1982 Op. Att'y Gen. 162.  
1980 Op. Att'y Gen. 167.

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

Approved Jan. 15, 1996  
Reviewed Sept. 8, 2003; 3/23/09; 3/12/12; 3/13/17; 9/12/22; 2/12/24  
Revised 5/10/21

## CLOSED SESSIONS

Generally, board meetings will be open meetings, unless a closed session is provided for by law.

Closed sessions take place as part of an open meeting. The board may enter into closed session for any reason permitted by law.

The item for discussion in the closed session will be listed as part of the tentative agenda on the public notice with the full text of the Iowa Code citation reference stated on the agenda. 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 if any are absent, must vote in favor of the motion on a roll call vote. Closed sessions will be recorded and have detailed minutes kept by the board secretary. No voting will take place in the closed session. Final action on matters discussed in the closed session will be taken in an open meeting.

The minutes and 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 recordings and the written minutes will be kept for one year from the date of the meeting. Real estate related minutes and recordings will be made public after the real estate transaction is completed.

The detailed minutes and recording will be sealed and will not be public records open to public inspection. The minutes and recording will only be available to board members or opened upon court or administrative order in an action to enforce the requirements of the open meetings law. The board has complete discretion as to whom may be present at a closed session, but generally closed sessions will be limited to the board, a recording secretary and the superintendent if indicated. The board has discretion to nominate the board secretary or any board member to serve as recording secretary for the closed session.

Legal Reference: Iowa Code §§ 21; 22.7; 279 .24.

Cross Reference: 208 Ad Hoc Committees  
211 Open Meetings  
212.1 Exempt Meetings

Approved Jan. 15, 1996

Reviewed Sept. 8, 2003; 3/23/09; 3/12/12; 3/13/17; 9/12/22; 2/12/24

Revised 9/26/11; 2/23/22

## EXEMPT MEETINGS

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 recording the gathering or taking minutes, and be held without a vote or motion. The board may also hold an exempt session for the following reasons, or as may be otherwise authorized by law:

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

Cross Reference: 208 Ad Hoc Committees  
211 Open Meetings  
212 Closed Sessions

Approved 2/23/22  
Reviewed 9/12/22; 2/12/24  
Revised \_\_\_\_\_

## PUBLIC PARTICIPATION IN BOARD MEETINGS

The board recognizes the importance of citizen participation in school district matters. In order to assure citizens are heard and board meetings are conducted efficiently and in an organized manner, the board will set aside a specific time for public comment.

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

Citizens wishing to address the board during public comment must notify the board secretary prior to the board meeting. The board president will recognize these individuals to make their comments at the appropriate time during public comment. Citizens wishing to present petitions to the board may also do so at this time. The board however, will only receive the petitions and not act upon them or their contents.

The board has the discretion to limit the amount of time set aside for public participation. Normally, speakers will be limited to 3 minutes with a total allotted time for public participation of 30 minutes. However, the board president may modify this time limit, if deemed appropriate or necessary. Public comment is a time set aside for community input, but the board will not discuss or take any action on any matter during public comment

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

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

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

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

The board has a significant interest in maintaining the decorum of its meetings, and it is expected that members of the public and the board will address each other with civility. The orderly process of the board meeting will not be interfered with or disrupted by public comment. Only individuals recognized by the board president will be allowed to speak. Comments by others are out of order. If disruptive, the individual causing disruption may be asked to leave the board meeting. Defamatory comments may be subject to legal action.



Legal Reference: Iowa Code §§ 21; 22; 279.8, 279.8B

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

Approved Jan. 15, 1996

Reviewed 4/27/2009; 3/12/12; 3/13/17; 9/12/22; 2/12/24

Revised 9/8/03; 7/15/19; 11/8/21; 7/24/23

## PUBLIC COMPLAINTS

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

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

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

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

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

Legal Reference: Iowa Code § 279.8

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

Approved 7/15/19  
Reviewed 9/12/22; 2/12/24  
Revised 11/8/21

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 (10) days before the hearing is to be held unless it is impossible or impractical to do so.

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

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

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

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

Approved Jan. 15, 1996  
Reviewed Sept. 8, 2003; 3/23/09; 3/12/12; 3/13/17; 9/12/22; 2/12/24  
Revised \_\_\_\_\_

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

Legal Reference: Iowa Code §§ 21; 22; 279.8, .35, .36; 291.6, .7; 618.3  
 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  
 208 Ad Hoc Committees  
 210.8 Board Meeting Agenda  
 708 Care, Maintenance and Disposal of School District Records  
 901 Public Examination of School District Records

Approved Jan. 15, 1996

Reviewed Sept. 8, 2003; 3/23/09; 3/12/12; 3/13/17; 9/12/22; 2/12/24

Revised 5/10/21

## BOARD MEETING MINUTES

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

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

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

## BOARD MEETING MINUTES

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

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

Updated: 7/12/10

Reviewed: 3/13/17; 9/12/22; 2/12/24

ASSOCIATION MEMBERSHIP

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

Legal Reference: Iowa Code § 279.38.

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

Approved Jan. 15, 1996

Reviewed Sept. 8, 2003; 3/23/09; 3/12/12; 3/13/17; 9/12/22; 2/12/24

Revised 10/24/11

BOARD OF DIRECTORS' MEMBER DEVELOPMENT AND TRAINING

High achieving school board work as a team to create high expectations for all students. Board learning is foundational to creating this solid governance structure focused on student learning for school boards. 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' and encourage the board members to participate in qualifying learning opportunities to achieve the Annual Board Award.

Legal Reference: Iowa Code §§ 279.8, .38

Cross Reference: 216.1 Association Membership

Approved Jan. 15, 1996

Reviewed Sept. 8, 2003; 3/23/09; 2/12/24

Revised 10/24/11; 5/10/21; 3/12/12; 3/13/17; 9/12/22; 7/24/23



## BOARD OF DIRECTORS' MEMBER COMPENSATION AND EXPENSES

As an elected public official, the board member is a public servant who serves without compensation for the board member's time spent as a board member. 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 a personal expense. 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.

Travel outside of the school district must be pre-approved. Pre-approved expenses for transportation within three-hundred miles of the central administration office of the school district will be by automobile. If a school district vehicle is not available, the board member will be reimbursed .24 cents per mile. Pre-approved expenses for transportation outside of three-hundred miles will be by public carrier. Reimbursement for air travel will be at the tourist class fares. Should a board member choose to travel by automobile, reimbursement will be limited to the public carrier amount. Pre-approved expenses for transportation in a rental car is limited to the cost of a Class "C" rental car at a medium priced agency unless the number of board members traveling on behalf of the school district warrant a larger vehicle. Travel inside the school district in the board member's personal vehicle will be reimbursed .24 cents per mile.

Pre-approved expenses for lodging within the state is limited to \$75.00 per night. Pre-approved expenses for lodging outside the state is limited to the rate of a medium priced hotel in the area. Lodging may be pre-approved for a larger amount if special circumstances require the board member to stay at a particular hotel.

Pre-approved expenses for meals within the state are limited to \$6.00 for breakfast, \$9.00 for lunch and \$17.00 for dinner. Pre-approved expenses for meals outside the state are limited to \$6.00 for breakfast, \$9.00 for lunch and \$17.00 for dinner. Meals may be pre-approved for a larger amount at the discretion of the board.

Approved Jan. 15, 1996

Reviewed Sept. 8, 2003; 3/23/09; 3/12/12; 3/13/17; 9/12/22; 2/12/24

Revised \_\_\_\_\_

## BOARD OF DIRECTORS' MEMBER COMPENSATION AND EXPENSES

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.

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

## 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;

Approved Jan. 15, 1996

Reviewed Sept. 8, 2003; 3/23/09; 3/12/12; 3/13/17; 9/12/22; 2/12/24

Revised \_\_\_\_\_

## GIFTS TO BOARD OF DIRECTORS

- 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;

## GIFTS TO BOARD OF DIRECTORS

- 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.  
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

RECOGNITION OF PAST SERVICE ON BOARD OF EDUCATION

Upon completion of seven (7) full years of membership on the Board of Education of the Clarke Community School District, past Board members shall be awarded a lifetime pass to all the home activities of the Clarke Community School District. This lifetime pass shall admit the past School Board member and guest. This lifetime pass will not provide admittance into tournament events held at Clarke.

Approved Apr. 10, 2000

Reviewed Sept. 8, 2003; 3/23/09; 3/12/12; 3/13/17; 9/12/22; 2/12/24

Revised \_\_\_\_\_

# ADMINISTRATION

## Series 300

### Code No.

- 300 Role of School District Administration
- 301 Administrative Structure
  - 301.1 Management
  - 301.2 Leadership Team
- 302 Superintendent
  - 302.1 Superintendent Qualifications, Recruitment, Appointment
  - 302.2 Superintendent Contract and Contract Non-renewal
  - 302.3 Superintendent Salary and Other Compensation
  - 302.4 Superintendent Duties
  - 302.5 Superintendent Evaluation
  - 302.6 Superintendent Professional Development
  - 302.7 Superintendent Civic Activities
  - 302.8 Superintendent Consulting/Outside Employment
- 303 Administrative Employees
  - 303.1 Administrative Positions
  - 303.2 Administrator Qualifications, Recruitment, Appointment
  - 303.3 Administrator Contract and Contract Non-renewal
  - 303.4 Administrator Salary and Other Compensation
  - 303.5 Administrator Duties
  - 303.6 Administrator Evaluation
  - 303.7 Administrator Professional Development
  - 303.8 Administrator Civic Activities
  - 303.9 Administrator Consulting/Outside Employment
- 304 Policy Implementation
  - 304.1 Development and Enforcement of Administrative Regulations
  - 304.2 Monitoring of Administrative Regulations
- 305 Administrator Code of Ethics
- 306 Succession of Authority to the Superintendent

Reviewed: April 27, 2009; 1/8/18; 2/12/24

Updated: 2/23/22

## 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 12/8/86

Reviewed 11/10/03; 4/27/09; 11/12/12; 1/8/18; 2/12/24

Revised 2/11/02



## MANAGEMENT

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

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

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

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

Legal Reference: Iowa Code § 279.8 (2007).

Cross Reference: 301 Administrative Structure

Approved 2/11/02

Reviewed 11/10/03, 4/27/09; 11/12/12; 1/8/18; 2/12/24

Revised \_\_\_\_\_

## LEADERSHIP TEAM

The board considers all those who have a role in the recruitment or release of employees to be part of the leadership team. The leadership team is headed by the superintendent. The superintendent will convene meetings to discuss school district policies, administrative procedures and other business brought to the superintendent's attention.

The leadership team will meet with the board upon the board's request or superintendent's recommendation to review overall operations of the school district and conditions affecting the leadership team. The leadership team will have no relationship to the formal negotiating unit. In the event a member or members of the leadership team are unable to resolve a problem, a committee of one board member, one leadership team member, and the superintendent will investigate the circumstances and make a recommendation. If the recommendation does not settle the matter, the board and the leadership team will meet to resolve the matter. The board may seek the advice of outside consultants to assist in resolving the matter.

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

Cross Reference: 301 Administrative Structure

Approved 2/11/02  
Reviewed 4/27/09; 11/12/12; 1/8/18; 2/12/24  
Revised 11/10/03

SUPERINTENDENT QUALIFICATIONS, RECRUITMENT, APPOINTMENT

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

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

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

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

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

Cross Reference: 200.2 Powers of the Board of Directors  
200.3 Responsibilities of the Board of Directors  
301 Administrative Structure  
302 Superintendent

Approved 12/8/86  
Reviewed 11/10/03; 4/27/09; 11/12/12; 1/8/18; 2/12/24  
Revised 2/11/02; 7/30/07

SUPERINTENDENT CONTRACT AND CONTRACT NONRENEWAL

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

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

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

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

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

Cross Reference:     302     Superintendent

Approved 12/8/86  
Reviewed 11/10/03; 4/27/09; 11/12/12; 2/12/24  
Revised 2/11/02; 1/8/18

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.  
1984 Op. Att'y Gen. 47.

Cross Reference: 302 Superintendent

Approved 2/11/02  
Reviewed 11/10/03; 4/27/09; 11/12/12; 1/8/18; 2/12/24  
Revised \_\_\_\_\_

## SUPERINTENDENT DUTIES

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

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

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

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

Approved 12/8/86

Reviewed 11/10/03; 4/27/09; 11/12/12; 1/8/18; 2/12/24

Revised 2/11/02

## SUPERINTENDENT DUTIES

- Supervises methods of teaching, supervision, and administration in effect in the schools;
- Attends such conventions and conferences as are necessary to keep informed of the latest educational trends;
- Accepts responsibility for the general efficiency of the school system, for the development of the employees, and for the educational growth and welfare of the students;
- Defines educational needs and formulates policies and plans for recommendation to the board;
- Makes administrative decisions necessary for the proper functioning of the school district;
- Responsible for scheduling the use of buildings and grounds by all groups and/or organizations;
- Acts as the purchasing agent for the board, and establishes procedures for the purchase of books, materials and supplies;
- Approves vacation schedules for employees;
- Conducts periodic district administration meetings; 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.  
281 I.A.C. 12.4(4).

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

## SUPERINTENDENT EVALUATION

The board will conduct an ongoing evaluation of the superintendent's skills, abilities, and competence. At a minimum, the board will formally evaluate the superintendent on an annual basis. The goal of the superintendent's formal evaluation is to ensure the education program for the students is carried out, promote growth in effective administrative leadership, clarify the superintendent's role, clarify the immediate priorities of the board, and develop a working relationship between the board and the superintendent. This policy supports and does not preclude the ongoing, informal evaluation of the superintendent's skills, abilities and competence.

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

1. Mission, Vision and Core Values: Develop, advocate and enact a shared mission, vision, and core values of high-quality education and academic success and well-being of each student.
2. Ethics and Professional Norms: Act ethically and according to professional norms to promote each student's academic success and well-being.
3. Equity and cultural Responsiveness: Strive for equity of educational opportunity and culturally responsive practices to promote each student's academic success and well-being.
4. Curriculum, Instruction and Assessment: Develop and support intellectually rigorous and coherent systems of curriculum, instruction and assessment to promote each student's academic success and well-being.
5. Community Care and Support for Students: Cultivate an inclusive, caring and supportive school community that promotes the academic success and well-being of each student.
6. Professional Capacity of School Personnel: Develop the professional capacity and practice of school personnel to promote each student's academic success and well-being. Professional Community for Teachers and Staff: Foster a professional community of teachers and professional staff to promote each student's academic success and well-being.
7. Meaningful Engagement of Families and Community: Engage families and the community in meaningful, reciprocal, and mutually beneficial ways to promote each student's academic success and well-being.
8. Operations and Management: Manage school operations and resources to promote each student's academic success and well-being.
9. School Improvement: Act as an agent of continuous improvement to promote each student's success and well-being.

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, the Iowa Standards for School Leaders, the school district's goals, and the goals of the administrator's individual professional development plan;
- 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 from 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, however 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.



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

Cross Reference:       212   Closed Sessions  
                              302   Superintendent

Approved 12/8/86

Reviewed 11/10/03; 11/12/12; 1/8/18; 2/12/24

Revised 2/11/02; 4/27/09; 11/8/21

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.  
281 I.A.C. Ch. 83; 12.7.

Cross Reference: 303.7 Administrator Professional Development  
401.7 Employee Travel Compensation

Approved 2/11/02  
Reviewed 11/10/03; 4/27/09; 11/12/12; 1/8/18; 2/12/24  
Revised \_\_\_\_\_

SUPERINTENDENT CIVIC ACTIVITIES

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

It is the responsibility of the superintendent to become involved in school district community activities and events. It is within the discretion of the board to pay annual fees for professional organizations and activities.

Legal Reference:Iowa Code § 279.8

Cross Reference:302.3 Superintendent Salary and Other Compensation  
303.8Administrator Civic Activities

Approved 2/11/02

Reviewed 11/10/03; 4/27/09; 11/12/12; 1/8/18; 2/12/24

Revised 2/8/21

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.

Cross Reference: 302.2 Superintendent Contract and Contract Nonrenewal  
302.4 Superintendent Duties

Approved 2/11/02

Reviewed 11/10/03; 4/27/09; 11/12/12; 1/8/18; 2/12/24

Revised \_\_\_\_\_

## ADMINISTRATIVE POSITIONS

The school district may have, in addition to the superintendent, the following administrative positions: Principals; Assistant Principals; Curriculum Director; Activities Director; and Director of Special Programs.

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.  
281 I.A.C. 12.4.

Cross Reference:     301     Administrative Structure  
                          303     Administrative Employees

Approved 2/11/02  
Reviewed 11/10/03; 4/27/09; 11/27/12; 1/8/18; 2/12/24  
Revised 7/30/07; 5/13/13; 7/9/18; 12/12/22; 7/24/23

ADMINISTRATOR QUALIFICATIONS, RECRUITMENT, APPOINTMENT

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

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

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

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

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

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

Cross Reference: 303 Administrative Employees

Approved 12/8/86  
Reviewed 11/10/03; 4/27/09; 11/27/12; 1/8/18; 2/12/24  
Revised 2/11/02; 7/30/07

ADMINISTRATOR CONTRACT AND CONTRACT NONRENEWAL

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

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

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

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

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

Cross Reference:        303     Administrative Employees

Approved 12/8/86  
Reviewed 11/10/03; 11/27/12; 2/12/24  
Revised 2/11/02; 4/27/09; 1/8/18

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.  
1984 Op. Att'y Gen. 47.

Cross Reference: 303 Administrative Employees

Approved 2/11/02  
Reviewed 11/10/03; 4/27/09; 11/27/12; 1/8/18; 2/12/24  
Revised \_\_\_\_\_



## 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 building principal responsible for the administration and operation of the attendance center. Each building 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  
281 I.A.C. 12.4(5), .4(6), .4(7).

Cross Reference: 301 Administrative Structure  
303 Administrative Employees

Approved 2/11/02

Reviewed 11/10/03; 4/27/09; 11/27/12; 1/8/18; 2/12/24

Revised 2/8/21

## ADMINISTRATOR EVALUATION

The superintendent will conduct an ongoing process of evaluating the administrators on their skills, abilities, and competence. At a minimum, the superintendent will formally evaluate the administrators annually. The goal of the formal evaluation process is to ensure that the educational program for the students is carried out, ensure student learning goals of the school district are met, promote growth in effective administrative leadership for the school district, clarify the administrator's role as defined by the board and the superintendent, assess administrator competence in the Iowa Standards for School Leaders, 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. This policy supports and does not preclude the ongoing informal evaluation of the administrator's skills, abilities and competence.

The superintendent is responsible for designing an administrator evaluation instrument to assess, among other things, the administrator's competence in meeting the Iowa Standard for School Leaders and the goals of the administrator's individual professional development plan. The formal evaluation will include written criteria related to the job description and the Iowa Standards for School Leaders. The superintendent, after receiving input from the administrators, will present the formal evaluation instrument to the board for approval.

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

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

- Mission, Vision and Core Values: Develop, advocate and enact a shared mission, vision, and core values of high-quality education and academic success and well-being of each student.
- Ethics and Professional Norms: Act ethically and according to professional norms to promote each student's academic success and well-being.
- Equity and cultural Responsiveness: Strive for equity of educational opportunity and culturally responsive practices to promote each student's academic success and well-being.
- Curriculum, Instruction and Assessment: Develop and support intellectually rigorous and coherent systems of curriculum, instruction and assessment to promote each student's academic success and well-being.
- Community Care and Support for Students: Cultivate an inclusive, caring and supportive school community that promotes the academic success and well-being of each student.
- Professional Capacity of School Personnel: Develop the professional capacity and practice of school personnel to promote each student's academic success and well-being.
- Professional Community for Teachers and Staff: Foster a professional community of teachers and professional staff to promote each student's academic success and well-being.
- Meaningful Engagement of Families and Community: Engage families and the community in meaningful, reciprocal, and mutually beneficial ways to promote each student's academic success and well-being.
- Operations and Management: Manage school operations and resources to promote each student's academic success and well-being.
- School Improvement: Act as an agent of continuous improvement to promote each student's success and well-being.

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

Legal Reference: Iowa Code §§ 279.8, .21-.23A  
281 I.A.C. 12.3(3); ch. 83.

Cross Reference: 303 Administrative Employees

Approved 12/8/86  
Reviewed 11/10/03; 11/27/12; 1/8/18; 2/12/24  
Revised 2/11/02; 4/27/09; 11/8/21

## 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.  
281 I.A.C. 12.7.

Cross Reference: 302.6 Superintendent Professional Development  
401.7 Employee Travel Compensation

Approved 3/27/86  
Reviewed 11/10/03; 4/27/09; 11/27/12; 1/8/18; 2/12/24  
Revised 2/11/02

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. It is within the discretion of the board to pay annual fees for professional organizations and activities.

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

Cross Reference: 302.7 Superintendent Civic Activities

Approved 2/11/02  
Reviewed 11/10/03; 4/27/09; 11/27/12; 1/8/18; 2/12/24  
Revised 2/8/21

ADMINISTRATOR CONSULTING/OUTSIDE EMPLOYMENT

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

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

Legal Reference: Iowa Code §§ 279.8, .21.

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

Approved 2/11/02  
Reviewed 11/10/03; 4/27/09; 11/27/12; 1/8/18; 2/12/24  
Revised \_\_\_\_\_

DEVELOPMENT AND ENFORCEMENT OF ADMINISTRATIVE REGULATIONS

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

In developing the administrative regulations, the superintendent 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.

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

Approved 2/11/02

Reviewed 11/10/03; 4/27/09; 12/10/12; 1/8/18; 2/12/24

Revised \_\_\_\_\_

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.

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

Approved 2/11/02

Reviewed 11/10/03; 4/27/09; 12/10/12; 1/8/18; 2/12/24

Revised \_\_\_\_\_



## ADMINISTRATOR CODE OF ETHICS

Administrators, as part of the educational leadership in the school district community, represent the views of the school district. Their actions, verbal and nonverbal, reflect the attitude and the beliefs of the school district. Therefore, administrators 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.  
282 I.A.C. 13.

Cross Reference:404 Employee Conduct and Appearance

Approved 2/11/02

Reviewed 11/10/03; 12/10/12; 1/8/18; 2/12/24

Revised 4/27/09

## 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:

Secondary Principal, Elementary Principal, Middle School Principal, Secondary Assistant Principal, Elementary Assistant Principal.

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.  
281 I.A.C. 12.4(4).

Cross Reference: 302 Superintendent

Approved 2/11/02  
Reviewed 11/10/03; 12/10/12; 1/8/18; 2/12/24  
Revised 4/27/09

## EMPLOYEES

### Series 400

#### Code No.

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Updated: 2/12/13; 6/13/16; 6/11/18; 7/15/19; 7/23/20;  
12/14/20; 1/11/21; 2/8/21; 11/8/21; 7/24/23; 3/18/24; 4/8/24

## ROLE OF AND GUIDING PRINCIPLES FOR EMPLOYEES

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

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

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

Approved 11/12/90

Reviewed 1/26/98; 6/8/09; 1/28/13; 3/18/24

Revised 1/12/04; 6/11/18

## EQUAL EMPLOYMENT OPPORTUNITY

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

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

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

Prior to a final offer of employment the school district will perform background checks required by law. Based upon the results of the background checks, the school district will determine whether an offer will be extended. If the candidate is a teacher who has an initial license from the BOEE, then the requirement for a background check is waived. The district will perform repeat background checks on applicable employees as required by law.

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

Inquiries by employees or applicants for employment regarding compliance with equal employment opportunity and affirmative action laws and policies, including but not limited to complaints of discrimination, will be directed to the Affirmative Action Coordinator by writing to the Affirmative Action Coordinator, Clarke Community School District, 800 N Jackson, Osceola, Iowa 50213; or by telephoning 641 342- 6505.

Approved 11/20/90

Reviewed 7/12/99; 3/18/24

Revised 1/12/04; 7/30/07; 10/13/08; 6/8/09; 1/28/13; 4/22/13; 7/9/18; 2/8/21; 1/15/24



## EQUAL EMPLOYMENT OPPORTUNITY

Inquiries by employees or applicants for employment regarding compliance with equal employment opportunity and affirmative action laws and policies, including but not limited to complaints of discrimination, may also be directed in writing to the 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 14<sup>th</sup> 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.

***NOTE: This is a mandatory policy and reflects the law. The district must perform an initial background check on all employees 18 years of age and older. For some licensed employees, background checks must be performed every 5 years.***

Legal Reference: 29 U.S.C. §§ 621-634

42 U.S.C. §§ 2000e *et seq.*

42 U.S.C. §§ 12101 *et seq.*

Iowa Code §§ 19B; 20; 35C; 73; 216; 279.8

281 I.A.C. 12.4; 95.

Cross Reference: 102 Equal Educational Opportunity

104 Bullying/Harassment

405.2 Licensed Employee Qualifications, Recruitment, Selection

411.2 Classified Employee Qualifications, Recruitment, Selection

## EMPLOYEE CONFLICT OF INTEREST

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

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

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

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

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

Approved 1/26/98

Reviewed 1/12/04; 1/28/13; 6/11/18; 3/18/24

Revised 6/8/09; 10/12/09; 11/14/11; 2/8/21

## EMPLOYEE CONFLICT OF INTEREST

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

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

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

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

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

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

NEPOTISM

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

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

***NOTE: School district employment of more than one family member is permissible by law. However, school districts have the discretion to prohibit the hiring of family members. Boards that choose to prohibit nepotism should do so in board policy.***

***Boards that permit nepotism may want to add certain requirements to the hiring of family, such as requiring board approval prior to hire. It is recommended that one family member not be allowed to supervise or evaluate another family member unless the superintendent or board approves it. This policy is written to permit nepotism and, upon approval of the superintendent, one family member may supervise another. The clause in brackets can be added to the policy if the board also wants to approve the supervisory issue.***

Legal Reference: Iowa Code §§ 20; 71; 277.27; 279.8

Cross Reference: 405.2 Licensed Employee Qualifications, Recruitment Selection  
411.2 Classified/Confidential/Director/Other Employee Qualifications, Recruitment Selection

Approved 1/26/98

Reviewed 1/12/04; 1/28/13; 6/11/18; 3/18/24

Revised 6/8/09

## EMPLOYEE COMPLAINTS

Complaints of employees against fellow employees should be discussed directly between employees as appropriate for the nature of the complaint. Complaints should be made in a constructive and professional manner. Complaints should generally not be made in the presence of other employees, students or outside persons.

If the complaint cannot be resolved, the employee may discuss the matter with their immediate supervisor. If the matter cannot be resolved within seven (7) days of speaking with the immediate supervisor, the employee may discuss it with the principal within fourteen (14) days of the supervisor's decision. If the matter cannot be resolved by the principal, the employee may discuss it with the superintendent within fourteen (14) days after speaking with the principal.

If the matter is not satisfactorily resolved by the superintendent, the employee may ask to have the matter placed on the board agenda of a regularly scheduled board meeting in compliance with board policy. The board retains discretion as whether to consider or take action on any complaint.

The policy is designed to create an appropriate process for pursuing general employee complaints. However, employees wishing to address a complaint on a topic with a more specialized procedure such as master contract grievances, or bullying or harassment claims should follow the appropriate process set forth in the master contract, employee handbook or other board policies specific to that topic.

Refer to building handbooks for process.

***NOTE: Boards should adapt IASB sample policies to meet the needs of the local district. Please ensure that the language contained in local policy is consistent with language contained in other district documents (e.g., handbooks, master contracts, etc.).***

***NOTE: There should be reasonable limits on the number of days an employee has to pursue a complaint. Cross reference with the number of days listed in policy 502.4 for consistency.***

Legal Reference: Iowa Code §§ 20; 279.8

Cross Reference: 210.8 Board Meeting Agenda

Approved 1/12/04

Reviewed 1/28/13; 3/18/24

Revised 6/8/09; 6/11/18; 2/23/22

## 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.

***NOTE: This is not a mandatory policy but is a recommended one. It reflects current state and federal laws protecting the confidentiality and retention of employee records. Separate medical files is a requirement of the American with Disabilities Act. For more detailed discussion of this issue, see IASB's Policy Primer, Vol. 13 #2 – February 15, 2000.***

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

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

Approved 1/26/98

Reviewed 1/28/13; 6/11/18; 3/18/24

Revised 1/12/04; 6/8/09

## 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 individual's previous employers, positions previously held and dates of previous employment;
  - The fact that the individual resigned in lieu of termination, was discharged, or was demoted as a result of a disciplinary action, and the documented reasons and rationale for the resignation in lieu of termination, the discharge, or the demotion. "Demoted" or "demotion" mean a change of an employee from a position in a given classification to a position in a classification having a lower pay grade; and;
  - Personal information in confidential personnel records of government bodies relating to student employees shall only be released pursuant to the Family Education Privacy Rights Act (FERPA).

## EMPLOYEE RECORDS REGULATION

### 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.

Approved 1/26/98

Reviewed 1/12/04; 6/11/18; 3/18/24

Revised 6/8/09; 9/26/11; 1/28/13; 7/24/23



LIMITATIONS TO EMPLOYMENT REFERENCES

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

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

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

***NOTE: This is a mandatory policy. The language stated in the policy reflects the standards established for schools receiving funding under the Every Student Succeeds Act. The district believes in takin appropriate measures to promote the health and welfare of all students.***

Legal Reference            20U.S.C §7926  
                                     28I.A.C.12.3(14)

Adopted 12/17/2021  
Reviewed 3/18/24  
Revised

## EMPLOYEE TRAVEL COMPENSATION

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

### Travel Outside the School District

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

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

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

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

Pre-approved expenses for transportation within three-hundred miles of the school district administrative office will be by automobile. If a school district vehicle is not available, the employee will be reimbursed 54 cents per mile. In the event that a school vehicle is available and employees choose to provide their own transportation, the employees will be reimbursed at a rate of 10 (ten) cents per mile. *Pre-approved expenses for transportation outside of three-hundred miles of the school district administrative office may be by public carrier. Reimbursement for air travel will be at the tourist class fares. Should an employee choose to travel by automobile, reimbursement will be limited to the public carrier amount. Pre-approved expenses for transportation in a rental car is limited to the cost of a Class C rental car at a medium-priced agency, unless the number of people traveling on behalf of the school district warrants a larger vehicle.* Travel Costs for a spouse or anyone other than the district employee shall be a personal expense not reimbursed by the district.

## EMPLOYEE TRAVEL COMPENSATION

Pre-approved expense for lodging within the state is limited to \$150.00 per night. Pre-approved expense for lodging outside the state is limited to the rate of a medium priced hotel in the area. -Lodging may be pre-approved for a larger amount if special circumstances require the employee to stay at a particular hotel. Pre-approved expenses for meals within the state are limited to \$45.00 per day if a full day. Meals may be pre-approved for a larger amount by the board.

### Travel Within the School District

Employees required to travel in their personal vehicle between school district buildings to carry out the duties of their position may be reimbursed at 54 cents per mile. It is the responsibility of the superintendent/designee to approve travel within the school district by employees. It is the responsibility of the board to review the travel within the school district by the superintendent through the board's audit and approval process.

Travel allowances within the district will be provided only after Board approval. Employees who are allowed a within district travel allowance will have the amount of the allowance actually received during each calendar year included on the employee's W-2 form as taxable income according to the Internal Revenue Code.

### Use of District-Owned Vehicles

Certain district employment positions may require regular and extensive travel. Due to the required duties of these positions, the district may provide certain positions with use of district-owned vehicles. Employees who utilize district-owned vehicles during the course of their job duties are fulfilling the public purpose of meeting the needs of the educational community in an efficient, and time-sensitive manner. District-owned vehicles are purchased and maintained with public money and must be used strictly in accordance with fulfilling a public purpose. These vehicles represent the district in carrying out its educational mission. Therefore, district-owned vehicles will be clearly marked at all times to identify the district.

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

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

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

Approved 1/13/92

Reviewed 1/26/98; 6/11/18; 3/18/24

Revised 1/12/04; 6/8/09; 1/28/13; 11/28/16; 7/15/19

RECOGNITION FOR SERVICE OF EMPLOYEES

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

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

***NOTE: Because of the constitutional limitations on the use of public funds, it is questionable whether a school district can use public funds for recognition of employees. School districts that have a practice of recognizing resigning or retiring employees should have a board policy, and the superintendent should document why a certain expenditure is appropriate.***

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

Cross Reference: 407 Licensed Employee Termination of Employment  
413 Classified/Confidential/Director/Other Employee Termination of Employment

Approved 1/12/04  
Reviewed 1/28/13; 6/11/18; 3/18/24  
Revised 6/8/09

## EMPLOYEE POLITICAL ACTIVITY

Employees will not engage in political activity upon property under the jurisdiction of the board including the use of school district e-mail accounts. 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, general information regarding elections or ballot issues 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

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

Approved 1/26/98

Reviewed 1/12/04; 1/28/13; 6/11/18; 3/18/24

Revised 6/8/09; 2/8/21

EMPLOYEE ORIENTATION

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

***NOTE: This is not a required policy. Boards that adopt this policy must ensure that it is followed. The sentence implementing the access to health care rules is the last sentence***

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

Cross Reference: 404 Employee Conduct and Appearance  
406 Licensed Employee Compensation  
412 Classified/Confidential/Director/Other Employee Compensation and Benefits

Approved 1/12/04  
Reviewed 1/28/13; 6/11/18; 3/18/24  
Revised 6/8/09

## EMPLOYEE USE OF CELL PHONES

The use of cell phones and other communication devices may be appropriate to provide for the effective and efficient operation of the school district and to help ensure safety and security of people and property while on school district property or engaged in school-sponsored activities.

***The italicized section below is for those boards that have school district-provided cell phones. If your board doesn't have the, this section can be eliminated. If it does, the policy should be amended to reflect local policy and practice. The italics and brackets should also be deleted.***

*The Board authorizes the purchase and employee use of cell phones as deemed appropriate by the superintendent. School district-owned cell phones shall be used for authorized school district business purposes, consistent with the school district's mission and goals.*

*Use of cell phones in violation of board policies, administrative regulations, and/or state/federal laws will result in discipline, up to and including dismissal, and referral to law enforcement officials, as appropriate.*

*The superintendent is directed to develop administrative regulations for the implementation of this policy, including a uniform and controlled system for identifying employee cell phone needs, monitoring use and reimbursement. Provisions may also be included for staff use of privately owned cell phone for authorized school district business.*

Employees may possess and use cell phones during the school day as outlined in this policy and as provided in the administrative regulations developed by the superintendent. Employees should not use cell phones for personal business while on-duty, including staff development times, parent-teacher conferences, etc., except in the case of an emergency or during prep time or break/lunch times. Employees, for bus drivers, see below, are prohibited from using cell phones while driving except in the case of an emergency and any such use must comply with applicable state and federal law and district policies and regulations.

Cell phones are not to be used for conversations involving confidential student or employee information.

School bus drivers are prohibited from using any communication device while operating the bus except in the case of an emergency, or to call for assistance, after the vehicle has been stopped. Any such use must comply with applicable state and federal law and district policies and regulations.

*Cell Phone Allowance for districts who utilize an allowance rather than supply district-owned devices.*

*Certain positions within the district may require the regular use of cell phones to conduct district business. These employees may purchase and/or maintain cell phones and related equipment, at their own expense, to make themselves accessible to the district and to conduct district business more efficiently. The superintendent has discretion to determine which district positions qualify for a cell phone allowance. The monthly cell phone allowance amount shall be established by the superintendent and/or the board. Employees who utilize their personal cell phones shall do so in accordance with this policy and accompanying procedures. The cell phone allowance is neither permanent nor guaranteed. The district reserves the right to rescind the allowance at any time for a violation of district policy or regulation or for any other reason.*

## EMPLOYEE USE OF CELL PHONES

Employees violating the policy will be subject to discipline, up to and including, discharge. It is the responsibility of the superintendent to develop administrative regulations regarding this policy.

***Note: Boards that have school district-provided cell phones should amend this policy and its accompanying regulation to include the italicized sections. Boards should also amend the policy and its accompanying regulations to reflect internal practices and controls. For more detailed discussion of this issue, see IASB's Policy Primer, September 14, 2010.***

Legal References: Internal Revenue Comment Notice, 2009-46, [http://www.irs.gov/irb/2009-23\\_IRB/ar07.html](http://www.irs.gov/irb/2009-23_IRB/ar07.html)  
Iowa Code § 279.8, 321.276

Cross References: 406 Licensed Employee Compensation and Benefits  
412 Classified/ Employee Compensation and Benefits  
707.5 Internal Controls

Approved 10/11/10  
Reviewed 6/11/18; 3/18/24  
Revised 1/28/13; 7/15/19



## EMPLOYEE USE OF CELL PHONES REGULATION

### Cell phone usage

1. Cell phones shall be used in a manner that does not disrupt instruction and should not be used during school-sponsored programs, meetings, in-services, or other events where there exists a reasonable expectation of quiet attentiveness unless there is a reason of personal health or safety involved.
2. Cell phones should not be used to transmit confidential student or personal information either verbally or written.
3. Employees are prohibited from using a cell phone while driving as part of their work duties, unless in the case of an emergency, unless the vehicle has come to a complete stop and the gear is in park.

Approved: 10/11/10

Reviewed: 6/11/18; 3/18/24

Revised: 1/28/13; 7/15/19

Clarke Community School District  
Acceptable Use Policy for Employee Electronic Devices

I understand and agree to the expectations of the Clarke Community School District with respect to the acceptable use of the electronic device being issued to me by the District in connection with my employment.

I have participated in an orientation on proper behavior and use of the electronic device prior to receiving a District-owned electronic device.

I am aware that computer files (including electronic device) and communications over electronic networks including email and apps are not private. I have no expectation of privacy in the electronic device or any materials therein.

The District reserves the right to monitor these systems at any time without advance notice or consent. I understand that the electronic device remains the property of the District.

I understand that I am responsible for backing up my files to iCloud.

I will not leave my electronic device unattended unless it is locked in a secure place. I may be fully responsible for the cost of replacement should my electronic device be lost or stolen due to negligence as determined by administration.

I understand that I may be responsible for damages that occur to the electronic device due to negligence.

I understand that it is my right to insure the electronic device through a personal insurance policy.

I am responsible for all unauthorized charges incurred by my access of any Internet services or apps that have a cost involved. I understand that any apps I download on the electronic device may be removed by District management software either through updating or if deemed inappropriate.

I will not duplicate or distribute copyrighted materials other than a back-up copy of those items I legally own.

I will keep the electronic device in the District-issued case.

I will maintain the electronic device as directed by the District.

I will report any problems with the electronic device to the HelpDesk immediately.

I will return the electronic device to the District by last date of employment or as otherwise requested.

In the event of termination, I will return the electronic device to the District immediately.

I agree with the stated conditions above. I also understand that I am responsible for the use of and any content on the electronic device. I have read and will abide by the Staff Technology Use and Regulations of the Clarke Community School District, which are incorporated herein by reference. I further understand that, should I commit any violation of such terms or other applicable board policies/rules, I may be subject to disciplinary action and/or appropriate legal actions may be taken.

Faculty Member Name: \_\_\_\_\_

Faculty Member Signature: \_\_\_\_\_

School Administrator/Designee: \_\_\_\_\_

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

Electronic Device Inventory Number:  
Serial Number:

Approved: June 10, 2002  
Reviewed: 2/14/05; 4/12/10; 1/26/15; 6/11/18; 3/18/24  
Revised: 12/18/12; 6/23/16

## EMPLOYEE EXPRESSION

The board believes the district has an interest in maintaining an orderly and effective work environment while balancing employees First Amendment rights to freedom of expression and diverse viewpoints and beliefs. When employees speak within their official capacity, their expression represents the district and may be regulated. The First Amendment protects a public employee's speech when the employee is speaking as an individual citizen on a matter of public concern. Even so, employee expression that has an adverse impact on district operations and/or negatively impacts an employee's ability to perform their job for the district may still result in disciplinary action up to and including termination.

Employees will comply with Iowa law to the extent that compliance does not infringe on employees' free speech rights.

Employees who use social media platforms are encouraged to remember that the school community may not be able to separate employees as private citizens, from their role within the district. Employee expression on social media platforms that interferes with the district's operations or prevents the district from functioning efficiently and effectively may be subject to discipline up to and including termination.

A district employee who acts to protect a student for engaging in free expression or who refuses to infringe on students engaging in free expression; and who is acting within the scope of their professional ethics will not be retaliated against or face any adverse employment action based on their behavior provided that expression is otherwise permitted by law and board policy.

If the board or court finds an employee that is subject to licensure, certification or authorization by the Board of Educational Examiners discriminated against a student or other co-employee, the board will refer the employee to the Board of Educational Examiners for additional proceedings as required by law and which may result in discipline up to and including termination.

**Note: This is a mandatory policy required by Iowa Code 279.73.**

Legal Reference: U.S. Const. Amend. I  
Kennedy v. Bremerton School District, 597 U.S. (2022)  
Iowa Code §§ 279.73; .74; 280.22

Cross Reference: 502.3 Student Expression  
504.3 Student Publications

Approved 11/8/21

Reviewed 3/18/24

Revised 12/12/22

APPLICATION PROCEDURE AND EMPLOYEE BACKGROUND CHECKS  
FOR PROSPECTIVE EMPLOYEES

Applications for employment are to be sent to the district administration office. Administrators and supervisors are to select applicants from these files. When a possible employee has been identified, a recommendation to that effect is made by the appropriate administrator and subsequently presented to the Board for approval.

Employee background checks will be conducted regarding all recommended employees.

Background checks will not be conducted on every applicant for a particular position, nor will background checks be used as a screening tool to reduce the size of an applicant pool. However, every applicant will be advised at the outset of the application process, that if selected, final hiring will be subject to completion of an employee background check which shall include, but may not be limited to, criminal history and sex offender registry checks with favorable results and board approval. A “favorable” employee background check for purposes of this policy is one that does not indicate any criminal record, information inaccuracies or discrepancies, or other job related concerns.

Once an applicant has been selected by district administrators for placement in a particular position, district administrators will apprise that person of his/her preliminary selection, but will also advise the person that his/her selection is conditional, with the minimum conditions being completion of an employee background check with favorable results, and approval of his/her selection by the Board.

Should a recommendation be made by the administration to hire an applicant whose employee background check results are not favorable, as defined by this policy, the Board may approve a hiring exception to this policy, but only after full review and consideration of the unfavorable background check results.

Employee background checks will normally include both a criminal history check conducted through the Iowa Division of Criminal Investigation, and a sex offender registry check through the Sheriff’s Office of Clarke County. However, where the applicant’s personal history includes significant presence or residency in states other than Iowa, district administrators may in their discretion also conduct a national level criminal history check through the Iowa Division of Criminal Investigation.

All employee background checks will be conducted at district expense. District administrators shall be authorized to establish a prepayment fund with the Iowa Division of Criminal Investigation if the volume of checks performed by the district warrants such a fund.

Employee background check information received by the district administration pursuant to this rule will not be further disseminated to any persons other than the board and district legal counsel.

Legal Reference: Iowa Code sections 692.2(1)(b), .2(5), .2(6), .2A 661 I.A.C.

Approved: 11/12/90

Reviewed: 1/26/98; 6/14/04; 6/8/09; 1/28/13; 6/11/18; 3/18/24

Revised: 4/24/00; 4/23/12

## GRIEVANCE PROCEDURE FOR EMPLOYEES

If an employee claims a Board policy or an administrative rule has been violated, within 5 calendar days of the alleged violation the individual shall first discuss the complaint with his/her immediate supervisor. If the complaint is unresolved at the supervisory level, the employee shall discuss the complaint with the building principal. If the complaint is not resolved, the employee shall next place the complaint in writing within 5 calendar days of the discussion with the principal, and discuss it with the superintendent. If the complaint continues ten (10) calendar days following the discussion with the superintendent, the employee may ask to have the item placed on the agenda for the next meeting of the Board. The Board has discretion to decide whether to place any items on its agenda.

The decision of the Board shall be final.

The purpose of this procedure is to resolve all complaints at the lowest possible administrative level.

This procedure is not valid for any item that (1) has been filed in a formal grievance procedure contained in a master agreement or (2) could be filed at the employee's discretion as a formal grievance under the provisions of a master contract.

Approved 11/12/90

Reviewed 1/26/98; 6/14/04; 6/8/09; 1/28/13; 6/11/18; 3/18/24

Revised

THE GRIEVANCE FORM

NOTE: At each level of appeal a new form is utilized with copies of action at another level attached. Grievance begins at the immediate supervisor level and may be appealed to the following levels in this order: principal, superintendent, request to appear before the entire Board. The decision of the Board shall be final.

AGGRIEVED EMPLOYEE SECTION

Date filed with Employer \_\_\_\_\_

Building \_\_\_\_\_

Name of Aggrieved Employee \_\_\_\_\_

Date Violation Occurred \_\_\_\_\_

Section of Policy Violated \_\_\_\_\_

Statement of Grievance \_\_\_\_\_

\_\_\_\_\_

Adjustment Desired \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Aggrieved Employee

EMPLOYER SECTION

Employer's Answer \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature and Title

AGGRIEVED EMPLOYEE SECTION

Concurrence with Employer Answer? Yes \_\_\_\_\_ No \_\_\_\_\_

Action Taken \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Aggrieved Employee

Approved 11/12/90

Reviewed 1/26/98; 6/14/04; 6/8/09; 3/18/24

Revised 1/28/13; 6/11/18

## SOCIAL MEDIA POLICY

Online social media platforms such as Facebook, LinkedIn, Instagram and Twitter are an evolving gathering place for hundreds of millions of people, encompassing a broad sweep of online activity, including social networks (Facebook, Instagram and Twitter) and professional networks (LinkedIn, blogs and webinars). Because such media is a far-reaching means of communication, every District employee engaged in social media is expected to use it responsibly.

In establishing a formal social media policy, the District is hoping to provide employees with a clear, straightforward set of standards to guide personal and professional social media behavior. As social media use and tools evolve, so will this policy. It will be evaluated and amended as needed.

The District will not place restrictions on which social media sites its employees can join during their personal time. The District hires talented people, and, therefore, trusts each employee to conduct themselves in a professional manner. If an employee is clearly identified as an employee of the District, the employee has a responsibility to consistently and professionally act in a manner that maintains the District's business reputation, whether using social media for personal or professional reasons. Additionally, employees may not set up additional social media groups on behalf of the District, such as LinkedIn groups, Facebook pages or Twitter accounts. Any communications concerning District employees that are posted using social media sites must not violate any guidelines set forth in District Policy or Handbook, especially as it relates to discrimination, unlawful harassment or safety issues.

In general, employees are free to participate in professional networking and business websites (i.e. LinkedIn, District blog), and may identify themselves as employees of the District when doing so. Because the employee's professional online identity reflects directly on the District, all such communications must meet the standards of professionalism expected of District employees and align with the District's "Code of Conduct and Ethics Policy." In addition, employees should ensure their online profile, including biography and credentials, is accurate and unembellished.

Employees need to be wary of posting anything that might constitute a violation of personal privacy laws (FERPA, HIPAA, etc.). Doing so could expose the employee and the District to serious legal trouble. If an employee is commenting on a professional site, a disclaimer should be issued clearly stating that the opinion is solely of the employee, and not representative whatsoever of the District (i.e. "the views expressed are mine alone and do not necessarily reflect the views of the District"). The District reserves the right to remove potentially sensitive material from any of its own social networking pages (i.e. specific information on a stakeholder, something that is inappropriate or offensive, SPAM, etc.).

Employees should avoid posting material that is obscene, threatening or that contribute to a hostile work environment on the basis of age, race, sex, religion, disability, or any other status protected by law. Reports of social media abuse are to be reported to the immediate supervisor of the employee making said posts.

Nothing contained in this policy is intended to, nor shall be interpreted as, limiting an employee's right to free speech or an employee's right to engage in concerted activity aimed at affecting a change in the workplace, as protected by the Public Employment Relations Act.

When using personal social networks, employees should recognize that the information they post can impact their career and personal and professional reputations. Accordingly, employees should exercise judgment and discretion with the information that they post, as well as when determining whom they invite to join their social networks, including consideration of the appropriateness of inviting other employees.

When using a personal or non-work-related social network, employees must use a personal email address. Communications should not be attributed to the District nor appear to be endorsed or originated from the District. While the District does not require employees to disclose their identity when participating in online media, the District reserves the right to investigate and identify the authors of inappropriate posts or comments that may be related to the District, its stakeholders or employees.

Any known or suspected violations of this policy will be investigated and may result in disciplinary action up to and including termination of employment.

Approved 12/14/20

Reviewed 3/18/24

Revised \_\_\_\_\_



RELEASE OF CREDIT INFORMATION

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

It is the responsibility of the superintendent/designee to respond to inquiries from creditors.

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

Legal Reference: Iowa Code §§ 22.7; 279.8

Cross Reference: 401.5 Employee Records

Approved 1/26/98 Reviewed 1/12/04; 2/11/13; 6/11/18; 3/18/24 Revised 6/8/09

## 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 and all school employees 18 years of age or older 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 and dependent adult abuse, or submit evidence they've taken the course within the previous three years. Once the training course has been taken, the certificate will remain valid for three years. Employees who have taken the two-hour training course will take the one-hour follow up training course every three years and prior to the expiration of their certificate.

***NOTE: All mandatory reporter certificates issued prior to July 1, 2019 remain effective for five years. Once this certificate expires, subsequent training certificates will be valid for three 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 and all school employees 18 years of age or older 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  
441 I.A.C. 9.2; 155; 175.

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 11/12/90

Reviewed 1/26/98; 2/11/13; 6/11/18; 3/18/24

Revised 1/12/04; 6/8/09; 12/12/16; 2/8/21; 12/12/22; 7/24/23

## 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" as: Any non-accidental physical injury, or injury which is at variance with the history g..." with "shall have the definition provided in Iowa Code §232.68".

Shall have the definition provided in Iowa Code § 232.68

### 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 11/12/90

Reviewed 6/8/09; 2/11/13; 6/11/18; 3/18/24

Revised 1/12/04

## 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.

***NOTE: This policy and its accompanying regulation and exhibits are a reflection of current Iowa law regarding abuse of students by school district employees. Refer to the Iowa Department of Education training manual for supporting materials and forms. <http://www.iowa.gov/educate/content/view/860/1501/>. The last sentence of the third paragraph is mandatory in the law and is an item in the DE accreditation report.***

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

Cross Reference: 104 Bullying/Harassment  
402.2 Child Abuse Reporting  
503.5 Corporal Punishment

Approved 11/12/90  
Reviewed 1/12/04; 2/11/13; 6/11/18; 3/18/24  
Revised 1/26/98; 6/8/09

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 \_\_\_\_\_

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

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

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

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

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

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Your name, address and telephone number:

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

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

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

\_\_\_\_\_  
Date

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

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

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

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

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

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

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

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

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

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

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

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

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

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

ABUSE OF STUDENTS BY SCHOOL DISTRICT EMPLOYEES  
LEVEL I INVESTIGATOR'S REPORT FORM

Were audio tapes made of any interviews? \_\_\_\_\_yes \_\_\_\_\_no

Were video tapes made of any interviews? \_\_\_\_\_yes \_\_\_\_\_no

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

If yes, describe:

\_\_\_\_\_student excused from school      \_\_\_\_\_school employee placed on administrative or other leave

\_\_\_\_\_student assigned to different class      \_\_\_\_\_other (please specify)

Level I investigator's conclusions:

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

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

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

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

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

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

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

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

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

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



ABUSE OF STUDENTS BY SCHOOL DISTRICT EMPLOYEES  
LEVEL I INVESTIGATOR'S REPORT FORM

- The complaint has been investigated at Level I and is founded.**
- The investigation is founded at Level I and is being turned over to Level II for further investigation.
- Investigation of the complaint was deferred at Level I and referred to law enforcement at this time.
- The investigation is concluded at Level I because the accused school employee has admitted the violation, has resigned, or has agreed to relinquish any teaching license held.

Current status of investigation:

- Closed. No further investigation is warranted.
- Closed and referred to school officials for further investigation as a personnel matter.
- Deferred to law enforcement officials.
- Turned over to Level II investigator.

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

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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

Reviewed: 1/12/04; 6/8/09; 2/11/13; 6/11/18; 3/18/24

## ABUSE OF STUDENTS BY SCHOOL DISTRICT EMPLOYEES REGULATION

An individual who has knowledge that an employee has physically or sexually abused a student may immediately report it to the school district's Level I investigator. The Level I investigator is appointed by the Board annually and may be found in the Parent/Student Handbook. "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.

## ABUSE OF STUDENTS BY SCHOOL DISTRICT EMPLOYEES REGULATION

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:
  - Unfounded. (*It is not likely that an incident, as defined in these rules, took place*), or
  - Founded. (*It is likely that an incident took place.*)

## ABUSE OF STUDENTS BY SCHOOL DISTRICT EMPLOYEES REGULATION

8. The disposition or current status of the investigation.
9. A listing of the options available to the parents or guardian of the student to pursue the allegations. These options include, but are not limited to:
  - Contacting law enforcement officials.
  - Contacting private counsel for the purpose of filing a civil suit or complaint.
  - Filing a complaint with the board of educational examiners if the employee is a licensed employee.

The investigator 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 the Clarke County Sheriff, 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:

- a. Using reasonable and necessary force, not designed or intended to cause pain:
  - (1) To quell a disturbance or prevent an act that threatens physical harm to any person.
  - (2) To obtain possession of a weapon or other dangerous object within a pupil's control.

## ABUSE OF STUDENTS BY SCHOOL DISTRICT EMPLOYEES REGULATION

- (3) For the purposes of self-defense or defense of others as provided for in Iowa Code § 704.3.
- (4) For the protection of property as provided for in Iowa Code §§ 704.4, .5.
- (5) To remove a disruptive pupil from class, or any area of school premises or from school-sponsored activities off school premises.
- (6) To prevent a student from the self-infliction of harm.
- (7) To protect the safety of others.

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

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

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

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

Upon completion of the Level II investigation, the Level I investigator 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.

## ABUSE OF STUDENTS BY SCHOOL DISTRICT EMPLOYEES REGULATION

### 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.

## ABUSE OF STUDENTS BY SCHOOL DISTRICT EMPLOYEES REGULATION

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:
  - Unfounded. (*It is not likely that an incident, as defined in these rules, took place*), or
  - Founded. (*It is likely that an incident took place.*)
8. The disposition or current status of the investigation.
9. A listing of the options available to the parents or guardian of the student to pursue the allegations. These options include, but are not limited to:
  - Contacting law enforcement officials.
  - Contacting private counsel for the purpose of filing a civil suit or complaint.
  - Filing a complaint with the board of educational examiners if the school employee is certificated.

The investigator 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 named 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.

## ABUSE OF STUDENTS BY SCHOOL DISTRICT EMPLOYEES REGULATION

If the allegations are founded, the Level I investigation 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.

Adopted: 11/12/90 Reviewed: 1/12/04; 6/8/09; 2/11/13; 6/11/18; 3/18/24 Revised: 1/26/98



## 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;
- Funeral flowers or memorials to a church or nonprofit organization;
- Gifts other than food, beverages, travel and lodging received by an employee which are received from a person who is a citizen of a country other than the United States and is given during a ceremonial presentation or as a result of a custom of the other country and is of personal value only to the employee.

## GIFTS TO EMPLOYEES

- Gifts which are given to an employee for the employee's wedding or twenty-fifth or fiftieth wedding anniversary;
- Items or services received by members or representatives of members as part of a regularly scheduled event that is part of a business or educational conference, seminar or other meeting that is sponsored and directed by any state, national or regional government organization in which the state of Iowa or a political subdivision of the state of Iowa is a member or received at such an event by members or representatives of members of state, national or regional government organizations whose memberships and officers are primarily composed of state or local government officials or employees;
- Payment of salary or expenses by 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
- 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.

***NOTE: This policy is a reflection of the current Iowa law regarding gifts to school district employees.***

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

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

Approved 1/11/93  
Reviewed 1/12/04; 2/11/13; 6/11/18; 3/18/24

Revised 1/26/98; 6/8/09

Code No. 402.5

## REQUIRED PROFESSIONAL DEVELOPMENT FOR EMPLOYEES

Appropriate training and professional development of all employees is crucial to the success of all students. The district will provide professional development opportunities to the duties of the school employees.

For all professional development programs the district requires employees to take, the district will provide the employee notice indicating the section of the law, or rules adopted by the state board of education or board of educational examiners that the district determines requires the employee to participate in the professional development program.

***NOTE: This requirement exists regardless of the employee's status as a licensed or classified employee. With the change in law stating that all school employees are now mandatory reporters, this policy language will apply to all employees for at least some training.***

Legal Reference: Iowa Code § .

Cross Reference: 302.6 Superintendent Professional Development  
303.7 Administrator Professional Development  
408.1 Licensed Employee Professional Development

Approved 8/14/23

Reviewed 3/18/24

Revised

PUBLIC COMPLAINTS ABOUT EMPLOYEES

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

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

- (a) Matters should first be addressed to the teacher or employee.
- (b) Unsettled matters from (a) above or problems and questions about individual attendance centers should be addressed to the employee's building principal/supervisor for licensed employees and the superintendent for classified employees.
- (c) Unsettled matters regarding licensed employees from (b) above or problems and questions concerning the school district should be directed to the superintendent.
- (d) If a matter cannot be settled satisfactorily by the superintendent, it may then be brought to the board. To bring a concern regarding an employee, the individual may notify the board president in writing, who may bring it to the attention of the entire board, or the item may be placed on the board agenda of a regularly scheduled board meeting in accordance with board policy 210.8. It is within the board's discretion to decline to place an item on a meeting agenda.

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.

***NOTE: School districts with a different procedure for addressing complaints about employees should insert it here.***

Legal Reference: Iowa Code § 279.8

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

Approved 1/26/98

Reviewed 1/12/04; 2/11/13; 6/11/18; 3/18/24

Revised 6/8/09

## 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

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

Approved 1/12/04

Reviewed 2/11/13; 6/11/18; 3/18/24

Revised 6/8/09; 7/24/23

## EMPLOYEE PHYSICAL EXAMINATIONS

The Clarke Community School District believes good health is important to job performance. School bus drivers will present evidence of good health upon initial hire and every other year in the form of a physical examination report, unless otherwise required by law or medical opinion.

Initial examinations will be paid by the district for school bus drivers through the district designated certified medical examiner on the National Registry. The cost of the bus driver renewal physicals will be paid by the school district according to the Employee Handbook.

Employees whose physical or mental health, in the judgment of the administration, may be in doubt will submit to additional examinations to the extent job-related and consistent with business necessity, when requested to do so, at the expense of the school district.

The district will comply with occupational safety and health requirements as applicable to its employees in accordance with law.

Legal Reference:       29 C.F.R. § 1910.1030.  
                              49C.F.R. §§391.41-391.49  
                              Iowa Code §§ 20; 279.8, 321.376.  
                              281 I.A.C. 43.15; 43.17.

Cross Reference:       403     Employees' Health and Well-Being

Approved 4/13/92

Reviewed 2/9/04; 3/18/24

Revised 1/26/98; 2/11/02; 10/27/03; 2/27/06; 8/20/07; 6/8/09; 2/25/13; 11/28/2016; 6/11/18

## EMPLOYEE INJURY ON THE JOB

When an employee becomes seriously injured on the job, the employee's supervisor will attempt to notify a member of the family, or an individual of close relationship, as soon as the employee's supervisor becomes aware of the injury.

If possible, an employee may administer emergency or minor first aid. An injured employee 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 board secretary to file worker's comp claims.

Legal Reference: Iowa Code §§ 85; 279.40; 613.17  
1972 Op. Att'y Gen. 177.

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

Approved 1/26/98  
Reviewed 2/9/04; 2/25/13; 6/11/18; 3/18/24  
Revised 6/8/09

## 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.

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 personal 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.

***NOTE: This policy is consistent with current health practices regarding communicable diseases. The bloodborne pathogen language in the second paragraph and accompanying regulation is in compliance with federal law on control of bloodborne pathogens.***

Legal Reference: 29 U.S.C. §§ 794, 1910  
42 U.S.C. §§ 12101 *et seq.*  
45 C.F.R. Pt. 84.3  
Iowa Code chs. 139(a); 141(a)  
641 I.A.C. .1, .2, .7

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

Approved 11/12/1990

Reviewed 6/11/18; 3/18/24

Revised 1/26/98; 2/9/04; 6/8/09; 2/25/13; 2/8/21



## 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.

Approved 2/9/04

Reviewed 6/8/09; 2/25/13; 6/11/18; 3/18/24

Revised \_\_\_\_\_

## UNIVERSAL PRECAUTIONS REGULATION

### **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.

COMMUNICABLE DISEASES - EMPLOYEE REGULATION

Refer to Clarke Community School District Control Plan for Occupational Exposure to Bloodborne Pathogens Booklet for information and guidelines. (Important information about Hepatitis B and Hepatitis B Vaccine, vaccination log, exposure incident report, healthcare professional report, release of medical information, employee work injury report, nurse work injury report, universal precautions, etc.)

Date of Adoption: January 26, 1998

Reviewed: 2/9/04; 6/8/09; 2/25/13; 6/11/18; 3/18/24

Revised: 8/15/22

## 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.

***NOTE: This policy reflects current law on employees' right to know about hazardous substances in the workplace.***

Legal Reference: 29 C.F.R. Pt. 1910; 1200 *et seq.*  
Iowa Code chs. 88; 89B

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

Approved 1/26/98  
Reviewed 6/11/18; 3/18/24  
Revised 2/9/04; 6/8/09; 2/25/13; 2/8/21

## 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 vehicle, also includes non-school property if the employee is at any school-sponsored, school-approved or school-related activity, event or function, such as field trips or athletic events where students are under the control of the school district or where the employee is engaged in school business.

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

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

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

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

Legal Reference:       41 U.S.C. §§ 701-707  
                              42 U.S.C. §§ 12101 *et seq.*  
                              34 C.F.R. Pt. 85  
                              Iowa Code §§ 123.46; 124; 279.8

Cross Reference:       404     Employee Conduct and Appearance

Approved 6/14/93  
Reviewed 1/26/98; 2/9/04; 6/11/18; 3/18/24  
Revised 6/8/09; 2/25/13

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 124.

"Workplace" is defined as the site for the performance of work done in the capacity as an 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.

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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)

Approved 6/14/93

Reviewed 1/26/98; 2/25/13; 6/11/18; 3/18/24

Revised 2/9/04; 6/8/09

## 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.

Approved 6/14/93

Reviewed 1/26/98; 2/9/04; 2/25/13; 6/11/18; 3/18/24

Revised 6/8/09

## 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 will not perform a safety-sensitive function within four hours of using alcohol. Employees governed by this policy are subject to the drug and alcohol testing program beginning the first day they operate or are offered a position to operate school vehicles and continue to be subject to the drug and alcohol testing program as long as they may be required to perform a safety-sensitive function as it is defined in the administrative regulations. Employees with questions about the drug and alcohol testing program may contact the school district contact person, superintendent/designee at 641-342-4969, 802 N Jackson, Osceola, IA 50213.

Employees who violate the terms of this policy are subject to discipline, up to and, including termination. The district is required to keep a record of all drug or alcohol violations by employees for a minimum of five years. Employees are put on notice that information related to drug or alcohol violations will be reported to the Federal Motor Carrier Safety Administration (FMCSA) Clearinghouse. Additionally, the district will conduct FMCSA Clearinghouse queries for employees annually. Employees must provide written consent for the district to conduct FMCSA Clearinghouse queries; however, employees who choose to withhold consent will be prohibited from performing any safety sensitive functions.

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 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.

IASB Drug and Alcohol Testing Program (IDATP) Web site [https://www.iasb.org/Main/Affiliated\\_Programs/Iowa\\_Drug\\_Alcohol\\_Testing\\_Program.aspx](https://www.iasb.org/Main/Affiliated_Programs/Iowa_Drug_Alcohol_Testing_Program.aspx).

*Information about the Federal Motor Carrier Safety Administration Clearinghouse is located at: [clearinghouse.fmcsa.dot.gov](http://clearinghouse.fmcsa.dot.gov)*

*Information about resources for a substance-free awareness program and related services may be obtained from the school district's employee assistance program, the Department of Education at (515) 281-3021 or Department of Health, Substance Abuse Division at (515) 281-3641. For regulations and forms, <http://www.fmcsa.dot.gov/rules-regulations/topics/drug/drug.htm>?*

**Note: For more detailed discussion of this issue, see IASB's Policy Primer, May 15, 2003.**



DRUG AND ALCOHOL TESTING PROGRAM

Legal Reference: American Trucking Association, Inc., v. Federal Highway Administration, 51 Fed. 3<sup>rd</sup> 405 (4<sup>th</sup> Cir. 1995).  
49 U.S.C. §§ 5331 et seq.  
42 U.S.C. §§ 12101  
41 U.S.C. §§ 81  
49 C.F.R. Pt. 40; 382; 391  
34 C.F.R. Pt. 85  
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

Cross Reference: 403.5 Substance-Free Workplace  
409.2 Licensed Employee Personal Illness Leave  
414.2 Classified Employee Personal Illness Leave

Approved 12/11/95  
Reviewed 1/26/98; 6/11/18; 3/18/24  
Revised 2/9/04; 6/8/09; 2/25/13; 6/13/16; 2/8/21

DRUG AND ALCOHOL TESTING PROGRAM NOTICE TO EMPLOYEES

EMPLOYEES GOVERNED BY THE DRUG AND ALCOHOL TESTING POLICY ARE HEREBY NOTIFIED they are subject to the school district's drug and alcohol testing program for pre-employment drug testing and random, reasonable suspicion 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 are subject to drug and alcohol testing if a commercial driver's license is required to operate the school vehicle and the school vehicle transports sixteen or more persons including the driver or the school vehicle weighs twenty-six thousand, one pounds or more. For purposes of the drug and alcohol testing program, "employees" also includes applicants who have been offered a position to operate a school vehicle. The employees operating a school vehicle are subject to the drug and alcohol testing program beginning the first day they operate or are offered a position to operate a school vehicle and continue to be subject to the drug and alcohol testing program.

It is the responsibility of the superintendent to inform employees of the drug and alcohol testing program requirements. Employees with questions regarding the drug and alcohol testing requirements will contact the school district contact person.

EMPLOYEES GOVERNED BY THE DRUG AND ALCOHOL TESTING POLICY ARE FURTHER NOTIFIED that employees violating this policy, its supporting documents or the law may be subject to discipline up to and including termination.

EMPLOYEES GOVERNED BY THE DRUG AND ALCOHOL TESTING POLICY ARE FURTHER NOTIFIED that information related to drug or alcohol violations will be reported to the Federal Motor Carrier Safety Administration (FMCSA) Clearinghouse.

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 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 or the law.

Approved 12/11/95  
Reviewed 1/26/98; 2/25/13; 6/11/18; 3/18/24  
Revised 2/9/04; 6/8/09; 6/13/16; 2/8/21

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 of the Clarke Community School District and its supporting documents.

I understand that if I violate the Drug and Alcohol Testing Program policy, its supporting documents or the law, I may be subject to discipline up to and including termination.

I also understand that I must inform my supervisor of any prescription medication I use.

In addition, I have received a copy of the U.S. DOT publication, "What Employees Need to Know about DOT Drug & Alcohol Testing," and have read and understand its contents.

Furthermore, I know and understand that I am required to submit to a controlled substance (drug) test, the results of which must be received by this employer before being employed by the school district and before being allowed to perform a safety-sensitive function. I also understand that if the results of the pre-employment test are positive, that I will not be considered further for employment with the school district.

I further understand that drug and alcohol testing records and information about me are confidential, and may be released at my request or in accordance with the district's drug and alcohol testing program policy, its supporting documents or the law.

\_\_\_\_\_  
(Signature of Employee)

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

Approved 12/11/95  
Reviewed 1/26/98; 6/11/18; 3/18/24  
Revised 2/9/04; 6/8/09; 2/25/13; 6/13/16

DRUG AND ALCOHOL PROGRAM AND PRE-EMPLOYMENT TESTING  
WRITTEN CONSENT TO SHARE INFORMATION

I, ( \_\_\_\_\_ ), understand that as part of my employment in a position that requires a commercial driver's license in the Clarke Community School District, I grant consent for the District to conduct queries of the Federal Motor Carrier Safety Administration ("FMCSA") Commercial Driver's License Drug and Alcohol Clearinghouse to determine whether drug or alcohol violation information about me exists in the Clearinghouse. I further consent to the District sharing information related to my drug and alcohol testing results with prior, current and future employers, as well as the FMCSA Clearinghouse in accordance with state and federal laws.

I understand that the District will check and perform queries of my drug and alcohol testing results prior to my employment in any position which requires the use of a commercial driver's license. I further understand the District will check and perform queries of my testing results annually and is required to report any drug and alcohol violations of this policy to the FMCSA Clearinghouse.

I understand that I am not required to consent to the query of the FMCSA Clearinghouse or the District sharing of drug and alcohol testing information with past, present or future employers or the FMCSA Clearinghouse; but that without my consent I understand I will be prohibited from performing safety sensitive functions, including driving a commercial motor vehicle, as required by FMCSA's drug and alcohol program regulations.

I hereby give my consent to the District to perform queries of the FMCSA Clearinghouse and share my drug and alcohol testing results with past, present and future employers, as well as the FMCSA Clearinghouse.

\_\_\_\_\_  
(Signature of Employee)

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

## EMPLOYEE CONDUCT AND APPEARANCE

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

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

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

Legal Reference: Iowa Code § 279.8  
282 I.A.C. 13.25, .26

Cross Reference: 104 Anti-Bullying/Harassment  
305 Administrator Code Of Ethics  
401.11 Employee Orientation  
403.5 Substance-Free Workplace  
407 Licensed Employee Termination of Employment  
413 Classified Employee Termination of Employment

Approved 11/12/90

Reviewed 1/26/98; 6/11/18; 3/18/24

Revised 2/9/04; 6/8/09; 3/11/13

CODE OF PROFESSIONAL CONDUCT AND ETHICS REGULATION

CHAPTER 25

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

**282—25.2 (272) Definitions.** Except where otherwise specifically defined by law:

“*Administrative and supervisory personnel*” means any licensed employee such as superintendent, associate superintendent, assistant superintendent, principal, associate principal, assistant principal, or other person who does not have as a primary duty the instruction of pupils in the schools.

“*Board*” means the Iowa board of educational examiners.

“*Discipline*” means the process of sanctioning a license, certificate or authorization issued by the board.

“*Ethics*” means a set of principles governing the conduct of all persons governed by these rules.

“*Fraud*” means knowingly providing false information or representations on an application for licensure or employment, or knowingly providing false information or representations made in connection with the discharge of duties.

“*License*” means any license, certificate, or authorization granted by the board.

“*Licensee*” means any person holding a license, certificate, or authorization granted by the board.

“*Practitioner*” means an administrator, teacher, or other licensed professional including an individual who holds a statement of professional recognition, who provides educational assistance to students.

“*Responsibility*” means a duty for which a person is accountable by virtue of licensure.

“*Right*” means a power, privilege, or immunity secured to a person by law.

“*Student*” means a person, regardless of age, enrolled in a prekindergarten through grade 12 school, who is receiving direct or indirect assistance from a person licensed by the board.

“*Teacher*” means any person engaged in the instructional program for prekindergarten through grade 12 children, including a person engaged in teaching, administration, and supervision, and who is required by law to be licensed for the position held.

[ARC 7979B, IAB 7/29/09, effective 9/2/09]

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

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

- a. *Fraud.* Fraud means the same as defined in rule 282-25.2(272.)
- b. *Criminal convictions.* The commission of or conviction for a criminal offense as defined by Iowa law provided that the offense is relevant to or affects teaching or administrative performance.
  - (1) Disqualifying criminal convictions. The board shall deny an application for licensure and shall revoke a previously issued license if the applicant or licensee has, on or after July 1, 2002, been convicted of, has pled guilty to, or has been found guilty of the following criminal offenses, regardless of whether the judgment of conviction or sentence was deferred:

CODE OF PROFESSIONAL CONDUCT AND ETHICS REGULATION

1. Any of the following forcible felonies included in IOWA CODE section 702.11: child endangerment, assault, murder, sexual abuse, or kidnapping;
  2. Any of the following criminal sexual offenses, as provided in IOWA CODE chapter 709, involving a child:
    - First-, second- or third-degree sexual abuse committed on or with a person who is under the age of 18;
    - Lascivious acts with a child;
    - Assault with intent to commit sexual abuse;
    - Indecent contact with a child;
    - Sexual exploitation by a counselor;
    - Lascivious conduct with a minor;
    - Sexual exploitation by a school employee;
    - Enticing a minor under Iowa Code section 710.10; or
    - Human trafficking under Iowa Code section 710A.2;
  3. Incest involving a child as prohibited by IOWA CODE section 726.2;
  4. Dissemination and exhibition of obscene material to minors as prohibited by IOWA CODE section 728.2;
  5. Telephone dissemination of obscene material to minors as prohibited by IOWA CODE section 728.15.
  6. Any offense specified in the laws of another jurisdiction, or any offense that may be prosecuted in a federal, military, or foreign court, that is comparable to an offense listed in subparagraph 25.3(1)"b"(1); or
  7. any offense under prior laws of this state or another jurisdiction, or any offense under prior law that was prosecuted in a federal, military, or foreign court, that is comparable to an offense listed in subparagraph 25.3(1)"b"(1).
- (2) Other criminal convictions and founded child abuse. In determining whether a person should be denied a license or whether a licensee should be disciplined based upon any other criminal conviction, including a conviction for an offense listed in 25.3(1)"b"(1) which occurred before July 1, 2002, or a founded report of abuse of a child, the board shall consider:
1. The nature and seriousness of the crime or founded abuse in relation to the position sought;
  2. The time elapsed since the crime or founded abuse was committed;
  3. The degree of rehabilitation which has taken place since the crime or founded abuse was committed;
  4. The likelihood that the person will commit the same crime or abuse again;
  5. The number of criminal convictions or founded abuses committed; and,
  6. Such additional factors as may in a particular case demonstrate mitigating circumstances or heightened risk to public safety.
- c. *Sexual involvement or indecent contact with a student.* Sexual involvement includes, but is not limited to, the following acts, whether consensual or nonconsensual: fondling or touching the inner thigh, groin, buttocks, anus or breasts of a student; permitting or causing to fondle or touch the practitioner's inner thigh, groin, buttocks, anus, or breasts; or the commission of any sex act as defined in IOWA CODE section 702.17.
- d. *Sexual exploitation of a minor.* The commission of or any conviction for an offense prohibited by IOWA CODE section 728.12, IOWA CODE chapter 709 or 18 U.S.C. Section 2252A(a)(5)(B).
- e. *Student abuse.* Licensees shall maintain professional relationships with all students, both inside and outside the classroom. The following acts or behavior constitutes unethical conduct without regard to the existence of a criminal charge or conviction:

CODE OF PROFESSIONAL CONDUCT AND ETHICS REGULATION

- (1) Committing any act of physical abuse of a student;
- (2) Committing any act of dependent adult abuse on a dependent adult student;
- (3) Committing or soliciting any sexual or otherwise indecent act with a student or any minor;
- (4) Soliciting, encouraging, or consummating a romantic or otherwise inappropriate relationship with a student;
- (5) Furnishing alcohol or illegal or unauthorized drugs or drug paraphernalia to any student or knowingly allowing a student to consume alcohol or illegal or unauthorized drugs in the presence of the licensee; or
- (6) Failing to report any suspected act of child or dependent adult abuse as required by state law; or
- (7) Committing or soliciting any sexual conduct as defined in Iowa Code section 709.15(3”b” or soliciting, encouraging, or consummating a romantic relationship with any person who was a student within 90 days prior to any conduct alleged in the complaint, if that person was taught by the practitioner or was supervised by the practitioner in any school activity when that person was a student.

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

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

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

- a. Falsifying or deliberately misrepresenting or omitting material information regarding professional qualifications, criminal history, college credit, staff development credit, degrees, academic award, or employment history when applying for employment or licensure.
- b. Falsifying or deliberately misrepresenting or omitting material information regarding compliance reports submitted to federal, state, and other governmental agencies.
- c. Falsifying or deliberately misrepresenting or omitting material information submitted in the course of an official inquiry or investigation.
- d. Falsifying any records or information submitted to the board in compliance with the license renewal requirements imposed under 282—Chapter 20.
- e. Falsifying or deliberately misrepresenting or omitting material information regarding the evaluation of students or personnel, including improper administration of any standardized tests, including, but not limited to, changing test answers, providing test answers, copying or teaching identified test items, or using inappropriate accommodations or modifications for such tests.

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

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

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

- a. Violation of this standard includes:



CODE OF PROFESSIONAL CONDUCT AND ETHICS REGULATION

- (1) Signing a written professional employment contract while under contract with another school, school district, or area education agency.
  - (2) Asking a practitioner to sign a written professional employment contract before the practitioner has been unconditionally released from a current contract. An administrator shall make a good faith effort to determine whether the practitioner has been released from the current contract.
  - (3) Abandoning a written professional employment contract without prior unconditional release by the employer.
  - (4) As an employer, executing a written professional employment contract with a practitioner, which requires the performance of duties that the practitioner is not legally qualified to perform.
  - (5) As a practitioner, executing a written professional employment contract, which requires the performance of duties that the practitioner is not legally qualified to perform.
- b. In addressing complaints based upon contractual obligations, the board shall consider factors beyond the practitioner's control. For purposes of enforcement of this standard, a practitioner will not be found to have abandoned an existing contract if:
- (1) The practitioner obtained a release from the employing board before discontinuing services under the contract; or,
  - (2) The practitioner provided notice to the employing board no later than the latest of the following dates:
    1. The practitioner's last work day of the school year;
    2. The date set for return of the contract as specified in statute; or,
    3. June 30.

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

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

CODE OF PROFESSIONAL CONDUCT AND ETHICS REGULATION

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

**25.3(7) *Standard VII—compliance with state law governing obligations to state or local governments, student loan obligations, child support obligations, and board orders.*** Violation of this standard includes:

- a.* Failing to comply with 282 – Chapter 8 concerning payment of debts to state or local governments.
- b.* Failing to comply with 282—Chapter 9 concerning repayment of student loans.
- c.* Failing to comply with 282—Chapter 10 concerning child support obligations.
- d.* Failing to comply with a board order.

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

- a.* Willfully or repeatedly departing from or failing to conform to the minimum standards of acceptable and prevailing educational practice in the state of Iowa.

Reviewed: 3/11/13; 3/18/24

Revised: 3/14/16; 6/11/18; 5/10/21

## CODE OF RIGHTS AND RESPONSIBILITIES REGULATION

## CHAPTER 26

**282—26.1 (272) Purpose.** The code of professional conduct and ethics in 282—Chapter 25 defines unprofessional and unethical conduct justifying disciplinary sanction. The board acknowledges that the discharge of professional obligations should occur in recognition of certain fundamental rights and responsibilities. Accordingly, the board recognizes the following rights and responsibilities of all educators licensed under IOWA CODE chapter 272 and agrees that the exercise of these rights and responsibilities may present mitigating facts and circumstances in the board's evaluation of allegations of unprofessional or unethical conduct.

**282—26.2 (272) Rights.** Educators licensed under IOWA CODE chapter 272 have the following rights:

1. The educator has a right to be licensed and endorsed under professional standards established and enforced by the board.
2. The educator has a right to refuse assignments for which the educator is not legally authorized, in terms of holding a valid Iowa license with the appropriate endorsement(s) or approval(s).
3. The educator has a right, subject to board and administrator authority, to exercise professional judgment in the evaluation, selection, and use of teaching methods and instructional materials appropriate to the needs, abilities, and background of each student.

**282—26.3 (272) Responsibilities.** Educators licensed under IOWA CODE chapter 272 have the following responsibilities:

1. The educator has a responsibility to maintain and improve the educator's professional competence.
2. The educator has a responsibility to accept only those assignments for which the educator is legally authorized.
3. The educator has a responsibility to provide conditions that are conducive to teaching and student learning.
4. The educator shall protect students from conditions harmful to learning or to health or safety.
5. The educator shall not, without just cause, restrain a student from independent action in the pursuit of learning and shall not, without just cause, deny a student access to varying points of view.
6. The educator shall not use professional relationships with students for personal advantage.
7. The educator shall not discriminate against any student on the grounds of race, color, religion, age, sex, sexual orientation, gender identity, disability, marital status, or national origin.
8. The educator shall accord just and equitable treatment to all members of the profession.
9. The educator shall keep in confidence personally identifiable information regarding a student or the student's family members that has been obtained in the course of professional service, unless disclosure is required by law or is necessary for the personal safety of the student or others.
10. The educator who has reasonable basis to believe that a student has been abused, as defined by law, shall make all reports required by law and the IOWA ADMINISTRATIVE CODE and which are necessary to ensure the safety and well-being of the student.
11. In the administration of discipline, the educator shall treat all students with respect and in compliance with all policies of the school district served by the educator.
12. The educator shall provide accurate, truthful, and complete information to the board and to the local education system concerning all licensure transactions.
13. The educator shall not refuse to participate in a professional inquiry, when requested by the board.
14. The educator shall not require or direct another educator to violate any provisions of the code of professional conduct and ethics or any rights of a student, parent, educator or citizen.
15. The educator shall not delegate assigned tasks to unqualified personnel.

## 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; 279.8  
281 I.A.C. 12.4; 41.25.  
282 I.A.C. 14.  
1940 Op. Att'y Gen. 375.

Cross Reference:        405.2 Licensed Employee Qualifications, Recruitment Selection  
410.1 Substitute Teachers  
411.1 Classified/Confidential/Director/Other Employee Defined

Approved 4/13/1992

Reviewed 3/11/13; 6/11/18; 3/18/24

Revised 1/26/1998; 2/11/2002, 8/18/2003; 3/22/04; 7/27/09

LICENSED EMPLOYEE QUALIFICATIONS, RECRUITMENT, SELECTION

Persons interested in a licensed position, other than administrative positions which will be employed in accordance with board policies in Series 300, "Administration," will have an opportunity to apply and qualify for licensed positions in the school district in accordance with applicable laws and school district policies regarding equal employment. Job applicants for licensed positions will be considered on the basis of the following:

- Training, experience, and skill;
- Nature of the occupation;
- Demonstrated competence; and
- Possession of, or ability to obtain, state license if required for the position.

All job openings shall be submitted to the Iowa Department of Education for posting on Frontline and IowaWORKS.gov, the online state job posting system. Additional announcement of the position may occur in a manner which the superintendent believes will inform potential applicants about the position. Whenever possible, the preliminary screening of applicants will be conducted by the administrator who will be directly supervising and overseeing the person being hired.

The board will employ licensed employees after receiving a recommendation from the superintendent. The superintendent, however, will have the authority to employ a licensed employee on a temporary basis until a recommendation can be made and action can be taken by the board on the position.

Legal Reference: 29 U.S.C. §§ 621-634  
42 U.S.C. §§ 2000e, 12101 *et seq.*  
Iowa Code §§ 20; 35C; 216; 279.13  
281 I.A.C. 12.  
282 I.A.C. 14.  
1980 Op. Att'y Gen. 367.

Cross Reference: 401.1 Equal Employment Opportunity  
405 Licensed Employees - General  
410.1 Substitute Teachers

Approved 11/12/1990

Reviewed 3/18/24

Revised 7/12/99; 3/22/04; 7/30/07; 7/27/09; 3/11/13; 4/22/13; 6/13/16; 6/11/18; 12/11/23

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.

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

Cross Reference:        405.2 Licensed Employee Qualifications, Recruitment, Selection  
                              405.4 Licensed Employee Continuing Contracts  
                              407 Licensed Employee Termination of Employment

Approved: 11/12/1990

Reviewed: 7/27/09; 6/11/18; 3/18/24

Revised: 1/26/98; 3/22/04; 3/11/13

LICENSED EMPLOYEE CONTINUING CONTRACTS

Contracts entered into with licensed employees, other than an administrator, will continue from year to year except as modified or terminated as provided by law. The board may issue temporary and nonrenewable contracts in accordance with law.

Licensed employees whose contracts will be recommended for termination by the board will receive due process as required by law. The superintendent 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 applicable law and board policies.

Legal Reference: *Ar-We-Va Community School District v. Long and Henkenius*, 292 N.W.2d 402 (Iowa 1980).  
*Bruton v. Ames Community School District*, 291 N.W.2d 351 (Iowa 1980).  
*Hartman v. Merged Area VI Community College*, 270 N.W.2d 822 (Iowa 1978).  
*Keith v. Community School District of Wilton in the Counties of Cedar and Muscatine*, 262 N.W.2d 249 (Iowa 1978).  
Iowa Code §§ 272; 279.

Cross Reference: 405.3 Licensed Employee Individual Contracts  
405.9 Licensed Employee Probationary Status  
407 Licensed Employee Termination of Employment

Approved 11/12/90  
Reviewed 3/11/13; 3/18/24  
Revised 1/26/98; 3/22/04; 7/27/09; 6/11/18

## 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. Teachers shall be available in their building 30 minutes before the start of school and be available 30 minutes after the conclusion of all regularly scheduled classes of the day.

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.

Legal Reference: Iowa Code §§ 20; 279.8

Cross Reference: 200.2 Powers of the Board of Directors

Approved 11/12/90

Reviewed 1/26/98; 7/27/09; 3/11/13; 3/18/24

Revised 3/22/04; 6/11/18



LICENSED EMPLOYEE ASSIGNMENT

Determining the assignment of each licensed employee is the responsibility of and within the sole discretion of the board. In making such assignments the board will consider the qualifications of each licensed employee and the needs of the school district.

It is the responsibility of the superintendent to make recommendations to the board regarding the assignment of licensed employees.

Legal Reference: Iowa Code §§ 20 279.8

Cross Reference: 200.2 Powers of the Board of Directors

Approved 11/12/90

Reviewed 7/12/99; 7/27/09; 3/11/13; 3/18/24

Revised 3/22/04; 6/11/18

LICENSED EMPLOYEE TRANSFERS

Determining the location where an employee's assignment will be carried out 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.

A transfer may be initiated by the employee, the principal, or the superintendent. After a vacancy has occurred, the Employer will post a notice regarding such in each building and on external posting places concurrently.

It is the responsibility of the superintendent to make recommendations to the board regarding the transfer of licensed employees.

Legal Reference: Iowa Code §§ 20; 216.14; 279.8

Cross Reference: 405.2 Licensed Employee Qualifications, Recruitment, Selection  
405.6 Licensed Employee Assignment

Approved 11/12/90

Reviewed 7/12/99; 7/27/09; 3/11/13; 3/18/24

Revised 3/22/04; 6/11/18

## LICENSED EMPLOYEE EVALUATION

Evaluation of licensed employees on their skills, abilities, and competence is an ongoing process supervised by the building principals and conducted by approved evaluators. The goal of the formal evaluation of licensed employees, other than administrators, but including extracurricular employees, is to improve the education program, to maintain licensed employees who meet or exceed the board's standards of performance, to clarify the licensed employee's role, to ascertain the areas in need of improvement, to clarify the immediate priorities of the board, and to develop a working relationship between the administrators and other employees.

The formal evaluation criteria is in writing and approved by the board. The formal evaluation will provide an opportunity for the evaluator and the licensed employee to discuss performance and the future areas of growth. The formal evaluation is completed by the evaluator, signed by the licensed employee and filed in the licensed employee's personnel file. This policy supports, and does not preclude, the ongoing informal evaluation of the licensed employee's skills, abilities and competence.

Licensed employees will be required to:

- Demonstrate the ability to enhance academic performance and support for and implementation of the school district's student achievement goals.
- Demonstrate competency in content knowledge appropriate to the teaching position.
- Demonstrate competency in planning and preparation for instruction.
- Use strategies to deliver instruction that meets the multiple learning needs of students.
- Use a variety of methods to monitor student learning.
- Demonstrate competence in classroom management.
- Engage in professional growth.
- Fulfill professional responsibilities established by the school district.

It is the responsibility of the superintendent to ensure licensed employees are evaluated. New and probationary licensed employees are evaluated at least twice each year.

Legal Reference: Iowa Code §§ 20.9; 279, 284, 294.  
*Aplington Community School District v. PERB*, 392 N.W.2d 495 (Iowa 1986).  
*Saydel Education Association v. PERB*, 333 N.W.2d 486 (Iowa 1983).  
281 I.A.C. Ch 83; 12.3

Cross Reference: 405.2 Licensed Employee Qualifications, Recruitment, Selection  
405.9 Licensed Employee Probationary Status

Approved 11/12/90  
Reviewed 1/26/98; 7/27/09; 3/18/24  
Revised 3/22/04, 5/11/2009; 3/11/13; 6/11/18

## LICENSED EMPLOYEE PROBATIONARY STATUS

The first three consecutive years of a licensed employee's contract is a probationary period unless the employee has already successfully completed the probationary period in an Iowa school district. New employees who have successfully completed a probationary period in a previous Iowa school district will serve a two year probationary period. For the purposes of this policy an employee will have met the requirements for successfully completing a probationary period in another Iowa school district if the probationary status is marked by the "has successfully completed" statement in the Probationary Status portion of the Probationary Status and Certificate of Teaching Experience form and the individual has not engaged in conduct which would disqualify the teacher for a continuing contract.

Only the board, in its discretion, may waive the probationary period. The board may extend the probationary period for one additional year with the consent of the licensed employee. The board will make the decision to extend or waive a licensed employee's probationary status based upon the superintendent's recommendation. During this probationary period the board may terminate the licensed employee's contract at the end of the year without cause or immediately discharge the employee consistent with applicable law and board policies.

Legal Reference: Iowa Code §§ 279

Cross Reference: 405.4 Licensed Employee Continuing Contracts  
405.8 Licensed Employee Evaluation

Approved 11/12/90  
Reviewed 7/27/09; 3/11/13; 3/18/24  
Revised 1/26/98; 3/22/04; 6/11/18

CLARKE COMMUNITY SCHOOL DISTRICT  
802 N JACKSON  
OSCEOLA, IA 50213

**PROBATIONARY STATUS and CERTIFICATE OF TEACHING EXPERIENCE**

To Whom It May Concern:

Please complete this form at your earliest convenience and return in the enclosed self-addressed envelope.

By signature below (a photocopy is authorization), the individual has authorized release of employment/probation status from your district. In order for Clarke Schools to issue the correct probationary contract and allow credit in compensation for previous teaching/coaching experience, it is necessary for us to have verification of this experience.

\_\_\_\_\_  
Signature of Potential Employee (Print Name) SOCIAL SECURITY NUMBER

**EXPERIENCE** - Please complete in detail:

\_\_\_\_\_  
Start Date End Date Subject/Grade Sport - Assistant or Head

Teaching \_\_\_\_\_

Teaching \_\_\_\_\_

Teaching \_\_\_\_\_

Coaching \_\_\_\_\_

Coaching \_\_\_\_\_

Coaching \_\_\_\_\_

**PROBATIONARY STATUS**

Iowa Code Section 279.19 provides that licensed employees will be subject to a three-year probationary period unless they have successfully completed a probationary period in another Iowa public school district. This request is to verify the probationary status in your school district. Thank you for your assistance.

(mark one of the following)

\_\_\_\_\_ This teacher **has successfully completed** a three-year probationary period during aforementioned employment.

\_\_\_\_\_ This teacher **has not successfully completed** a three-year probationary period during aforementioned employment.

**Any Additional Comments/Information**

(Please include any extended period of leave information)

\*\*\*\*\*

Signed: \_\_\_\_\_ Position \_\_\_\_\_

School System/Employer \_\_\_\_\_ Date \_\_\_\_\_

Mailing Address \_\_\_\_\_

LICENSED EMPLOYEE COMPENSATION

The board will establish compensation 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 licensed employee compensation. The base wages of licensed employees are subject to review and modification through the collective bargaining process.

Legal Reference: Iowa Code §§ 20.1, .4, .7, .9; 279.8

Cross Reference: 405 Licensed Employees - General  
406.2 Licensed Employee Compensation Advancement

Approved 11/12/90  
Reviewed 7/27/09; 3/11/13; 3/18/24  
Revised 1/26/98; 3/22/04; 6/11/18

LICENSED EMPLOYEE COMPENSATION ADVANCEMENT

The board will determine if licensed employees will advance in compensation for their 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.

Legal Reference: Iowa Code §§ 20.1, .4, .7, .9; 279.8

Cross Reference: 405 Licensed Employees - General  
406 Licensed Employee Compensation and Benefits

Approved 3/22/04  
Reviewed 3/11/13; 3/18/24  
Revised 7/27/09; 6/11/18

LICENSED EMPLOYEE CONTINUED EDUCATION CREDIT

Continued education on the part of licensed employees may entitle them to advancement in compensation. Licensed employees who have completed additional hours may be considered for advancement. The board may determine which licensed employees will advance in compensation 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 take college courses to advance in compensation must complete “Advanced Coursework Approval Form” (406.3E1) for the courses and turn in to the superintendent for board approval. Advanced coursework approval forms are available in the school offices. To qualify for a master’s degree lane the employee must receive employer approval for such degree, see “Master’ Degree Approval Form” (406.3E3).

Licensed employees who wish to obtain additional education for advancement must notify in writing on the “Notification to Advance Across the Salary Schedule” (406.3E2) form to the Superintendent prior to March 1 of the school year preceding the actual year when advancement occurs. The Board 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.

Legal Reference: Iowa Code §§ 20.1, .4, .7, .9; 279.8

Cross Reference: 405 Licensed Employees - General  
406 Licensed Employee Compensation and Benefits

Approved 3/22/04  
Reviewed 7/27/09; 3/18/24  
Revised 3/11/13; 6/11/18



CLARKE COMMUNITY SCHOOLS  
ADVANCED COURSEWORK APPROVAL FORM

This form is used to request board approval for a class to be used towards movement in compensation. Submit to Central Office for board approval before starting class. A signed copy will be returned after board meeting.

I request that the following college/university coursework be approved for use for advancement in compensation.

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

-----  
a. Course Number \_\_\_\_\_ Course Title: \_\_\_\_\_  
Semester Hours \_\_\_\_\_ Start Date: \_\_\_\_\_ End Date: \_\_\_\_\_  
College/University \_\_\_\_\_  
How coursework will benefit Clarke students? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

-----  
b. Course Number \_\_\_\_\_ Course Title: \_\_\_\_\_  
Semester Hours \_\_\_\_\_ Start Date: \_\_\_\_\_ End Date: \_\_\_\_\_  
College/University \_\_\_\_\_  
How coursework will benefit Clarke students? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

-----  
The preceding coursework was approved/unapproved by the Board of Education at its meeting of \_\_\_\_\_.

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

**CLARKE COMMUNITY SCHOOL DISTRICT**

**NOTIFICATION FOR ADVANCEMENT IN COMPENSATION**

This form is used to notify Administration of intent to move in compensation. **It must be received in the Central Office prior to March 1 of the year in which you plan to advance in compensation in the fall.** Advancement in compensation contracts will be issued in September after board approval at the 1<sup>st</sup> board meeting. A date stamped copy of this form will be returned to employee after it has been received in the Administration Office. After March 1 an "Advancement In Compensation" memo will be sent to the employee to verify information in their personnel file regarding the advancement. The employee will be asked to sign to the memo and return if they are in agreement. If not in agreement they need to contact the Administration Office to schedule a meeting to review their file.

TO: SUPERINTENDENT  
Clarke Community School District

1. I am herein officially notifying you, prior to March 1<sup>st</sup>, that I expect to advance in compensation this fall from the

\_\_\_\_\_ column to the \_\_\_\_\_ column.

2. Further it is my understanding, that changes in my contract and pay will be made after the Board has approved this advancement at its September meeting accordingly and as expeditiously as possible.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Building Location

\_\_\_\_\_  
Signature of Employee

Administration Office Use Only

\_\_\_\_\_ Date received in Adm. Office

\_\_\_\_\_ Date contract re-written

**CLARKE COMMUNITY SCHOOL DISTRICT**

**MASTER’S DEGREE APPROVAL FORM**

This form is used to request board approval for a Master’s degree to be used to advance in compensation. This request should be made to the board regardless of the subject area of the master’s degree. Submit to Central Office for board approval before starting the program. A signed copy of this form will be returned to the employee after the board meeting.

I request the following Master’s Degree Program be approved for use for advancement in compensation.

Master’s Degree Program Title: \_\_\_\_\_

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

Anticipated Date of Graduation: \_\_\_\_\_

How the Master’s Degree will benefit Clarke Students \_\_\_\_\_

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

Please attach a copy of the program of study to this form.

The preceding request was approved/unapproved by the Board of Education at its meeting of \_\_\_\_\_.

Superintendent's Signature: \_\_\_\_\_ Date \_\_\_\_\_

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 may, in its sole discretion, establish compensation 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 extra duty, and the compensation for extra duty, for the board's review.

Legal Reference: Iowa Code §§ 279.8, .13-.15, .19A-B

Cross Reference: 405 Licensed Employees - General  
406 Licensed Employee Compensation and Benefits

Approved 3/22/04  
Reviewed 7/27/09; 3/11/13; 3/18/24  
Revised 6/11/18

## LICENSED EMPLOYEE GROUP INSURANCE BENEFITS

Licensed employees may be eligible for group benefits as determined by the board and required by law. The board will select the group benefit program(s) and the insurance company or third party administrator which will provide or administer the program.

In accordance with the Patient Protection and Affordable Care Act (ACA), the board will offer licensed employees who work an average of at least thirty (30) hours per week or one hundred thirty (130) hours per month, based on the measurement method adopted by the board, with minimum essential coverage that is both affordable and provides minimum value. The board will have the authority and right to change or eliminate group benefit programs, other than the group health plan, for its licensed employees.

Full-time licensed employees are eligible to participate in the group health and major medical insurance plan. Regular part-time employees (i.e. employees who work less than 30 hours per week or 130 hours per month for health benefit purposes or employees who work less than 30 hours per week for benefits other than health) who wish to purchase coverage may participate in group benefit programs by meeting the requirement of the applicable plan. Full-time and regular part-time licensed employees who wish to purchase coverage for their spouse or dependents may do so by meeting the requirements of the applicable plan.

Licensed employees and their spouse and dependents may be allowed to continue coverage of the school district's group health insurance program if they cease employment with the school district by meeting the requirements of the plan.

While on approved unpaid leave of absence, the employee is eligible to continue to participate in the school district's group insurance plan, if originally a part of the plan, at the employee's expense by meeting the requirements of the insurer. The monthly insurance premium(s) is/are to be paid in full to the board secretary prior to the due date of the school district's premium payment to the insurance carrier.

All licensed employees are required to participate in life (\$50,000 administrators; \$20,000 licensed) and long-term disability group insurance plans as chosen by the district. These plans are only for the employee, not for their spouse or dependents.

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.

**NOTE – Anywhere domestic partner is referenced it is as pertains to Iowa legal definition.**

Legal Reference: Iowa Code §§ 20.9; 85; 85B; 279.12; 279.27; 509; 509A; 509B.  
Internal Revenue Code §4980H(c)(4); Treas. Reg. § 54.4980H-1(a)(21)(ii).  
Shared Responsibility for Employers Regarding Health Coverage, 26 CFR Parts 1, 54 and 301, 78 Fed. Reg. 217. (Jan 2, 2013).  
Shared Responsibility for Employers Regarding Health Coverage, 26 CFR Parts 1, 54 and 301, 79 Fed. Reg. 8543 (Feb. 12, 2014).

Cross Reference: 405.1 Licensed Employee Defined  
706.2 Payroll Deductions

Approved 11/12/90

Reviewed 7/27/09; 3/11/13; 3/18/24

Revised 1/26/98; 2/11/02; 3/22/04; 6/8/15; 1/25/16; 6/11/18; 5/19/21; 12/12/22

## INSURANCE FOR EMPLOYEES

State law requires Iowa employers to allow qualified members to continue Medical Expense Coverage after their coverage would otherwise end.

### Qualification for Continuation:

A Member whose Medical Expense coverage would otherwise end due to temporary layoff or approved leave of absence may elect to continue the coverage if:

1. the Member has been covered under the group health plan for at least six months prior to the date coverage would otherwise end; and
2. the group health plan remains in force.

The Member may also continue Dependent medical expense coverage if dependents were covered under the group health plan. NOTE: the term "medical expense coverage" as used with respect to continuation of coverage, will also include Dental, Prescription Drug and Vision Care coverage if they are included in the Group health plan.

### Period of Continuation:

If elected, the state-mandated continuation will begin, at the Member's sole expense, on the day immediately after completion of the limited continuation period (usually one month) provided in the district's plan for Members who cease active work due to temporary layoff or approved leave of absence. It will end the earliest of:

1. The date six months after the date coverage otherwise would have ended for temporary layoff; or
2. The date ending the period of approved leave of absence not to exceed 1 year; or
3. The date the Member becomes eligible for other group medical expense coverage; or
4. The date the Member fails to make timely payment of premium or requests that coverage be terminated;  
or
5. The date the Member's coverage would have ended had he/she remained an active employee. This would include termination of the plan, exclusion of the Member's class as an eligible class, attainment of any maximum age, etc.

### Reinstatement Upon Return to Active Work:

If the district's plan includes an automatic reinstatement provision, the Member will not have to satisfy the eligibility waiting period if he/she returns to active full-time employment within the reinstatement period provided under the plan. For this purpose, the reinstatement period will begin on the day immediately after the date the Member's continued coverage ends.

If the plan does not include an automatic reinstatement provision, the Member will be required to satisfy the eligibility waiting period upon his/her return to active, full-time employment.

Individual Purchase Right:

If continued coverage ends and the Member does not return to active, full-time employment, the Member may apply for Individual Purchase unless the continued coverage ends due to: (a) termination of the plan; (b) exclusion of the Member's class; (c) non-payment of premium; or (d) eligibility for other group medical expense coverage. The Member's completed application and the first premium must be received in the Home Office of the Insurance Company within 31 days after the continued coverage ends. Dental, Prescription Drugs or Vision Care coverage are not included with the Individual Purchase.

District Responsibility:

- A. When a qualified Member's coverage would otherwise end, the district must give written notice to the Member of:
1. The Member's right to elect to continue Medical Expense Coverage; and
  2. The time limit allowed the Member to send the premium; and
  3. The address of the district's office where the premium is to be sent; and
  4. The premium the Member must pay monthly to the district to continue coverage. This premium would be the "Medical Expense Only" portion of the total billing rate for the Member (including any dependents), prior to termination. This includes any Dental, Vision or Prescription Drugs coverage in the Group Plan.

Important Note: The Member must notify the district in writing and pay the first premium within 10 days after the later of:

1. The date coverage would otherwise end; or
2. The date of the written notice;

but not later than 31 days after the date coverage would otherwise end.

B. The district is requested to furnish the Insurance Company with:

1. The Name of the Member, the date last worked and if the Member has elected to continue coverage; and
2. If a Member's continued coverage terminates before the end of the six month continuation period: the date and reason for the termination.

This data should be included on the district's monthly report.

The Notice should be handed to the Member during a personal interview, if possible. Otherwise it must be mailed to the home address of record.

Date of Adoption: 11/12/90

Reviewed: 1/26/98; 7/27/09; 3/11/13; 6/11/18; 3/18/24

Revised: 2/11/02; 3/22/04

WORKER COMPENSATION

Worker compensation insurance shall be provided by the school district for employees who may be injured on the job.

Employees shall be expected to observe safety and due caution in their job tasks.

Should an employee be injured, she/he shall notify his/her supervisor immediately.

Employees are encouraged to return to work as soon as they are medically able to perform the same or similar job.

Employees may draw worker compensation, when eligible, or sick pay, but not both.

Medical benefits paid by worker compensation insurance are not eligible for claiming under a medical insurance plan.

Approved: 11/12/96

Reviewed: 1/26/98; 3/22/04; 7/27/09; 3/11/13; 6/11/18; 3/18/24

Revised: \_\_\_\_\_



LICENSED EMPLOYEE TAX SHELTER PROGRAMS

Employees may elect to have amounts withheld from their pay for items authorized by law, subject to agreement of the district. The board may authorize the administration to make a payroll deduction for licensed employees' tax-sheltered annuity premiums purchased from a company or program if chosen by the board.

Licensed employees wishing to have payroll deductions for tax-sheltered annuities will make a written request to the superintendent.

Legal Reference: Iowa Code §§ 260C; 273; 294.16  
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 11/12/90

Reviewed 1/26/98; 7/27/09; 3/11/13; 3/18/24

Revised 3/22/04 ; 1/26/09; 6/11/18

## 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 (coaching or non-coaching) 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.

Notice of the intent to resign will be in writing to the superintendent.

Legal Reference: Iowa Code §§ 91A.2, .3, .5; 279.13, .19A.

Cross Reference: 405.3 Licensed Employee Individual Contracts  
405.4 Licensed Employee Continuing Contracts  
407 Licensed Employee Termination of Employment

Approved 7/6/92

Reviewed 7/27/09; 4/8/13; 6/11/18; 3/18/24

Revised 1/26/98; 4/10/00; 2/11/02; 3/24/03; 3/22/04

## 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 the cost of advertising or other reasonable administrative costs incurred to locate and hire a suitable replacement. Upon written mutual agreement between the employee and the superintendent, and to the extent allowed by law, 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 required to file a complaint with the Board of Educational Examiners against a licensed employee who leaves without proper release from the board.

***NOTE: School districts may charge employees for costs incurred in finding a replacement. Employees can only be charged costs, not "penalties." The costs cannot be withheld from money owed the employee unless the employee agrees. If costs are not withheld from moneys owed to the employee, the school district must bill the employee. If the employee fails to pay, the school district's only option for reimbursement is to file a claim in small claims court. The school district also has the option of filing a complaint with the [Board of Educational Examiners](#) stating the employee has engaged in unprofessional conduct.***

Legal Reference: Iowa Code §§ 91A (1); 216; 272; 279.13, .19A, .46

Cross Reference: 405.3 Licensed Employee Individual Contracts  
405.4 Licensed Employee Continuing Contracts  
407.3 Licensed Employee Retirement

Approved 7/6/92

Reviewed 6/11/18; 3/18/24

Revised 1/26/98; 4/10/00; 2/11/02; 3/24/03; 3/22/04; 7/27/09; 4/8/13; 7/24/23

## Certified Employee Request for Late Release

I, \_\_\_\_\_, hereby request a late release (after contract has been signed and before it expires) from my teaching contract with the Clarke Community School District for the \_\_\_\_\_ contract year. I have attached a cashiers check or money order in the amount of \$1,500 to this request for expenses incurred in finding a suitable replacement. I understand that I am responsible for expenses incurred even if a suitable replacement is not found.

- I understand that if a suitable replacement is not found by \_\_\_\_\_ (a mutually agreed upon date between superintendent and employee) I will be teaching for the \_\_\_\_\_ contract year.
- I understand if the board accepts this late release request I will not be released from my teaching duties until the suitable replacement has been approved by the Board of Education.

\_\_\_\_\_  
Requestor Signature

\_\_\_\_\_  
Superintendent Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

To be completed as expenses incur – a copy will be returned to the Requestor after suitable replacement is approved by Board or aforementioned mutually agreed date has passed.

• <i>Advertising Costs</i>	\$ _____
• <i>Postage and supplies</i>	\$ _____
• Secretarial Processing Time	\$ _____
• Up to three days of salary and fixed charges for the affected building	\$ _____
<i>Principal who is responsible for screening letters of intent and Credentials.</i>	
• Up to two days of salary and fixed charges for other administrators (other than the superintendent) who may be part of the interviewing team.	\$ _____
• Up to two days of salary and fixed charges for teachers who may be part of the interviewing team, up to a maximum of four teachers.	\$ _____
TOTAL AMOUNT DUE THE DISTRICT	\$ _____
Payment provided at time of request	\$ 1,500
Less Total Amount Due the District	\$ _____
Refund due if appropriate	\$ _____

Approved: 3/24/03

Reviewed: 3/22/04; 7/27/09; 4/8/13; 6/11/18; 3/18/24

Revised: \_\_\_\_\_

## Administrative Employee Request for Late Release

I, \_\_\_\_\_, hereby request a late release (after contract has been signed and before it expires) from my administrative contract with the Clarke Community School District for the \_\_\_\_\_ contract year. I have attached a cashiers check or money order in the amount of \$1,500 to this request for expenses incurred in finding a suitable replacement. I understand that I am responsible for expenses incurred even if a suitable replacement is not found.

- I understand that if a suitable replacement is not found by \_\_\_\_\_ (a mutually agreed upon date between superintendent and employee) I will be employed for the \_\_\_\_\_ contract year.
- I understand if the board accepts this late release request I will not be released from my administrative duties until the suitable replacement has been approved by the Board of Education.

\_\_\_\_\_  
Requestor Signature

\_\_\_\_\_  
Superintendent Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

To be completed as expenses incur – a copy will be returned to the Requestor after suitable replacement is approved by Board or aforementioned mutually agreed date has passed.

- *Advertising Costs* \$ \_\_\_\_\_
- *Postage and supplies* \$ \_\_\_\_\_
- Secretarial Processing Time \$ \_\_\_\_\_
- Up to three days of salary and fixed charges for the affected building \$ \_\_\_\_\_  
*Principal who is responsible for screening letters of intent and Credentials.*
- Up to two days of salary and fixed charges for other administrators \$ \_\_\_\_\_  
(other than the superintendent) who may be part of the interviewing team.
- Up to two days of salary and fixed charges for teachers who may be \$ \_\_\_\_\_  
part of the interviewing team, up to a maximum of four teachers.

TOTAL AMOUNT DUE THE DISTRICT \$ \_\_\_\_\_

Payment provided at time of request \$ 1,500

Less Total Amount Due the District \$ \_\_\_\_\_

Refund due if appropriate \$ \_\_\_\_\_

Approved: 9/8/03

Reviewed: 3/22/04; 7/27/09; 4/8/13; 6/11/18; 3/18/24

Revised: \_\_\_\_\_

LICENSED EMPLOYEE RETIREMENT

Licensed employees who will complete their current contract with the board may apply for retirement. No licensed employee will be required to retire at a specific age.

Application for retirement will be considered made when the licensed employee states in writing to the superintendent, no later than the date set by the board for the return of the employee's contract to the board, the intent of the employee to retire. The letter must state the employee's desire to retire and be witnessed by another party other than the principal or the superintendent. Applications made after the date set by the board for the return of the employee's contract to the board may be considered by the board if special circumstances exist. It 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.

***NOTE: Mandatory retirement ages are a violation of federal law. The witnessing of the retiring employee's letter is to protect the school district in the event an employee alleges that the school district forced the employee to retire.***

Legal Reference: Iowa Code §§ 97B; 216; 279.46  
281 I.A.C. 21.

Cross Reference: 407.6 Licensed Employee Early Retirement

Approved 11/12/90  
Reviewed 1/26/98; 6/11/18; 3/18/24  
Revised 3/22/04; 7/27/09; 4/8/13; 2/8/21

LICENSED EMPLOYEE SUSPENSION

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.

In the event of a suspension, appropriate due process will be followed.

Expected Behavior - All employees shall perform their assigned duties cooperatively and competently and in accordance with District policies, rules, regulations and directives. All employees are also expected to obey the laws, to adhere to professional ethics, and to abstain from behavior which adversely affects their job performance.

Sanctions - The Superintendent of Schools, or the Superintendent's designee, may impose the following disciplinary sanctions from breach of expected behavior: verbal or written warnings or reprimands, disciplinary probation, and disciplinary suspensions not to exceed five (5) work days (with or without pay). The nature and duration of the disciplinary sanction shall depend upon 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.

Suspension without pay may be for a period not to exceed five (5) working days per disciplinary incident. Prior to deciding upon a suspension without pay, the Superintendent shall meet with the employee to provide him/her notice of the allegations, explanation of other evidence, and an opportunity to present the facts from the employee's perspective. Within five (5) working days of receipt of notice of suspension without pay, the employee may request, in writing to the Superintendent, that the suspension be reviewed by the Board. When the Superintendent believes a longer suspension without pay is in order, he/she shall recommend the same to the Board.

An employee may be suspended with pay by the superintendent for the purposes of investigating circumstances which may require discipline or discharge.

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

Cross Reference: 404 Employee Conduct and Appearance  
407 Licensed Employee Termination of Employment

Approved 1/11/95  
Reviewed 7/12/99; 4/8/13; 6/11/18; 3/18/24  
Revised 3/22/04; 7/27/09

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.

Legal Reference: Iowa Code §§ 279

Cross Reference: 407.4 Licensed Employee Suspension  
413.5 Classified/Confidential/Director/Other Employee Reduction in Force  
703 Budget

Approved 11/12/90

Reviewed 4/8/13; 3/18/24

Revised 7/12/99; 2/11/02; 3/22/04; 7/27/09; 6/11/18



## LICENSED EMPLOYEE EARLY RETIREMENT

The school district offers an early retirement plan for licensed employees 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:

- Attains the ages of fifty-five (55) on or before June 30 of the year in which the licensed employee wishes to retire;
- Completes a total of fifteen (15) consecutive years of service as a 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.
- Retires not later than June 30 of the same year as the February 15 date above.

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 31 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.

The early retirement incentive shall be calculated using the following factors:

- Fifty percent of the employee's unused accumulated sick leave (this is figured by using the current salary per day times 50% of the employee's accumulated sick days, using 100 days as the maximum accumulated sick days); plus,
- Five percent of the current salary times the years of service beyond fifteen years.

Provided, however, that early retirement incentive for each eligible licensed employee approved by the board shall not exceed the employee's current year's salary or \$10,000 whichever is less.

An employee who is a participant in the district's health insurance plan as of the employee's retirement may, upon retirement and through age 64, continue participation in the school district's group insurance plan, at the licensed employee's expense by meeting the requirements of the insurer. The employee may elect to reduce the lump sum amount by the amount of the estimated insurance premium through age 64 not to exceed the lump sum incentive.

The insurance coverage offered as a part of this incentive may be in lieu of other coverage rights. If the employee chooses not to leave incentive money or the incentive money is depleted the employee 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.

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.

Legal Reference: 29 U.S.C. §§ 621 *et seq.*  
Iowa Code §§ 97B; 216; 279.46; 509A.13  
1978 Op. Att'y Gen. 247.  
1974 Op. Att'y Gen. 11, 322.

Cross Reference: 407.3 Licensed Employee Retirement  
413.2 Classified/Confidential/Director/Other Employee Retirement

Approved 4/12/93

Reviewed 4/8/13; 3/18/24

Revised 11/9/98; 11/23/98; 3/22/04; 8/15/05; 3/9/09; 7/27/09; 6/13/16; 7/9/18; 12/11/23

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 – (policy 407.6);
- early retirement insurance options (policy 407.6E2); and
- early retirement application (407.6E3).

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

Reviewed 4/8/13; 6/11/18; 3/18/24

LICENSED EMPLOYEE EARLY RETIREMENT INSURANCE OPTIONS

Board policy 407.6, Licensed Employee Early Retirement, allows the employee to continue to participate in the school district's group health insurance plan until age 65, if originally a part of the plan, by meeting the requirements of the insurer.

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

Reviewed 4/8/13; 6/11/18; 3/18/24

LICENSED EMPLOYEE EARLY RETIREMENT APPLICATION

The undersigned licensed employee is applying for early retirement pursuant to board policy 407.6, 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 if a date other than July 31 of the year in which the undersigned licensed employee retires is desired.

(Date)	(Reason for date earlier than July 31)
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Please attach a letter of resignation effective not later than June thirtieth of the year in which the undersigned licensed employee intends to retire. State in the letter if the resignation is contingent on approval of the early retirement application.

The undersigned licensed employee acknowledges that application and participation in the early retirement plan is entirely voluntary. The undersigned employee also acknowledges that the early retirement plan may be amended, reduced, or discontinued by the district at any time and that no rights are vested in the employee until after the employee has retired under the plan.

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
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Beneficiary (print)	
Beneficiary Address (print)	
Licensed Employee (signature)	Date
Witness (signature)	Date

## 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. Professional development activities will include activities that promote and/or teach about compliance with applicable laws.

For all professional development programs the district requires employees to take, the district will provide to the employee notice indicating the section of the law, or rules adopted by the state board of education or board of educational examiners that the district determines requires the employee to participate in the professional development program.

Requests for attendance or participation in a development program, other than those development programs sponsored by the school district, is made to the superintendent/designee. Approval of the superintendent/designee 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/designee will have sole discretion to allow or disallow licensed employees to attend or participate in the requested event. When making this determination, the superintendent/designee 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/designee. Requests that involve unusual expenses or overnight travel must also be approved by the board.

***NOTE: This is a mandatory policy.***

***NOTE: Boards should adapt IASB sample policies to meet the needs of the local district. Please ensure that the language contained in local policy is consistent with language contained in other district documents (e.g., handbooks, master contracts, etc.).***

Legal Reference: Iowa Code § 279.8, .74  
281 I.A.C. 12.7; 83.6

Cross Reference: 414.9 Classified/Employee Professional Purposes Leave

Approved 11/12/90

Reviewed 3/18/24

Revised 1/26/98; 3/22/04; 7/27/09; 4/8/13; 6/11/18; 8/14/23

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: 17 U.S.C. § 101 et al.  
Iowa Code § 279.8

Cross Reference: 401.3 Employee Conflict of Interest  
606.6 Student Production of Materials and Services

Approved 11/12/90  
Reviewed 4/8/13; 6/11/18; 3/18/24  
Revised 1/26/98; 3/22/04; 7/27/09

## 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

Cross Reference: 401.3 Employee Conflict of Interest  
402.7 Employee Outside Employment

Approved 11/12/90

Reviewed 7/27/09; 4/8/13; 6/11/18; 3/18/24

Revised 1/26/98; 3/22/04



EMPLOYEE VACATION - HOLIDAYS

The board will determine the amount of vacation, and holidays that will be allowed on an annual basis for employees

It is the responsibility of the superintendent to make a recommendation to the board annually on vacations and holidays for employees.

***NOTE: Boards should adapt IASB sample policies to meet the needs of the local district. Please ensure that the language contained in local policy is consistent with language contained in other district documents (e.g., handbooks, master contracts, etc.).***

Approved 11/12/90

Reviewed 4/22/13; 3/18/24

Revised 1/26/98; 2/11/02; 3/22/04; 7/27/09; 6/11/18; 7/23/20

## EMPLOYEE LEAVE OF ABSENCE

The board will offer the following leave to full-time regular licensed employees:

- Personal Illness (Sick) Leave – Leave for medically-related disability or illness
- *[Family Sick Leave - Leave to care for a sick member of the employee's immediate family]*
- *[Bereavement Leave – Leave to mourn the loss of a family member or close friend]*
- *[Adoption Leave – Leave for an employee who legally adopts a child]*
- *[Personal Leave – Leave to accomplish personal business that cannot be conducted outside the work day]*
- Jury Duty Leave – Leave to be excused for jury duty
- Military Leave – Leave for military service, including the national guard
- Political Leave – Leave to run for elective public office
- Unpaid Leave – To excuse an involuntary absence not provided for in other leave policies of the board.

The board will offer the following leave to full-time regular classified employees:

- Personal Illness (Sick) Leave – Leave for medically-related disability or illness
- *[Family Sick Leave – Leave to care for a sick member of the employee's immediate family]*
- *[Bereavement Leave – Leave to mourn the loss of a family member or close friend]*
- *[Adoption Leave – Leave for an employee who legally adopts a child]*
- *[Personal Leave – Leave to accomplish personal business that cannot be conducted outside the work day]*
- Jury Duty Leave – Leave to be excused for jury duty
- Military Leave – Leave for military service, including the national guard
- Political Leave – Leave to run for elective public office
- Unpaid Leave – To excuse an involuntary absence not provided for in other leave policies of the board.

The provisions of each leave offering will be detailed in the Master Contract (CCEA) and/or Employee Handbook.

Leave offered by the district will not be less than what is required by law. In the event of an emergency or unforeseen circumstance, the superintendent may authorize additional paid leave.

Legal Reference: 26 U.S.C. §§ 2601 et seq.

Pub L. 116-127

29 C.F.R. §§ 825; 826.

Iowa Code §§ 20; 29A; 55; 85; 216; 279.40; 607A

*Whitney v. Rural Ind. School District, 232 Iowa 61, 4 N.W.2d 394 (1942).*

*Bewley v. Villisca Community School District, 299 N.W. 2d 904 (Iowa 1980).*

Cross Reference: 403.2 Employee Injury on the Job

409.3 Licensed Employee Family and Medical Leave

Approved 11/12/90

Reviewed 3/18/24

Revised 1/26/98; 2/11/02; 3/22/04; 7/27/09; 4/22/13; 6/11/18; 7/23/20; 1/11/21; 2/23/22

## 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 July 1 through June 30. 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.

***NOTE: Boards should adapt IASB sample policies to meet the needs of the local district. Please ensure that the language contained in local policy is consistent with language contained in other district documents (e.g., handbooks, master contracts, etc.).***

***NOTE: This policy is consistent with federal law regarding family and medical leave. The links below are to applicable forms on the U.S. Department of Labor Website.***

Links: <https://www.dol.gov/whd/regs/compliance/posters/fmlaen.pdf>  
[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 Service member - for Military Family Leave \(PDF\)](#)

Legal Reference: 29 U.S.C. §§ 2601 *et seq.*  
29 C.F.R. 825  
Iowa Code §§ 20; 85; 216; 279.40.  
*Whitney v. Rural Ind. School. District*, 232 Iowa 61, 4 N.W.2d 394 (1942).

Cross Reference: 409.2 Employee Leave of Absence

Approved 1/26/98  
Reviewed 3/22/04; 7/27/09; 3/18/24  
Revised 10/12/09; 4/22/13; 6/11/18; 7/23/20

EMPLOYEE FAMILY AND MEDICAL LEAVE NOTICE TO EMPLOYEES

This document is available at <https://www.dol.gov/sites/dolgov/files/WHD/legacy/files/fmlaen.pdf>

***NOTE:*** FMLA section 109 (29 U.S.C. § 2619) requires FMLA covered employers to post a notice. Regulations 29 C.F.R. § 825.300(a) may require additional disclosures.

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, spouse, parent, or child when medically necessary;
- because of a qualifying exigency arising out of the fact that my \_\_\_ spouse; \_\_\_ son or daughter; \_\_\_ parent is on active duty or call to active duty status in support of a contingency operation as a member of the National Guard or Reserves.
- because I am the \_\_\_ spouse; \_\_\_ son or daughter; \_\_\_ parent; \_\_\_ next of kin of a covered service member with a serious injury or illness.

Details of the needed intermittent leave:

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I anticipate returning to work at my regular schedule on \_\_\_\_\_.

EMPLOYEE FAMILY AND MEDICAL LEAVE REQUEST FORM

\_\_\_\_ reduced work schedule for the:

\_\_\_\_ birth of my child or adoption or foster care placement subject to agreement by the district;

\_\_\_\_ serious health condition of myself, spouse, parent, or child when medically necessary;

\_\_\_\_ because of a qualifying exigency arising out of the fact that my \_\_\_\_ spouse; \_\_\_\_ son or daughter;

\_\_\_\_ parent is on active duty or call to active duty status in support of a contingency operation as a member of the National Guard or Reserves.

\_\_\_\_ because I am the \_\_\_\_ spouse; \_\_\_\_ son or daughter; \_\_\_\_ parent; \_\_\_\_ next of kin of a covered service member with a serious injury or illness.

Details of needed reduction in work schedule as follows:

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I anticipate returning to work at my regular schedule on \_\_\_\_\_.

I realize I may be moved to an alternative position during the period of the family and medical intermittent or reduced work schedule leave. I also realize that with foreseeable intermittent or reduced work schedule leave, subject to the requirements of my health care provider, I may be required to schedule the leave to minimize interruptions to school district operations.

While on family and medical leave, I agree to pay my regular contributions to employer sponsored benefit plans. My contributions will be deducted from moneys owed me during the leave period. If no monies are owed me, I will reimburse the school district by personal check or cash for my contributions. I understand that I may be dropped from the employer-sponsored benefit plans for failure to pay my contribution.

I agree to reimburse the school district for any payment of my contributions with deductions from future monies owed to me or the school district may seek reimbursement of payments of my contributions in court.

I acknowledge that the above information is true to the best of my knowledge.

Signed \_\_\_\_\_

Date \_\_\_\_\_

If the employee requesting leave is unable to meet the above criteria, the employee is not eligible for family and medical leave.

## EMPLOYEE FAMILY AND MEDICAL LEAVE REGULATION

### A. School district notice.

1. The school district will post the notice in Exhibit 409.3E1 regarding family and medical leave.
2. Information on the Family and Medical Leave Act and the board policy on family and medical leave, including leave provisions and employee obligations will be provided annually. The information will be in the [*employee handbook*].
3. When an employee requests family and medical leave, the school district will provide the employee with information listing the employee's obligations and requirements. Such information will include:
  - a. a statement clarifying whether the leave qualifies as family and medical leave and will, therefore, be credited to the employee's annual 12-week entitlement or 26 week entitlement depending on the purpose of the leave;
  - b. a reminder that employees requesting family and medical leave for their serious health condition or for that of an immediate family member must furnish medical certification of the serious health condition and the consequences for failing to do so or proof of call to active duty in the case of military family and medical leave;
  - c. an explanation of the employee's right to substitute paid leave for family and medical leave including a description of when the school district requires substitution of paid leave and the conditions related to the substitution; and
  - d. a statement notifying employees that they must pay and must make arrangements for paying any premium or other payments to maintain health or other benefits.

### B. Eligible employees.

The definition in the collective bargaining agreement is incorporated by reference.

If the employee requesting leave is unable to meet the above criteria, the employee is not eligible for family and medical leave.

## EMPLOYEE FAMILY AND MEDICAL LEAVE REGULATION

- C. Employee requesting leave -- two types of leave.
1. Foreseeable family and medical leave.
    - a. Definition - leave is foreseeable for the birth or placement of an adopted or foster child with the employee or for planned medical treatment.
    - b. Employee must give at least thirty days notice for foreseeable leave. Failure to give the notice may result in the leave beginning thirty days after notice was received. For those taking leave due to military family and medical leave, notice should be given as soon as possible.
    - c. Employees must consult with the school district prior to scheduling planned medical treatment leave to minimize disruption to the school district. The scheduling is subject to the approval of the health care provider.
    - d. *[Boards who adopt other requirements or additional collective bargaining provisions can add them here.]*
  2. Unforeseeable family and medical leave.
    - a. Definition - leave is unforeseeable in such situations as emergency medical treatment or premature birth.
    - b. Employee must give notice as soon as possible but no later than one to two work days after learning that leave will be necessary.
    - c. A spouse or family member may give the notice if the employee is unable to personally give notice.
- D. Eligible family and medical leave determination. The school district may require the employee giving notice of the need for leave to provide reasonable documentation or a statement of family relationship.
1. Six purposes.
    - a. The birth of a son or daughter of the employee and in order to care for that son or daughter prior to the first anniversary of the child's birth;
    - b. The placement of a son or daughter with the employee for adoption or foster care and in order to care for that son or daughter prior to the first anniversary of the child's placement;
    - c. To care for the spouse, son, daughter or parent of the employee if the spouse, son, daughter or parent has a serious health condition; or
    - d. Employee's serious health condition that makes the employee unable to perform the essential functions of the employee's position.
    - e. because of a qualifying exigency arising out of the fact that an employee's \_\_\_ spouse; \_\_\_ son or daughter; \_\_\_ parent is on active duty or call to active duty status in support of a contingency operation as a member of the National Guard or Reserves.
    - f. because the employee is the spouse; \_\_\_ son or daughter; \_\_\_ parent; \_\_\_ next of kin of a covered service member with a serious injury or illness.
    - g. *[Boards who adopt other purposes for which family and medical leave may be taken should add them here.]*



## EMPLOYEE FAMILY AND MEDICAL LEAVE REGULATION

### 2. Medical certification.

- a. When required:
  - (1) Employees *[may/shall]* be required to present medical certification of the employee's serious health condition and inability to perform the essential functions of the job.
  - (2) Employees *[may/shall]* be required to present medical certification of the family member's serious health condition and that it is medically necessary for the employee to take leave to care for the family member.
  - (3) Employees *[may/shall]* be required to present certification of the call to active duty when taking military family and medical leave.
- b. Employee's medical certification responsibilities:
  - (1) The employee must obtain the certification from the health care provider who is treating the individual with the serious health condition.
  - (2) The school district may require the employee to obtain a second certification by a health care provider chosen by and paid for by the school district if the school district has reason to doubt the validity of the certification an employee submits. The second health care provider cannot, however, be employed by the school district on a regular basis.
  - (3) If the second health care provider disagrees with the first health care provider, then the school district may require a third health care provider to certify the serious health condition. This health care provider must be mutually agreed upon by the employee and the school district and paid for by the school district. This certification or lack of certification is binding upon both the employee and the school district.
- c. Medical certification will be required fifteen days after family and medical leave begins unless it is impracticable to do so. The school district may request recertification every thirty days. Recertification must be submitted within fifteen days of the school district's request.
- d. Employees taking military caregiver family and medical leave to care for a family service member cannot be required to obtain a second opinion or to provide recertification.
- e. *[Boards who adopt other requirements or have collective bargaining agreements with provisions regarding certification should add them here.]*

Family and medical leave requested for the serious health condition of the employee or to care for a family member with a serious health condition which is not supported by medical certification will be denied until such certification is provided.

### E. Entitlement.

1. Employees are entitled to twelve weeks unpaid family and medical leave per year. Employees taking military caregiver family and medical leave to care for a family service member are entitled to 26 weeks of unpaid family and medical leave but only in a single 12 month period.
2. Year is defined as: Fiscal year

EMPLOYEE FAMILY AND MEDICAL LEAVE REGULATION

3. If insufficient leave is available, the school district may:
  - a. Deny the leave if entitlement is exhausted
  - b. Award leave available
  - c. *[Award leave in accordance with other provisions of board policy or the collective bargaining agreement.]*

F. Type of Leave Requested.

1. Continuous - employee will not report to work for set number of days or weeks.
2. Intermittent - employee requests family and medical leave for separate periods of time.
  - a. Intermittent leave is available for:  
\_\_\_\_ birth of my child or adoption or foster care placement subject to agreement by the district;  
\_\_\_\_ serious health condition of myself, spouse, parent, or child when medically necessary;  
\_\_\_\_ because of a qualifying exigency arising out of the fact that my \_\_\_\_ spouse; \_\_\_\_ son or daughter; \_\_\_\_ parent is on active duty or call to active duty status in support of a contingency operation as a member of the National Guard or Reserves;  
\_\_\_\_ because I am the \_\_\_\_ spouse; \_\_\_\_ son or daughter; \_\_\_\_ parent; \_\_\_\_ next of kin of a covered service member with a serious injury or illness.
  - b. In the case of foreseeable intermittent leave, the employee must schedule the leave to minimize disruption to the school district operation.
  - c. During the period of foreseeable intermittent leave, the school district may move the employee to an alternative position with equivalent pay and benefits. *(For instructional employees, see G below.)*
3. Reduced work schedule - employee requests a reduction in the employee's regular work schedule.
  - a. Reduced work schedule family and medical leave is available for:  
\_\_\_\_ birth of my child or adoption or foster care placement subject to agreement by the district;  
\_\_\_\_ serious health condition of myself, spouse, parent, or child when medically necessary;  
\_\_\_\_ because of a qualifying exigency arising out of the fact that my \_\_\_\_ spouse; \_\_\_\_ son or daughter; \_\_\_\_ parent is on active duty or call to active duty status in support of a contingency operation as a member of the National Guard or Reserves;  
\_\_\_\_ because I am the \_\_\_\_ spouse; \_\_\_\_ son or daughter; \_\_\_\_ parent; \_\_\_\_ next of kin of a covered service member with a serious injury or illness.
  - b. In the case of foreseeable reduced work schedule leave, the employee must schedule the leave to minimize disruption to the school district operation.
  - c. During the period of foreseeable reduced work schedule leave, the school district may move the employee to an alternative position with equivalent pay and benefits. *(For instructional employees, see G below.)*

G. Special Rules for Instructional Employees.

## EMPLOYEE FAMILY AND MEDICAL LEAVE REGULATION

1. Definition - an instructional employee is one whose principal function is to teach and instruct students in a class, a small group or an individual setting. This includes, but is not limited to, teachers, coaches, driver's education instructors and special education assistants.
  2. Instructional employees who request foreseeable medically necessary intermittent or reduced work schedule family and medical leave greater than twenty percent of the work days in the leave period may be required to:
    - a. Take leave for the entire period or periods of the planned medical treatment; or,
    - b. Move to an available alternative position, with equivalent pay and benefits, but not necessarily equivalent duties, for which the employee is qualified.
  3. Instructional employees who request continuous family and medical leave near the end of a semester may be required to extend the family and medical leave through the end of the semester. The number of weeks remaining before the end of a semester does not include scheduled school breaks, such as summer, winter or spring break.
    - a. If an instructional employee begins family and medical leave for any purpose more than five weeks before the end of a semester, the school district may require that the leave be continued until the end of the semester if the leave will last at least three weeks and the employee would return to work during the last three weeks of the semester if the leave was not continued.
    - b. If the employee begins family and medical leave for a purpose other than the employee's own serious health condition during the last five weeks of a semester, the school district may require that the leave be continued until the end of the semester if the leave will last more than two weeks and the employee would return to work during the last two weeks of the semester.
    - c. If the employee begins family and medical leave for a purpose other than the employee's own serious health condition during the last three weeks of the semester and the leave will last more than five working days, the school district may require the employee to continue taking leave until the end of the semester.
  4. The entire period of leave taken under the special rules is credited as family and medical leave. The school district will continue to fulfill the school district's family and medical leave responsibilities and obligations, including the obligation to continue the employee's health insurance and other benefits, if an instructional employee's family and medical leave entitlement ends before the involuntary leave period expires.
- H. Employee responsibilities while on family and medical leave.
1. Employee must continue to pay health care benefit contributions or other benefit contributions regularly paid by the employee unless employee elects not to continue the benefits.
  2. The employee contribution payments will be deducted from any money owed to the employee or the employee will reimburse the school district at a time set by the superintendent.
  3. An employee who fails to make the health care contribution payments within thirty days after they are due will be notified that their coverage may be canceled if payment is not received within an additional 15 days.

## EMPLOYEE FAMILY AND MEDICAL LEAVE REGULATION

4. An employee may be asked to re-certify the medical necessity of family and medical leave for the serious medical condition of an employee or family member once every thirty days and return the certification within fifteen days of the request.
5. The employee must notify the school district of the employee's intent to return to work at least once each month during their leave and at least two weeks prior to the conclusion of the family and medical leave.
6. If an employee intends not to return to work, the employee must immediately notify the school district, in writing, of the employee's intent not to return. The school district will cease benefits upon receipt of this notification.

## I. Use of Paid leave for family and medical leave.

Option I:

An employee may substitute unpaid family and medical leave with appropriate paid leave available to the employee under board policy, individual contracts or the collective bargaining agreement. Paid leave includes, but is not limited to, sick leave, family illness leave, vacation, personal leave, bereavement leave and professional leave. When the school district determines that paid leave is being taken for an FMLA reason, the school district will notify the employee within two business days that the paid leave will be counted as FMLA leave.

Option II:

1. An employee may substitute unpaid family and medical leave for the serious health condition of the employee with paid sick, vacation and personal leave. Upon the expiration of paid leave, the family and medical leave for the serious health condition of the employee is unpaid.
2. An employee may substitute unpaid family and medical leave for the serious health condition of an employee's family member or to care for a family service member with paid sick, vacation and personal leave. Upon the expiration of paid leave, the family and medical leave for the serious health condition of an employee's family member is unpaid.
3. An employee may substitute unpaid family and medical leave for the birth of a child of the employee and in order to care for that child prior to the first anniversary of the child's birth with sick, vacation and personal leave. Upon the expiration of paid leave, the family and medical leave for the birth of a child of the employee and in order to care for that child prior to the first anniversary of the child's birth is unpaid.
4. An employee may substitute unpaid family and medical leave for the placement of a child with the employee for adoption or foster care and in order to care for that child prior to the first anniversary of the child's placement or adoption with sick, vacation and personal leave. Upon the expiration of paid leave, the family and medical leave for the placement of a child with the employee for adoption or foster care and in order to care for the child prior to the first anniversary of the child's placement or adoption is unpaid.
5. An employee may substitute unpaid family and medical leave when a family service member is called to active duty or on call to active duty with sick, vacation and personal leave. Upon expiration of the paid leave, the leave is unpaid.

EMPLOYEE FAMILY AND MEDICAL LEAVE REGULATION

6. When the school district determines that paid leave is being taken for an FMLA reason, the school district will notify the employee within two business days that the paid leave will be counted as FMLA leave.

Option III:

1. An employee may substitute unpaid family and medical leave for the serious health condition of the employee with paid sick leave. Upon the expiration of paid leave, the family and medical leave for the serious health condition of the employee is unpaid.
2. An employee may substitute unpaid family and medical leave for the serious health condition of an employee's family member with paid sick leave or to care for a family service member. Upon the expiration of paid leave, the family and medical leave for the serious health condition of an employee's family member is unpaid.
3. An employee may substitute unpaid family and medical leave for the birth of a child of the employee and in order to care for that child prior to the first anniversary of the child's birth with sick and vacation leave. Upon the expiration of paid leave, the family and medical leave for the birth of a child of the employee and in order to care for that child prior to the first anniversary of the child's birth is unpaid.
4. An employee may substitute unpaid family and medical leave for the placement of a child with the employee for adoption or foster care and in order to care for that child prior to the first anniversary of the child's placement or adoption with sick and vacation leave. Upon the expiration of paid leave, the family and medical leave for prior to the first anniversary of the placement of a child with the employee for adoption or foster care is unpaid.
5. An employee may substitute unpaid family and medical leave when a family service member is called to active duty or on call to active duty with sick and vacation leave. Upon expiration of the paid leave, the leave is unpaid.
6. When the school district determines that paid leave is being taken for an FMLA reason, the school district will notify the employee within two business days that the paid leave will be counted as FMLA leave.

Option IV:

1. Family and medical leave is unpaid.

## EMPLOYEE FAMILY AND MEDICAL LEAVE DEFINITIONS

Active Duty - duty under a call or order to active duty under a provision of law referring to in section 101(a)(13) of title 10, U.S. Code.

Common Law Marriage - according to Iowa law, common law marriages exist when there is a present intent by the two parties to be married, continuous cohabitation, and a public declaration that the parties are husband and wife. There is no time factor that needs to be met in order for there to be a common law marriage.

Contingency Operation - has the same meaning given such term in section 101(a)(13) of title 10, U.S. Code.

Continuing Treatment - a serious health condition involving continuing treatment by a health care provider includes any one or more of the following:

- A period of incapacity (i.e., inability to work, attend school or perform other regular daily activities due to the serious health condition, treatment for or recovery from) of more than three consecutive calendar days and any subsequent treatment or period of incapacity relating to the same condition that also involves:
  - treatment two or more times by a health care provider, by a nurse or physician's assistant under direct supervision of a health care provider, or by a provider of health care services (e.g., physical therapist) under orders of, or in referral by, a health care provider; or
  - treatment by a health care provider on at least one occasion which results in a regimen of continuing treatment under the supervision of a the health care provider.
- Any period of incapacity due to pregnancy or for prenatal care.
- Any period of incapacity or treatment for such incapacity due to a chronic serious health condition. A chronic serious health condition is one which:
  - requires periodic visits for treatment by a health care provider or by a nurse or physician's assistant under direct supervision of a health care provider;
  - Continues over an extended period of time (including recurring episodes of a single underlying condition); and
  - May cause episodic rather than a continuing period of incapacity (e.g., asthma, diabetes, epilepsy, etc.).
- Any period of incapacity which is permanent or long-term due to a condition for which treatment may not be effective. The employee or family member must be under the continuing supervision of, but need not be receiving active treatment by, a health care provider. Examples include Alzheimer's, a severe stroke or the terminal stages of a disease.
- Any period of absence to receive multiple treatments (including any period of recovery from) by a health care provider or by a provider of health care services under orders of, or on referral by, a health care provider, either for restorative surgery after an accident or other injury, or for a condition that would likely result in a period of incapacity of more than three consecutive calendar days in the absence of medical intervention or treatment, such as cancer (chemotherapy, radiation, etc.), severe arthritis (physical therapy), kidney disease (dialysis).

Covered Servicemember - a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness.

Eligible Employee - employee has worked for the district for at least twelve months and has worked at least 1250 hours within the previous year.

## EMPLOYEE FAMILY AND MEDICAL LEAVE DEFINITIONS

Essential Functions of the Job - those functions which are fundamental to the performance of the job. It does not include marginal functions.

Employment Benefits - all benefits provided or made available to employees by an employer, including group life insurance, health insurance, disability insurance, sick leave, annual leave, educational benefits, and pensions, regardless of whether such benefits are provided by a practice or written policy of an employer or through an "employee benefit plan."

Family Member - individuals who meet the definition of son, daughter, spouse or parent.

Group Health Plan - any plan of, or contributed to by, an employer (including a self-insured plan) to provide health care (directly or otherwise) to the employer's employees, former employees, or the families of such employees or former employees.

Health Care Provider-

- A doctor of medicine or osteopathy who is authorized to practice medicine or surgery by the state in which the doctor practices; or
- Podiatrists, dentists, clinical psychologists, optometrists, and chiropractors (limited to treatment consisting of manual manipulation of the spine to correct a subluxation as demonstrated by X ray to exist) authorized to practice in the state and performing within the scope of their practice as defined under state law; and
- Nurse practitioners and nurse-midwives, and clinical social workers who are authorized to practice under state law and who are performing within the scope of their practice as defined under state law; and
- Christian Science practitioners listed with the First Church of Christ Scientist in Boston, Massachusetts;
- Any health care provider from whom an employer or a group health plan's benefits manager will accept certification of the existence of a serious health condition to substantiate a claim for benefits;
- A health care provider as defined above who practices in a country other than the United States who is licensed to practice in accordance with the laws and regulations of that country.

In Loco Parentis - individuals who had or have day-to-day responsibilities for the care and financial support of a child not their biological child or who had the responsibility for an employee when the employee was a child.

Incapable of Self-Care - that the individual requires active assistance or supervision to provide daily self-care in several of the "activities of daily living" or "ADLs." Activities of daily living include adaptive activities such as caring appropriately for one's grooming and hygiene, bathing, dressing, eating, cooking, cleaning, shopping, taking public transportation, paying bills, maintaining a residence, using telephones and directories, using a post office, etc.

Instructional Employee - an employee employed principally in an instructional capacity by an educational agency or school whose principal function is to teach and instruct students in a class, a small group, or an individual setting, and includes athletic coaches, driving instructors, and special education assistants such as signers for the hearing impaired. The term does not include teacher assistants or aides who do not have as their principal function actual teaching or instructing, nor auxiliary personnel such as counselors, psychologists, curriculum specialists, cafeteria workers, maintenance workers, bus drivers, or other primarily noninstructional employees

## EMPLOYEE FAMILY AND MEDICAL LEAVE DEFINITIONS

Intermittent Leave - leave taken in separate periods of time due to a single illness or injury, rather than for one continuous period of time, and may include leave or periods from an hour or more to several weeks.

Medically Necessary - certification for medical necessity is the same as certification for serious health condition.

"Needed to Care For" - the medical certification that an employee is "needed to care for" a family member encompasses both physical and psychological care. For example, where, because of a serious health condition, the family member is unable to care for his or her own basic medical, hygienic or nutritional needs or safety or is unable to transport himself or herself to medical treatment. It also includes situations where the employee may be needed to fill in for others who are caring for the family member or to make arrangements for changes in care.

Next of Kin - an individual's nearest blood relative

Outpatient Status - the status of a member of the Armed Forces assigned to –

- either a military medical treatment facility as an outpatient; or
- a unit established for the purpose of providing command and control of members of the Armed Forces receiving medical care as outpatients.

Parent - a biological parent or an individual who stands in loco parentis to a child or stood in loco parentis to an employee when the employee was a child. Parent does not include parent-in-law.

Physical or Mental Disability - a physical or mental impairment that substantially limits one or more of the major life activities of an individual.

Reduced Leave Schedule - a leave schedule that reduces the usual number of hours per workweek, or hours per workday, of an employee.

Serious Health Condition -

- An illness, injury, impairment, or physical or mental condition that involves:
- Inpatient care (i.e. an overnight stay) in a hospital, hospice or residential medical care facility including any period of incapacity (for purposes of this section, defined to mean inability to work, attend school or perform other regular daily activities due to the serious health condition, treatment for or recovery from), or any subsequent treatment in connection with such inpatient care; or
- Continuing treatment by a health care provider. A serious health condition involving continuing treatment by a health care provider includes:
  - A period of incapacity (i.e., inability to work, attend school or perform other regular daily activities due to the serious health condition, treatment for or recovery from) of more than three consecutive calendar days, including any subsequent treatment or period of incapacity relating to the same condition, that also involves:
    - Treatment two or more times by a health care provider, by a nurse or physician's assistant under direct supervision of a health care provider, or by a provider of health care services (e.g., physical therapist) under orders or, or on referral by, a health care provider; or
    - Treatment by a health care provider on at least one occasion which results in a regimen of continuing treatment under the supervision of the health care provider.
  - Any period of incapacity due to pregnancy or for prenatal care.



## EMPLOYEE FAMILY AND MEDICAL LEAVE DEFINITIONS

Any period of incapacity or treatment for such incapacity due to a chronic serious health condition. A chronic serious health condition is one which:

- Requires periodic visits for treatment by a health care provider or by a nurse or physician's assistant under direct supervision of a health care provider;
- Continues over an extended period of time (including recurring episodes of a single underlying condition); and
- May cause episodic rather than a continuing period of incapacity (e.g., asthma, diabetes, epilepsy, etc.).

--A period of incapacity which is permanent or long-term due to a condition for which treatment may not be effective. The employee or family member must be under the continuing supervision of, but need not be receiving active treatment by, a health care provider. Examples include Alzheimer's a severe stroke or the terminal stages of a disease.

--Any period of absence to receive multiple treatments (including any period of recovery from) by a health care provider or by a provider of health care services under orders of, or on referral by, a health care provider, either for restorative surgery after an accident or other injury, or for a condition that would likely result in a period of incapacity of more than three consecutive calendar days in the absence of medical intervention or treatment, such as cancer (chemotherapy, radiation, etc.), severe arthritis (physical therapy), kidney disease (dialysis).

- Treatment for purposes of this definition includes, but is not limited to, examinations to determine if a serious health condition exists and evaluation of the condition. Treatment does not include routine physical examinations, eye examinations or dental examinations. Under this definition, a regimen of continuing treatment includes, for example, a course of prescription medication (e.g., an antibiotic) or therapy requiring special equipment to resolve or alleviate the health condition (e.g., oxygen). A regimen of continuing treatment that includes the taking of over-the-counter medications such as aspirin, antihistamines, or salves; or bed rest, drinking fluids, exercise and other similar activities that can be initiated without a visit to a health care provider, is not, by itself, sufficient to constitute a regimen of continuing treatment for purposes of FMLA leave.
- Conditions for which cosmetic treatments are administered (such as most treatments for acne or plastic surgery) are not "serious health conditions" unless inpatient hospital care is required or unless complications develop. Ordinarily, unless complications arise, the common cold, the flu, ear aches, upset stomach, ulcers, headaches other than migraine, routine dental or orthodontia problems, periodontal disease, etc., are examples of conditions that do not meet the definition of a serious health condition and do not qualify for FMLA leave. Restorative dental or plastic surgery after an injury or removal of cancerous growths are serious health conditions provided all the other conditions of this regulation are met. Mental illness resulting from stress or allergies may be serious health conditions, but only if all the conditions of this section are met.
- Substance abuse may be a serious health condition if the conditions of this section are met. However, FMLA leave may only be taken for treatment for substance abuse by a health care provider or by a provider of health care on referral by a health care provider. On the other hand, absence because of the employee's use of the substance, rather than for treatment, does not qualify for FMLA leave.
- Absence attributable to incapacity under this definition qualify for FMLA leave even though the employee or the immediate family member does not receive treatment from a health care provider during the absence, and even if the absence does not last more than three days. For example, an employee with asthma may be unable to report for work due to the onset of an asthma attack or because the employee's health care provider has advised the employee to stay home when the pollen count exceeds a certain level. An employee who is pregnant may be unable to report to work because of severe morning sickness.

EMPLOYEE FAMILY AND MEDICAL LEAVE DEFINITIONS

Serious Injury or Illness - an injury or illness incurred by a member of the Armed forces, including the National Guard or Reserves in the line of duty on active duty in the Armed Forces that may render the member medically unfit to perform the duties of the member's office, grade, rank, or rating.

Son or daughter - a biological child, adopted child, foster child, stepchild, legal ward, or a child of a person standing in loco parentis. The child must be under age 18 or, if over 18, incapable of self-care because of a mental or physical disability.

Spouse - a husband or wife recognized by Iowa law including common law marriages.

LICENSED EMPLOYEE LEAVE FOR ADOPTION OF CHILDREN

Requests to use sick leave days for the purpose of facilitating the adoption of a child will be decided by the Board of Directors on a case-by-case basis. Requests should be made in writing through the superintendent.

Approved 11/12/90

Reviewed 1/26/98, 6/14/04; 7/27/09; 4/22/13; 6/11/18; 3/18/24

Revised

SUBSTITUTE TEACHERS

The board recognizes the need for substitute teachers. Substitute teachers shall be licensed to teach in Iowa.

It shall be the responsibility of the superintendent/designee to maintain a list of substitute teachers who may be called upon to replace regular contract licensed employees. Individuals whose names do not appear on this list will not be employed as a substitute without specific approval of the superintendent. It shall be the responsibility of the building principal/designee to fill absences with substitute teachers immediately.

Substitute teachers will be paid a per diem rate of \$150 per day, \$75 per one-half day. Substitute teachers employed for 11 or more consecutive days in the same position shall be paid a daily per diem according to the Supplemental Pay Schedule step 1 of the CCEA salary schedule, starting the 11<sup>th</sup> day. A substitute teacher working one-half (½) days under the same circumstances will be paid one-half of the daily per diem of the Supplemental Pay Schedule step 1 of the CCEA salary schedule. Under special or unusual circumstances the superintendent can make a variance of this policy upon notification to the board. Substitute licensed employees are expected to perform the same duties as the licensed employees.

Certified education associates assigned to a special education room may serve as a substitute teacher when the licensed teacher is absent for up to three consecutive days. The certified associate will be paid the same rate as any other substitute teacher in lieu of their regular hourly rate of pay.

Legal Reference: *Iowa Association of School Boards v. PERB*, 400 N.W.2d 571 (Iowa 1987).  
Iowa Code §§ 20.1, 4(5), .9; Ch.272  
281 I.A.C. 12.4.

Cross Reference: 405.1 Licensed Employee Defined  
405.2 Licensed Employee Qualifications, Recruitment, Selection

Approved 10/23/95

Reviewed 3/18/24

Revised 9/8/03; 3/22/04; 6/13/05; 5/11/09; 7/27/09; 11/9/09; 9/27/10; 1/12/11; 5/13/13;7/9/18

SUMMER SCHOOL LICENSED EMPLOYEES

The Clarke Community School District shall offer summer school options in accordance with law and may, in its discretion offer additional programming during the summer recess. Licensed employees who volunteer or who are appointed to deliver the summer education program are compensated in addition to their regular duties during the school academic year, unless such arrangements are made prior to determining the employee's compensation for the year.

Licensed employees will be given the opportunity to volunteer for the positions available. If the board determines a course must be offered and no licensed employee volunteers for the position, the board will make the necessary arrangements to fill the position. The board will consider applications from volunteers of current licensed employees in conjunction with other applications.

It is the responsibility of the superintendent to make a recommendation to the board regarding the need for and the delivery of the summer education program.

Legal Reference: Iowa Code §§ 279.8; 280.

Cross Reference: 505.2 Student Promotion – Retention - Acceleration  
603.2 Summer School Instruction

Approved 3/22/04

Reviewed 7/27/09; 5/13/13; 3/18/24

Revised 6/13/16; 6/11/18

TRUANCY OFFICER

The juvenile court school liaison serves as the district's truancy officer.

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.

Cross Reference: 501.10 Truancy - Unexcused Absences

Approved 3/22/04

Reviewed 6/11/18; 3/18/24

Revised 7/27/09; 5/13/13

EDUCATION ASSOCIATES

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;
- performing other limited services to support teaching duties when such duties are determined and directed by the teacher; and
- acting as a substitute teacher in the special education room to which the associate is assigned if the associate is certified for up to three consecutive days.

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.  
281 I.A.C. 12.4(9); .5(9).

Cross Reference: 411.2 Classified/Confidential/Director/Other Employee Qualifications, Recruitment, Selection

Approved 3/22/04  
Reviewed 7/27/09; 5/13/13; 6/11/18; 3/18/24  
Revised 5/11/09

STUDENT TEACHERS

It is the policy of the school district to cooperate with the higher educational institutions in the practical preparations of future teachers. Contracts shall be confirmed annually for each institution that places student teachers in the district.

Approved 11/12/90

Reviewed 1/26/98; 6/14/04; 7/27/09; 5/13/13; 6/11/18; 3/18/24

Revised



## TEACHER EXCHANGE PROGRAMS

In order to gain knowledge of educational methods in other school districts--either inside or outside the United States--and to promote international goodwill, the Board of Directors may contract with another Board or other educational authorities for the exchange of teaching services.

Approved 11/12/90

Reviewed: 1/26/98; 6/14/04; 7/27/09; 5/13/13; 6/11/18; 3/18/24

Revised:

CLASSIFIED/CONFIDENTIAL/DIRECTOR/OTHER EMPLOYEE DEFINED

“Classified employees” are employees who are not administrators or employees in positions which require a teaching license issued by the Iowa Board of Educational Examiners and who are employed to fulfill the duties listed on their job description on a monthly or an hourly basis. The positions may be full-time or part-time.

“Confidential employees” means any public employee who works in the personnel offices of a public employer or who has access to information subject to use by the public employer in negotiating or who works in a close continuing working relationship with public officers or representatives associated with negotiating on behalf of the public employer. In this district these people are the District Administration Office personnel.

“Directors” are salaried public employees who supervise the work of a category of classified employees. In this district these people are the transportation director, and food service director.

“Other” are categories of employees necessary for the functioning of the district that can’t be properly placed in the categories above, they may be salaried or hourly employees. Examples are – business manager, technology support, juvenile court school liaison, Pk-12 social worker, etc. Additional situations may arise where employment will be needed for specialized positions.

It is the responsibility of the superintendent to establish job specifications and job descriptions for classified/confidential/director/other-employee positions. Job descriptions may be approved by the board.

Classified/confidential/director/other employees required to hold a license for their position must present evidence of their current license to the board secretary prior to payment of wages each year.

Legal Reference: Iowa Code §§ 20; 279.8

Cross Reference: 405.1 Licensed Employee Defined  
411.2 Classified/Confidential/Director/Other Employee Qualifications, Recruitment, Selection  
412.3 Classified Employee Group Insurance Benefits

Approved 4/13/92

Reviewed 3/18/24

Revised 1/26/98; 2/11/02; 8/18/03; 5/10/04; 10/12/09; 8/8/2011; 5/13/13; 6/11/18; 12/12/22

CLASSIFIED/CONFIDENTIAL/DIRECTOR/OTHER EMPLOYEE - QUALIFICATIONS, RECRUITMENT,  
SELECTION

Persons interested in a classified/confidential/director/other employee position will have an opportunity to apply and qualify for classified/confidential/director/other employee positions in the school district in accordance with applicable laws and school district policies regarding equal employment. Job applicants for classified/confidential/director/other employee positions will be considered on the basis of the following:

- Training, experience, and skill;
- Nature of the occupation;
- Demonstrated competence; and
- Possession of, or ability to obtain, state or other license or certificate, if required, for the position.

All job openings shall be submitted to the Iowa Department of Education for posting on Frontline and IowaWORKS.gov, the online state job posting system. Additional announcement of the position may occur through means the superintendent believes will inform potential applicants about the position. Whenever possible, the preliminary screening of applicants will be conducted by the administrator who directly supervises and oversees the position.

The superintendent will recommend employment of classified/confidential/director/other employees to the board for approval. However, the superintendent will have the authority to employ a classified/confidential/director/other employee on a temporary basis until a recommendation can be made and action can be taken by the board on the position.

Legal Reference: 29 U.S.C. §§ 621-634  
42 U.S.C. §§ 2000e; 12101 *et seq.*  
Iowa Code §§ 20; 35C; 216; 25.27; 279.8; 279.20.  
281 I.A.C 12.4

Cross Reference: 401.1 Equal Employment Opportunity  
411 Classified/Confidential/Director/Other Employees - General

Approved 11/12/90

Reviewed 6/11/18; 3/18/24

Revised 7/12/99; 5/10/04; 7/30/07; 10/12/09; 5/13/13; 5/8/17; 12/11/23

CLASSIFIED/CONFIDENTIAL/DIRECTOR/OTHER EMPLOYEE CONTRACTS

The board may enter into written contracts with classified/confidential/director/other employees employed on a regular basis. The contract will state the terms of employment.

Each classified (CCESA) contract will include a 10 working day cancellation clause. Either the employee or the board must give notice of the intent to cancel the contract at the end of 10 working days. Each confidential/director/other contract will include a 30 calendar day cancellation clause. Either the employee or the board must give notice of the intent to cancel the contract at the end of 30 calendar days. This notice will not be required when the employee is terminated during a probationary period or for cause.

Classified/Confidential/Director/Other 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/confidential/director/other 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)

Cross Reference: 411 Classified/Confidential/Director/Other Employees - General  
412.1 Classified/Confidential/Director/Other Employee Compensation  
412.2 Classified/Confidential/Director/Other Employee Wage and Overtime Compensation  
413 Classified/Confidential/Director/Other Employee Termination of Employment

Approved 11/12/90

Reviewed 6/11/18; 3/18/24

Revised 1/26/98; 5/10/04; 10/12/09; 5/13/13

CLASSIFIED/CONFIDENTIAL/DIRECTOR/OTHER EMPLOYEE LICENSING/CERTIFICATION

Classified/Confidential/Director/Other employees who require a special license or other certification will keep them current at their own expense. Licensing requirements needed for a position will be considered met if the employee meets the requirements established by law for the position.

Legal Reference: Iowa Code §§ 285.5(9); 272; 279.8.  
281 I.A.C. 12.4(10); 36; 43.

Cross Reference: 411.2 Classified/Confidential/Director/Other Employee Qualifications,  
Recruitment, Selection

Approved 5/10/04

Reviewed 5/13/13; 3/18/24

Revised 10/12/09; 6/11/18

CLASSIFIED/CONFIDENTIAL/DIRECTOR/OTHER EMPLOYEE ASSIGNMENT

Determining the assignment of each classified/confidential/director/other 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/confidential/director/other 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 classified/confidential/director/other employees.

Legal Reference: Iowa Code §§ 20; 279.8.

Cross Reference: 200.2 Powers of the Board of Directors  
411.6 Classified/Confidential/Director/Other Employee Transfers

Approved 11/12/90

Reviewed 7/12/99; 5/13/13; 6/11/18; 3/18/24

Revised 5/10/04; 10/12/09

CLASSIFIED/CONFIDENTIAL/DIRECTOR/OTHER EMPLOYEE TRANSFERS

Determining the location where a classified/confidential/director/other 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/confidential/director/other 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 classified/confidential/director/other employees.

Legal Reference: 29 U.S.C. §§ 621-634.  
42 U.S.C. §§ 2000e *et seq.*  
42 U.S.C. §§ 12101 *et seq.*  
Iowa Code §§ 20.9; 35C; 216; 279.8; 294.1

Cross Reference: 411.2 Classified/Confidential/Director/Other Employee Qualifications, Recruitment, Selection  
411.5 Classified/Confidential/Director/Other Employment Assignment

Approved 11/12/90  
Reviewed 7/12/99; 5/13/13; 6/11/18; 3/18/24  
Revised 5/10/04; 10/12/09

CLASSIFIED/CONFIDENTIAL/DIRECTOR/OTHER EMPLOYEE EVALUATION

Evaluation of classified/confidential/director/other employees on their skills, abilities, and competence is an ongoing process supervised by the superintendent. The goal of the formal evaluation of classified/confidential/director/other employees is to maintain classified/confidential/director/other employees who meet or exceed the board's standards of performance, to clarify each classified/confidential/director/other 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/confidential/director/other employees are formally evaluated annually. New and probationary classified employees are formally evaluated at least twice a year.

Legal Reference: Aplington Community School District v. PERB, 392 N.W.2d 495 (Iowa 1986).  
Saydel Education Association v. PERB, 333 N.W.2d 486 (Iowa 1983).  
Iowa Code §§ 20.9; 279.14.  
281 I.A.C. 12.3(4).

Cross Reference: 411.2 Classified/Confidential/Director/Other Employee Qualifications, Recruitment, Selection  
411.8 Classified/Confidential/Director/Other Employee Probationary Status

Approved 11/12/90

Reviewed 1/26/98; 6/11/18; 3/18/24

Revised 5/10/04; 5/11/09; 10/12/09; 5/13/13; 7/13/20



CLASSIFIED/CONFIDENTIAL/DIRECTOR/OTHER EMPLOYEE PROBATIONARY STATUS

The first 60 working days of a newly employed classified/confidential/director/other 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.

The requirements stated in the Master Contract between employees in that collective bargaining unit and the board regarding evaluation of such employees will be followed.

Legal Reference: Iowa Code §§ 20; 279.8.

Cross Reference: 411.3 Classified/Confidential/Director/Other Employee Contracts  
411.7 Classified/Confidential/Director/Other Employee Evaluation

Approved 11/12/90

Reviewed 5/13/13; 6/11/18; 3/18/24

Revised 1/26/98; 5/10/04;10/12/09

CLASSIFIED/CONFIDENTIAL/DIRECTOR/OTHER EMPLOYEE COMPENSATION

The board will determine the compensation to be paid for the classified/confidential/director/other employees' positions, keeping in mind the education and experience of the classified/confidential/director/other 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/confidential/director/other employees. The salary schedule is subject to review and modification for classified employees through the collective bargaining process.

Legal Reference: Iowa Code §§ 20.1, .4, .7, .9; 279.8.

Cross Reference: 411.3 Classified/Confidential/Director/Other Employee Contracts  
412.2 Classified/Confidential/Director/Other Employee Wage and Overtime Compensation

Approved 11/12/90

Reviewed 5/28/13; 6/11/18; 3/18/24

Revised 1/26/98; 5/10/04; 10/12/09

CLASSIFIED/CONFIDENTIAL/DIRECTOR/OTHER 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 superintendent.

Each non-exempt employee paid on an hour-by-hour basis must complete, sign, and turn in a daily time record showing the actual number of hours worked. Failure of the employee to maintain, or falsification of, a daily time record will be grounds for disciplinary action.

It is the responsibility of the board secretary to maintain wage records.

Legal Reference: Garcia v. San Antonio Metropolitan Transit Authority, 469 U.S. 528 (1985).  
29 U.S.C. §§ 206 *et seq.*  
29 C.F.R. Pt. 511-800

Cross Reference: 411.3 Classified/Confidential/Director/Other Employee Contracts  
412.1 Classified/Confidential/Director/Other Employee Compensation

Approved 11/12/90

Reviewed 6/11/18; 3/18/24

Revised 1/26/98; 5/10/04; 10/12/09; 5/28/13

PROCEDURE FOR HANDLING OVERTIME  
FOR SUPPORT, CONFIDENTIAL AND OTHER STAFF

Where overtime cannot be avoided, the supervisor should make the determination according to the following guidelines:

No overtime shall be permitted without prior supervisor approval and shall be approved only when overtime is unavoidable.

Every Thursday, the employee shall report to the supervisor any overtime worked in that week. The supervisor shall determine if the employee should arrive late, take a longer lunch, or leave early in order to remain at forty hours for the work week.

Compensatory time shall not be banked beyond the forty hour work week. Compensatory time not used by the end of the work week is gone.

Any overtime not taken as equal compensatory time by the end of the work week will be paid at time and one-half. The supervisor shall be prepared to justify the need for this additional expense through time on task records and the purposes of tasks in light of their benefit to the district.

Overtime shall not be used early in the week for the purpose of taking an early leave or time off later in the week.

Compensatory time (leaving early or time off) shall not be taken in advance, then making up the work later.

Extra non-work days such as at the end of the school year shall not be substituted for scheduled work days.

Working at student events shall not be used as justification for compensatory time off from work.

The philosophy is that much of the work for which support employees have been hired (being available to help staff, parents, and students) cannot be done in the overtime hours. Therefore, the only time that support employees can truly fulfill their job descriptions is during the usual work hours.

Time cards shall reflect exactly what is true: for example, personal leave is personal leave; sick leave is sick leave; overtime is overtime; compensatory time off is compensatory time off. No time off or additional time on shall be called anything other than what it really is. No regular work day shall be left blank--an explanation or documented time is necessary for every regular work day.

Approved 11/12/90

Reviewed 6/14/2004; 10/12/09; 5/28/13; 6/11/18; 3/18/24

Revised 1/26/98

## CLASSIFIED EMPLOYEE GROUP BENEFITS

Classified employees may be eligible for group benefits as determined by the board and required by law. The board will select the group benefit program(s) and the insurance company or third party administrator which will provide or administrator the program.

In accordance with the Patient Protection and Affordable Care Act (ACA), the board will offer classified employees who are expected to work an average of at least thirty (30) hours per week or one hundred thirty (130) hours per month, based on the measurement method adopted by the board, with minimum essential coverage that is both affordable and provides minimum value. The board will utilize the applicable measurement period to determine whether variable hourly employees qualify for an offer of insurance coverage under the district's group health plan. The board will have the authority and right to change or eliminate group benefit programs, other than the group health plan, for its licensed employees.

Classified employees, who work an average of at least thirty (30) hours per week or one hundred thirty (130) hours per month, based on the measurement method adopted by the board, are eligible to participate in the group health plan. Classified employees who work 30 hours per week are eligible to participate in [insert benefits other than health benefits the district offers, (e.g., life or long term disability)] group insurance plans. Employers should maintain documents regarding eligible employees acceptance and rejection of coverage.

Regular part-time classified employees (i.e., employees who work less than 30 hours per week or 130 hours per month for health benefit purposes or employees who work less than 30\_ hours per week for benefits other than health) who wish to purchase coverage may participate in group benefit programs by meeting the requirements of the applicable plan. Full-time and regular classified employees who wish to purchase coverage for their spouse or dependents may do so by meeting the requirements of the applicable plan.

Classified 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.

***NOTE: Beginning on January 1, 2015, school districts that employ an average of at least 50 full-time employees (including an equivalent for part-time employees), are required to offer health coverage to full-time employees (and their dependents) or pay a penalty tax under the ACA Employer Mandate. Districts with 50-99 full-time employees (including an equivalent for part-time employees) may have until their 2016 plan year before compliance is required, if certain conditions are satisfied. Option I assumes a school district employs at least 50 full-time employees (including an equivalent for part-time employees) and is subject to the ACAs Employer Mandate. Boards can edit Option I to reflect their district's actual coverage (e.g., additional group insurance plans offered by the districts, which may include: life and long-term disability group insurance plans).***

***NOTE: For a more detailed discussion of this issue, see [IASB's Special Report, A School District's Responsibilities under the Federal Patient Protection and Affordable Care Act \(ACA\), December 2014.](#)***

Legal Reference: Iowa Code §§ 20.9; 85; 85B; 279.12; 509; 509A; 509B.  
Internal Revenue Code §4980H©(4); Treas. Reg. § 54.4980H-1(a)(21)(ii).  
Shared Responsibility for Employers Regarding Health Coverage, 26 CFR Parts 1, 54 and 301,  
78 Fed. Reg. 217. (Jan 2, 2013).  
Shared Responsibility for Employers Regarding Health Coverage, 26 CFR Parts 1, 54 and 301,  
79 Fed. Reg. 8543 (Feb. 12, 2014).

Cross Reference: 411.1 Classified Defined

Approved 11/12/90

Reviewed 5/28/13; 6/11/18; 3/18/24

Revised 1/26/98; 2/11/02; 5/10/04; 10/12/09; 3/11/13; 6/8/15; 1/25/16; 5/19/21; 11/8/21

## INSURANCE FOR EMPLOYEES

State law requires Iowa employers to allow qualified members to continue Medical Expense Coverage after their coverage would otherwise end.

### Qualification for Continuation:

A Member whose Medical Expense coverage would otherwise end due to temporary layoff or approved leave of absence may elect to continue the coverage if:

1. the Member has been covered under the group health plan for at least six months prior to the date coverage would otherwise end; and
2. the group health plan remains in force.

The Member may also continue Dependent medical expense coverage if dependents were covered under the group health plan. NOTE: the term "medical expense coverage" as used with respect to continuation of coverage, will also include Dental, Prescription Drug and Vision Care coverage if they are included in the Group health plan.

### Period of Continuation:

If elected, the state-mandated continuation will begin, at the Member's sole expense, on the day immediately after completion of the limited continuation period (usually one month) provided in the district's plan for Members who cease active work due to temporary layoff or approved leave of absence. It will end the earliest of:

1. The date six months after the date coverage otherwise would have ended for temporary layoff; or
2. The date ending the period of approved leave of absence not to exceed 1 year; or
3. The date the Member becomes eligible for other group medical expense coverage; or
4. The date the Member fails to make timely payment of premium or requests that coverage be terminated; or
5. The date the Member's coverage would have ended had he/she remained an active employee. This would include termination of the plan, exclusion of the Member's class as an eligible class, attainment of any maximum age, etc.

### Reinstatement Upon Return to Active Work:

If the district's plan includes an automatic reinstatement provision, the Member will not have to satisfy the eligibility waiting period if he/she returns to active full-time employment within the reinstatement period provided under the plan. For this purpose, the reinstatement period will begin on the day immediately after the date the Member's continued coverage ends.

If the plan does not include an automatic reinstatement provision, the Member will be required to satisfy the eligibility waiting period upon his/her return to active, full-time employment.

Individual Purchase Right:

If continued coverage ends and the Member does not return to active, full-time employment, the Member may apply for Individual Purchase unless the continued coverage ends due to: (a) termination of the plan; (b) exclusion of the Member's class; (c) non-payment of premium; or (d) eligibility for other group medical expense coverage. The Member's completed application and the first premium must be received in the Home Office of the Insurance Company within 31 days after the continued coverage ends. Dental, Prescription Drugs or Vision Care coverage are not included with the Individual Purchase.

District Responsibility:

A. When a qualified Member's coverage would otherwise end, the district must give written notice to the Member of:

1. The Member's right to elect to continue Medical Expense Coverage; and
2. The time limit allowed the Member to send the premium; and
3. The address of the district's office where the premium is to be sent; and
4. The premium the Member must pay monthly to the district to continue coverage. This premium would be the "Medical Expense Only" portion of the total billing rate for the Member (including any dependents), prior to termination. This includes any Dental, Vision or Prescription Drugs coverage in the Group Plan.

Important Note: The Member must notify the district in writing and pay the first premium within 10 days after the later of:

1. The date coverage would otherwise end; or
2. The date of the written notice;

but not later than 31 days after the date coverage would otherwise end.

B. The district is requested to furnish the Insurance Company with:

1. The Name of the Member, the date last worked and if the Member has elected to continue coverage; and
2. If a Member's continued coverage terminates before the end of the six month continuation period: the date and reason for the termination.

This data should be included on the district's monthly report.

The Notice should be handed to the Member during a personal interview, if possible. Otherwise it must be mailed to the home address of record.

Date of Adoption: 11/12/90

Reviewed: 1/26/98; 10/12/09; 5/28/13' 6/11/18; 3/18/24

Revised: 2/11/02; 5/10/04



WORKER COMPENSATION

Worker compensation insurance shall be provided by the school district for employees who may be injured on the job.

Employees shall be expected to observe safety and due caution in their job tasks.

Should an employee be injured, she/he shall notify his/her supervisor immediately.

Employees are encouraged to return to work as soon as they are medically able to perform the same or similar job.

Employees may draw worker compensation, when eligible, or sick pay, but not both.

Medical benefits paid by worker compensation insurance are not eligible for claiming under a medical insurance plan.

Approved: 11/12/96

Reviewed: 1/26/98; 5/10/04; 10/12/09; 5/28/13; 6/11/18; 3/18/24

Revised:

CLASSIFIED/CONFIDENTIAL/DIRECTOR/OTHER EMPLOYEE TAX SHELTER PROGRAMS

Employees may elect to have amounts withheld from their pay for items authorized by law, subject to agreement of the district. The board may authorize the administration to make a payroll deduction for classified/confidential/director/other employees' tax-sheltered annuity premiums purchased from a company or program if chosen by the board.

Classified/confidential/director/other employees wishing to have payroll deductions for tax-sheltered annuities will make a written request to the superintendent.

Legal Reference:        Small Business Job Protection Act of 1996, Section 1450(a), repealing portions of  
                                  IRS REG § 1.403(b)-1(b)(3).  
Iowa Code §§ 260C; 273; 294.16  
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 11/12/90  
Reviewed 1/26/98; 10/12/09; 5/28/13; 3/18/24  
Revised 5/10/04; 1/26/09; 6/11/18

CLASSIFIED/CONFIDENTIAL/DIRECTOR/OTHER 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 10 working days prior to their last working day.

Confidential/director/other 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 calendar days prior to their last working day.

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).

Cross Reference: 411.3 Classified/Confidential/Director/Other Employee Contracts  
413 Classified/Confidential/Director/Other Employee Termination of Employment

Approved 7/6/92

Reviewed 5/28/13; 6/11/18; 3/18/24

Revised 1/26/98; 4/10/00; 2/11/02; 3/24/03; 5/10/04; 10/12/09

CLASSIFIED/CONFIDENTIAL/DIRECTOR/OTHER EMPLOYEE RETIREMENT

Classified/confidential/director/other employees who will complete their current contract with the board may apply for retirement. No classified/confidential/director/other employee will be required to retire at any specific age.

Application for retirement will be considered made when the classified/confidential/director/other 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. 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 classified/confidential/director/other 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/confidential/director/other employees and their spouse and dependents are 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.*  
Iowa Code §§ 91A.2, .3, .5; 97B; 216; 279.19A, .46.  
1978 Op. Att'y Gen. 247.  
1974 Op. Att'y Gen. 11, 322.

Cross Reference: 412 Classified Employee Compensation and Benefits  
413 Classified Employee Termination of Employment

Approved 11/12/90  
Reviewed 1/26/98; 6/11/18; 3/18/24  
Revised 5/10/04; 10/12/09; 5/28/13

CLASSIFIED/CONFIDENTIAL/DIRECTOR/OTHER EMPLOYEE SUSPENSION

Classified/confidential/director/other employees will perform their assigned job, respect and follow board policy and obey the law. The superintendent is authorized to suspend a classified/confidential/director/other 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/confidential/director/other employee with or without pay.

In the event of a suspension, due process will be followed.

Legal Reference: Northeast Community Education Association v. Northeast Community School District, 402 N.W.2d 765 (Iowa 1987).  
McFarland v. Board of Education of Norwalk Community School District, 277 N.W.2d 901 (Iowa 1979).  
Iowa Code §§ 20.7, .24

Cross Reference: 404 Employee Conduct and Appearance  
413 Classified/Confidential/Director/Other Employee Termination of Employment

Approved 1/11/95  
Reviewed 7/12/99; 5/28/13; 6/11/18; 3/18/24  
Revised 5/10/04; 10/12/09

CLASSIFIED/CONFIDENTIAL/DIRECTOR/OTHER EMPLOYEE DISMISSAL

The board believes classified/confidential/director/other employees should perform their jobs, respect board policy and obey the law. A classified employee may be dismissed upon 10 working days or immediately for cause. A confidential/director/other employee may be dismissed upon thirty calendar days notice or immediately for cause. Due process procedures will be followed.

It is the responsibility of the superintendent to make a recommendation for dismissal to the board. A classified/confidential/director/other employee may be dismissed for any reason, including, but not limited to, incompetence, willful neglect of duty, reduction in force, willful violation of board policy or administrative regulations, or a violation of the law.

It shall be understood that the employee's employment can be terminated, the district reserves the right to discharge the employee for any reason, and no statement or representation made by any immediate supervisor can alter the at-will status of the employee's employment.

Legal Reference: Iowa Code §§ 20.7, .24.

Cross Reference: 404 Employee Conduct and Appearance  
413.3 Classified/Confidential/Director/Other Employee Suspension  
413.5 Classified/Confidential/Director/Other Employee Reduction in Force

Approved 11/12/90

Reviewed 5/28/13; 6/11/18; 3/18/24

Revised 7/12/99; 2/11/02; 5/10/04; 10/12/09

CLASSIFIED/CONFIDENTIAL/DIRECTOR/OTHER EMPLOYEE REDUCTION IN FORCE

It is the exclusive power of the board to determine when a reduction in classified/confidential/director/other employees is necessary. Employees who are terminated due to a reduction in force will be given thirty calendar days notice. Due process will be followed for terminations due to a reduction in force.

The reduction in classified/confidential/director/other employees will be done through normal attrition if possible. If normal attrition does not meet the necessary reduction in force required, the board may terminate classified/confidential/director/other employees.

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/or demonstrated performance through evaluation procedures in making the recommendations.

The number of employees may be reduced due to a change in program, staff realignment, a change in the size or nature of the student population, and/or due to budgetary considerations, or other good reasons as determined by the Board. Such reduction of employees shall be accomplished through normal staff attrition, unless the best interests of the school district dictate otherwise.

Legal Reference: Iowa Code §§ 20.7, .24.

Cross Reference: 407.5 Licensed Employee Reduction in Force  
413.3 Classified/Confidential/Director/Other Employee Suspension  
413.4 Classified/Confidential/Director/Other Employee Dismissal  
703 Budget

Approved 11/12/90

Reviewed 5/28/13; 6/11/18; 3/18/24

Revised 7/12/99; 2/11/02; 5/10/04; 10/12/09

CLASSIFIED/CONFIDENTIAL/DIRECTOR/OTHER EMPLOYEE EARLY RETIREMENT

The school district offers an early retirement plan for classified/confidential/director/other employees who are currently performing their assigned duties within the school district. A classified/confidential/director/other employee is eligible under the early retirement plan when the employee:

- Attains the age of fifty-five (55) on or before June 30 of the year in which the employee wishes to retire;
- Completes a total of fifteen (15) consecutive years of service as an 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 employee's application for participation in the early retirement plan, of the employee's resignation and of the disbursement of early retirement incentive to the employee.
- Retires not later than June 30 of the same year as the February 15 date above.

Approval by the board of the employee's early retirement application shall constitute a voluntary resignation. Approval by the board of the employee's early retirement application will also make the employee eligible for disbursement of the early retirement incentive the sooner of July 31 following the employee's approval for early retirement or a date mutually agreed upon by the school district and the employee. Failure of the board to approve the employee's early retirement application will make the employee's current contract with the board continue in full force and effect.

The early retirement incentive shall be calculated using the following factors:

- Fifty percent of the employee's unused accumulated sick leave (this is figured by using the current salary per day times 50% of the employee's accumulated sick days, using 100 days as the maximum accumulated sick days); plus,
- Five percent of the current salary times the years of service beyond fifteen years.

Provided, however, that the early retirement incentive for each eligible employee approved by the board shall not exceed the employee's current year's salary or \$10,000 whichever is less.

An employee who is a participant in the district's health insurance plan as of the employee's retirement may, upon retirement and through age 64, continue participation in the school district's group insurance plan, at the employee's expense by meeting the requirements of the insurer. The employee may elect to reduce the lump sum amount by the amount of the estimated insurance premium through age 64 not to exceed the lump sum incentive.

The insurance coverage offered as a part of this incentive may be in lieu of other coverage rights. If the employee chooses not to leave incentive money or the incentive money is depleted the employee 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.



CLASSIFIED/CONFIDENTIAL/DIRECTOR/OTHER EMPLOYEE EARLY RETIREMENT

In the event of the death of the classified/confidential/director/other employee prior to payment of the early retirement incentive but after the 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 classified/confidential/director/other employee's estate in one lump sum payment.

The board has complete discretion to offer or not to offer an early retirement plan for employees. The board may amend, reduce or discontinue the school district's early retirement plan at any time.

Legal Reference: 29 U.S.C. §§ 621 *et seq.*  
Senate File 2366, 77<sup>th</sup> General Assembly, 2<sup>nd</sup> Reg. Sess. (1998).  
Iowa Code §§ 97B; 216; 279.46; 509A.13.  
1978 Op. Att'y Gen. 247.  
1974 Op. Att'y Gen. 11, 322.

Cross Reference: 413.2 Classified/Confidential/Director/Other Employee Retirement

Approved 4/12/93

Reviewed 3/18/24

Revised 11/9/98; 11/23/98; 5/10/04; 8/15/05; 3/9/09; 10/12/09; 5/28/13; 7/9/18; 12/12/22; 12/11/23

CLASSIFIED/CONFIDENTIAL/DIRECTOR/OTHER EMPLOYEE  
EARLY RETIREMENT ACKNOWLEDGEMENT OF RECEIPT

The undersigned classified/confidential/director/other employee acknowledges receipt of the early retirement plan documents stated below, for the employee's consideration:

- early retirement policy (policy 413.6);
- early retirement insurance options (policy 413.6E2); and
- early retirement application (413.6E3).

The undersigned employee acknowledges that the application and participation in the early retirement plan is entirely voluntary.

The undersigned employee acknowledges that the school district recommends the employee contact legal counsel and the employee's personal accountant regarding participation in the early retirement plan.

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Employee

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Date

Reviewed: 5/28/13; 6/11/18; 3/18/24

CLASSIFIED/CONFIDENTIAL/DIRECTOR/OTHER EMPLOYEE  
EARLY RETIREMENT INSURANCE OPTIONS

Board policy 413.6, Classified/Confidential/Director/Other Employee Early Retirement, allows the employee to continue to participate in the school district's group health insurance plan until age 65, if originally a part of the plan, by meeting the requirements of the insurer.

The classified/confidential/director/other employee is responsible for the cost of the health insurance premium. 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.

The undersigned employee \_\_\_\_\_ (does, does not) wish to continue to participate in the school district's group health insurance plan.

\_\_\_\_\_  
Employee

\_\_\_\_\_  
Date

Reviewed: 5/28/13; 6/11/18; 3/18/24

CLASSIFIED/CONFIDENTIAL/DIRECTOR/OTHER EMPLOYEE  
EARLY RETIREMENT APPLICATION

The undersigned classified/confidential/director/other employee is applying for early retirement pursuant to board policy 413.6, Classified/Confidential/Director/Other Employee Early Retirement. Please complete the following information:

\_\_\_\_\_  
(Full Legal Name of 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 if a date other than July 31 of the year in which the undersigned employee retires is desired.

\_\_\_\_\_  
(date)

\_\_\_\_\_  
(Reason for date earlier than July 31)

Please attach a letter of resignation effective not later than June thirtieth of the year in which the undersigned employee intends to retire. State in the letter if the resignation is contingent on approval of the early retirement application.

The undersigned employee acknowledges that application and participation in the early retirement plan is entirely voluntary. The undersigned employee also acknowledges that the early retirement plan may be amended, reduced, or discontinued by the district at any time and that no rights are vested in the employee until after the employee has retired under the plan.

The undersigned employee acknowledges that the school district recommends that the employee contact legal counsel and the employee's own personal accountant regarding participation in the early retirement plan.

Should the employee die prior to full payment of an early retirement benefit, the employee designates either the following individual as beneficiary or the employee's estate.

\_\_\_\_\_ Beneficiary

\_\_\_\_\_ Estate

\_\_\_\_\_  
Beneficiary (print)

\_\_\_\_\_  
Beneficiary Address (print)

\_\_\_\_\_  
Employee (signature)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Witness (signature)

\_\_\_\_\_  
Date

Revised: 5/28/13; 6/11/18

Reviewed: 3/18/24

CLASSIFIED EMPLOYEE PROFESSIONAL PURPOSES LEAVE

Professional purposes leave may be granted to classified employees for the purpose of attending meetings and conferences directly related to their assignments. Application for the leave must be presented to the superintendent 5 days prior to the meeting or conference.

It 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.

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

Cross Reference: 408.1 Classified Employee Professional Development

Approved 11/12/90  
Reviewed 6/10/13; 6/11/18; 3/18/24  
Revised 1/26/98; 5/10/04;10/12/09; 7/23/20

CLASSIFIED/CONFIDENTIAL/DIRECTOR/OTHER - SUBSTITUTES

The board recognizes the need for substitute employees. Substitute employees will be required to complete a background check before being put on the substitute list.

It shall be the responsibility of the superintendent/designee to maintain a list of substitute employees who may be called upon to replace regular employees. Individuals whose names do not appear on this list will not be employed as a substitute without specific approval of the superintendent. It shall be the responsibility of the building principal/designee to fill absences with substitutes immediately.

Substitutes working in place of employees will be paid beginning salary listed in the Employee Handbook plus any differential that applies.

Substitute employees are expected to perform the same duties as the employees.

Legal Reference: Iowa Association of School Boards v. PERB, 400 N.W.2d 571 (Iowa 1987).  
Iowa Code §§ 20.1, .4(5), .9  
281 I.A.C. 12.4.

Cross Reference: 411.1 Classified/Confidential/Director/Other Employee Defined  
411.2 Classified/Confidential/Director/Other Employee Qualifications, Recruitment, Selection

Approved 10/23/95

Reviewed 10/12/09; 6/11/18; 3/18/24

Revised 9/8/03; 5/10/04; 6/10/13

CLASSIFIED/CONFIDENTIAL/DIRECTOR/OTHER - LEAVE FOR ADOPTION OF CHILDREN

Requests to use sick leave days for the purpose of facilitating the adoption of a child will be decided by the Board of Directors on a case-by-case basis. Requests should be made in writing through the superintendent.

Approved 11/12/90

Reviewed 1/26/98, 6/14/04; 10/12/09; 6/10/13; 6/11/18; 3/18/24

Revised

## STUDENTS

### Series 500

#### Code No.

#### **500 Statement of Guiding Principles For Student Personnel**

500.1 Statement of Guiding Principles for Student Personnel

#### **501 Student Attendance**

501 Student Attendance

501.1 Resident Students

501.2 Nonresident Students

501.3 Compulsory Attendance

501.4 Entrance – Admissions

501.5 Attendance Center Assignment

501.6 Student Transfers In

501.7 Student Transfers Out or Withdrawals

501.8 Student Attendance Records

501.9 Student Absences – Excused

501.9E1 Request for Remote Learning Form

501.10 Truancy – Unexcused Absences

501.10R1 Truancy – Unexcused Absences Regulation

501.11 Student Release During School Hours

501.12 Pregnant Students

501.13 Students of Legal Age

501.14 Open Enrollment Transfers – Procedures as a Sending District

501.15 Open Enrollment Transfers – Procedures as a Receiving District

501.16 Homeless Children and Youth

501.17 International Students

501.18 Shared-Time Students

#### **502 Student Rights and Responsibilities**

502.1 Student Appearance

502.2 Care of School Property/Vandalism

502.3 Student Expression

502.3R1 Student Expression and Student Publications Code

502.4 Student Complaints and Grievances

502.5 Student Lockers

502.6 Weapons

502.7 Student Substance Abuse

502.8 Search and Seizure

502.8E1 Search and Seizure Checklist

502.8R1 Search and Seizure Regulation

502.9 Interviews of Students by Outside Agencies

502.10 Use of Motor Vehicles

502.11 RESERVED

502.12 Student Use of Bicycles

502.12R Student Use of Bicycles

502.13 Open Campus

502.13R Open Campus

502.14 Student Work Permits

502.15 Student Driver Permits

502.16 Open Lunch



**503 Student Discipline**

- 503.1 Student Conduct
- 503.1R1 Student Suspension
- 503.2 Expulsion
- 503.3 Fines - Fees – Charges
- 503.3R1 Student Fee Waiver and Reduction Procedures
- 503.4 Good Conduct Rule
- 503.5 Corporal Punishment, Mechanical Restraint and Prone Restraint
- 503.6 Physical Restraint and Seclusion of Students
- 503.6E1 Use of Physical Restraint and/or Seclusion Documentation Form
- 503.6E2 Debriefing Letter to Guardian of Student Involved in an Occurrence Where Physical Restraint and/or Seclusion Was Used
- 503.6E3 Debriefing Meeting Document
- 503.6R1 Use of Physical Restraint and Seclusion with Students
- 503.7 Student Disclosure of Identity
- 503.7E1 Report of Student Disclosure of Identity
- 503.7E2 Request to Update Student Identity
- 503.8 Model Policies for Discipline of Students Who Make Threats of Violence or Cause Incidents of Violence

**504 Student Activities**

- 504.1 Student Government
- 504.2 Student Organizations
- 504.4 Student Performances
- 504.5 Student Fund Raising
- 504.5R1 Student Fund Raising Regulations
- 504.6 Student Activity Program
- 504.7 Student Social Events
- 504.8 Interscholastic Competition
- 504.8R Eligibility for Extra-Curricular Activities 7-12
- 504.9 Student Attendance at Events Outside School
- 504.10 Student Research and Publishing
- 504.11 Sportsmanship, Ethics, and Integrity
- 504.12 Honorary Recognition
- 504.12R Guidelines for Honorary Recognition of Clarke Students for Their Participation and Accomplishments in Iowa High School Rodeo Association Activities
- 504.13 Holiday Practices
- 504.14 Sunday Activities

**505 Student Scholastic Achievement**

- 505.1 Student Progress Reports and Conferences
- 505.2 Student Promotion - Retention - Acceleration
- 505.3 Student Honors and Awards
- 505.4 Testing Program
- 505.5 Graduation Requirements
- 505.6 Early Graduation
- 505.7 Commencement
- 505.8 Parent and Family Engagement Districtwide Policy
- 505.8R1 Parent and Family Engagement Building-Level Regulation
- 505.9 Student Transfers in From Non-Accredited Settings

**506 Student Records**

- 506.1 Education Records Access
- 506.1E1 Request of Non-Parent for Examination or Copies of Education Records
- 506.1E2 Authorization for Release of Student Records
- 506.1E3 Request for Hearing on Correction of Education Records

- 506.1E4 Request for Examination of Education Records
- 506.1E5 Notification of Transfer of Education Records
- 506.1E6 Letter to Parent Regarding Receipt of a Subpoena
- 506.1E7 Juvenile Justice Agency Information Sharing Agreement
- 506.1E8 Annual Notice
- 506.1E9 Reserved
- 506.1R1 Use of Education Records Regulation
- 506.2 Student Directory Information
- 506.2E1 Authorization for Releasing Student Directory Information
- 506.2R1 Use of Directory Information
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## **507 Student Health and Well-Being**

- 507.1 Student Health and Immunization Certificates
- 507.2 Administration of Medication to Students
- 507.2E1 Authorization-Asthma or Other Airway Constricting Disease Medication or Epinephrine Auto-Injector Self-Administration Consent Form
- 507.2E2 Parental Authorization and Release Form for the Administration of Medication to Students
- 507.2E3 Parental Authorization and Release Form for Independent Self Carry and Administration of Prescribed Medication or Independent Delivery of Health Services by the Student
- 507.2E4 Parental Authorization and Release Form for the Administration of Voluntary School Stock of Over-The-Counter Medication to Students
- 507.3 Communicable Diseases - Students
- 507.4 Student Illness or Injury at School
- 507.5 Emergency Plans and Drills
- 507.6 Student Insurance
- 507.7 Custody and Parental Rights
- 507.8 Student Special Health Services
- 507.8R1 Special Health Services Regulation
- 507.9 Wellness Policy
- 507.9 Appendix A – Nutrition Education and Promotion
- 507.9 Appendix B – Physical Activity
- 507.9 Appendix C – Other School-Based Activities That Promote Student Wellness
- 507.9 Appendix D – Nutrition Guidelines for All Foods Available on Campus
- 507.9 Appendix E – Plan for Measuring Implementation

## **508 Miscellaneous Student-Related Matters**

- 508.1 Class or Student Group Gifts
- 508.2 Open Night
- 508.3 Emergency School Closings



## STUDENT ATTENDANCE

It shall be the policy of this school district to encourage regular attendance on the part of each student. An accurate and consistently maintained record system is crucial to alerting the staff of the attendance pattern of each student.

The staff should use resources available to meet the goal of achieving regular attendance for all students. It is imperative that:

1. Teachers let students know they care for them and want them in attendance every day.
2. Parents and guardians be aware that teachers expect their help in seeing that students attend school daily.
3. Students realize that valuable information and training is provided each day by the teachers, and they will miss important learning opportunities if they do not attend school daily.

Students who are absent from school without a reasonable excuse shall be subject to disciplinary measures which may include, but will not be limited to, short-term and long-term suspension, and denial of credit for the courses involved.

Adopted: 1/14/1991

Reviewed: 4/13/1998; 12/13/2004; 11/9/09;  
3/23/15

Revised:

## 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. 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.

***NOTE: This policy reflects the current Iowa law regarding residency and 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).  
                              33 D.P.I. Dec. Rule 80 (1984).  
                              Iowa Code §§ 257.6; 282.2, .6, .7; 285.4 (2007).  
                              1956 Op. Att'y Gen. 185.  
                              1946 Op. Att'y Gen. 197.  
                              1938 Op. Att'y Gen. 69.  
                              1930 Op. Att'y Gen. 147.

Cross Reference:        100     Legal Status of the School District  
                              501     Student Attendance

Approved 4/13/1998

Reviewed 8/16/2004; 3/23/15

Revised 11/9/09

## 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 their former resident school district will be permitted to attend. Students who plan to open enroll to their former resident district for the next school year may do so without approval of the board.

Students in grades eleven or twelve who are no longer residents of the school district, but were residents in the preceding school year, may continue to attend school until they graduate without the payment of tuition. 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.

***NOTE: This policy reflects current Iowa law. Iowa's open enrollment law has not eliminated the need for this policy. This policy affects nonresident students who do not qualify for open enrollment.***

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, .11, .24 (2007).

Cross Reference: 501 Student Attendance

Approved 4/13/1998

Reviewed 3/23/15

Revised 4/27/1998; 8/16/2004; 11/9/09; 7/24/23

## 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 hours school is in session in accordance with the school calendar and refer to the handbook of each building. Students of compulsory attendance age will attend school a minimum of 1080 hours. Students not attending the minimum 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;
- are receiving independent private instruction; or,
- are receiving competent private instruction.

It is the responsibility of the parent of a child to provide evidence of the child's mental and physical inability to attend school or of the child's qualifications for one of the exceptions listed above.

The principal will investigate the cause for a student's truancy. If the principal is unable to secure the truant student's attendance, the principal should discuss the next step with the school board. If after school board action, the student is still truant, principal will refer the matter over to the county attorney.

The school will participate in mediation if requested by the county attorney. The superintendent will represent the school district in mediation. The school district will monitor the student's compliance with the mediation agreement and will report violations of the mediation 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 4/13/1992

Reviewed 4/13/1998

Revised 8/16/2004; 11/9/09;  
12/9/13; 08/08/14; 4/13/15; 5/10/21

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 §§ 139A.8; 144.45 (5); 282.1, .3, .6

Cross Reference:501 Student Attendance  
507.1 Student Health and Immunization Certificates

Approved 9/12/1988 Reviewed 3/23/15 Revised 4/13/1998; 8/16/2004; 11/9/09;  
5/10/21



ATTENDANCE CENTER ASSIGNMENT

The board will have complete discretion to determine the boundaries for each attendance center and to assign students to the attendance centers.

Parents or guardians of siblings in the same grade level academically in grades kindergarten through grade five may request the siblings be placed in the same or different classrooms. In order to be valid, the request must be made in writing and submitted to the school principal at the time of registration for classes, or within fourteen days after the children's first day of attendance during the school year. If a valid request is received by the school principal, the request must be honored. While a parent or guardian may make a placement request that siblings be placed together or apart, the district administration retains complete discretion to select the classroom teacher(s) to which siblings are assigned. If after the initial grading period following the placement of siblings in the same or different classrooms the school principal determines the placement is disruptive to the class; the principal may assign one or more of the siblings to different classrooms.

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 challenges, financial condition of the school district and other factors deemed relevant by the superintendent or the board.

***Note: The requirement for school principals to honor valid placement request in paragraph two is a new legal requirement effective July 1, 2019.***

Legal Reference: Iowa Code §§ 279.11; 282.7-.8

Cross Reference: 501 Student Attendance

Approved 8/16/2004 Reviewed 3/23/15 Revised 11/9/09; 12/9/19

## 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.

***NOTE: School districts do not need parental permission to request student records from previous school districts. The school district sending the records must notify the parents that the student's records have been sent.***

Legal Reference: 20 U.S.C. § 1232g (2004).  
Iowa Code §§ 139A.8; 282.1, .3, .4; 299A (2007).

Cross Reference: 501 Student Attendance  
505.3 Student Honors and Awards  
507 Student Health and Well-Being  
604.1 Competent Private Instruction

Approved 8/16/2004

Reviewed 3/23/15

Revised 11/9/09

## 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 educational 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 229A.11.

Cross Reference: 501 Student Attendance  
506 Student Records  
604.1 Competent Private Instruction

Approved 8/16/2004

Reviewed 3/23/15

Revised 11/9/09; 5/10/21

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 (2007).  
281 I.A.C. 12.2(4).

Cross Reference: 501 Student Attendance  
506 Student Records

Approved 9/12/1988

Reviewed 4/13/1998; 3/23/15 Revised 8/16/2004; 11/9/09

## 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 the 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 the entire day of the day of the activity unless a student presents a doctor note, a dentist note, funeral or emergency verified by the principal.

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 8/16/2004

Reviewed 3/23/15

Revised 11/9/09, 4/26/10; 7/23/20

## 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 not necessary 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.***

## TRUANCY - UNEXCUSED ABSENCES

Regular attendance by the students at school is essential for students to obtain the maximum opportunities from the education program. Parents/Guardians and students alike are encouraged to ensure an absence from school is a necessary absence. Students will attend school unless excused by the principal.

Truancy is the failure to attend school for the minimum number of days established in the school calendar by the board. Truancy is the act of being absent without a reasonable excuse. These absences 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 school district and 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 *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 (2007).  
281 I.A.C. 12.2(4).

Cross Reference: 206.3 Secretary  
410.3 Truancy Officer  
501 Student Attendance  
503 Student Discipline  
504 Student Activities  
506 Student Records

Approved 8/16/2004

Reviewed 3/23/15

Revised 11/9/09; 6/8/20

## TRUANCY - UNEXCUSED ABSENCES REGULATION

## I. General Attendance Policy

- A. Policy Statement - Daily, punctual attendance is an integral part of the learning experience and is required of all students to receive the maximum benefit of the educational program. The habit of good attendance established early is one which helps a person be successful throughout their lifetime. More and more, employers, colleges and vocational schools expect good attendance and are checking attendance records for absences and tardies. They are aware that good and prompt attendance indicates dependability in a student.

The education that goes on in the classroom builds from day to day and as a result, absences always cause some disruption in the educational progress of the absent student. Students who are absent may not understand what the teacher is currently presenting, and may also become discouraged with the double burden of keeping current and making up missed work. In order to maintain interest and understanding in program of instruction, students should not expect to be absent any more than is absolutely necessary. Irregular attendance or tardiness by students not only retards their own studies, but also interferes with the progress of those students who are regular and prompt in attendance. Attendance is a shared responsibility that requires cooperation and communication among students, parents/guardians and school.

## B. Absences

1. Parents/Guardians are expected to notify the school prior to 9 a.m. regarding a student's absence on the day of the absence.

Students absent from school for any reason may be required by the school to submit a written explanation or specific reason for their absence, the specific days of times they were absent, verification by the medical or mental health professional where appropriate, and a signature of the parent/guardian.

2. Acceptable reasons for a student's absence from school are limited to the following:
- religious observances;
  - extended illness, hospitalization or medical/mental health professional care;
  - death in the family or family emergency; and
  - court appearance or other legal situation beyond the control of the family.
3. Classes missed because of attendance at a school-sponsored trip or activity will not be considered an absence. However, the student will be required to make up work missed.
4. If a student accumulates 7 unexcused absences in a class, he or she may lose credit for the class.

School work missed because of absences must be made up at the discretion of the principal.

Students will remain in class until the administration makes a decision regarding loss or restoration of credit. Full credit is awarded to all assignments and tests submitted that meet the teacher's specifications until a decision regarding credit has been made.

If a student loses credit, that fact is recorded in the student's record as an "AD" (administrative drop).



## TRUANCY - UNEXCUSED ABSENCES REGULATION

## C. Tardiness

1. A student is tardy when the student initially appears in the assigned/scheduled area any time after the designated starting time/bell.
2. All incidents of class tardiness (besides 1<sup>st</sup> hours) will be the responsibility of the teacher. Teachers will emphasize the importance of being on time and explain the student handbook and procedures for tardies. The tardy sanctions should be consistently applied and sequential. Sanctions will follow the student handbook.
3. Excessive 1<sup>st</sup> hour tardiness will be handled by the principal and/or court liaison officer. 8 tardies is considered excessive.

## D. Truancy

1. A student is truant when the student is absent from school or an assigned class or classes without school permission.
2. Work missed because of truancy must be made up the same as work for all other absences.
3. Incidents of truancy will be recorded as part of a student's attendance record and will count toward the absences per semester. The principal will also determine what, if any, disciplinary action is appropriate including, but not limited to, warning, detention, in-school suspension or administrative referral.

## II. Excessive Absenteeism

Excessive absenteeism is any absence beyond 7 days or individual class meetings per semester, or 90 days, for kindergarten – 12<sup>th</sup> grade students.

- A. When a student has been absent from school or a class 7 times during a given semester, or 90 days, the student's parents/guardians will be contacted regarding the student's attendance. The district court liaison officer will initiate the 7 day notification process after 7 unexcused absences.
- B. When a student has been absent from school/class 7 or more times during a semester, or 90 days, school personnel or the district court liaison officer will inform the parent/guardian of the student's status. The school personnel member, such as, a school counselor, building administrator, or the districts court liaison officer notify the student and the parent of the excessive absences and initiate appropriate sanctions.

III. K- 12<sup>th</sup> Intervention Plan

- A. The school district will make 2 attempts (day 3 and 6) at contacting parents/guardians to develop an intervention plan before turning it over to the court liaison officer.
- B. Any student who has missed more than 7 times per semester, or 90 days, will receive unexcused absences from school without a written documentation from a medical/mental health professional or an individual conference with the principal.
- C. Parents/Guardians whose student has missed 7 or more unexcused absences per semester, or 90 days, will be turned over to the court liaison officer and possibly the county attorney.
- D. If the student continues to have unexcused absences after the formal intervention plan is in place, the situation will be referred to the liaison officer and possibly the county attorney.

## STUDENT RELEASE DURING SCHOOL HOURS

Students will be allowed to leave the school district facilities during school hours only with prior authorization from their parents, unless the parent appears personally at the student's attendance center to arrange for the release of the student during school hours, or with the permission of the principal.

7-12 students must sign out at the office.

Approved reasons for release of a student during the school day will include, but not be limited to, *illness, family emergencies, medical appointments, religious instruction, classes outside the student's attendance center, employment for which the student has been issued a work permit* and other reasons determined appropriate by the principal.

Students in grade 12 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.

Students in grades 11 or 12 may be allowed to leave the district facility during their lunch period.

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 (2007).  
281 I.A.C. 12.2(4).

Cross Reference: 501 Student Attendance  
503 Student Discipline  
504 Student Activities  
506 Student Records

Approved 8/16/2004

Reviewed 3/23/15

Revised 11/9/09

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 (2007).

Cross Reference: 501 Student Attendance  
604.2 Individualized Instruction

Approved 9/12/1988 Reviewed 4/13/1998; 3/23/15 Revised 8/16/2004; 11/9/09

STUDENTS OF LEGAL AGE

Students who have attained legal age may continue the education program without payment of tuition as long as they are eligible to attend an Iowa public school and are residents of the school district.

Parents will be allowed to access and view the student's records without written permission from the student if the student is still a dependent for tax purposes. In most cases, with the discretion of the principal or the superintendent, the student will be able to make decisions and sign documents rather than requiring parental permission or signature.

Legal Reference: 20 U.S.C. § 1232g (2004).  
Iowa Code §§ 22; 282.2, .6, .7; 285.4; 599.1; 622.10 (2007).  
281 I.A.C. 12.3(6).

Cross Reference: 501 Student Attendance  
506 Student Records

Approved 8/16/2004 Reviewed 3/23/15 Revised 11/9/09

## 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 in accordance with district practice. The notice is made on forms provided by the Department of Education. The forms are available at the central administration office.

Parents of children who will begin kindergarten and prekindergarten children enrolled in special education programs and included in the district's basic enrollment will file in the same manner set forth above.

The receiving district will approve or deny open enrollment requests according to the timelines established by law. The parents may withdraw the open enrollment request prior to the board's approval of the application. The receiving district's superintendent will notify the parents and sending school district by mail within five days of the school district's action to approve or deny the open enrollment request.

*The board may approve a student's request to all the receiving district to enter the school district for the purposes of transportation.*

An open enrollment request out of the school district from parents of a special education student is reviewed on a case-by-case basis. The determining factor for approval of such an open enrollment request will be whether the special education program available in the receiving school district is appropriate for the student's needs. The area education agency director of special education serving the receiving district will determine whether the program is appropriate. The special education student will remain in the school district until the final determination is made.

It is the responsibility of the superintendent to maintain open enrollment request applications and notice forms. It will also be the responsibility of the superintendent to develop appropriate office procedures and administrative regulations necessary for open enrollment requests.

***NOTE: This policy reflects Iowa's open enrollment law. The option addresses the issue of transportation of open enrolled students. The board needs to establish by policy whether it will or will not allow a receiving district to enter the district to pick up open enrolled students. This option is on the bottom of the first page of this policy. For more detailed discussion of this issue, see IASB's Policy Primer, June 24, 2005.***

***NOTE: Because open enrollment requests can now occur throughout the year, there is no established date by which districts must make or communicate a decision. Receiving districts should make the decision whether to approve or deny the request as timely as is practical. Receiving districts should in turn make and communicate any determinations as soon as is practical.***

Legal Reference: Iowa Code §§ 139A.8; 274.1; 279.11; 282.1, .3, .8, .18; 299.1  
281 I.A.C. 17.

Cross Reference: 501 Student Attendance  
506 Student Records

Approved 1/14/1991

Reviewed 3/23/15

Revised 4/13/98; 10/27/03; 8/16/2004;  
7/25/2005; 11/9/09; 11/8/21; 12/12/22

## 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 within 30 days (select those appropriate) incoming kindergarten applications; good cause application or continuation of an educational program application.

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

Open enrollment requests into the school district will not be approved if insufficient classroom space exists. Open enrollment requests into the school district will also not be approved for students who have been suspended or expelled by the administration or the board of the school district the student is or was attending until the student has been reinstated into the school district from which the student was suspended or expelled. Once the student is reinstated, the student's open enrollment request will be considered in the same manner as other open enrollment requests provided the required timelines are met.

Open enrollment requests into the school district that, if denied, would result in students from the same nuclear family being enrolled in different school districts, will be given highest priority. The board, in its discretion, may waive the insufficient classroom space reason for denial for students of the same nuclear family to prevent the division of a nuclear family between two school districts. Other open enrollment requests into the school district are considered in the order received by the school district with the first open enrollment request given a higher priority than the second open enrollment request and so forth.

Students in grades nine through twelve open enrolling into the school district will be eligible for participation in interscholastic athletics, at the varsity level, only, in accordance with applicable laws.

Options – Choose one:

Parents are responsible for providing transportation to and from the receiving school district without reimbursement unless the parents qualify for transportation assistance.

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. For children requiring special education, the receiving district will complete and provide to the resident district the documentation needed to seek Medicaid reimbursement for eligible services.

## OPEN ENROLLMENT TRANSFERS - PROCEDURES AS A RECEIVING DISTRICT

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

It is the responsibility of the superintendent to develop appropriate office procedures and administrative regulations necessary for open enrollment requests.

***NOTE: This policy reflects Iowa's open enrollment law. The board needs to determine whether it will delegate authority to the superintendent to approve timely filed open enrollment requests. The 30 days for approval by the superintendent is a recommended practice intended to align with the general timeframe boards have to place a request on the next regular school board meeting agenda, and not a legal requirement. These applications should be timely handled as appropriate for the needs of the families and the district. This option is the first set of options on page one of the policy. There are three options available to the board:***

- ***board retains all approval authority over requests.***
- ***board delegates all approval authority over requests.***
- ***board delegates only some approval authority over requests.***

***After the board makes its decision, the policy needs to be edited to reflect the board's decision.***

***The second option on page two addresses the issue of transportation of the receiving district to pick up open enrolled students. The board needs to establish by policy whether it will go into the sending district to pick up open enrolled students.***

Legal Reference: Iowa Code §§ 139A.8; 274.1; 279.11; 282.1, .3, .8, .18; 299.1  
281 I.A.C. 17.

Cross Reference: 501.6 Student Transfers In  
501.7 Student Transfers Out or Withdrawals  
501.14 Open Enrollment Transfers - Procedures as a Sending District  
506 Student Records  
507 Student Health and Well-Being  
606.9 Insufficient Classroom Space

Approved 10/27/03

Reviewed: 8/16/2004; 3/23/15

Revised: 7/25/2005; 11/9/09; 11/8/21; 12/12/22

## HOMELESS CHILDREN AND YOUTH

The *Clarke 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 school counselor 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: This is a mandatory 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 4/13/98

Reviewed

Revised 8/16/2004; 7/25/2005; 11/9/09;  
4/13/15; 12/12/16

## INTERNATIONAL STUDENTS

Qualified international students may be enrolled and attend school without charge, if they are enrolled in a program approved by the National Association of Secondary School Principals and reside within the boundaries of this district. Proper I-20 forms and other required papers must be processed by the district, the student, and the sponsoring organization before an international student can be formally admitted to school.

CROSS REF.: 501.4, Resident Students

Adopted: 4/13/1992      Reviewed: 12/13/2004; 11/9/09; 3/23/15      Revised: 4/13/1998

## SHARED-TIME STUDENTS

Students enrolled in private school may attend public schools on a shared-time basis, provided that (1) courses to be taken in the public school are not offered in private school; and (2) any prerequisites for such courses have been satisfied.

The Board of Directors has the authority to govern and regulate the attendance of shared-time students in the public school.

CROSS REF: 603.9 Shared-Time Enrollment

Adopted: 9/12/1998    Reviewed: 12/13/2004; 11/9/09; 3/23/15    Revised: 4/13/1998

## 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.

***NOTE: This policy reflects the current status of the law regarding student appearance. For more detailed discussion of this issue, see IASB's Policy Primer, Vol. 4 #3 May 31, 1994.***

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 (2007).

Cross Reference: 500 Objectives for Equal Educational Opportunities for Students  
502 Student Rights and Responsibilities

Approved 4/13/1998 Reviewed 8/16/2004; 3/23/15 Revised 11/9/09

CARE OF SCHOOL PROPERTY/VANDALISM

Students will treat school district property with care and respect. Students found to have destroyed or otherwise harmed school district property will be required to reimburse the school district. They may be subject to discipline under board policy and the school district rules and regulations. They may also be referred to local law enforcement authorities.

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

Legal Reference: Iowa Code §§ 279.8; 282.4, .5; 613.16 (2007).

Cross Reference: 502 Student Rights and Responsibilities  
802.1 Maintenance Schedule

Approved 4/13/1998

Reviewed 3/23/15

Revised 8/16/2004; 11/9/09

## STUDENT EXPRESSION AND STUDENT PUBLICATIONS

### **Student Expression**

It is the goal of the district to protect the educational environment for all students to help ensure it is free from substantial disruption or infringement upon their rights. Student expression should be appropriate to help ensure 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.

While students will generally be allowed to express their viewpoints and opinions, in certain qualifying circumstances, student speech may require administrative regulation to help ensure the safety and welfare of the school community. The district may regulate speech that: causes or is reasonably anticipated to cause a material and substantial disruption to the education environment; infringes upon the rights of others; is obscene or lewd; is school sponsored; and/or promotes illegal activity. 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. 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.

The superintendent may develop procedures for safely addressing qualifying types of mass protests by students, including walk-ins and walk-outs. Walk-ins occur when students leave their learning environments during school hours and gather in a group or groups with the purpose of promoting a belief or beliefs. Walk-outs occur when students leave their learning environments during school hours and gather in a group or groups off district property with the purpose of promoting a belief or beliefs.

The superintendent is encouraged to obtain feedback from community stakeholders in the development of these procedures. The goal of the procedures shall be to address student safety, maintain the educational environment and promote communication during demonstrations while remaining viewpoint neutral.

Students who violate this policy may be subject to disciplinary measures. Employees are responsible for helping to ensure students' expression is in keeping with this policy. It is the responsibility of the superintendent to develop administrative regulations regarding this policy.

### **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 213.1. 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 502.4.

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.

***NOTE: This policy represents the current status of students' first amendment rights. This is a mandatory policy and accompanying regulation required by Iowa Code Ch.279.73. Schools are urged to handle all protests through a strictly viewpoint neutral lens. Districts should consider the need to balance opposing views. If one social issue is permitted, other opposing viewpoints should also be permitted.***

Legal Reference: U.S. Const. amend. I.  
Iowa Const. art. I (sec. 7)  
*Morse v. Frederick*, 551 U.S. 393 (2007)  
*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;

Cross Reference: 102 Equal Educational Opportunity  
502 Student Rights and Responsibilities  
504 Student Activities  
603.9 Academic Freedom  
903.5 Distribution of Materials

Approved 4/13/1998 Reviewed 3/23/15 Revised 8/16/2004; 11/9/09; 7/15/19;  
11/8/21

STUDENT EXPRESSION AND STUDENT PUBLICATIONS CODE

- A. Student Expression defined: Student Expression is speech, action or other forms of expression which convey a student's beliefs, views or opinions.
- B. Office school publications defined: An "official school publication" is material produced by students in journalism, newspaper, yearbook, or writing classes and distributed to students either free or for a fee.
- C. Limitations to Student Expression
  - 1. No student will express, publish or distribute material which is:
    - a. obscene;
    - b. libelous;
    - c. slanderous; or
    - d. encourages students to:
      - 1) commit unlawful acts;
      - 2) violate lawful school regulations
      - 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.
- D. Responsibilities of student for office school publications.
  - 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.
- E. Responsibilities of faculty advisors for official school publications.

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. Official school publications are produced under the supervision of a faculty advisor. Faculty advisors to students producing official school publications shall supervise the production of the student staff in order to maintain professional standards of English journalism. District employees acting within the scope of their professional ethics will not suffer adverse employment action or retaliated against for acting to protect a student to engaging in authorized student expression or for refusing to infringe on protected student expression.



F. District Employee rights

Any District employee or official, acting within the scope of that person's professional ethics, if any, shall not be dismissed, suspended, disciplined, reassigned, transferred, subject to termination or nonrenewal of a teaching contract or extracurricular contract, or otherwise retaliated against for acting to protect a student for engaging in expression protected by law, or refusing to infringe upon student expression that is protected by law.

G. Liability.

Student expression, including student expression in an official school publication will not be deemed to be an expression of the school district. The school district, the board, and the employees or officials are not liable in any civil or criminal action for any student expression made or published by students unless the employees or officials have interfered with or altered the content of the student expression. The liability, if any, is only to the extent of interference or alteration of the speech or expression.

H. Appeal procedure.

1. Students who believe they have been unreasonable 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 502.4
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 213.1

I. Time, place and manner of restrictions on student expression.

1. Student expression may be conveyed and office student publications may be distributed in a reasonable manner on or off school premises,
2. Student expression and distribution of official school publications 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

## STUDENT COMPLAINTS AND GRIEVANCES

Creating an environment where students feel comfortable addressing their concerns in a meaningful manner is vital to the learning process. It is the goal of the board to resolve student complaints at the lowest organizational level. Student complaints and grievances regarding board policy, administrative regulations or other matters should be first addressed to the student's teacher or another licensed employee, other than the administration, for resolution of the complaint.

If the complaint cannot be resolved by a student's teacher or other licensed employee, the student may discuss the matter with the principal within 5 days of the employee's decision. If the matter cannot be resolved by the principal, the student may discuss it with the superintendent within 5 days after speaking with the principal.

If the matter is not satisfactorily resolved by the superintendent, the student may ask to have the matter placed on the board agenda of a regularly scheduled board meeting in compliance with board policy. The board retains discretion as to whether to consider or take action on any complaint.

***NOTE: There should be reasonable limits on the number of days a student has to pursue a complaint. Cross reference with the number of days listed in policy 401.4 for consistency.***

Legal Reference: Iowa Code § 279.8

Cross Reference: 210.8 Board Meeting Agenda  
213 Public Participation in Board Meetings  
502 Student Rights and Responsibilities  
504.3 Student Publications

Approved 8/16/2004

Reviewed 3/23/15

Revised 11/9/09; 2/22/23

## 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.

***NOTE: Iowa law requires students or another individual to be present during the inspection of lockers. For locker searches, see Policy 502.8, Search and Seizure.***

Legal Reference: Iowa Code §§ 279.8; 280.14; 808A (2007).

Cross Reference: 502 Student Rights and Responsibilities

Approved 4/13/1998 Reviewed 3/23/15 Revised 8/16/2004; 11/9/09

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, any explosive, incendiary or poison gas, 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: This is a mandatory 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 10/24/94

Reviewed 3/23/15

Revised 4/13/98; 8/16/2004; 11/9/09;  
12/12/16

## STUDENT SUBSTANCE ABUSE

The board believes it is imperative to promote the health and wellbeing of all students in the district. The district will provide a substance use prevention program and set restrictions on substance use by students in accordance with applicable law.

The board prohibits the distribution, dispensing, manufacture, possession, use, or being under the influence of alcohol, tobacco/nicotine products, other controlled substances, or "look alike" substances that appear to be tobacco/nicotine products, 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. "Controlled substances" in this policy refers to the misuse of both licit and illicit drugs.

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 tobacco/nicotine products for those under the age of twenty-one, may be reported to the local law enforcement authorities. Possession, use or being under the influence of 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 use 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 use prevention program will include:

- Age-appropriate, evidence-based substance use prevention 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 social pressure to use tobacco, drugs or alcohol;
- A statement to students that the use of controlled substances, and the unlawful possession and use of tobacco/nicotine products and alcohol is harmful to student wellbeing;
- Standards of conduct for students that clearly prohibit, at a minimum, the unlawful possession, use, being under the influence of or distribution of controlled substances, tobacco/nicotine products and/or 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;

## STUDENT SUBSTANCE ABUSE

- A statement that students may be required to complete a substance use evaluation to determine whether substance use disorder treatment is recommended and, if recommended 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.

***NOTE: This policy is mandatory and complies with the federal Drug-Free Schools Act but is expanded to also include tobacco products. This policy reflects Iowa law regarding tobacco products and minors.***

Legal Reference: 34 C.F.R. Pt. 86.  
Iowa Code §§ 123.46; 124; 279.8, .9; 453A.  
281 I.A.C. 12.3(6); .5(3)(e), .5(4)(e), .5(5)(e).

Cross Reference: 502 Student Rights and Responsibilities  
503 Student Discipline  
507 Student Health and Well-Being

Approved 9/12/1988

Reviewed 3/23/15

Revised 4/13/98; 8/16/2004; 11/9/09; 6/8/20; 4/8/24

## 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 to the locker, desk, or other facility.

School authorities may seize any illegal, unauthorized or contraband materials discovered in the search. Items of contraband may include, but are not limited to, nonprescription controlled substances, marijuana, cocaine, amphetamines, barbiturates, apparatus used for controlled substances, alcoholic beverages, tobacco - nicotine, vaping devices, 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 9/12/1988

Reviewed 3/23/15

Revised 4/13/98; 8/16/2004  
11/9/09; 6/8/20; 5/10/21

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: \_\_\_\_\_



SEARCH AND SEIZURE CHECKLIST

II. Was the search you conducted reasonable in terms of scope and intrusiveness?

- A. What were you searching for: \_\_\_\_\_
- B. Where did you search? \_\_\_\_\_
- C. Sex of the student: \_\_\_\_\_
- D. Age of the student: \_\_\_\_\_
- E. Exigency of the situation: \_\_\_\_\_
- F. What type of search was being conducted: \_\_\_\_\_
- G. Who conducted the search: \_\_\_\_\_  
Position: \_\_\_\_\_ Sex: \_\_\_\_\_
- H. Witness(s): \_\_\_\_\_

III. Explanation of Search.

- A. Describe the time and location of the search:  
\_\_\_\_\_
- B. Describe exactly what was searched:  
\_\_\_\_\_
- C. What did the search yield:  
\_\_\_\_\_
- D. What was seized:  
\_\_\_\_\_
- E. Were any materials turned over to law enforcement officials?  
\_\_\_\_\_
- F. Were parents notified of the search including the reason for it and the scope:  
\_\_\_\_\_

## SEARCH AND SEIZURE REGULATION

## I. Searches, in general.

- A. Reasonable and Articulate Suspicion: A search of a student will be justified when there are reasonable grounds for the suspicion that the search will turn up evidence that the student has violated or is violating the law or school district policy, rules, or regulations affecting school order.

Reasonable suspicion may be formed by considering factors such as the following:

- (1) eyewitness observations by employees;
  - (2) information received from reliable sources;
  - (3) suspicious behavior by the student; or,
  - (4) the student's past history and school record although this factor alone is not sufficient to provide the basis for reasonable suspicion.
- B. Reasonable Scope: A search will be permissible in its scope or intrusiveness when the measures adopted are reasonably related to the objectives of the search. Reasonableness of scope or intrusiveness may be determined based on factors such as the following:
- (1) the age of the student;
  - (2) the 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.

## SEARCH AND SEIZURE REGULATION

- (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.

### C. Automobile Searches

Students are permitted to park on school premises as a matter of privilege, not of right. The school retains authority to conduct routine patrols of the student parking lots. The interior of a student's automobile on the school premises may be searched if the school official has reasonable and articulable suspicion to believe that illegal, unauthorized or contraband items are contained inside.

Approved 9/12/1988

Reviewed 8/16/2004; 11/9/09; 3/23/15

Revised 4/13/98; 5/10/21

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.

***NOTE: Iowa law does not address access to students by law enforcement authorities or other officials. This policy reflects the generally accepted practice of school districts.***

Legal Reference: Iowa Code §§ 232; 280.17 (2007).  
281 I.A.C. 102.  
441 I.A.C. 9.2; 155; 175.  
1980 Op. Att'y Gen. 275.

Cross Reference: 402.2 Child Abuse Reporting  
502.8 Search and Seizure  
503 Student Discipline  
902.2 News Conferences and Interviews

Approved 4/13/98 Reviewed 3/23/15 Revised 8/16/2004; 11/9/09

## 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 in grades 9-12
- The student lives less than 1 mile from the school and attains permission from the building principal or superintendent.
- School sponsored transportation is not available to the activity in which the student wishes to participate.
- The student has successfully completed a certified driver's education program.
- The student has had a student learner's permit for at least six (6) months.
- If the student has a temporary or permanent medical condition. Students with a medical condition must provide the District with a copy of their medical records from a certified physician indicating the nature of the medical condition that warrants an exemption from this portion of this policy. Students with medical condition are subject to the rest of this policy as stated and if abused will result in the loss of said privilege of parking on school grounds.

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.

***NOTE: This policy is not mandatory. The underlined language, however, needs to be in board policy with the board adding its own criteria. For more detailed discussion of this issue, see IASB's Policy Primer, Vol. 17 #7 – June 18, 2004.***

Legal Reference: Iowa Code §§ 279.8; 321 (2007).

Cross Reference: 502 Student Rights and Responsibilities

Approved 9/12/88 Reviewed 4/13/98; 3/23/15 Revised 8/16/2004; 11/9/09; 11/10/14

RESERVED

## STUDENT USE OF BICYCLES

The principal of each building shall set rules for students who ride bicycles to and from school. The privilege of riding a bicycle to school may be withdrawn if a student fails to observe these rules.

Adopted: 9/12/1988    Reviewed: 4/13/1998; 12/13/2004; 11/9/09;    Revised:  
3/23/15

## STUDENT USE OF BICYCLES

Students who ride bicycles to school are requested to park them in an orderly fashion and at the location requested by the building Principal. They are requested to park them upon arrival at school and leave them until ready to return home. For safety reasons, riding bicycles on school grounds during school hours will not be permitted. Bicycle riders should know the rules of the road and follow them. Children who continually fail to follow the bicycle regulations will be asked to leave them at home.

Adopted: 9/12/1998

Reviewed: 4/13/1998; 12/13/2004; 11/9/09;  
3/23/15

Revised:



OPEN CAMPUS

Open Campus is a privilege given to seniors in which they are excused from study halls under certain guidelines.

This is designed to encourage students to learn responsibility for their time and actions. The privilege can be lost when the regulations are not followed.

It shall be the responsibility of the superintendent in conjunction with the high school principal, to develop rules and regulations to carry out the intent of this policy.

Adopted: 4/13/1992

Reviewed: 4/13/1998; 12/13/2004; 11/9/09;  
3/23/15

Revised:

## OPEN CAMPUS

## Open Campus Eligibility

**JUNIORS:** Any junior who misses ten (10) or more days of school during the second semester will lose his/her eligibility for open campus during the first quarter of his/her senior year.

Receiving a failing grade or an incomplete grade during the second semester will result in loss of open campus privileges during the first quarter of his/her senior year.

**SENIORS:** a) Seniors who miss ten (10) days of school beginning day one of each semester will lose open campus privileges immediately for the remainder of that semester. b) Any senior who has missed ten (10) or more days of school during the first semester will also lose his/her eligibility for open campus during the third quarter of his/her senior year. c) All days including partial days and tardies count toward this total. Grades are also a factor in maintaining open campus privileges. See the following open campus permission form which seniors must sign:

## OPEN CAMPUS PARENTAL PERMISSION FORM

The following rules and regulations will apply to open campus for seniors at Clarke Community Senior High School.

1. Students must be in one of these places if they choose to stay at school during their study halls and they are as follows:  
a) Cafeteria, b) library, or c) study hall.
2. Students are not to be walking around in halls or any place other than the above mentioned areas.
3. No driving cars repeatedly around the school grounds.
4. No excuse for tardiness. If students fail to show up for a class this will be considered an unexcused absence.
5. Seniors are not allowed to eat first lunch shift.
6. Breaking of open campus rules or other school rules could lead to this privilege being withdrawn for that student.
7. Failing grades will mean open campus will be withdrawn and the student placed in study hall. This status will be checked at the end of first quarter, first semester, and third quarter.
8. Incomplete grades from the previous semester will cause loss of privileges until incomplete grade/grades are corrected to a passing mark.
9. Seniors whose assigned teacher will be absent will be on open campus if a substitute teacher is not available, or the students may be assigned to another staff member during the class period. If, due to incomplete or failing grades a senior is assigned to study hall, they are to report to study hall when their assigned teacher is absent.
10. a) Seniors who miss ten (10) days of school beginning day one of each semester will lose open campus privileges immediately for the remainder of that semester. b) Any senior who has missed ten (10) or more days of school during the first semester will also lose his/her eligibility for open campus during the third quarter of his/her senior year. c) All days including partial days and tardies count toward this total.

A parent or guardian with whom the student resides must sign this permission form before the student may participate in open campus.

\_\_\_\_\_ has my permission to participate in open campus.

\_\_\_\_\_  
Student signature

\_\_\_\_\_  
Printed Parent Name

\_\_\_\_\_  
date

\_\_\_\_\_  
Parent signature

\_\_\_\_\_  
date

\_\_\_\_\_  
Printed Guardian Name

\_\_\_\_\_  
date

\_\_\_\_\_  
Guardian signature

\_\_\_\_\_  
date

**NOTE:** Senior students will not be allowed open campus privileges until this parental permission form is signed properly and returned to the high school office.

12/13/2004  
Revised 4/13/15

STUDENT WORK PERMITS

The high school principal shall, when requested, issue age and work permits to students in accordance with provisions of the state and federal child labor laws.

Adopted: 4/13/1992

Reviewed: 12/13/2004; 11/9/09;  
3/23/15

Revised: 4/13/1998; 6/8/20

### STUDENT DRIVER PERMITS

The high school principal shall, when requested, issue an “Affidavit for School License” for a minor in accordance with the provisions of Iowa Code section 321.194. The Clarke Community School District will approve a student driver permit for any of the following three situations.

1. High school students involved in a designated extra curricular activity, meeting all other requirements.  
(rodeo is not school sponsored, therefore it is not designated extra curricular activities)
2. High school students open enrolled from a contiguous district into Clarke, meeting all other requirements.
3. High school students attending the Clarke Alternative program, meeting all other requirements.

Approved: 9/23/2002 Reviewed: 11/9/09; 3/23/15

Revised: 12/13/2004; 1/12/11; 6/8/20

OPEN LUNCH

Open lunch period is a privilege that eleventh and twelfth (11, 12) grade students are given. Students may leave the campus only during this time and must return on time for the next period class.

Adopted: 4/13/1992

Reviewed: 4/13/1998; 12/13/2004; 11/9/09;  
3/23/15

Revised:

## STUDENT CONDUCT

The board believes inappropriate student conduct causes material and substantial disruption to the school environment, interferes with the rights of others, or presents a threat to the health and safety of students, employees, and visitors on school premises. Appropriate classroom behavior allows teachers to communicate more effectively with students.

Students will conduct themselves in a manner fitting to their age level and maturity and with respect and consideration for the rights of others while on school district property or on property within the jurisdiction of the school district; while on school owned and/or operated school or chartered vehicles; while attending or engaged in school activities; and while away from school grounds if misconduct will directly affect the good order, efficient management and welfare of the school district. Consequences for the misconduct will be fair and developmentally appropriate in light of the circumstances.

Students who fail to abide by this policy, and the administrative regulations supporting it, may be disciplined for conduct which disrupts or interferes with the education program; conduct which disrupts the orderly and efficient operation of the school district or school activity; conduct which disrupts the rights of other students to participate in or obtain their education; conduct that is violent or destructive; or conduct which interrupts the maintenance of a disciplined atmosphere. Disciplinary measures include, but are not limited to, removal from the classroom, detention, suspension, probation, and expulsion.

**Removal from the classroom** means a student is sent to the building principal's office. It is within the discretion of the person in charge of the classroom to remove the student.

**Detention** means the student's presence is required during non-school hours for disciplinary purposes. The student can be required to appear prior to the beginning of the school day, after school has been dismissed for the day, or on a non-school day. Whether a student will serve detention, and the length of the detention, is within the discretion of the licensed employee or the building principal disciplining the student.

**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.

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 unless due process is provided as required by federal and state law. 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.

This policy is not intended to address the use of therapeutic classrooms or seclusion rooms for students.

Discipline of special education students, including suspensions and expulsions, will comply with the provision of applicable federal and state laws.

## STUDENT CONDUCT

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.**

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  
504 Student Activities  
506.3 Physical Restraint and Seclusion of Students  
603.3 Special Education  
903.5 Distribution of Materials

Approved: 9/12/88

Reviewed: 3/23/15

Revised: 4/27/98; 9/27/04; 1/11/10; 6/13/16; 12/12/16; 1/11/21; 1/15/24



## STUDENT SUSPENSION

### Administration Action

#### A. Probation

1. Probation is conditional suspension of a penalty for a set period of time. Probation may be imposed by the principal for infractions of school rules which do not warrant the necessity of removal from school.
2. The principal will conduct an investigation of the allegations against the student prior to imposition of probation. The investigation will include, but not be limited to, written or oral notice to the student of the allegations against the student and an opportunity to respond. Written notice and reasons for the probation will be sent to the parents.

#### B. In-School Suspension

1. In-school 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 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.

## STUDENT SUSPENSION

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 4//27/98

Reviewed 1/11/10; 3/23/15

Revised 9/27/04; 1/15/24

## EXPULSION

Only the board may remove a student from the school environment for more than ten (10) consecutive school days.

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.

***NOTE: This is a mandatory policy and is a reflection of Iowa law regarding student expulsion. It is consistent with the due process requirements of the 14th amendment to the U.S. Constitution. The last two paragraphs reflect federal special education law.***

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  
281 I.A.C. 12.3(6).

Cross Reference: 502 Student Rights and Responsibilities  
503 Student Discipline

Approved 9/12/88  
Reviewed 3/23/15  
Revised 4/27/98; 9/27/04; 1/11/10; 1/15/24

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 registration fees or a reduction of registration fees based upon the request of the parent. It is the responsibility of the superintendent, in conjunction with the principal, to develop administrative regulations regarding this policy.

Legal Reference: Iowa Code §§ 256.7(20); 279.8; 280.10, .11; 282.6; 285.1; 301.1 (2007).  
281 I.A.C. 18.  
1994 Op. Att'y Gen. 23.  
1990 Op. Att'y Gen. 79.  
1982 Op. Att'y Gen. 227.  
1980 Op. Att'y Gen. 532.

Cross Reference: 501.16 Homeless Children & Youth  
502 Student Rights and Responsibilities  
503 Student Discipline

Approved 4/27/98 Reviewed 3/23/15 Revised 9/27/04; 1/11/10; 7/10/23

## STUDENT REGISTRATION 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.

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 registration fees waived or partially waived. Students whose families are experiencing a temporary financial difficulty may be eligible for a temporary waiver of registration fees. Parents or students who believe they may qualify for temporary financial hardship should contact the central office for a waiver form. This waiver does not carry over from year to year and must be completed every year.

Reviewed: 3/23/15

Revised: 1/11/10; 7/10/23



## 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 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).  
Iowa Code §§ 279.8; 280.21  
281 I.A.C. 12.3(6); 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 4/27/98

Reviewed 9/27/04; 3/23/15

Revised 1/26/09; 1/11/21



## 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 1/11/21

Reviewed \_\_\_\_\_

Revised \_\_\_\_\_



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

Approved 1/11/21

Reviewed \_\_\_\_\_

Revised \_\_\_\_\_

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

Approved 1/11/21

Reviewed \_\_\_\_\_

Revised \_\_\_\_\_

## 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

Approved 1/11/21

Reviewed \_\_\_\_\_

Revised \_\_\_\_\_



## 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.

Approved 1/11/21

Reviewed \_\_\_\_\_

Revised \_\_\_\_\_

### STUDENT DISCLOSURE OF IDENTITY

It is the goal of the district to provide a safe and supportive educational environment in which all students may learn. As part of creating that safe educational environment, no employee of the district will provide false or misleading information to the parent/guardian of a student regarding that student's gender identity or intention to transition to a gender that is different from their birth certificate or certificate issued upon adoption.

If a student makes a request to a licensed employee to accommodate a gender identity, name, or pronoun that is different than what was assigned to the student in the student's registration forms or records, the licensed employee is required by Iowa law to report the request to an administrator. The school administrator receiving the report is required by Iowa law to report the request to the student's parent/guardian. This request also applied to all nicknames.

To maintain compliance with Iowa law and also provide efficiency in the reporting requirements listed above, the Superintendent will provide the opportunity for parents and guardians to list in the student's registration paperwork any and all nicknames used for students.

Legal Reference: Iowa Code § .

Cross Reference:

Approved 7/24/23

Reviewed \_\_\_\_\_

Revised \_\_\_\_\_

REPORT OF STUDENT DISCLOSURE OF IDENTITY

Dear (Parent/Guardian) \_\_\_\_\_,

This letter is to inform you that your student (student's name listed on registration) \_\_\_\_\_ has made a request of a licensed employee to (check all that apply):

\_\_\_\_\_ make an accommodation that is intended to affirm the student's gender identity as follows:

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

\_\_\_\_\_ use a name, pronoun or gender identity that is different from the name, pronoun and/or gender identity listed on the student's school registration forms. The name, pronoun, or gender identity requested is

\_\_\_\_\_.

If you would like to amend the student's registration paperwork to permit the student's requested accommodation and/or include the use of the above-referenced name/pronoun/gender identity, please complete the attached form and return it to the district administration office.

Sincerely,

\_\_\_\_\_  
Administrator

\_\_\_\_\_  
Date

REQUEST TO UPDATE STUDENT IDENTITY

\_\_\_\_\_  
(Student's current name on registration)

\_\_\_\_\_  
(Student ID)

Please update my student's names, pronouns, and/or gender identities on my student's registration paperwork to include all of the following:

\_\_\_\_\_  
(Names)

\_\_\_\_\_  
(Pronouns)

\_\_\_\_\_  
(Gender identities)

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

\_\_\_\_\_  
Date

# Model Policies for Discipline of Students Who Make Threats of Violence or Cause Incidents of Violence

## Introduction

The 2023 Iowa Acts, chapter 96 (House File 604), signed by Governor Reynolds on May 26, 2023, requires the Iowa Department of Education to develop and distribute a model policy for school districts and charter schools that, if adopted, satisfies a school district's or charter school's responsibilities under Iowa Code 279.79 established by the Act. These model policies are intended to support a school district and charter school in meeting the requirements of new Iowa Code section 279.79 and in developing policies for different grade levels that describe how a school district or charter school may discipline a student for making a threat of violence or causing an incident of violence that results in injury or property damage or assault.

Districts are required to:

- Publish the district policy on the district website (2023 Iowa Acts, chapter 96 (House File 604), sec. 7, new section 279.79, subsection 1).
- Provide each parent or guardian with a copy of the policy and require the parent or guardian acknowledge receipt of the policy in writing or electronically (2023 Iowa Acts, chapter 96 (House File 604), sec. 8).

## Discipline Policy

Discipline is designed to promote behavior that will enable students to learn and successfully participate in their educational and social environments. The district discipline policy for students who make a threat of violence or commit an act of violence is developed to help students understand their obligations to others in the school setting, secure the safety of all students, staff and the community, and to correct student behavior if a violation occurs (2023 Iowa Acts, chapter 96 (House File 604), sec. 7, new section 279.79, subsection 1).

Students will conduct themselves in a manner fitting their age, grade 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 tailored to the age, grade level and maturity of the student.

Discipline and other responses to threats or incidents of violence by a student with a disability, including removal from a class, placement in a therapeutic classroom, suspensions, and expulsions, will comply with the provisions of applicable federal and state laws including, but not limited to, the IDEA, Section 504 of the Rehabilitation Act, and the Americans with Disabilities Act (2023 Iowa Acts, chapter 96 (House File 604), sec. 7, new section 279.79, subsection 3).

## District Response to a Threat or Incident of Violence by a Student

### Reporting a Threat of Violence or Incidence of Violence

In the case of any threat of violence or incident of violence that results in injury, property damage or assault by a student, the teacher will report to the school principal or lead administrator within 24 hours of the incident. The principal or lead administrator will notify the parent or guardian of the student(s) who threatened or perpetrated an act of violence and the student(s) who the threatened or perpetrated act of violence was made against within 24 hours after receipt of the teacher's report and complete an investigation of the

incident as soon as possible. The classroom teacher may also notify the parent or guardian of the student who made the threat or caused the incident, and the parent or guardian of the student against whom the threat or incident was directed (2023 Iowa Acts, chapter 96 (House File 604), sec. 4).

An investigation will be initiated by the principal or lead administrator upon learning of an incident of violence or threat of violence through any credible means. If the principal or lead administrator finds that an incident of violence or threat of violence did occur, the administrator will determine the level of threat or incident by considering all aspects of the situation, including the student's intent and knowledge of the impact of their actions, their developmental level and context of the incident. The resolution will focus on identifying the cause behind the behavior and appropriate corrective action (2023 Iowa Acts, chapter 96 (House File 604), sec. 7, new section 279.79, subsections 1 and 4).

A student who makes a threat of violence, causes an incident of violence that results in injury or property damage, or who commits an assault, will be subject to escalating levels of discipline for each occurrence. When appropriate, referrals will be made to local law enforcement. The district retains the authority to assign the level of disciplinary measures appropriate to the severity of the threat of violence or incident of violence (2023 Iowa Acts, chapter 96 (House File 604), sec. 7, new section 279.79, subsection 5).

#### **Threat of Violence**

Threat of violence means a written, verbal, electronic or behavioral message that either explicitly or implicitly expresses an intention to inflict emotional or physical injury, property damage, or assault.

#### **Incident of Violence**

Incident of violence means the intentional use of physical force or power against oneself, another person, a group or community or property resulting in injury, property damage or assault.

#### **Injury**

Injury means “physical pain, illness or any impairment of physical condition.” State v. McKee, 312 N.W.2d 907, 913 (Iowa 1981).

#### **Property Damage**

Property damage means any destruction, damage, impairment or alteration of property to which the individual does not have a right to take such an action. Property means real property, which includes any real estate, building, or fixture attached to a building or structure, and personal property, which includes intangible property (Iowa Code section 4.1(21)).

#### **Assault**

Assault means 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 (Following Iowa Code section 708.1).

## Escalating Responses by Grade Band

### Grades PK-2

Level	Escalating Response
Level 1	<ul style="list-style-type: none"> <li>• Requires parent or guardian notification.</li> <li>• Requires individualized educational program (IEP) meeting, if the student has an IEP.</li> <li>• Responses may include any of the following:               <ul style="list-style-type: none"> <li>○ Parent or guardian conference that includes the student, when appropriate;</li> <li>○ When appropriate and with written parent consent, counseling, and/or mental health counseling subject to available resources of the district;</li> <li>○ Behavior intervention student agreement coupled with another response(s);</li> <li>○ Restitution or opportunities to repair relationships coupled with another response(s);</li> <li>○ Detention; and/or</li> <li>○ Temporary removal from class.</li> </ul> </li> <li>• Unless the first offense is unusually serious, the administrator will avoid permanent removal from a class.</li> </ul>
Level 2	<ul style="list-style-type: none"> <li>• Requires parent or guardian notification.</li> <li>• Review of response to prior offense, if applicable, to inform increased level of response.</li> <li>• Requires individualized educational program (IEP) meeting, if the student has an IEP.</li> <li>• Responses to the incident may include the following:               <ul style="list-style-type: none"> <li>○ Parent or guardian conference that includes the student, when appropriate;</li> <li>○ When appropriate, with written parent/guardian consent, counseling, and/or mental health counseling subject to available resources of the district;</li> <li>○ Behavior intervention student agreement coupled with another response(s);</li> <li>○ Restitution or opportunities to repair relationships coupled with another response(s);</li> <li>○ Detention;</li> <li>○ Temporary or permanent removal from extracurricular activities;</li> <li>○ Temporary or permanent removal from class;</li> <li>○ In-school suspension;</li> <li>○ Suspension of transportation privileges, if misconduct occurred in a school vehicle; and/or</li> <li>○ Placement in an alternative learning environment, including a therapeutic classroom, when appropriate.</li> </ul> </li> </ul>
Level 3	<ul style="list-style-type: none"> <li>• Requires parent or guardian notification.</li> <li>• Review of response to prior offense, if applicable, to inform increased level of response.</li> <li>• Requires individualized educational program (IEP) meeting, if the student has an IEP.</li> <li>• Responses to an incident may include the following:               <ul style="list-style-type: none"> <li>○ Parent or guardian conference that includes the student, when appropriate;</li> <li>○ When appropriate, with written parent/guardian consent, counseling, and/or mental health counseling subject to available resources of the district;</li> <li>○ Behavior intervention student agreement coupled with another response(s);</li> <li>○ Restitution or opportunities to repair relationships coupled with another response(s);</li> <li>○ Detention;</li> <li>○ Temporary or permanent removal from extracurricular activities;</li> <li>○ Temporary or permanent removal from class;</li> <li>○ In-school suspension;</li> <li>○ Out-of-school suspension;</li> <li>○ Suspension of transportation privileges, if misconduct occurred in a school vehicle;</li> <li>○ Placement in an alternative learning environment, including a therapeutic classroom, when appropriate; and/or</li> <li>○ Recommendation for expulsion.</li> </ul> </li> </ul>



## Grades 3-5

Level	Escalating Response
Level 1	<ul style="list-style-type: none"> <li>• Requires parent or guardian notification.</li> <li>• Requires individualized educational program (IEP) meeting, if the student has an IEP.</li> <li>• Responses to an incident may include the following:               <ul style="list-style-type: none"> <li>○ Parent or guardian conference that may include the student, when appropriate;</li> <li>○ When appropriate and with written parent consent, counseling, and/or mental health counseling subject to available resources of the district;</li> <li>○ Behavior intervention student agreement coupled with another response(s);</li> <li>○ Restitution or opportunities to repair relationships coupled with another response(s);</li> <li>○ Detention; and/or</li> <li>○ Temporary removal from class.</li> </ul> </li> <li>• Unless the first offense is unusually serious, the administrator will avoid permanent removal from a class.</li> </ul>
Level 2	<ul style="list-style-type: none"> <li>• Requires parent or guardian notification.</li> <li>• Review of response to prior offense, if applicable, to inform increased level of response.</li> <li>• Requires individualized educational program (IEP) meeting, if the student has an IEP.</li> <li>• Response to an incident may include, but are not limited to, the following:               <ul style="list-style-type: none"> <li>○ Parent or guardian conference that includes the student, when appropriate;</li> <li>○ When appropriate, with written parent/guardian consent, counseling, and/or mental health counseling subject to available resources of the district;</li> <li>○ Behavior intervention student agreement coupled with another response(s);</li> <li>○ Restitution or opportunities to repair relationships coupled with another response(s);</li> <li>○ Detention;</li> <li>○ Temporary or permanent removal from extracurricular activities;</li> <li>○ Temporary or permanent removal from class;</li> <li>○ In-school suspension;</li> <li>○ Suspension of transportation privileges, if misconduct occurred in a school vehicle; and/or</li> <li>○ Placement in an alternative learning environment, including a therapeutic classroom, when appropriate.</li> </ul> </li> </ul>
Level 3	<ul style="list-style-type: none"> <li>• Requires parent or guardian notification.</li> <li>• Review of response to prior offense, if applicable, to inform increased level of response.</li> <li>• Requires individualized educational program (IEP) meeting, if the student has an IEP.</li> <li>• Response to an incident may include the following:               <ul style="list-style-type: none"> <li>○ Parent or guardian conference that includes the student, when appropriate;</li> <li>○ When appropriate and with written parent/guardian consent, counseling, and/or mental health counseling subject to available resources of the district;</li> <li>○ Behavior intervention student agreement coupled with another response(s);</li> <li>○ Restitution or opportunities to repair relationships coupled with another response(s);</li> <li>○ Detention;</li> <li>○ Temporary or permanent removal from extracurricular activities;</li> <li>○ Temporary or permanent removal from class;</li> <li>○ In-school suspension;</li> <li>○ Out-of-school suspension;</li> <li>○ Suspension of transportation privileges, if misconduct occurred in a school vehicle; and/or</li> <li>○ Placement in an alternative learning environment, including a therapeutic classroom, when appropriate; and/or</li> <li>○ Recommendation for expulsion.</li> </ul> </li> </ul>

## Grades 6-8

Level	Escalating Response
Level 1	<ul style="list-style-type: none"> <li>• Requires parent or guardian notification.</li> <li>• Requires individualized educational program (IEP) meeting, if the student has an IEP.</li> <li>• Responses to an incident may include the following:               <ul style="list-style-type: none"> <li>○ Parent or guardian conference that may include the student, when appropriate;</li> <li>○ When appropriate and with written parent consent, counseling, and/or mental health counseling subject to available resources of the district;</li> <li>○ Behavior intervention student agreement coupled with another response(s);</li> <li>○ Restitution or opportunities to repair relationships coupled with another response(s);</li> <li>○ Detention; and/or</li> <li>○ Temporary removal from class.</li> </ul> </li> </ul>
Level 2	<ul style="list-style-type: none"> <li>• Requires parent or guardian notification.</li> <li>• Review of response to prior offense, if applicable, to inform increased level of response.</li> <li>• Requires individualized educational program (IEP) meeting, if the student has an IEP.</li> <li>• Responses to an incident may include, but are not limited to, the following:               <ul style="list-style-type: none"> <li>○ Parent or guardian conference that includes the student, when appropriate;</li> <li>○ When appropriate and with written parent/guardian consent, counseling, and/or mental health counseling subject to available resources of the district;</li> <li>○ Behavior intervention student agreement coupled with another response(s);</li> <li>○ Restitution or opportunities to repair relationships coupled with another response(s);</li> <li>○ Detention;</li> <li>○ Temporary or permanent removal from extracurricular activities;</li> <li>○ Temporary or permanent removal from class;</li> <li>○ In-school suspension;</li> <li>○ Out-of-school suspension;</li> <li>○ Suspension of transportation privileges, if misconduct occurred in a school vehicle; and/or</li> <li>○ Placement in an alternative learning environment, including a therapeutic classroom, when appropriate.</li> </ul> </li> </ul>
Level 3	<ul style="list-style-type: none"> <li>• Requires parent or guardian notification.</li> <li>• Review of response to prior offense, if applicable, to inform increased level of response.</li> <li>• Requires individualized educational program (IEP) meeting, if the student has an IEP.</li> <li>• Response to an incident may include the following:               <ul style="list-style-type: none"> <li>○ Parent or guardian conference that may include the student, when appropriate;</li> <li>○ When appropriate and with written parent consent, counseling, and/or mental health counseling subject to available resources of the district;</li> <li>○ Behavior intervention student agreement coupled with another response(s);</li> <li>○ Restitution or opportunities to repair relationships coupled with another response(s);</li> <li>○ Detention;</li> <li>○ Temporary or permanent removal from extracurricular activities;</li> <li>○ Temporary or permanent removal from class;</li> <li>○ In-school suspension;</li> <li>○ Out-of-school suspension;</li> <li>○ Suspension of transportation privileges, if misconduct occurred in a school vehicle;</li> <li>○ Placement in an alternative learning environment, including a therapeutic classroom, when appropriate; and/or</li> <li>○ Recommendation for expulsion.</li> </ul> </li> </ul>

## Grades 9-12

Level	Escalating Response
Level 1	<ul style="list-style-type: none"> <li>• Requires parent or guardian notification.</li> <li>• Requires individualized educational program (IEP) meeting, if the student has an IEP.</li> <li>• Responses to an incident may include, but are not limited to, the following:               <ul style="list-style-type: none"> <li>○ Parent or guardian conference that includes the student, when appropriate;</li> <li>○ When appropriate and with written parent/guardian consent, counseling, and/or mentalhealth counseling subject to available resources of the district;</li> <li>○ Behavior intervention student agreement coupled with another response(s);</li> <li>○ Restitution or opportunities to repair relationships coupled with another response(s);</li> <li>○ Detention;</li> <li>○ Temporary removal from extracurricular activities;</li> <li>○ Temporary removal from class;</li> <li>○ In-school suspension; and/or</li> <li>○ Suspension of transportation, if misconduct occurred in a school vehicle.</li> </ul> </li> </ul>
Level 2	<ul style="list-style-type: none"> <li>• Requires parent or guardian notification.</li> <li>• Review of response to prior offense, if applicable, to inform increased level of response.</li> <li>• Requires individualized educational program (IEP) meeting, if the student has an IEP.</li> <li>• Response to an incident may include the following:               <ul style="list-style-type: none"> <li>○ Parent or guardian conference that includes the student, when appropriate;</li> <li>○ When appropriate and with written parent/guardian consent, counseling, and/or mentalhealth counseling subject to available resources of the district;</li> <li>○ Behavior intervention student agreement coupled with another response(s);</li> <li>○ Restitution or opportunities to repair relationships coupled with another response(s);</li> <li>○ Detention;</li> <li>○ Temporary or permanent removal from extracurricular activities;</li> <li>○ Temporary or permanent removal from class;</li> <li>○ In-school suspension;</li> <li>○ Out-of-school suspension;</li> <li>○ Suspension of transportation privileges, if misconduct occurred in a school vehicle; and/or</li> <li>○ Placement in an alternative learning environment, including a therapeutic classroom, when appropriate.</li> </ul> </li> </ul>
Level 3	<ul style="list-style-type: none"> <li>• Requires parent or guardian notification.</li> <li>• Review of response to prior offense, if applicable, to inform increased level of response.</li> <li>• Requires individualized educational program (IEP) meeting, if the student has an IEP.</li> <li>• Response to an incident may include the following:               <ul style="list-style-type: none"> <li>○ Parent or guardian conference that includes the student, when appropriate;</li> <li>○ When appropriate and with written parent/guardian consent, counseling, and/or mentalhealth counseling subject to available resources of the district;</li> <li>○ Behavior intervention student agreement coupled with another response(s);</li> <li>○ Restitution or opportunities to repair relationships coupled with another response(s);</li> <li>○ Detention;</li> <li>○ Temporary or permanent removal from extracurricular activities;</li> <li>○ Temporary or permanent removal from class;</li> <li>○ In-school suspension;</li> <li>○ Out-of-school suspension;</li> <li>○ Suspension of transportation privileges, if misconduct occurred in a school vehicle;</li> <li>○ Placement in an alternative learning environment, including a therapeutic classroom, when appropriate; and/or</li> <li>○ Recommendation for expulsion.</li> </ul> </li> </ul>

## Definitions (consistent with the Department's Data Dictionary 2022-23)

**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.

**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.

**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.

**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 unless due process is provided as required by federal and state law. A restriction from school activities means a student will attend school and classes and practice but will not participate in school activities.

**Placement in an alternate learning environment** means placement of a student in an environment established apart from the regular educational program that includes rules, staff and resources designed to accommodate student needs and to provide a comprehensive education consistent with the student learning goals and content standards established by the school district.

**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.

Approved 12/11/23

Reviewed \_\_\_\_\_

Revised \_\_\_\_\_

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 (2007).

Cross Reference: 502 Student Rights and Responsibilities  
504 Student Activities

Approved 9/12/88 Reviewed 9/27/04; 3/23/15 Revised 4/27/98; 1/11/10

## 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.

STUDENT ORGANIZATIONS

**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.*

*Option II should be used by school districts that do not 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 (2004).  
Iowa Code §§ 287; 297.9

Cross Reference: 502 Student Rights and Responsibilities  
504 Student Activities

Approved 9/12/88

Reviewed 9/27/04; 3/23/15

Revised 4/27/98; 1/11/10; 5/10/21

## 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 (2007).  
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 4/27/98

Reviewed 9/27/04; 3/23/15

Revised 1/11/10



STUDENT FUND RAISING

Students may raise funds for school-sponsored events with the permission of the school board. The school board delegates to the Superintendent the authority to approve routine student fundraising as deemed appropriate. Collection boxes for school fund raising must have prior approval from the school board or its designee before being placed on school property.

All funds generated from district-sponsored student fundraising will be placed in the district's student activity fund.

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

***NOTE: This is a recommended policy, but the board has the discretion to write it to reflect the board's practice.***

Legal Reference: Senior Class of Pekin High School v. Tharp, 154 N.W.2d 874 (Iowa 1967).  
Iowa Code § 279.8

Cross Reference: 502 Student Rights and Responsibilities  
503 Student Discipline  
504 Student Activities  
704.5 Student Activities Fund  
905.2 Advertising and Promotion

Approved 4/27/98

Reviewed 9/27/04; 3/23/15

Revised 1/11/10; 12/12/22

## STUDENT FUND RAISING REGULATIONS

Student fundraising can enhance a student's educational experience; but it must not be at the expense of the safety and education of the district's students. The following are additional regulations to assist the administration in developing procedures necessary for successful fundraising efforts.

### **Safety**

- Students will not be asked to solicit door to door.
- Students who do not wish to engage in fundraising efforts will be provided an alternative community service option to apply toward credit of funds raised. The alternative option will not be unduly burdensome or onerous when compared to the fundraising activity.

### **Fiscal Responsibility**

- All funds generated due to a student fund raising activity will be deposited into the district's student activity funds, pursuant to applicable laws and board policies.
- Funds raised for a participatory student activity will be equally applied to all students regardless of their participation in fundraising efforts.
- All funds generated from district sponsored student fundraising efforts will be deposited in the student activity fund.
- All funds generated from non-district sponsored student fundraising efforts will be deposited into an agency fund designated by the board for such purpose.
- No school district employee or other individual affiliated with the district may deposit student fund raising funds into any other account.
- All funds received from student fundraising are the property of the district.

### **Advertising/Promotion**

- Any student fundraising activity which utilizes the district name, likeness and/or logo will be subject to board approval, and all other conditions of this policy and accompanying regulations.

## 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 with approval of the superintendent, high school principal or athletic director. 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.

***Note: Boards must have a policy addressing the issue of nonschool athletic participation.***

Legal Reference: 20 U.S.C. §§ 1681-1683; 1685-1686 (2004).  
34 C.F.R. Pt. 106.41 (2004).  
Iowa Code §§ 216.9; 280.13-.14 (2007).  
281 I.A.C. 12.6., 36.15(7).

Cross Reference: 501 Student Attendance  
502 Student Rights and Responsibilities  
503 Student Discipline  
504 Student Activities  
507 Student Health and Well-Being

Approved 9/12/88

Reviewed 3/23/15

Revised 4/27/98; 9/27/04;  
1/11/10

STUDENT SOCIAL EVENTS

All school-sponsored events shall be under the control and supervision of school personnel. Approval for an event shall be secured from the principal of the building involved, and the event shall be placed on the school calendar before any public announcement is made. Hours, behavior, and activities related to school-sponsored events shall be reasonable and proper.

Adopted: 9/12/1988

Reviewed: 4/27/1998; 12/13/2004; 1/11/10;  
3/23/15

Revised:

## INTERSCHOLASTIC COMPETITION

Students may participate in interscholastic competitions that are sponsored or administered by organizations registered with the Iowa Department of Education.

It is a privilege and an honor to be able to participate in interscholastic competition and to represent the Clarke Community School District. The student and the school are judged by the participants' character and conduct. Interscholastic participants serve as a model to the younger students in the school district. The superintendent, in conjunction with the appropriate principal shall develop rules of eligibility under which students may participate in interscholastic competition.

CROSS REFS.: 504.6, Student Activity Program

Adopted: 9/12/1988    Reviewed: 4/27/1998; 12/13/2004; 1/11/10;    Revised:  
3/23/15

### Eligibility for Extra-Curricular/Co-Curricular Activities 7-12

It is a privilege and an honor to be able to participate in extra-curricular and co-curricular activities at Clarke Community Schools. Our students and the school are judged by the participant's character and conduct at all times. Clarke Community School students serve as a model to many people and their attitude has an important impact on others. Any student, whose habit and conduct in and out of school, during both the school year and during the summer, are not consistent with the ideals, principles, and the standards of the Clarke Community School District, shall be declared ineligible. It shall be the duty of the building principal or activities director to exclude the student from extra-curricular or co-curricular activities until reinstated to eligibility by the local school administration.

- A. Any student who is observed by a staff member or a law enforcement official, or admits to, or at a judicial or administrative proceeding is found by substantial evidence to have:
- Possession, use, sale, manufacture, purchase, or distribution of tobacco products, regardless of the student's age;
  - Possession, use, sale, manufacture, purchase, or distribution of illegal drugs or the unauthorized possession, use or purchase of otherwise lawful drugs;
  - Possession, use, sale, manufacture, purchase or distribution of alcoholic beverages, including beer and wine.
  - Engaging in any act that would be grounds for arrest or citation in the criminal or juvenile court system (excluding minor offenses such as traffic or hunting/fishing violations), regardless of whether the student was cited, arrested, convicted, or adjudicated for the act(s).
  - Inappropriate or offensive conduct such as, but not limited to: fighting with staff or students, insubordination (talking back or refusing to cooperate with authorities), hazing or harassment of others (Note: this could include group conduct).
  - Repeated violations of rules and regulations established by the Clarke Community School District and/or the Board of Education.

- B. A student who has been found to have violated his/her extra-curricular or co-curricular eligibility shall be penalized as follows:

#### Alcohol, Tobacco and Controlled Substances

##### First violation:

1. 20% of the scheduled events for the season. The period of ineligibility will be served continuously from the date of infraction or
2. the period of ineligibility will be reduced to 10% and one event if the student self reports.
3. self-reports are defined as a student voluntarily reporting the violation of the Good Conduct Rule within twenty-four (24) hours of the commission of the violation. This applies to the **first offense only**.

##### Second violation:

1. an additional 50% of the scheduled events for the season. The period of ineligibility will be served continuously from the date of infraction.
2. 25% of the scheduled events of the season plus a drug/alcohol use evaluation. It is the responsibility of the parent/guardian for any expenses incurred for services.

##### Third violation:

1. an additional 12 months of ineligibility

The period of ineligibility attaches immediately upon a finding of a violation if the student is currently engaged in an extra-curricular/co-curricular activity and, if not, or if not completed during the current activity, is begun or carried over to the time the student seeks to go out for the next activity or contest. An ineligible student will be expected to practice, but may not participate in games or contests. He or she may not travel with the team or group depending on what the individual coach decides is appropriate for their individual sport or activity.

In situations where the Good Conduct Policy has been violated and the consequence is not completely served the consequence will be carried over to the next activity based on the percentage of ineligibility not served. A meeting will be held with the principal, activities director, head coach, student and parents to discuss the consequence. A student who fails to attend practice during the period of ineligibility or who fails to successfully complete the extra-curricular activity season during which the ineligibility occurs shall be deemed not to have served the prescribed period of ineligibility and shall remain ineligible until the prescribed period of ineligibility is completed.

- C. A student will be declared ineligible for the next grading period if he/she fails two (2) or more courses in the preceding grading period. Semester grades take precedence over quarter grades.
- D. A student will **NOT** be eligible to compete in interscholastic activities if the student:
1. is 20 years of age or older;
  2. does not have a physicians certificate of fitness issued during the school year.
  3. has attended high school for more than eight (8) semesters. (Twenty (20) class days of attendance during any one semester or participation in one interscholastic contest fulfills the requirement of one semester.)
  4. was not enrolled in school anytime during the last semester;
  5. entered school during the current semester later than the second week of school;
  6. has ever accepted an award for participation in high school athletics from a non-school group, other than an inexpensive, unframed, unmounted paper certificate of recognition;
  7. has ever accepted any money for expenses or otherwise, for participating in an athletic contest;
  8. has competed on a non-school team as a team member, or as an individual, while participating in the same sport and during that sport season on a school team as a team member, or as an individual without the previous written consent of the Superintendent or his designee;
  9. has ever trained with a college team or participated in a college sport event;
- E. The student and parents of the student shall be notified in writing by the activities director/designee of any loss of eligibility and the reasons therefore and shall, upon request, be given a hearing before the athletic director. The decision of the athletic director may be appealed to the Principal. A decision of the Principal may be appealed to the Superintendent. A decision of the Superintendent may be appealed to the Board of Education.
- F. This policy shall apply to students whether or not the violation occurs during the school year and whether or not the student has participated in extracurricular activities prior to violating this policy.

NOTE: The above listed extra-curricular/co-curricular activity eligibility rules apply to eligibility. Each coach/moderator may have his/her own rules and regulations regarding practices, attendance, curfews, training rules, etc.

- G. Furthermore, to participate in extracurricular activities, practices and contests, a student shall be in attendance at school all day. In cases of extenuating circumstances, which can be verified, the building principal or designee may waive this rule.

Also, each student athlete may be required to submit proof of sufficient insurance with a family accident policy before participating in an activity or practice.

- H. Voluntarily Seeking Assistance

A student and/or parent may voluntarily seek help from school personnel for a student's use or abuse of alcohol or other controlled substance before being found to be using or possessing such substances by school or law enforcement officials. The school district will keep the request in confidence and not seek to make it serve as a basis for disciplinary actions as long as professional help is procured. If that student continues to use, possess or distribute controlled substances, disciplinary action may be pursued by the school district.

STUDENT ATTENDANCE AT EVENTS OUTSIDE OF SCHOOL

Events in which students participate during school hours or as representatives of the school at places outside of the school must be sponsored and supervised by school personnel. Rules of behavior shall be the same as for any in-school activity or event.

Adopted: 9/12/1988

Reviewed: 4/27/1998; 12/13/2004; 1/11/10;  
3/23/15

Revised:



## STUDENT RESEARCH AND PUBLISHING

School district employees and students are encouraged to write and prepare professional material and devices for publication in their areas of expertise. The Board recognized the value of educational research conducted by staff members. However, all research studies carried out within the school system, using district or school data of any kind, or staff or students as subjects, must be approved in advance by the superintendent or his/her designee. Only those studies which have value to the school district will be approved.

Employees or students who desire to copyright or patent, or to market or distribute, materials, processes, inventions, or devices prepared partially or totally on school time, or with school supplies or equipment, or with the use of school student or staff personnel, or any other school-related resource, must follow board policy in regard to these matters.

When human subjects are involved in research, there will be adequate protection of their rights and welfare. The individual(s) will be subjected to no serious risk. Parents of children who are subjects of research, or adults if they are the subjects, will be provided: an explanation of procedures and their purposes; a description of any possible risks and any benefits to be reasonably expected; an offer to respond to inquiries on procedures; instruction on the right to refuse to participate or to discontinue participation at any time without prejudice.

The ownership of materials, processes, inventions, or devices produced solely for the district and at district expense will be vested in the district and will be copyrighted or patented, if at all, in its name.

The ownership of any materials, processes, inventions, or devices developed solely through the individual effort, time, and expense of an employee or student will be vested in the employee or student and be copyrighted or patented, if at all, in his/her name.

In those instances where materials, processes, inventions, or devices are produced by an employee or student with district support, by way of use of school district time, facilities, or other district resources, the ownership of the materials, processes, or inventions will be vested in (and copyrighted or patented, if at all, by) the person designated by written agreement between the parties and entered into prior to the production. This agreement to produce materials, processes, or inventions may be at the initiative of the district or of the employee or student. In the event there is no such written agreement entered into, the ownership will be vested in the district.

The ownership of any materials, processes, inventions, or devices produced by an employee or student in a federal program during hours that he/she was paid by federal funds and/or in which the use of federally funded supplies or equipment played a dominant role will lie in the public domain.

The right of ownership includes the right to copyright or patent and the right to sell or distribute.

There is no requirement for individuals who prepare material on their own time, without use of school facilities, equipment, student or staff personnel, and without mention of the district, to submit such material for review before publication. However, they shall submit a statement to the following:

- a. A specific description of all material.
- b. A statement by the employee or student that the material was not produced during hours paid for by the school district or any agency funneling money through the school district and that there was no use of school supplies, equipment, student or staff personnel.
- c. That the employee or student is the owner of such material for all time and may alter such material as he/she chooses.

No materials, whether the copyright of the school district or of the employee or student producing the same, shall be purchased by the school district unless such materials are free of all copyright and royalty charges.

All royalties from the production of materials, processes, inventions, or other devices not solely owned by the employee or student will be returned by the publisher or producer to the school district.

In order to stimulate the development of such materials, processes, inventions, and devices, 50% of the net proceeds will be distributed to the creators of such. The remaining 50% will be placed in a research fund by the Board. The first dollars will be used to reimburse all costs borne by the district before determining the 50% split.

Adopted:

Reviewed: 4/27/1998; 12/13/2004; 1/11/10;  
3/23/15

Revised:

SPORTSMANSHIP, ETHICS, AND INTEGRITY

The Board of Education recognizes the value of extracurricular activities in the educational process and the values that young people develop when they have the opportunity to participate in an organized activity outside of the traditional classroom.

Participants and responsible adults involved in Board-approved extracurricular activities are expected to demonstrate the same level of responsibility and behavior at practice and competitions as is expected in the classroom. The Board further encourages the development and promotion of sportsmanship, ethics, and integrity in all phases of the educational process and in all segments of the community, including administrators, participants, adult supervisors, parents, fans, spirit groups, and support/booster groups.

Adopted: 2/7/1994

Reviewed: 4/27/1998; 12/13/2004; 1/11/10;  
3/23/15

Revised:

## HONORARY RECOGNITION

Any regularly enrolled student may be considered for honorary recognition awarded by the school. Honorary recognition may be given to students participating in activities not sponsored, sanctioned, organized, or supervised by the district. The district assumes no responsibility for insurance, liability, or cost for these activities other than the expense of the honors and awards.

Any student or organization wishing to be recognized for participation in a non-school sponsored activity shall obtain approval from the Board of Directors. The Board shall have the right to select activities for recognition based upon how the activities model school sponsored activities in the area of academic eligibility, good conduct, discrimination, and the ability to be supervised. There may also be other factors involved in the Boards approval to recognize these non-school sponsored activities.

Approval for recognition of any non-school sponsored activity must be obtained at least one school year prior to the activity taking place. Rodeo Honorary Recognition is currently in effect.

The Board reserves its right to discontinue Honorary Awards at any time for any reason.

Adopted: 11/14/1994

Reviewed: 4/27/1998; 1/11/10; 3/23/15

Revised: 12/13/2004; 2/14/11

GUIDELINES FOR HONORARY RECOGNITION OF CLARKE STUDENTS FOR THEIR PARTICIPATION AND ACCOMPLISHMENTS IN IOWA HIGH SCHOOL RODEO ASSOCIATION ACTIVITIES

The following criteria would apply:

1. Clarke Community School will provide Honorary Certificates for Clarke students who participate in IHSRA events if they meet the following criteria:
  - A. Participate in 3/4 of the rodeos sanctioned by the IHSRA (and/or)
  - B. Place in the top 15 point standings in a particular event at the end of the year.
2. Clarke Community School will assume no responsibility for insurance, liability, coaching, practice, travel, equipment or the cost of any other expense other than the cost of the Honorary Certificate.
3. Eligibility standards to compete in IHSRA activities will be the same as for school sponsored events at the Clarke Community School or meet the State of Iowa Standards, whichever is higher.
4. Disqualification by the IHSRA will result in automatic forfeiture of all school honorary awards for that year. (Disqualification by the IHSRA is the same as set by the NHSRA)
5. A parent of an IHSRA participant from the Clarke district will be designated by the local IHSRA participants as a liaison between the IHSRA and the school.
6. All IHSRA participants understand that these activities are not sponsored, sanctioned, organized, or supervised by the Clarke Community School District.
7. It is the policy of the IHSRA not to discriminate on the basis of sex, race, national origin, creed, age, marital status or physical disability in it's activities, as required by federal and state law.

Adopted: 11/14/1994

Reviewed: 4/27/1998; 12/13/2004; 1/11/10;  
3/23/15

Revised:

## HOLIDAY PRACTICES

Holidays are defined as July 4<sup>th</sup>, Labor Day, Thanksgiving and the day after, Christmas and the day after, New Year's, Easter, and Memorial Day.

This policy refers to Middle School and High School except for winter vacation. Middle School does not have practice during the winter vacation although if any coach supervises an open gym time, middle school students may attend.

No practices or contests will be scheduled on Thanksgiving or the day after, and Christmas and the day after.

All practices between the time school is dismissed for winter vacation and the start of school after New Year's will be **voluntary**. However a written excuse from the parent must be given to the coach prior to missing any practice.

Cross References: Policy 504.14 Sunday Activities

Legal References:

Adopted: 8/14/2000 Reviewed: 3/23/15 Revised: 12/13/2004; 1/11/10

## SUNDAY ACTIVITIES

The Board recognizes the desirability of preserving Sunday for family activities. However, many school activities are viewed as family activities by many of the district patrons.

The following Sunday activities will be allowed: high school graduation, a maximum of five instrumental music performances, a play, and a musical.

In addition, Sunday athletic practice will be allowed with the permission of the principal if either of the state athletic associations schedule a state tournament series contest on the following Monday.

Cross References: Policy 504.13 Holiday Practices

Legal References:

Adopted: 9/25/2000

Reviewed: 1/11/10; 3/23/15

Revised: 12/13/2004

## STUDENT PROGRESS REPORTS AND CONFERENCES

Students will receive a progress report at the end of each 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 at least one time each year, at the elementary and middle school to keep the parents informed. High school are not individually scheduled.

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.

*Note: This is a mandatory policy. The second paragraph should be written to reflect the school district's practice.*

Legal Reference: Iowa Code §§ 256.11, .41; -.280, 284.12  
281 I.A.C. 12.3(4), 12.3(6), .5(16).

Cross Reference: 505 Student Scholastic Achievement  
506 Student Records

Approved 4/12/93

Reviewed 5/26/15

Revised 4/27/98; 9/27/04;  
1/11/10; 7/15/19

STUDENT PROMOTION - RETENTION - ACCELERATION

Students will be promoted to the next grade level at the end of each school year based on the student's achievement, age, maturity, emotional stability, and social adjustment.

The district shall adhere to the following:

- **Retention/Promotion in kindergarten – eighth grade:** The retention of a student will be determined based upon the judgment of the district’s professional staff. When it becomes evident a student in grades kindergarten through eight may be retained in a grade level for an additional year, the parents will be informed prior to making the retention decision. It is within the sole discretion of the district to retain students in their current grade level and to deny promotion to a student.
- **Retention/Promotion in ninth – twelfth grade:** Students in grades nine through twelve will be informed of the required course work necessary to be promoted each year. When it becomes evident a student in these grades will be unable to meet the minimum credit requirements for the year, the student and parents will be informed. It is within the sole discretion of the district to retain students in their current grade level and to deny promotion to a student.
- **Acceleration in kindergarten – twelfth grade:** Students in grades kindergarten through twelve with exceptional talents may, with the permission of the principal and parents, take classes beyond their current grade level. Enrichment opportunities outside the school district may be allowed when they do not conflict with the school district's graduation requirements.
- **Retention or Acceleration in kindergarten – twelfth grade** may also occur in additional instances as provided by law.

Any student or parent who is not satisfied with the decision of the district’s professional staff may seek recourse through policy 502.4 – Student Complaints and Grievances.

***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, .41; 279.8;  
281 I.A.C. 12.5(16).

Cross Reference: 501 Student Attendance  
505 Student Scholastic Achievement  
603.2 Summer School Instruction

Approved 9/12/88

Reviewed \_\_\_\_\_

Revised 4/27/98; 9/27/04;  
1/11/10; 5/26/15; 6/13/16; 2/12/18;  
7/15/19



## 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.

- Award students with a cumulative GPA of 4.0 or greater as “Top of the Class” at graduation. When class rank is required for scholarship purposes any and all students achieving 4.0 or greater will be ranked number one.
- Award students with a cumulative GPA of 3.75-3.99 as graduating “With High Distinction” at graduation.
- Award students with a cumulative GPA of 3.5 – 3.74 as graduating “With Distinction” at graduation.

Students who graduate having attended more than eight semesters of high school will not be eligible for these honors and awards unless at the principal’s discretion.

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

Legal Reference: Iowa Code § 279.8 (2007).

Cross Reference: 504 Student Activities  
505 Student Scholastic Achievement

Approved 9/12/88

Reviewed 4/27/98; 5/26/15

Revised 9/27/04; 1/11/10; 2/13/17;  
9/25/17

## TESTING PROGRAM

A comprehensive testing program is established and maintained to evaluate the education program of the school district and to assist in providing guidance or counseling services to students and their families.

No student is required, as part of any applicable program, funded by the United States Department of Education, to submit to a survey, analysis or evaluation that reveals information concerning:

- political affiliations or beliefs of the student or student's parent or guardian;
- 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 guardian; 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.

Prior to an employee or contractor of the district providing information on a student enrolled in the district on any survey related to the social or emotional abilities, competencies or characteristics of the student; the district will provide the parent/guardian of the student detailed information related to the survey and obtain written consent of the parent/guardian of the student. This includes the person who created the survey, the person who sponsors the survey, how the information generated by the survey is used and how information generated by the survey is stored. This requirement will not prohibit a district employee from answering questions related to a student enrolled in the district as part of developing or implementing an individualized education program for the student.

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

It is the responsibility of the board to review and approve the evaluation and testing program.

Legal Reference: 20 U.S.C. § 1232h  
Iowa Code §§ 280.3

Cross Reference: 505 Student Scholastic Achievement  
506 Student Records  
607.2 Student Health Services

Approved 9/12/88

Reviewed 9/27/04; 5/26/15

Revised 4/27/98; 1/25/02; 1/11/10; 12/12/16; 7/24/23

## 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 54 (to begin with the class of 2020) credits prior to graduation. The following credits will be required for graduation:

**Clarke High School Diploma (54 credits)**

English/Language Arts	<u>8</u>	credits (2 credits grade 9 level English, 2 credits grade 10 level English, 2 credits grade 11 level English, 1 credit Senior Year English course, 1 elective)
Science	<u>6</u>	credits (2 credits grade 9 level science, 2 credits biological science, 2 credits elective)
Mathematics	<u>6</u>	credits (All students will complete 6 credits of math during grades 9-12)
Social Studies	<u>6</u>	credits (2 U.S. History, 1 Government and 3 electives)
Physical Education	<u>8</u>	credits
United State Government	<u>    </u>	credit
American History	<u>    </u>	credit

The required courses of study will be reviewed by the board annually.

Prior to graduation, the district will advise students on how to successfully complete the free application for federal student aid.

Graduation requirements for special education students include successful completion of four years of English, three years of math, three years of social studies, and three years of science.

Students who complete a regular session in the Legislative Page Program of the general assembly at the state capitol will be credited  $\frac{1}{2}$  credit of social studies.

Students enrolled in a junior officers' training corp will receive 1/8<sup>th</sup> physical education credit for each semester the student is enrolled in the program.

**NOTE: This is a mandatory policy.**

Legal Reference: Iowa Code §§ 256.7 11; .41; 279.8; 279.61; 280.3, .14.  
281 I.A.C. 12.3(5); 12.5.

Cross Reference: 505 Student Scholastic Achievement  
603.3 Special Education

Approved 1/11/93

Reviewed 4/27/98

Revised 9/27/04; 8/19/08; 1/26/09; 1/11/10; 5/9/11; 6/25/12; 5/26/15; 9/25/17; 2/21/19; 7/15/19; 12/9/19; 5/10/21; 11/8/21; 12/12/22; 7/24/23

## 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 and attend prom.

***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; 12(5).

Cross Reference: 505 Student Scholastic Achievement

Approved 4/8/91 Reviewed 9/27/04; 5/26/15 Revised 4/27/98; 1/11/10; 5/10/21

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 (2007).  
281 I.A.C. 12.5

Cross Reference: 505 Student Scholastic Achievement

Approved 9/12/88 Reviewed 9/27/04; 5/26/15 Revised 4/27/98; 1/11/10

## PARENT AND FAMILY ENGAGEMENT DISTRICTWIDE POLICY

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. In order to facilitate parent and family involvement, it is the goal of the district to conduct outreach and implement programs, activities and procedures to further involve parents and families with the academic success of their students. 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 through the required Title I parent meetings;
- (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 through the multiple School Improvement Advisory Committee (SIAC) meetings;
- (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 through the school representative facilitated Title I meetings;
- (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); needs of parents and family to assist their children's learning; and strategies to support successful school and family interactions by through the school representative facilitated Title I meetings and the multiple School Improvement Advisory Committee (SIAC) meetings;
- (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 will be facilitated by a school representative, through the multiple School Improvement Advisory Committee (SIAC) meetings.
- (6) Involve parents and families in Title I activities through the required Title I parent meetings; this will be facilitated by the school representative.

The district shall involve parents in determining how to allocate reserved Title I funds in accordance with applicable laws.

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.

***NOTE: This is a mandatory policy and accompanying regulation. The intent of this portion of Every Student Succeeds Act is that districts will uniquely tailor this policy in a manner and format that suits the needs of their individual community. As a result, there are underline spaces within this policy that indicate areas where the district should add their own plans after having taken the steps to collaborate with parents and families. This policy is not complete without the necessary description of how each district intends to implement the policy.***

Legal References: 20 U.S.C. § 6318.

Cross References: 903.2 Community Resource Persons and Volunteers

Approved 12/12/16

Reviewed

Revised: 7/15/19

## PARENT AND FAMILY ENGAGEMENT BUILDING-LEVEL REGULATION

To further the interests of student achievement, the superintendent will create necessary rules to engage parents and family members within the district in the following ways on a building-level basis:

1. Policy Involvement: The district will host an annual meeting and invite all parents to attend; and inform parents of their rights and the district's requirements under Title I. This meeting will also invite parents to become involved in the planning, review and improvement of a building policy and in developing the district plan. The district will inform parents of:
  - programs under this policy,
  - curriculum and assessment used for students,
  - the opportunity to meet with administration to participate in decisions related to their children's education,
  - a description and explanation of curriculum used in the school forms of academic assessment used to measure student progress, and
  - achievement levels of the challenging State academic standards.
2. Accessibility: Provide opportunities for informed participation of parents and family members in understandable formats and languages. This includes participation by parents and family members who may have disabilities, limited English proficiency, and migratory children. Offer a flexible number of meetings during the day, evening and weekends to facilitate parent involvement. The superintendent has discretion to allow schools to provide childcare for families of students during these meetings through Title I funds.
3. High Student Academic Achievement: Each school in the district will jointly develop with parents and family members a school-parent compact that outlines how parents, staff and students share responsibility for improving student academic achievement; and how a partnership will be built to achieve this. The compact will describe the responsibility of the school to provide high quality curriculum and instruction, and the parents' responsibility to support their children's learning. This will also address the importance of communication between schools and parents through parent teacher conferences, regular reports to parents on their children's progress, and ensuring regular meaningful communication between family and school staff.
4. Building Capacity for Involvement: Each school within the district will include in their plan ways to achieve the following:
  - Assist parents and families to understand topics including academic standards and assessments and how to monitor student progress;
  - Provide materials and training to help parents work with students to improve achievement;
  - Educate teachers and staff in how to communicate with parents and build ties to foster academic success;
  - Coordinate and integrate other federal, state and local programs to support parents in more fully participating in students' education;
  - Ensure information related to programs is sent to parents and families in understandable formats; and
  - Provide other reasonable support to encourage parental involvement

5. Schools Operating a Schoolwide Program: Each school operating a schoolwide program under this policy shall:
- Involve parents on a timely and ongoing basis in the planning, review and improvement of programs, including the parent and family engagement school policy drafting and review, and the joint development of the schoolwide program.
  - If the schoolwide program plan is not satisfactory to the parents of the participating children, parent comments will be requested and submitted with the plan to the district.

Approved: 7/15/19

Reviewed:

Revised:

Code No. 505.9

#### STUDENT TRANSFERS IN FROM NON-ACCREDITED SETTINGS

Students who transfer into the Clarke Community School District must meet the immunization and age requirements for students who initially enroll in the school district.



The district retains the right to determine grade level placement for the transfer student coming from a non-accredited setting. The superintendent or designee may require testing, a review of a student's portfolio, or use other reasonable means to make grade placement, including both subjective and objective academic evaluations. Neither numerical nor letter grades received in the non-accredited setting will be recorded on the student's permanent record.

A student who transfers in from a non-accredited setting will only be eligible for honors and awards for the actual period of time he or she has been enrolled as a regular student in the school district. Students transferring into the high school from a non-accredited setting will not be eligible for class ranking. Students must meet the graduation requirements of the school district in order to be eligible for a diploma.

For students transferring into the high school from a non-accredited setting, the district will not accept nor assess students' academic work for the purposes of determining grades or credits.

Credits and grades earned through dual enrollment or home school assistance program under Iowa Code chapter 299A will be accepted towards graduation and class rank and honors and awards, if all other criteria are met.

Students transferring from a school in another country will have their records reviewed by the superintendent or designee. Grade placement, as well as, credits accepted will be determined after a thorough review.

The superintendent or designee shall notify the parents or guardians of known district students who are being educated in a non-accredited setting of the existence and substance of this policy prior to the students' ninth grade year.

Cross Reference: 505.5 Graduation Requirements  
604.1 Competent Private Instruction

Approved: 12/9/2002

Reviewed: 12/13/2004; 1/24/2005; 1/11/10;  
5/26/15

Revised:

## EDUCATION RECORDS ACCESS

The board recognizes the importance of maintaining education records and preserving their confidentiality, as provided by law. Education records are kept confidential at collection, storage, disclosure and destruction stages. The Administrator/Designee is the custodian of education records. Education records may be maintained in the central administration office or administrative office of the student's attendance center.

### Definitions

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

- “Education Record” means those records that contain information directly related to a student and which are maintained by an education agency or institution or by a party acting for the agency or institution.
- “Eligible Student” means a student who has reached eighteen years or attends a postsecondary institution. Parents of an eligible student are provided access to the education records only with the written permission of the eligible student unless the eligible student is defined as a dependent by the Internal Revenue Code. In that case, the parents may be provided access without the written permission of the student.

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

Parents, eligible students, and other individuals authorized in accordance with law will have access the student's education records during 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. Parents, other than parents of an eligible student, may be denied access to a student's records if the school district has a court order stating such or when the district has been advised under the appropriate laws that the parents may not access the student records. Parents, an eligible student or an authorized representative of the parents will have the right to access the student's education records prior to an Individualized Education Program (IEP) meeting or hearing.

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

Upon the request of parents or an eligible student, the school district will provide an explanation and interpretation of the education records and a list of the types and locations of education records collected, maintained or used by the school district.

If the parents or an eligible student believes the information in the education records is inaccurate, misleading or violates the privacy of the student, the parents or an eligible student may request that the school district amend the education records.

Approved 9/12/88

Reviewed 11/8/2004

Revised 4/27/98; 9/27/04;  
1/26/09; 2/15/10; 6/25/12;  
6/8/15 ; 5/8/17

## EDUCATION RECORDS ACCESS

If the school district determines that amendment of the student's record is not appropriate, it will inform the parents or the eligible student of their right to a hearing before the hearing officer provided by the school district.

Education records may be disclosed in limited circumstances without parental or eligible student's written permission. This disclosure is made on the condition that the education record will not be disclosed to a third party without the written permission of the parents or the eligible student. This disclosure may be:

- To school officials within the school district and AEA personnel whom the superintendent has determined to have a legitimate educational interest, including, but not limited to, board members, employees, school attorney, auditor, health professionals, and individuals serving on official school committees;
- To officials of another school district in which the student wishes to enroll, provided the other school district notifies the parents the education records are being sent and the parents have an opportunity to receive a copy of the records and challenge the contents of the records unless the annual notification includes a provision that records will automatically be transferred to new school districts;
- To the U.S. Comptroller General, the U.S. Attorney General, the U.S. Secretary of Education or state and local educational authorities;
- In connection with a student's application for, or receipt of, financial aid;
- To organizations conducting studies for, or on behalf of, educational agencies or institutions for the purpose of developing, validating, or administering predictive tests, administering student aid programs, and improving instruction, if such studies are conducted in such a manner as will not permit the personal identification of students and their parents by persons other than representatives of such organizations and such information will be destroyed when no longer needed for the purpose for which it was conducted;
- To accrediting organizations;
- To parents of a dependent student as defined in the Internal Revenue Code;
- To comply with a court order or judicially issued subpoena;
- Consistent with an interagency agreement between the school district and juvenile justice agencies
- In connection with a health or safety emergency;
- As directory information; or
- In additional instances as provided by law.

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

## EDUCATION RECORDS ACCESS

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

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

When personally identifiable information, other than permanent education records, is no longer needed to provide educational services to a special education student, the parents or eligible student are notified. This notice is normally given after a student graduates or otherwise leaves the school district. If the parents or eligible student request that the personally identifiable information be destroyed, the school district will destroy the records, except for permanent records. Prior to the destruction of the records, the school district must inform the parents or eligible student the records may be needed by the parents or eligible student for social security benefits or other purposes. For purposes of policy, "no longer needed to provide educational services" means that a record is no longer relevant to the provision of instruction, support, or related services and it is no longer needed for accountability and audit purposes. At a minimum, a record needed for accountability and audit purposes must be retained for five years after completion of the activity for which funds were used.

The school district will cooperate with the juvenile justice system in sharing information contained in permanent student records regarding students who have become involved with the juvenile justice system. The school district will enter into an interagency agreement with the juvenile justice agency (agencies) involved.

The purpose of the agreement is to allow for the sharing of information prior to a student's adjudication in order to promote and collaborate between the school district and the agencies to improve school safety, reduce alcohol and illegal drug use, reduce truancy, reduce in-school and out-of-school suspensions, and to support alternatives to in-school and out-of-school suspensions and expulsions which provide structured and well supervised educational programs supplemented by coordinated and appropriate services designed to correct behaviors that lead to truancy, suspension, and expulsions and to support students in successfully completing their education.

The school district may share any information with the agencies contained in a student's permanent record, which is directly related to the juvenile justice system's ability to effectively serve the student. Prior to adjudication information contained in the permanent record may be disclosed by the school district to the parties without parental consent or court order. Information contained in a student's permanent record may be disclosed by the school district to the agencies after adjudication only with parental consent or a court order. Information shared pursuant to the agreement is used solely for determining the programs and services appropriate to the needs of the student or student's family or coordinating the delivery of programs and services to the student or student's family.

Information shared under the agreement is not admissible in any court proceedings, which take place prior to a disposition hearing, unless written consent is obtained from a student's parent, guardian, or legal or actual custodian.

## EDUCATION RECORDS ACCESS

Confidential information shared between the school district and the agencies will remain confidential and will not be shared with any other person, unless otherwise provided by law. The school district may discontinue information sharing with an agency if the school district determines that the agency has violated the intent or letter of the agreement.

Agencies will contact the principal of the attendance center where the student is currently or was enrolled. The principal will then forward copies of the records within a reasonable time following receipt of the request.

The school district will provide training or instruction to employees about parents' and eligible students' rights under this policy. Employees will also be informed about the procedures for carrying out this policy. It is the responsibility of the superintendent to annually notify parents and eligible students that they have the right to:

1. Inspect and review the student's education records;
2. Seek amendment of the student's education records that the parent or eligible student believes to be inaccurate, misleading, or otherwise in violation of the student's privacy rights;
3. Consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that the law authorizes disclosure without consent; and
4. File a complaint with the U.S. Department of Education concerning alleged failures by the district to comply with the law.

The notice is given in a parents' or eligible student's native language. Should the school district collect personal information from students for the purposes of marketing or selling that information, the school district will annually notify parents for such activity.

The notice will include a statement that the parents have a right to file a complaint alleging the school district failed to comply with this policy. Complaints are forwarded to Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, Washington, DC. 20202-8520.

***NOTE: This is a mandatory policy.***

***NOTE: For districts that include the option language regarding the interagency agreement, please ensure that the policy is included in the student handbook, in accordance with law.***

Legal Reference:           20 U.S.C. § 1232g, 1415.  
                                   34 C.F.R. §§ 99; 300 .610, *et seq.*  
                                   Iowa Code §§ 22; 279.9B, 280.24, 280.25, 622.10  
                                   281 I.A.C. 12.3(4); 41  
                                   1980 Op. Att'y Gen. 720, 825.

Cross Reference:       501    Student Attendance  
                                   505    Student Scholastic Achievement  
                                   506    Student Records  
                                   507    Student Health and Well-Being  
                                   603.3 Special Education  
                                   708    Care, Maintenance and Disposal of School District Records  
                                   901    Public Examination of School District Records

REQUEST OF NONPARENT FOR EXAMINATION OR COPIES OF EDUCATION RECORDS

The undersigned hereby requests permission to examine the Clarke 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 (SPECIFY DETAILS \_\_\_\_\_.) ( )
- (f) Otherwise authorized by law: SPECIFY DETAILS: \_\_\_\_\_.) ( )
- (g) A representative of a juvenile justice agency with which the school district has an interagency agreement. ( )

The undersigned agrees that the information obtained will only be redisclosed consistent with state or federal law without the written permission of the parents of the student, or the student if the student is of majority age.

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

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

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

APPROVED:

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

Address: \_\_\_\_\_

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

City: \_\_\_\_\_

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

State: \_\_\_\_\_ ZIP: \_\_\_\_\_

Dated: \_\_\_\_\_

Phone Number: \_\_\_\_\_

AUTHORIZATION FOR RELEASE OF STUDENT RECORDS

The undersigned hereby authorizes Clarke Community School District to release copies of the  
following official education 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: \_\_\_\_\_

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: \_\_\_\_\_



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:

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

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

Address: \_\_\_\_\_

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

City: \_\_\_\_\_

Dated: \_\_\_\_\_

State: \_\_\_\_\_ ZIP \_\_\_\_\_

Phone Number: \_\_\_\_\_

NOTIFICATION OF TRANSFER OF EDUCATION RECORDS

To: \_\_\_\_\_ Date: \_\_\_\_\_  
Parent/or Guardian

Street Address:

City/State \_\_\_\_\_ ZIP: \_\_\_\_\_

Please be notified that copies of the Clarke 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)

Reviewed: 2/15/10; 5/26/15  
Revised: 5/8/17

LETTER TO PARENT REGARDING RECEIPT OF A SUBPOENA

Date

Dear (Parent):

This letter is to notify you that the Clarke Community School District has received a \_\_\_\_\_  
(subpoena or court order)

requesting copies of your child's education records. The specific records requested are \_\_\_\_\_  
\_\_\_\_\_.

The school district has until \_\_\_\_\_ to deliver the documents to  
(date on subpoena or court order)

\_\_\_\_\_. If you have any questions, please do not hesitate to contact me  
(requesting party on subpoena or court order).

at \_\_\_\_\_ .  
(phone #)

Sincerely,

(Principal or Superintendent)

## JUVENILE JUSTICE AGENCY INFORMATION SHARING AGREEMENT

**Statement of Purpose:** The purpose of this Agreement is to allow for the sharing of information among the School District and the Agencies prior to a student's adjudication in order to promote and collaborate to improve school safety, reduce alcohol and illegal drug use, reduce truancy, reduce in-school and out-of-school suspensions, and to support alternatives to in-school and out-of-school suspensions and expulsions which provide structured and well supervised educational programs supplemented by coordinated and appropriate services designed to correct behaviors that lead to truancy, suspension, and expulsions and to support students in successfully completing their education.

**Identification of Agencies:** This agreement is between the Clarke 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.

**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 shall be used solely for determining the programs and services appropriate to the needs of the student or student's family or coordinating the delivery of programs and services to the student or student's family.
5. Information shared under the agreement is not admissible in any court proceedings which take place prior to a disposition hearing, unless written consent is obtained from a student's parent, guardian, or legal or actual custodian.
6. Information obtained by the school from other juvenile justice agencies may not be used as the basis for disciplinary action of the student.
7. This agreement only governs a school district's ability to share information and the purposes for which that information can be used. Other agencies are bound by their own respective confidentiality policies.

**Records' Transmission:** The individual requesting the information should contact the principal of the building in which the student is currently enrolled or was enrolled. The principal will forward the records within 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.

Signature: \_\_\_\_\_ Address: \_\_\_\_\_  
Title: \_\_\_\_\_ City: \_\_\_\_\_  
Agency: \_\_\_\_\_ State: \_\_\_\_\_ ZIP \_\_\_\_\_  
Dated: \_\_\_\_\_ Phone Number: \_\_\_\_\_

Signature: \_\_\_\_\_ Address: \_\_\_\_\_  
Title: \_\_\_\_\_ City: \_\_\_\_\_  
Agency: \_\_\_\_\_ State: \_\_\_\_\_ ZIP \_\_\_\_\_  
Dated: \_\_\_\_\_ Phone Number: \_\_\_\_\_

Signature: \_\_\_\_\_ Address: \_\_\_\_\_  
Title: \_\_\_\_\_ City: \_\_\_\_\_  
Agency: \_\_\_\_\_ State: \_\_\_\_\_ ZIP \_\_\_\_\_  
Dated: \_\_\_\_\_ Phone Number: \_\_\_\_\_

Signature: \_\_\_\_\_ Address: \_\_\_\_\_  
Title: \_\_\_\_\_ City: \_\_\_\_\_  
Agency: \_\_\_\_\_ State: \_\_\_\_\_ ZIP \_\_\_\_\_  
Dated: \_\_\_\_\_ Phone Number: \_\_\_\_\_

APPROVED: April 27, 1998  
Reviewed: 5/26/15  
Revised: 2/15/10; 6/25/12; 5/8/17

*Note: This agreement is optional and can only be used if the board has adopted a policy approving of its use.*

## 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 the school district to amend a record should write the school principal (or appropriate school official), 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 personally identifiable information from education records, such as an attorney, auditor, medical consultant, or therapist; a parent or student serving on an official committee, such as a disciplinary or grievance committee or student assistance team, or assisting another school official in performing his or her tasks.

A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

Upon request, the district discloses education records without consent to officials of another school district in which a student seeks or intends to enroll, or is already enrolled if the disclosure is for purposes of the student's enrollment or transfer. *(Note: FERPA requires a school district to make a reasonable attempt to notify the parent or eligible student of the records request unless it states in its annual notification that it intends to forward records on request.)*

ANNUAL NOTICE

- (4) The right to file a complaint with the U.S. Department of Education concerning alleged failures by the district to comply with the requirements of FERPA. The name and address of the office that administers FERPA is:

Family Policy Compliance Office, U.S. Department of Education,  
400 Maryland Ave., SW, Washington, DC, 20202-4605.

***NOTE: If the board decides to eliminate name, address or telephone listing from their directory information, military recruiters and postsecondary institution still have the right, under federal law, to access the three items. If the board eliminates name, address or telephone listing, the district needs to give parents a second notice allowing them to withhold this information from military recruiters or postsecondary institutions.***

Revised: 2/15/10; 6/25/12

Reviewed:

Revised: 5/26/15; 5/8/17

## USE OF EDUCATION RECORDS REGULATION

Parents and eligible students will have a right to access a student's education records upon request without unnecessary delay and in no instance more than forty-five calendar days after the request is made. The intent of this regulation is to establish procedures for granting requests from eligible students and parents to access a student's education.

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 Administrator/Designee 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.



## USE OF EDUCATION RECORDS REGULATION

5. Upon parental request, the school district will hold a hearing regarding the content of a student's education records which the parent believes to be inaccurate, misleading, or in violation of the privacy rights of students.
6. The hearing will be held within a reasonable time after receipt of the parent or eligible student's request. The parent or eligible student will receive reasonable advance notice of date, time and place of the hearing.
7. The parents or eligible student will be given a full and fair opportunity to present evidence relevant to the issues. The parent or eligible student may be represented by an individual at their choice at their own expense.
8. The hearing officer will render a written decision within a reasonable period after the hearing. The decision will be based upon evidence presented at the hearing and must include a summary of the evidence and the reasons for the decision.
9. The parents may appeal the hearing officer's decision to the superintendent within 10 days if the superintendent does not have a direct interest in the outcome of the hearing.
10. The parents may appeal the superintendent's decision, or the hearing officer's decision if the superintendent was unable to hear the appeal, to the board within 10 days. It is within the discretion of the board to hear the appeal.
11. If the parents' and the eligible student's request to amend the education student record is further denied following the hearing, the parents or the eligible student are informed that they have a right to place an explanatory letter in the education student record commenting on the school district's decision or setting forth the reasoning for disagreeing with the school district. Additions to the student's education records will become a part of the education student record and be maintained like other education student records. If the school district disclosed the education student records, the explanation by the parents will also be disclosed or the eligible student of the decision writing.

Approved: 4/27/98Reviewed 5/26/15Revised 11/8/04; 2/15/10; 7/13/15  
5/8/17

## STUDENT DIRECTORY INFORMATION

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.

***NOTE: This is a mandatory policy. A school district may limit what it considers to be directory information. If the school district limits the information, it must also make those changes in the school district's annual notice and the regulation and exhibit supporting this policy.***

Legal Reference: 20 U.S.C. § 1232g  
 34 C.F.R. § 99  
 Iowa Code § 22; 622.10  
 281 I.A.C. 12.3(4); 41  
 1980 Op. Att’y Gen. 720.

Cross Reference: 504 Student Activities  
 506 Student Records  
 901 Public Examination of School District Records  
 902.4 Live Broadcast or Videotaping

Approved 4/27/98

Reviewed 5/26/15

Revised 11/8/04; 2/15/10;  
6/25/12; 5/8/17

## USE OF DIRECTORY INFORMATION

The *Family Educational Rights and Privacy Act* (FERPA), a Federal law, requires that Clarke 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, Clarke 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 Clarke 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,
- Sport 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 *Elementary and Secondary Education Act of 1965* (ESEA) to provide military recruiters, upon request, with the following information – names, addresses and telephone listings – unless parents have advised the LEA that they do not want their student's information disclosed without their prior written consent.<sup>1</sup>

If you do not want the Clarke 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 September 15 of current school year. Clarke 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.)**

<sup>1</sup> These laws are: Section 9528 of the Elementary and Secondary Education Act (20 U.S.C § 7908) and 10 U.S.C. §503(c).

## AUTHORIZATION FOR RELEASING STUDENT DIRECTORY INFORMATION

The Clarke 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 at [www.clarkecsd.org](http://www.clarkecsd.org) (District tab, Board of Education, Board Policies) and all school building offices.

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 \_\_\_\_\_, 20\_\_ of this school year. If you desire to make such a refusal, please complete and return the slip attached to this notice.

If you have no objection to the use of student information, you do not need to take any action.

***NOTE: If the board decides to eliminate name, address or telephone listing from their directory information, military recruiters and postsecondary institution still have the right, under federal law, to access the three items. If the board eliminates name, address or telephone listing, the district needs to give parents a second notice allowing them to withhold this information from military recruiters or postsecondary institutions.***

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*RETURN THIS FORM*

Clarke Community School District Parental Directions to Withhold Student/Directory Information for Education Purposes, for 20\_\_ - 20\_\_ school year.

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

Date of Birth \_\_\_\_\_

School: \_\_\_\_\_

Grade: \_\_\_\_\_

\_\_\_\_\_  
(Signature of Parent/Legal Guardian/Custodian of Child)

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

This form must be returned to your child's school no later than \_\_\_\_\_, 20 \_\_.  
Additional forms are available at your child's school.

Reviewed 5/26/15  
Revised 2/15/10; 6/25/12; 5/8/17; 12/12/22

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 (2007).  
1980 Op. Att'y Gen. 114.

Cross Reference: 506 Student Records

Approved 4/27/98 Reviewed 11/8/04; 5/26/15 Revised 2/15/10

## STUDENT LIBRARY CIRCULATION RECORDS

Student library circulation records are designed to be used internally to assist in the orderly administration of the school district libraries. As a general rule, student library circulation records are considered confidential records and will not be released without parental consent. Individuals who may access such records include a student's parents, the student, authorized licensed employees, authorized government officials from the U.S. Comptroller General, the Secretary of Education, the Commissioner and Director of the National Institute of Education, and the Assistant Secretary for Education and State Education Department. Appropriate authorities in a health or safety emergency may access the student's library circulation records without the approval or the notification of the student's parents. Parents may not access records, without the student's permission, of a student who has reached the age of majority or who is attending a post-secondary educational institution unless the student is considered a dependent for tax purposes.

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

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

***NOTE: This is a mandatory policy and a reflection of federal and Iowa law. For more detailed discussion of this issue, see IASB's Policy Primer, Vol. 20 #1 – August 31, 2007.***

Legal Reference: 20 U.S.C. § 1232g (2004).  
34 C.F.R. Pt. 99 (2004).  
Iowa Code §§ 22 (2007).  
281 I.A.C. 12.3(4), (12)  
1980 Op. Att'y Gen. 720, 825.

Cross Reference: 506 Student Records

Approved 4/27/1998

Reviewed 10/8/2004; 5/26/15

Revised 10/22/2007; 2/15/10

## 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. By Iowa law, a student cannot begin attending classes until an up-to-date immunization record has been obtained. 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, within 60 calendar days, 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 will refer students to their primary care physician or local public health for the administration of the TB test if deemed necessary.

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.

***NOTE: Physical examinations are not required by law but are strongly recommended. Immunizations and the certificate of immunization are legal requirements.***

Legal Reference: Iowa Code §§ 139.8; 280.13 (2007).  
281 I.A.C. 33.5.  
641 I.A.C. 7.

Cross Reference: 402.2 Child Abuse Reporting  
501 Student Attendance  
507 Student Health and Well-Being

Approved 9/12/88

Reviewed 4/27/98

Revised 11/8/04; 2/15/10; 5/26/15; 6/8/20



## 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. Administration of medication may also occur consistent with board policy 804.5 – Stock Prescription Medication Supply.

When administration of the medication requires ongoing professional health judgment, an individual health plan shall be developed by licensed health personnel working under the auspice of the school with collaboration from the parent or guardian, individual's health care provider or education team pursuant to 281.14.2(256). 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 airway constricting diseases, respiratory distress, or students with a 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 physicians, and persons to whom authorized practitioners have delegated the administration of medication (who have successfully completed a medication administration course conducted by a registered nurse or pharmacist that is provided by the department of education). The medication administration course is completed every five years with an annual procedural skills check completed with a registered nurse or a pharmacist. 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. The development of emergency protocols for medication-related reactions is required. Medication information shall be confidential information as provided by law.

Disposal of unused, discontinued/recalled, or expired abandoned 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.

ADMINISTRATION OF MEDICATION TO STUDENTS

*This is a mandatory policy.*

***NOTE: Iowa law requires school districts to allow students with asthma airway constricting disease, or respiratory 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: School districts may stock over-the-counter, nonprescription medications that are not for life-threatening incidents. The policy for medication administration covers prescription and nonprescription medications.***

***NOTE: Disposal procedures reflect the Iowa Department of Education School Hazardous Waste and Medication Management Guidance, issued 2021-2022:***

***[https://www.iowadnr.gov/Portals/idnr/uploads/waste/swfact\\_schoolhazardouswastemedicationmanagement/pdf](https://www.iowadnr.gov/Portals/idnr/uploads/waste/swfact_schoolhazardouswastemedicationmanagement/pdf)***

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).  
281 IAC 14.1, .2

Cross Reference: 506 Student Records  
507 Student Health and Well-Being  
603.3 Special Education  
607.2 Student Health Services

Approved 11/8/04

Reviewed 5/26/15

Revised 1/26/09; 2/15/10; 6/13/16; 5/10/21; 12/12/22; 7/24/23

AUTHORIZATION-ASTHMA, AIRWAY CONSTRICTING OR RESPIRATORY DISTRESS MEDICATION-  
ADMINISTRATION CONSENT FORM

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  
Student's Name (Last), (First) (Middle)    Birthday    School    Date

In accordance with applicable laws, students with asthma, airway constricting diseases, respiratory distress 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. The following must occur for a student to self-administer asthma medication, bronchodilator canisters or spacers, other airway constricting disease medication or to self-administer an epinephrine auto-injector:

- Parent/guardian provides signed, dated authorization for student medication self-administration.
- Parent/guardian provides a written statement from the student’s licensed health care professional (A person licensed under chapter 148 to practice medicine and surgery or osteopathic medicine and surgery, an advanced registered nurse practitioner licensed under chapter 152 or 152E and registered with the board of nursing, or a physician assistant licensed to practice under the supervision of a physician as authorized in chapters 147 and 148C) containing the following:
  - Name and purpose of the medication; or epinephrine auto-injector;
  - Prescribed dosage; and
  - Times or special circumstances under which the prescribed 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 shall be renewed annually. In addition, 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, the school shall permit the self-administration of the prescribed medication by a student 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, after notification is provided to the student’s parent.

Pursuant to state law, the school district and its employees are to incur no liability, except for gross negligence, as a result of any injury arising from self-administration of medication or use of an epinephrine auto-injector by the student. The parent or guardian of the student shall sign a statement acknowledging that the school district is to incur no liability, except for gross negligence, as a result of self-administration of medication or an epinephrine auto-injector by the student as provided by law.

AUTHORIZATION-ASTHMA, AIRWAY CONSTRICTING, OR RESPIRATORY DISTRESS MEDICATION-SELF-  
ADMINISTRATION CONSENT FORM

\_\_\_\_\_  
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 medication, bronchodilators canisters or spacers, - or other airway constricting disease medication(s), and/or an epinephrine auto-injector 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 an epinephrine auto-injector or for supervising, monitoring, or interfering with a student's self-administration of medication or use of an epinephrine auto-injector. I acknowledge that the school district is to incur no liability, except for gross negligence, as a result of self-administration of medication or use of an epinephrine auto-injector by the student.
- 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) and any other applicable laws.
- I agree to provide the school with back-up medication approved in this form.
- (Student maintains self-administration record). **(Note: This bullet is recommended but not required.)**

\_\_\_\_\_  
Parent/Guardian Signature                      \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_  
(agreed to above statement)                      Date

\_\_\_\_\_  
Parent/Guardian Address                      \_\_\_\_\_  
Home Phone

\_\_\_\_\_  
Business Phone

\_\_\_\_\_  
Self-Administration Authorization Additional Information

Reviewed: 2/15/10; 5/26/15; 6/13/16  
Revised: 12/12/22; 7/24/23

PARENTAL AUTHORIZATION AND RELEASE FORM FOR THE ADMINISTRATION OF MEDICATION OR SPECIAL HEALTH SERVICES TO STUDENTS

Student's Name (Last), (First) (Middle) \_\_\_\_\_ / / \_\_\_\_\_ Birthday

School \_\_\_\_\_ / / \_\_\_\_\_ Date

School medications and special health services are administered following these guidelines:

- Parent has provided a signed, dated authorization to administer prescription medication and/or provided, special health services listed. Electronic signatures meet the requirements of written signatures. The prescribed medication is in the original, labeled container as dispensed.
• The prescription medication label contains the student's name, name of the medication, the medication dosage, time(s) to administer, route to administer, and date.
• Authorization is renewed annually and as soon as practical when the parent notifies the school that changes are necessary.

Prescribed Medication \_\_\_\_\_ Dosage \_\_\_\_\_ Route \_\_\_\_\_ Time at School \_\_\_\_\_

Special Health Services and instructions, in indicated:

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

/ / \_\_\_\_\_ Discontinue/Re-Evaluate/Follow-up Date for Prescribed Medication or Special Health Services listed

Prescriber's Signature (if prescription medication) \_\_\_\_\_ / / \_\_\_\_\_ Date
And credentials (when indicated for health service delivery)

Parent/Guardian Signature \_\_\_\_\_ Date \_\_\_\_\_

Parent/Guardian address \_\_\_\_\_ Home phone \_\_\_\_\_

PARENTAL AUTHORIZATION AND RELEASE FORM FOR THE ADMINISTRATION OF MEDICATION OR  
SPECIAL HEALTH SERVICES TO STUDENTS

_____ Parent's Signature	_____/_____/_____ Date
_____ Parent's Address	_____ Home Phone
_____ Additional Information	_____ Business Phone
_____	
_____	
_____	

Authorization Form

Reviewed: 2/15/10; 5/26/15; 6/13/16  
Revised: 7/24/23

PARENTAL AUTHORIZATION AND RELEASE FORM FOR INDEPENDENT SELF CARRY AND ADMINISTRATION OF PRESCRIBED MEDICATION OR INDEPENDENT DELIVERY OF HEALTH SERVICES BY THE STUDENT

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  
 Student's Name (Last), (First), (Middle)      Birthday      School      Date

I request the above-named student (Parent/Guardian initial all that apply)

\_\_\_\_\_ Carry and complete co-administration of prescribed medication, when competency has been demonstrated to licensed health personnel working under the auspices of the school. In accordance with applicable laws, students with asthma, airway constricting diseases, respiratory distress 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. The information provided by the parent for medication administration is confidential as provided by the Family Education Rights and Privacy Act (FERPA) and any other applicable laws. I agree to provide safe delivery of the medication to and from school and to pick up remaining medication at the end of the school year or when medication is expired. If the students abuses the self-administration policy, the ability to self-administer may be withdrawn by the school or discipline may be imposed, after notification is provided to the student's parent.

Prescribed Medication	Dosage	Route	Time at School
-----------------------	--------	-------	----------------

\_\_\_\_\_ Co-administer, participate in planning, management and implementation of special health services at school and school activities after demonstration of proficiency to licensed health personnel working under the auspices of the school. The information provided by the parent for health service delivery is confidential as provide by the Family Education Rights and Privacy Act (FERPA) and any other applicable laws. I agree to coordinate and work with school personnel and the prescriber (if indicated) when questions arise. I agree to provide safe delivery of the student's equipment necessary for health service delivery to and from school and to pick up remaining equipment at the end of the school year.

Special Health Services Delivery:

\_\_\_\_\_

\_\_\_\_\_

Procedures for abandoned medication disposal shall be in accordance with applicable laws.

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  
 Prescriber's Signature      Date  
 and credentials (when indicated for health service delivery)

\_\_\_\_\_  
 Parent/Guardian Signature      Date

\_\_\_\_\_  
 Parent/Guardian address      Home phone

PARENTAL AUTHORIZATION AND RELEASE FORM FOR THE ADMINISTRATION  
OF VOLUNTARY SCHOOL STOCK OF OVER-THE-COUNTER MEDICATION TO STUDENTS

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  
Student's Name (Last), (First), (Middle)      Birthday      School      Date

The district supplies the following nonprescription, over-the-counter medications that are listed below. Generic brands may be substituted, *(select all that apply)*:

- *Acetaminophen administered per manufacturer label*
- *Throat Lozenges administered per manufacturer label*
- *Other: \_\_\_\_\_ administered per manufacturer label (Please Specify)*
- *Other: \_\_\_\_\_ administered per manufacturer label (Please Specify)*
- *Other: \_\_\_\_\_ administered per manufacturer label (Please Specify)*
- *Other: \_\_\_\_\_ administered per manufacturer label (Please Specify)*

Voluntary school stock of nonprescription, over-the-counter medications are administered following these guidelines:

- Parent has provided a signed, dated annual authorization to administer of the nonprescription, over-the-counter medication(s) listed according to the manufacturer instructions. Electronic signature meets the requirement of written signature.
- The nonprescription, over-the-counter medication is in the original, labeled container and dispensed per the manufacturing label.
- All other nonprescription, over-the-counter medication not listed will require a written parent authorization and supply for the over-the counter medication.
- Supplements are not nonprescription, over-the-counter medications approved by the Federal Drug Administration and are **NOT** applicable.
- Nonprescription, over-the-counter medications approved by the Federal Drug Administration that require emergency medical service (EMS) notification after administration are **NOT** applicable.
- Persons administering nonprescription, over-the-counter medication include licensed health personnel working under the auspices of the school and individuals, whom licensed health personnel have delegated the administration of medication with valid certification who have successfully completed a medication administration course approved by the department and annual medication administration procedural skills check.
  - Districts stocking the administration of a voluntary stock of nonprescription, over-the-counter medications, collaborate with licensed health personnel to develop and adopt a protocol shared with the parent to define at a minimum:
    - when to contact the parent when a nonprescription medication, over the counter medication is administered;



- documentation of the administration of the nonprescription, over-the-counter medication and parent contact;
- a limit to the administration of a school's stock nonprescription, over-the-counter medications that would require a prescriber signature for further administration of a school's nonprescription, over-the-counter medications for the remaining school year;
- the development of an individual health plan for ongoing medication administration or health service delivery at school.

I request that the above-named student receive the voluntary stock nonprescription, over-the-counter medications supplied by the school in accordance with the district guidelines and protocol.

\_\_\_\_\_  
Parent Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Parent/Guardian Address

\_\_\_\_\_  
Home Phone

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(s), to develop administrative regulations stating the procedures for dealing with students with a communicable disease.

For more information on communicable disease charts, and reporting forms, go to the Iowa Department of Public Health Web site: <http://www.idph.state.ia.us>

***NOTE: This policy is consistent with current health practices regarding communicable diseases. The bloodborne pathogen language in the second paragraph and accompanying regulation is in compliance with federal law on control of bloodborne pathogens.***

Legal Reference: School Board of Nassau County v. Arline, 480 U.S. 273 (1987).  
29 U.S.C. §§ 701 *et seq.* (2004).  
45 C.F.R. Pt. 84.3 (2004).  
Iowa Code ch. 139A.8 (2007).  
641 I.A.C. 1.2-.5, 7.

Cross Reference: 403.3 Communicable Diseases - Employees  
506 Student Records  
507 Student Health and Well-Being

Approved 9/12/1988 Reviewed 4/27/1998; 5/26/15 Revised 11/8/04; 2/15/10

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 ensure an accident report is filed by the school health professional with the superintendent/designee 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.

***NOTE: This policy outlines the recommended practice.***

Legal Reference: Iowa Code § 613.17 (2007).

Cross Reference: 507 Student Health and Well-Being

Approved 2/11/91

Reviewed 4/27/98

Revised 11/8/04; 2/15/10; 5/26/15

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 review 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 9/12/88 Reviewed 4/27/98; 5/26/15 Revised 11/8/04; 2/15/10; 5/10/21

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.

***NOTE: Although it is a recommended practice, it is within the board's discretion to determine whether it wants to require student athletes to have insurance.***

Legal Reference: Iowa Code § 279.8 (2007).

Cross Reference: 504 Student Activities  
507 Student Health and Well-Being

Approved 8/8/88 Reviewed 5/26/15 Revised 4/27/98; 11/8/04; 2/15/10

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 (2007).  
441 I.A.C. 9.2; 155; 175.

Cross Reference: 506 Student Records  
507 Student Health and Well-Being

Approved 4/27/98 Reviewed 11/8/04; 5/26/15 Revised 2/15/10

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 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; 273.2, .5, .9(2)-(3); 280.8

Cross Reference:        502     Student Rights and Responsibilities  
                              506     Student Records  
                              603.3   Special Education

Approved 4/17/04

Reviewed 5/26/15

Revised 11/8/04; 1/26/09; 2/15/10;  
5/10/21

## 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 REGULATION

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

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

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

- physically present.
- available at the same site.
- available on call.

B. Licensed health personnel 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.

SPECIAL HEALTH SERVICES REGULATION

- 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.
- G. 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.
- H. 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.

Reviewed: 2/15/10; 5/26/15

## WELLNESS POLICY

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

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

The school district supports and promotes proper dietary habits contributing to students' health status and academic performance. All foods available on school grounds and at school-sponsored activities during the instructional day should meet or exceed the Smart Snack Nutrition Standards and in compliance with state and federal law. Foods should be served with consideration toward nutritional integrity, variety, appeal, taste, safety and packaging to ensure high-quality meals. *See the DE guidance on Healthy Hunger free Act and the new meal guidelines @ educateiowa.gov under nutrition tab.* [www.sns.usda.gov/schoolmeals/healthy-hunger-free-kids-act](http://www.sns.usda.gov/schoolmeals/healthy-hunger-free-kids-act).

The school district will make every effort to eliminate any social stigma attached to, and prevent the overt identification of, students who are eligible for free and reduced-price meals. Toward this end, the school district may utilize electronic identification and payment systems; provide meals at no charge to all children, regardless of income; promote the availability of meals to all students; and/or use nontraditional methods for serving meals.

The school district will develop a local wellness policy committee comprised of parents, students, and representatives of the school food authority, the school board, school administrators, and the public, physical education teachers, and school health professionals. Community members will be invited to participate via website and local print invitation. The local wellness policy committee will develop a plan to implement the local wellness policy and periodically review and update the policy. The committee has designated the District Food Service Director and District Superintendent to monitor implementation and evaluation the implementation of the policy. The committee will report annually to the board and community regarding the content and effectiveness of this policy and recommend updates if needed. When monitoring implementation, schools will be evaluated individually with reports prepared by each school and the school district as a whole. The report will include which schools are in compliance with this policy, the extent to which this policy compares to model Wellness policies and describe the progress made in achieving the goals of this policy. District wellness reports will be posted on the district website.

Specific Wellness Goals (boards need to insert their specific goals here)

- specific goals for nutrition education and promotion, (*see Appendix A*)
- physical activity, (*see Appendix B*)
- other school-based activities that are designed to promote student wellness, (*see Appendix C*)

The nutrition guidelines for all foods available will focus on promoting student health and reducing childhood obesity.

The board will monitor and evaluate this policy – *see Appendix E*.

Legal Reference: Richard B. Russell National School Lunch Act, 42 U.S.C. 1751 *et seq.* (2005)  
Child Nutrition Act of 1966, 42 U.S.C. 1771 *et seq.*,  
Iowa Code 256.7(29), 256.11(6)  
281 IAC 12.5(19), 12.5(20), 58.11

Cross Reference: 504.5 Student Fund Raising  
504.6 Student Activity Program  
710 School Food Services

Approved 6/26/06

Reviewed 5/26/15

Revised 2/15/10; 7/12/10; 3/28/11; 8/13/12;  
04/25/16; 3/13/17; 6/8/20

## NUTRITION EDUCATION AND PROMOTION

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

- is offered to students in the elementary, middle and high school and is designed to provide students with the knowledge and skills necessary to promote and protect their health;
- includes enjoyable, developmentally appropriate, culturally relevant participatory activities, such as contests, promotions, taste-testing, and school gardens;
- promotes fruits, vegetables, whole-grain products, low-fat and fat-free dairy products, healthy food preparation methods and health-enhancing nutrition practices;
- emphasizes caloric balance between food intake and physical activity;
- links with meal programs, other foods and nutrition-related community services; and,
- includes training staff.

Reviewed: 7/12/10; 5/26/15

Revised: 2/15/10; 3/28/11; 8/13/12; 4/25/16; 3/13/17; 6/8/20

## PHYSICAL ACTIVITY

### **Daily Physical Education**

The school district will provide physical education that:

- is for all students in grades K-12;
- is taught by a certified physical education teacher;
- includes students with disabilities, students with special health-care needs may be provided in alternative educational settings; and,
- engages students in moderate to vigorous activity during at least 50 percent of physical education class time.

(The Centers for Disease Control and Prevention recommends at least 150 minutes a week for elementary students and 225 minutes a week for middle and high school students);

### **Daily Recess**

Elementary schools should provide recess for students that:

- is at least 20 minutes a day;
- is preferably outdoors;
- encourages moderate to vigorous physical activity verbally and through the provision of space and equipment; and,
- discourages extended periods (i.e., periods of two or more hours) of inactivity.

When activities, such as mandatory school-wide testing, make it necessary for students to remain indoors for long periods of time, schools should give students periodic breaks during which they are encouraged to stand and be moderately active.

### **Physical Activity and Punishment**

Employees will not use physical activity (e.g., running laps, pushups) or withhold opportunities for physical activity (e.g., recess, physical education) as punishment.

## **Optional Issues**

### **Physical Activity Opportunities after School**

After-school child care and enrichment programs will provide and encourage – verbally, and through the provision of space, equipment and activities – daily periods of moderate to vigorous physical activity for all participants.

Reviewed: 3/28/11; 5/26/15

Revised: 2/15/10; 7/12/10; 8/13/12; 4/25/16; 3/13/17

## OTHER SCHOOL-BASED ACTIVITIES THAT PROMOTE STUDENT WELLNESS

### **Integrating Physical Activity into Classroom Settings**

For students to receive the nationally recommended amount of daily physical activity and for students to fully embrace regular physical activity as a personal behavior, students need opportunities for physical activity beyond the physical education class. Toward that end, the school district will:

- offer classroom health education that complements physical education by reinforcing the knowledge and self-management skills needed to maintain a physically active lifestyle and to reduce time spent on sedentary activities;
- discourage sedentary activities, such as watching television, playing computer games, etc.;
- provide opportunities for physical activity to be incorporated into other subject lessons; and,
- encourage classroom teachers to provide short physical activity breaks between lessons or classes, as appropriate.

### **Optional Issues**

#### **Communication with Parents**

The school district will support parents' efforts to provide a healthy diet and daily physical activity for their children. The school district will:

- send home nutrition information, post nutrition tips on school web sites and provide nutrient analyses of school menus;
- encourage parents to pack healthy lunches and snacks and to refrain from including beverages and foods that do not meet the established Smart Snack Nutrition Standards for individual foods and beverages;
- provide parents a list of foods that meet the school district's snack standards and ideas for healthy celebrations/parties, rewards and fundraising activities; see Clarke website for Healthy School Celebration and Non-Food Alternatives.
- provide opportunities for parents to share their healthy food practices with others in the school community;
- provide information about physical education and other school-based physical activity opportunities before, during and after the school day;
- support parents' efforts to provide their children with opportunities to be physically active outside of school; and,
- include sharing information about physical activity and physical education through a web site, newsletter, other take-home materials, special events or physical education homework.

#### **Food Marketing in Schools**

School-based marketing will be consistent with nutrition education and health promotion. The school district will:

- limit food and beverage marketing to the promotion of foods and beverages that meet the Smart Snacks Nutrition Standards for meals or for foods and beverages sold individually;
- prohibit school-based marketing of brands promoting predominantly low-nutrition foods and beverages;
- promote healthy foods, including fruits, vegetables, whole grains, and low-fat dairy products; and
- market activities that promote healthful behaviors (and are therefore allowable) including: vending machine covers promoting water; pricing structures that promote healthy options in a la carte lines; sales of fruit for fundraisers; and coupons for discount gym memberships.

## OTHER SCHOOL-BASED ACTIVITIES THAT PROMOTE STUDENT WELLNESS

**Examples:** Marketing techniques include the following: logos and brand names on/in vending machines, books or curricula, textbook covers, school supplies, scoreboards, school structures, and sports equipment; educational incentive programs that provide food as a reward; programs that provide schools with supplies when families buy low-nutrition food products; in-school television, such as Channel One; free samples or coupons; and food sales through fundraising activities.

### **Staff Wellness**

The school district values the health and well-being of every staff member and will plan and implement activities and policies that support personal efforts by staff to maintain a healthy lifestyle.

Revised 2/15/10; 7/12/10; 3/28/11; 8/13/12; 5/26/15, 4/25/16; 3/13/17



## NUTRITION GUIDELINES FOR ALL FOODS AVAILABLE ON CAMPUS

### **School Meals**

Meals served through the National School Lunch and Breakfast Programs will:

- be served in clean and pleasant settings;
- meet, at a minimum, nutrition requirements established by state and federal law;
- offer a variety of fruits and vegetables legumes and whole grains;
- serve only low-fat (1%) and fat-free milk and nutritionally equivalent non-dairy alternatives (as defined by the USDA);
- will follow the Smart Snacks Nutrition Standards for the national school breakfast and school lunch programs.

Schools should:

- engage students and parents, through taste-tests of new entrees and surveys, in selecting foods offered through the meal programs in order to identify new, healthful and appealing food choices; and
- share information about the nutritional content of meals with parents and students. (The information could be made available on menus, a web site, on cafeteria menu boards, placards or other point-of-purchase materials.)

### **Breakfast**

To ensure that all children to have breakfast, either at home or at school, in order to meet their nutritional needs and enhance their ability to learn, schools will:

- operate the breakfast program, to the extent possible;
- arrange bus schedules and utilize methods to serve breakfasts that encourage participation;
- notify parents and students of the availability of the School Breakfast Program, where available; and,
- encourage parents to provide a healthy breakfast for their children through newsletter articles, take-home materials or other means.

### **Free and Reduced-Priced Meals**

The school district will make every effort to eliminate any social stigma attached to, and prevent the overt identification of, students who are eligible for free and reduced-price meals. Toward this end, the school district may:

- utilize electronic identification and payment systems;
- provide meals at no charge to all eligible children; and,
- promote the availability of meals to all students.

### **Meal Times and Scheduling**

The school district:

- should schedule meal periods at appropriate times, e.g., lunch should be scheduled between 11 a.m. and 1 p.m.; should not schedule tutoring, club or organizational meetings or activities during mealtimes, unless students may eat during such activities;
- will provide students access to hand washing or hand sanitizing before they eat meals or snacks; and,
- should take reasonable steps to accommodate the tooth-brushing regimens of students with special oral health needs (e.g., orthodontia or high tooth decay risk).

## NUTRITION GUIDELINES FOR ALL FOODS AVAILABLE ON CAMPUS

### **Qualification of Food Service Staff**

Qualified nutrition professionals will administer the meal programs. As part of the school district's responsibility to operate a food service program, the school district will:

- provide continuing professional development for all nutrition professionals; and,
- provide staff development programs that include appropriate certification and/or training programs for child nutrition directors, nutrition managers and cafeteria workers, according to their levels of responsibility.

### **Sharing of Foods**

The school district discourages students from sharing their foods or beverages with one another during meal or snack times, given concerns about allergies and other restrictions on some children's diets.

### **Foods Sold Outside the Meal (e.g. vending, a la carte, sales)**

All foods and beverages sold individually outside the reimbursable meal programs (including those sold through a la carte [snack] lines, student stores or fundraising activities) during the school day, or through programs for students after the school day will meet Smart Snacks as required by state or federal law. For current state guidelines, click here <http://www.fns.usda.gov/healthierschoolday/tools-schools-focusing-smart-snacks>.

### **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, with an emphasis on serving fruits and vegetables as the primary snacks and water as the primary beverage. Schools will assess if and when to offer snacks based on timing of meals, children's nutritional needs, children's ages and other considerations. The school district will disseminate a list of healthful snack items to teachers, after-school program personnel and parents. See Clarke website for Healthy School Celebration and Non-Food Alternatives.

### **School-Sponsored Events**

Foods and beverages offered or sold at school-sponsored events outside the school day are encouraged to meet the Smart Snacks for meals or for foods and beverages sold individually.

### **Food Safety**

All foods made available on campus adhere to food safety and security guidelines.

- All foods made available on campus comply with the state and local food safety and sanitation regulations. Hazard Analysis and Critical Control Points (HACCP) plans and guidelines are implemented to prevent food illness in schools.  
[http://www.fns.usda.gov/tn/Resources/servingsafe\\_chapter6.pdf](http://www.fns.usda.gov/tn/Resources/servingsafe_chapter6.pdf)
- For the safety and security of the food and facility, access to the food service operations are limited to child nutrition staff and authorized personnel.

### **School Sponsored Fundraiser**

Fundraisers sold during school hours, 12:00 AM – 30 minutes after the last school bell for the day will be non-food related or meet Smart Snack Nutrition Standards. Fundraising efforts held outside school hours are encouraged to sell only non-food items, promote physical activity, or include foods and beverages that meet or exceed the Smart Snacks nutrition standards.

Reviewed: 5/26/15

Revised: 2/15/10; 7/12/10; 3/28/11; 8/13/12; 4/25/16; 3/13/17

## PLAN FOR MEASURING IMPLEMENTATION

### **Monitoring**

The superintendent will ensure compliance with established school district-wide nutrition and physical activity wellness policies.

In each school:

- the principal will ensure compliance with those policies in the school and will report on the school's compliance to the superintendent; and,
- food service staff, at the school or school district level, will ensure compliance with nutrition policies within food service areas and will report on this matter to the superintendent or principal.

In the school district:

- the school district will report on the most recent USDA School Meals Initiative (SMI) review findings and any resulting changes. If the school district has not received a SMI review from the state agency within the past five years, the school district will request from the state agency that a SMI review be scheduled as soon as possible; results will be posted on the district website.

### **Policy Review**

Each school in the school district will complete the Wellness Policy Building Progress Report per national regulations of the school's existing wellness, nutrition and physical activity environments and practices. The results of the school-by-school assessments will be compiled at the school district level to identify and prioritize needs.

Assessments will be repeated each year to help review policy compliance, assess progress and determine areas in need of improvement. As part of that review, the school district wellness team will review the nutrition and physical activity policies and practices and the provision of an environment that supports healthy eating and physical activity. The school district, and individual schools within the school district will, revise the wellness policies and develop work plans to facilitate their implementation.

Reviewed: 2/15/10; 7/12/10; 3/28/11; 5/26/15

Revised: 8/13/12, 4/25/16; 3/13/17

CLASS OR STUDENT GROUP GIFTS

The board welcomes gifts to the school district from a class or student group. While class gifts to the school district do not require the approval of the superintendent, the board encourages students to consult with the superintendent or other licensed employees prior to selecting a gift for the school district.

Legal Reference:Iowa Code §§ 68B; 722.1, .2 (2007).

Cross Reference:704.4 Gifts - Grants - Bequests

Approved 9/12/88 Reviewed 11/8/04; 5/26/15 Revised 4/27/98; 2/15/10

OPEN NIGHT

In keeping with good community relations, student school activities will not be scheduled on Wednesday night beyond 6:30 p.m. 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 (2007).

Cross Reference:900 Principles and Objectives for Community Relations

Approved 4/27/98 Reviewed 11/8/04; 5/26/15 Revised 2/15/10

## EMERGENCY SCHOOL CLOSINGS

The superintendent has the authority to close schools, dismiss early, or keep school open beyond the regular school day in case of extreme weather or other emergency conditions. As soon as possible after the decision has been made, the superintendent shall arrange to announce the closing via the news media.

Make-up days will be scheduled so that students will attend school for the minimum numbers of school hours per year prescribed by statute, Iowa Department of Education rules, and Board policy. On any day when the school is forced to close early, the number of hours that school was in session shall count towards the minimum number of school hours per year prescribed by statute, Iowa Department of Education rules, and Board policy.

### Transportation in Poor Weather Conditions

Buses will not operate when weather conditions (fog, rain, snow, ice storm, etc.) make it unsafe to do so. Because weather conditions may vary around the district and may change quickly, the best judgment will be used that is possible with the information available.

The final decision in declaring conditions "unsafe" will be made by the superintendent or his/her designee.

Notification to all interested persons will be accomplished by commercial radio or television when school is canceled, temporarily delayed, or dismissed early. For information regarding text or email notification please refer to the school website, [www.clarkecsd.org](http://www.clarkecsd.org).

When weather conditions worsen during the day after school has begun, students will be returned to prearranged locations. Parents will be asked to choose the designated location or to pick up the student at school. The district will attempt to comply with special requests for pick up or delivery of students.

Adopted: 9/12/1988

Reviewed: 2/15/10

Revised: 4/27/1998; 12/13/2004; 5/26/15; 12/12/22

## EDUCATION PROGRAM

### Series 600

- 600 Goals and Objectives of the Education Program
- 601 General Organization
  - 601.1 School Calendar
  - 601.2 School Day
- 602 Curriculum Development
  - 602.1 Curriculum Development
  - 602.2 Curriculum Implementation
  - 602.3 Curriculum Evaluation
  - 602.4 Pilot – Experimental – Innovative Projects
  - 602.5 RESERVED
  - 602.6 Staff Development
- 603 Instructional Curriculum
  - 603.1 Basic Instruction Program
  - 603.2 Summer School Instruction
  - 603.3 Special Education
  - 603.4 Multicultural/Gender Fair Education
  - 603.5 Health Education
  - 603.5E1 Human Growth and Development Student Excuse Form
  - 603.6 Physical Education
  - 603.7 Career Education
  - 603.8 Teaching About Religion
  - 603.8R1 Teaching About Religion Regulation - Religious Holidays
  - 603.9 Academic Freedom
  - 603.9R1 Teaching Controversial Issues
  - 603.10 Global Education
  - 603.11 Citizenship
  - 603.12 Foreign Study
  - 603.13 Co-Curricular Activities
  - 603.14 Outside Resource People
- 604 Alternative Programs
  - 604.1 Private Instruction
  - 604.2 Individualized Instruction
  - 604.3 Extended Learning Program
  - 604.4 Program for At-Risk Students
  - 604.5 Religious-Based Exclusion from A School Program
  - 604.6 Instruction at a Post-Secondary Educational Institution
  - 604.7 Dual Enrollment
  - 604.8 Foreign Students
  - 604.9 RESERVED
  - 604.10 Online Courses
  - 604.11 Appropriate use of Online Learning Platforms
- 605 Instructional Materials
  - 605.1 Instructional Materials Selection
  - 605.1R1 Selection of Instructional Materials
  - 605.2 Instructional Materials Inspection
  - 605.3 Objection to Instructional Materials
  - 605.3E1 Instructions to the Reconsideration Committee
  - 605.3E2 Reconsideration of Instructional Materials
  - 605.3E3 Sample Letter to Individual Challenging Instructional Materials
  - 605.3E4 Request to Prohibit a Student from Checking Out Specific Library Materials
  - 605.3E5 Request to Prohibit a Student From Accessing Specific Instructional and Library Materials
  - 605.3R1 Reconsideration of Instructional Materials Regulation

605.4	Technology and Instructional Materials
605.5	School Library
605.6	Internet – Acceptable Use
605.6E1	Internet Access Permission Letter to Parents K-12
605.6E1A	Acceptable Use of Technology Agreement
605.6E1B	Acceptable Use Agreement for Student Electronic Devices
605.6E1C	Clarke Elementary School Student Pledge for Electronic Device Use
605.6E2	Internet Acceptable Use Violation Notice
605.6R1	Internet – Acceptable Use – Regulation
605.7	Use of Information Resources
605.7R1	Use of Information Resources Regulation
605.8	Artificial Intelligence in the Education Environment
605.8R1	Artificial Intelligence in the Education Environment Regulation
606	Instructional Arrangements
606.1	Class Size - Class Grouping
606.2	School Ceremonies and Observances
606.3	Animals in the Classroom
606.4	Student Production of Materials and Services
606.5	Student Field Trips and Excursions
606.6	Insufficient Classroom Space
606.7	Shared-Time Staff
606.8	Shared-Time Enrollment
606.9	Public/Private School Relations
607	Instructional Services
607.1	Student Guidance and Counseling Program
607.2	Student Health Services
607.2R1	Student Health Services Regulation
607.3	Control of Head Lice



## GOALS AND OBJECTIVES OF THE EDUCATION PROGRAM

The goals and objectives of the school district are designed to achieve the philosophy statement of the school district. 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.

Short-term and long-term objectives for the education program are established annually by the board. These objectives will reflect the results of the needs assessment, recommendation of the advisory committee, recommendations from the superintendent, and changes in law.

Annually, the board will report to the committee regarding progress toward the achievement of the goals and objectives of the education program.

Note: For more detailed discussion of this issue, see IASB's Policy Primer, Vol. 19 #10 - June 8, 2007.

Approved 2/14/2005

Reviewed 7/30/07; 1/26/15; 1/14/19

Revised 3/8/2010

## 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 includes, but is not limited to, the days for student instruction, staff development, in-service days and teacher conferences. Each year the minimum school calendar may include up to 5 days or 30 hours of instruction delivered primarily over the internet.

The academic school year for students is for a minimum of 1080 hours in the school calendar. The academic school year for students shall begin no sooner than August 23. 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 or 30 hours of instruction after the school district requirements for graduation have been met. The board may also excuse graduating seniors from making up days missed due to inclement weather if the student has met the school district's graduation requirements.

It 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. The board shall hold a public hearing on any proposed school calendar prior to adopting the school calendar.

***NOTE: This is a mandatory policy that reflects Iowa law.***

Legal Reference: Iowa Code §§ 20.9; 279.10, 280.3, 299.1 (2)  
281 I.A.C. 12.1(7); 41.106.

Cross Reference: 501.3 Compulsory Attendance  
601.2 School Day  
603.3 Special Education

Approved 3/12/1990

Reviewed 1/14/19

Revised 2/14/00; 2/14/05; 3/8/10; 3/23/15; 6/13/16; 7/24/23

## 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 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 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 *superintendent/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. 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 (3) (21) (32), 279.8, .10  
                                   281 I.A.C. 12.1(1), .1(7-10).

Cross Reference:         601.1 School Calendar

Approved 9/12/1988

Reviewed 1/14/19

Revised 2/14/00; 2/14/05; 3/8/10;  
3/23/15; 7/23/20; 12/12/22

## 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. The board delegates the curriculum development process to the Superintendent, who will make curriculum development recommendations and submit them to the board for final approval.

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 the curriculum development process 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 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*
- *Ensure proposed curriculum complies with applicable laws.*
- *Align annual improvement goals with needs assessment information.*

## CURRICULUM DEVELOPMENT

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.

***NOTE: This is a mandatory policy but the content is discretionary to the extent somewhere in the board policy the board describes its process for establishing content standards, benchmarks, performance levels, and annual improvement goals aligned with needs assessment information. The bulleted items are suggestions for content of this policy. The italicized items are not mandatory functions but are implied from the mandates. Boards, in conjunction with their administrators, should review their curriculum development process and incorporate it into this policy – striking what doesn't apply and adding what does. For more detailed discussion of this issue, see IASB's Policy Primer, Vol. 13#1- February 15, 2000.***

Legal Reference:20 U.S.C. § 1232h  
34 C.F.R. Pt. 98.  
Iowa Code §§ 216.9; 256.7; 279.8; .74; 280.3  
281 I.A.C. 12.5, .8.

Cross Reference:101 Educational Philosophy of the School District  
103Long-Range Needs Assessment  
602Curriculum Development  
603Instructional Curriculum  
604.10 Online Courses  
605Instructional Materials

Approved 12/14/1992 Reviewed 1/26/15; 1/14/19 Revised 2/14/00; 3/13/00; 2/14/05; 3/8/10;  
7/15/19; 12/12/22

## 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.*
- *Ensure the curriculum framework complies with applicable laws.*
- *Provide professional development to staff to support effective curriculum implementation.*

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.

***Note: This is a mandatory policy but the content is discretionary to the extent somewhere in board policy the board describes its process for establishing content standards, benchmarks, performance levels, and annual improvement goals aligned with needs assessment information. Boards, in conjunction with their administrators, should review their curriculum implementation process and incorporate it into this policy – striking what doesn't apply and adding what does***

Legal Reference: 20 U.S.C. § 1232h  
34 C.F.R. pt. 98  
Iowa Code §§ 216.9; 256.7; 279.8; .74, 280.3.  
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: 2/14/2000

Reviewed: 1/26/15; 1/14/19

Revised: 3/13/00; 2/14/05; 3/8/10; 12/12/22

## 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;*



## CURRICULUM EVALUATION

- *Identify roles and responsibilities of key groups;*
- *Involve staff, parents, students and community members in curriculum evaluation;*
- *Ensure participation of eligible students receiving special education services in district-wide assessments;*
- *Ensure curriculum complies with applicable laws.*

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.

***NOTE: This is a mandatory policy but the content is discretionary to the extent somewhere in board policy the board describes its process for establishing content standards, benchmarks, performance levels, and annual improvement goals aligned with needs assessment information. Boards, in conjunction with their administrators, should review their curriculum evaluation process and incorporate it into this policy – striking what doesn't apply and adding what does.***

Legal Reference:       20 U.S.C. § 1232h  
                               34 C.F.R. pt. 98  
                               Iowa Code §§ 216.9; 256.7; 279.8; .74, 280.3  
                               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 3/13/2000

Reviewed 1/26/15; 1/14/19

Revised 2/14/05; 3/8/10; 12/12/22

## 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 (2004).  
34 C.F.R. Pt. 98 (2004).  
Iowa Code §§ 279.8, .10; 280.3 (2007).  
281 I.A.C. 12.5., .8.

Cross Reference: 602 Curriculum Development  
603 Instructional Curriculum

Approved 2/14/2000

Reviewed 2/14/05; 1/26/15; 1/14/19

Revised 3/8/10

RESERVED

2/21/19

## STAFF DEVELOPMENT

The Clarke Community School District will provide in its comprehensive school improvement plan, provisions for the professional development of all staff that will align with district goals, will be based on student and staff information, shall prepare all employees to work effectively with diverse learners and to implement multicultural, gender fair approaches to the educational program. Research-based practices that have achieved increased student achievement will be utilized.

Approved: 2/14/2000

Reviewed: 2/28/05; 3/8/10; 1/26/15;  
1/14/19

Revised: \_\_\_\_\_

## 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 (½ unit), vocational education (12 units) and computer science (½ 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 graduating 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 with 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 2/14/2000 Reviewed 1/26/15 Revised 2/14/05; 3/8/10; 11/14/11; 2/21/19;  
12/9/19; 5/10/21

SUMMER SCHOOL INSTRUCTION

The Clarke 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 I.A.C. 41.106.

Cross Reference: 410.2 Summer School Licensed Employees  
505.2 Student Promotion – Retention - Acceleration  
603 Instructional Curriculum  
711.4 Summer School Transportation

Approved 9/12/1988

Reviewed 2/14/05; 1/26/15  
1/14/19

Revised 2/14/2000; 3/8/10;  
6/13/16; 2/12/18; 5/10/21

## 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 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 12/14/1992

Reviewed 1/26/15; 1/14/19

Revised 2/14/00; 2/14/05; 1/26/09;  
3/8/10; 5/10/21

MULTICULTURAL/GENDER FAIR EDUCATION

Students will have an equal opportunity for a quality education without discrimination, regardless of their race, religion, creed, socioeconomic background, color, sex, marital status, national origin, sexual orientation, gender, gender identity or disability.

The education program is free of discrimination and provides equal opportunity for the students. The education program will foster knowledge of and respect and appreciation for the historical and contemporary contributions of diverse cultural groups, as well as men and women, to society. Special emphasis is placed on Asian-Americans, African-Americans, Hispanic-Americans American Indians, European Americans and persons with disabilities. It will also reflect the wide variety of roles open to both men and women and provide equal opportunity to both sexes.

NOTE: This is a mandatory policy and reflects the educational standards. For more detailed discussion of this issue, see IASB's Policy Primer, Vol. 19 #10- June 8, 2007.

Legal Reference: Iowa Code §§ 216.9; 256.11 (2007).  
281 I.A.C. 12.5(8).

Cross Reference: 102 Equal Educational Opportunity  
600 Goals and Objectives of the Education Program

Approved 12/14/1992

Reviewed 1/26/15

Revised 2/14/00; 2/14/05;  
2/27/06; 7/30/07; 3/8/10; 2/21/19



## 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. 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 instructions 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.

***NOTE: This is a mandatory policy and reflects the educational standards.***

Legal Reference: Iowa Code §§ 256.11; 279.8; .80; 280.3-.14  
281 I.A.C. 12.5.

Cross Reference: 502 Student Rights and Responsibilities  
603 Instructional Curriculum  
607 Instructional Services

Approved 4/9/1990

Reviewed 1/26/15; 1/14/19

Revised 2/14/00; 2/14/05; 3/8/10; 7/24/23

## HUMAN GROWTH AND DEVELOPMENT STUDENT EXCUSE FORM

Student Name \_\_\_\_\_ Grade \_\_\_\_\_

Parent/Guardian \_\_\_\_\_ Phone # \_\_\_\_\_

Please list the curricular objective(s) from which you wish to have your child excused and the class or grade in which each is taught. An example is provided for you to follow.

	<u>Objective</u>	<u>Class/Grade</u>
Ex.	To understand the consequences of responsible and irresponsible sexual behavior.	Health Education/6
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		

I have reviewed the Human Growth and Development program goals, objectives, and materials and wish my child to be excused from class when these objectives are taught. I understand my child will incur no penalty but may/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.

Signec \_\_\_\_\_ Date \_\_\_\_\_  
(Parent or Guardian)

Signec \_\_\_\_\_ Date \_\_\_\_\_  
(School Administrator)

Approved: 2/14/2000Reviewed: 2/14/05; 1/26/15; 1/14/19Revised: 3/8/10

## 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 quarter because the student is actively involved in an athletic program.
- the student is participating in the Legislative Page Program at the state capitol for a regular session of the general assembly; or
- the student is enrolled in a junior reserve officer training corps.

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.

***NOTE: This is a mandatory policy and reflects the educational standards.***

Legal Reference: Iowa Code § 256.11  
281 I.A.C. 12.5.

Cross Reference: 504 Student Activities  
603 Instructional Curriculum

Approved 4/9/1990

Reviewed 1/14/19

Revised 2/14/2000; 2/14/05; 3/8/10;  
2/9/15; 11/8/21

## 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.

***NOTE: This is a mandatory policy and reflects the educational standards.***

Legal Reference: Iowa Code §§ 256.11, .11A; 280.9 (2007).  
281 I.A.C. 12.5(7).

Cross Reference: 603 Instructional Curriculum

Approved 9/12/1988

Reviewed 2/14/05; 1/26/15; 1/14/19 Revised 2/14/2000; 3/8/10

## 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.

***NOTE: This policy and the accompanying regulation reflect the law on teaching religion in the public schools.***

Legal Reference: U.S. Const. amend. I.  
Lee v. Weisman, 112 S.Ct. 2649 (1992).  
Lemon v. Kurtzman, 403 U.S. 602 (1971).  
Graham v. Central Community School District of Decatur County, 608 F.Supp. 531 (S.D. Iowa 1985).  
 Iowa Code §§ 279.8; 280.6 (2007).

Cross Reference: 603 Instructional Curriculum  
 604.6 Religious-Based Exclusion from a School Program  
 606.4 School Ceremonies and Observances

Approved 9/12/1988

Reviewed 2/14/05; 1/26/15; 1/14/19

Revised 2/14/2000; 3/8/10

## 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 non-belief initiated by individual students are permitted in composition, art forms, music, speech and debate. However, teachers may not require projects or activities which are indoctrinational or force students to contradict their personal religious beliefs or non-beliefs.

Approved: 9/12/1988

Reviewed: 2/14/05; 3/8/10; 1/26/15; 1/14/19

Revised: 2/14/2000

## 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.

***NOTE: This is not a mandatory policy, but it is strongly recommended. The policy and accompanying regulation reflect current law on the subject.***

Legal Reference: Iowa Code §§ 279.8; 280.3, .6 (2007).

Cross Reference: 502 Student Rights and Responsibilities  
603 Instructional Curriculum  
903.5 Distribution of Materials

Approved 2/14/2000

Reviewed 1/26/15; 2/21/19

Revised 2/14/05; 3/8/10

## 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.

Approved: 9/12/1988

Reviewed: 2/14/05; 3/8/10; 1/26/15; 2/21/19

Revised: 2/14/2000



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

Approved 4/9/1990

Reviewed 1/26/15; 2/21/19

Revised 2/14/00; 2/14/05; 3/8/10;  
5/10/21

## 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

Approved 2/14/2000

Reviewed 2/14/05; 1/26/15; 2/21/19

Revised 3/8/10; 5/10/21

## FOREIGN STUDY

The Board of Directors recognizes that study programs outside the country are sometimes desirable and justifiable.

Plans for such study programs must be approved in advance by the Board of Directors. Separate approval shall be gained for each trip.

Proper insurance and liability protection must be guaranteed for the protection and safety of participants. The school system can in no way be placed in a position of personal liability.

There should be no monetary profit motive for any school employee. Bookkeeping shall be available for public view.

Approved: 4/12/1993      Reviewed: 2/28/05; 3/8/10; 1/26/15; 2/21/19      Revised: 2/14/2000

CO-CURRICULAR ACTIVITIES

The Board of Directors believes that a dynamic program of student activities is vital to the complete development of the student. Such activities offer opportunities to serve the institution, to assist in the development of fellowship and social goodwill, to promote self realization and all-around growth, and to encourage good citizenship qualities.

To assist in the administration of a student activities program, and to provide a framework of communication and review, the administration will develop a detailed structure of the activities program.

CROSS REF.:           504 Student Activities

Approved: 9/12/ 1988

Reviewed: 2/28/2005; 3/8/10; 1/26/15;  
2/21/19

Revised: 2/14/2000

## OUTSIDE RESOURCE PEOPLE

The Board of Directors recognizes that the people of the community are one of the greatest resources of the school system, and that they have special knowledge and particular talents to contribute to the school program. The Board of Directors therefore encourages the use of community resources and citizens assisting in furthering the educational program.

The classroom teacher shall receive approval from the building principal of a visiting speaker at least one week before the expected visit takes place.

CROSS REF.: 1003.4, Citizen Assistance to School Personnel

Approved: 9/12/1988

Reviewed: 2/28/2005; 3/8/10; 2/21/19

Revised: 2/14/2000; 2/9/15

## PRIVATE INSTRUCTION

The Clarke Community School District recognizes that families with students of compulsory attendance age may select alternative forms of education outside the traditional school setting, including private instruction. The applicable legal requirements for private instruction, including, but not limited to those relating to reporting and evaluations for progress, shall be followed.

Except as otherwise exempted, in the event a child of compulsory attendance age as defined by law does not attend public school or an accredited nonpublic school, the child must receive private instruction. Private instruction means instruction using a plan and a course of study in a setting other than a public or organized accredited nonpublic school.

Private instruction can take the form of competent private instruction and independent private instruction. The Iowa Department of Education recognizes three options for delivery of this form of instruction: two options for delivery of competent private instruction and one option for independent private instruction.

Competent private instruction means either private instruction provided on a daily basis for at least one hundred forty-eight days during a school year, to be met by attendance for at least thirty-seven days each school quarter, by or under supervision of a licensed practitioner which results in the student making adequate progress; or private instruction provided by a parent, guardian, or legal custodian.

Independent private instruction means private instruction that meets the following criteria: (i) is not accredited, (ii) enrolls not more than four unrelated students, (iii) does not charge tuition, fees, or other remuneration for instruction, (iv) provides private or religious-based instruction as its primary purpose, (v) provides enrolled students with instruction in mathematics, reading and language arts, science, and social studies, (vi) provides, upon written request from the superintendent of the school district in which the independent private instruction is provided, or from the director of the department of education, a report identifying the primary instructor, location, name of the authority responsible for the independent private instruction, and the names of the students enrolled, (vii) is not a nonpublic school and does not provide competent private instruction as defined herein, and (viii) is exempt from all state statutes and administrative rules applicable to a school, a school board, or a school district, except as otherwise provided by law.

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

***NOTE: This policy reflects Iowa law on competent private instruction and independent private instruction. For additional information, including applicable forms, please visit the “Options for Educational Choice” section of the Iowa Department of Education’s website, located at <https://www.educateiowa.gov/pk-12/options-educational-choice>.***

Legal Reference: Iowa Code §§ 299, 299A  
281 I.A.C. 31.

Cross Reference: 501 Student Attendance  
502 Student Rights and Responsibilities  
504 Student Activities  
507.1 Student Health and Immunization Certificates  
604.7 Dual Enrollment  
604.9 Home School Assistance Program

Approved 2/14/2000

Reviewed 1/26/15; 2/21/19 Revised 2/14/05; 3/8/10; 6/13/16; 11/8/21

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 (2007).

Cross Reference: 501.12 Pregnant Students  
604.1 Competent Private Instruction

Approved 2/14/2000

Reviewed 1/26/15; 2/21/19

Revised 2/14/05; 3/8/10

EXTENDED LEARNING PROGRAM

The board recognizes some students require extension beyond the regular education program. It is the responsibility of the designated staff to develop a criteria which provides for identified students. Designated staff will collaborate with other professional educators to help meet student needs. Program evaluation will be assessed on an ongoing basis throughout the year.

Legal Reference: Iowa Code §§ 257.42-.49 (2007).  
281 I.A.C. 12.5(12); 59.

Cross Reference: 505 Student Scholastic Achievement  
604.6 Instruction at a Post-Secondary Educational Institution

Approved 9/12/1988

Reviewed 2/14/05; 2/21/19

Revised 2/14/2000; 3/8/10; 2/9/15



PROGRAM FOR AT-RISK STUDENTS

The board recognizes some students require additional assistance in order to graduate from the regular education program. Designated staff 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 designated staff to develop a criteria which provides for identified students. Designated staff will collaborate with other professional educators to help meet student needs. Program evaluation will be assessed on an ongoing basis throughout the school year.

***NOTE: This is a mandatory policy and reflects the educational standards.***

Legal Reference: Iowa Code §§ 257.38-.41; 280.19, .19A (2007).  
281 I.A.C. 12.5(13); 33; 65.

Cross Reference: 505 Student Scholastic Achievement  
607.1 Student Guidance and Counseling Program

Approved 4/9/1990

Reviewed 2/14/05; 2/21/19

Revised 2/14/2000; 3/8/10; 2/9/15

## 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.

***NOTE: Paragraph one of this policy reflects Iowa law regarding parents removing their children from parts of the education program. The rest of the policy is a process so boards can adapt but it's merely recommended, not mandatory.***

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 (2007).

Cross Reference: 603 Instructional Curriculum  
 606.2 School Ceremonies and Observances

Approved 4/9/1990

Reviewed 1/26/15; 2/21/19

Revised 2/14/2000; 2/14/05; 3/8/10

## INSTRUCTION AT A POST-SECONDARY EDUCATIONAL INSTITUTION

In accordance with this policy, students in grades nine through twelve may receive academic or career and technical education credits that count toward the graduation requirements set out by the board for courses successfully completed in post-secondary educational institutions. Students and parents or guardians shall be made aware of the post-secondary instructional opportunities as part of the development of each student's individual career and academic plan as required by law. The Superintendent or designee is responsible for developing the appropriate forms and procedures for implementing this policy and the following post-secondary educational opportunities:

### **Concurrent Enrollment**

The board may, 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 post-secondary 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 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.

Legal Reference: Iowa Code §§ 256.7; -11; 258; 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

Approved 2/14/2000

Reviewed \_\_\_\_\_

Revised 2/14/05; 3/8/10; 2/9/15; 3/18/19; 7/15/19; 5/10/21; 7/24/23

## DUAL ENROLLMENT

The parent, guardian, or custodian of a student receiving competent private instruction may also enroll the student in the school district in accordance with state law and policy. The student is considered under dual enrollment. The parent, guardian, or custodian requesting dual enrollment for the student should notify the board secretary later than September 15 of the school year in which dual enrollment is sought on forms provided by the school district. On the form, they will indicate the extracurricular and academic activities in which the student is interested in participating. The forms are available at the central administration office.

A dual enrollment student is eligible to participate in the school district's extracurricular and academic activities in the same manner as other students enrolled in the school district. The policies and administrative rules of the school district will apply to the dual enrollment students in the same manner as the other students enrolled the school district. These policies and administrative rules will include, but not be limited to, athletic eligibility requirements, the good conduct rule, academic eligibility requirements, and payment of applicable fee.

A dual enrollment student whose parent, guardian, or custodian has chosen standardized testing as the form of the student's annual assessment will not be responsible for the cost of the test or the administration of the test.

After the student notifies the school district which activities in which they wish to participate, the school district will provide information regarding the specific programs.

The applicable legal requirements for dual enrollment including, but not limited to those related to reporting and eligibility, shall be followed. It is the responsibility of the superintendent to develop administrative regulations regarding this policy.

***NOTE: This policy reflects Iowa's dual enrollment law.***

Legal Reference: Iowa Code §§ 279.8, 299A  
281 I.A.C. 31.

Cross Reference: 502 Student Rights and Responsibilities  
503 Student Discipline  
504 Student Activities  
507 Student Health and Well-Being  
604.1 Private Instruction

Approved 2/14/2000

Reviewed 2/14/05; 1/26/15; 2/21/19

Revised 3/8/10; 6/13/16

## 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.

***NOTE: The only legal requirement for foreign students is stated in the second bullet. However, the other requirements are strongly recommended.***

Legal Reference: Iowa Code § 279.8 (2007).

Cross Reference: 501 Student Attendance  
507.1 Student Health and Immunization Certificates

Approved 2/14/2000

Reviewed 2/14/05; 1/26/15; 2/21/19

Revised 3/8/10

RESERVED

Reviewed: 1/26/15; 2/21/19

## 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 54 credits to be applied toward graduation requirements by completing online courses offered through the district or through agencies approved by the board and Iowa Department of Education. Credit from an on-line or virtual course may be earned only in the following circumstances:

- The course is not offered at the high school;
- Although the course is offered at the high school, the 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 the 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 score 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 online courses 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 textbook rentals or school supplies, shall be borne by the *parents* for students enrolled full-time.

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

Legal Reference: Iowa Code § 256.9(55); 279.8  
281 I.A.C. 15

Cross Reference: 605.6 Internet Acceptable Use  
501.6 Student Transfers In

Approved 3/8/10

Reviewed \_\_\_\_\_

Revised 3/23/15; 3/18/19  
7/15/19; 5/10/21



## 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 Acceptable Use  
                                   501.6    Student Transfers In

Approved   7/23/20  

Reviewed \_\_\_\_\_

Revised \_\_\_\_\_

## INSTRUCTIONAL MATERIALS SELECTION

The board has sole discretion to approve instructional materials for the school district. The board delegates this authority to licensed employees to determine which instructional materials, other than textbooks, will be utilized the school district. The Superintendent will provide licensed employees necessary training to ensure selected instructional materials comply with applicable laws. All instructional materials are available for review upon request and subject to all applicable laws.

In reviewing current instructional materials for continued use and in selecting additional instructional materials, 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 licensed employees.

In the case of textbooks, the board will make the final decision after receiving a recommendation from the superintendent. The criteria stated above for selection of other instructional materials will apply to the selection of textbooks. The superintendent may develop another means for the selection of textbooks. Textbooks are reviewed as needed and at least every 7 years.

Education materials gifted to the school district must meet the criteria established above. The gift must be received in compliance with board policy.

The superintendent will establish additional criteria to guide the selection of instructional materials through administrative regulation, ensuring alignment with educational goals and compliance with laws.

***NOTE: This is a mandatory policy but the content is discretionary. The board may edit the policy and regulation to reflect its philosophy, goals and practices.***

Legal Reference: Iowa Code §§ 279.8; 279.74; 280.14; 301.  
281 I.A.C. 12.3(12).

Cross Reference: 208 Ad Hoc Committees  
505 Student Scholastic Achievement  
602 Curriculum Development  
605 Instructional Materials

Approved 9/12/1988 Reviewed 2/14/05; 1/26/15; 2/21/19 Revised 7/12/99; 2/14/00; 10/22/07;  
4/12/10; 12/12/22

## SELECTION OF INSTRUCTIONAL MATERIALS

## I. Responsibility for Selection of Instructional Materials

- A. The board is responsible for matters relating to the operation of the District.
- B. The responsibility for the selection of instructional materials is delegated to the professionally trained and licensed employees of the school system.
- C. While selection of materials may involve many people including principals, teachers, teacher-librarian, students, parents and community members the responsibility for coordinating the selection of most instructional materials and making the recommendation for the purchase rests with licensed employees.
- D. Responsibility for coordinating the selection of instructional materials for distribution to classes will rest with the licensed employees, principal and superintendent.
- 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.*

*In the event material is changed, your report, presenting both majority and minority opinions, will be presented by the principal to the complainant at the conclusion of our discussion of the questioned material.*

## SELECTION OF INSTRUCTIONAL MATERIALS

- II. Material selected for use in libraries and classrooms will meet the following guidelines:
- A. Religion - Material will represent any religions in a factual, unbiased manner. The primary source material of religions is considered appropriate, but material which advocates rather than informs, or is designed to sway reader judgment regarding religion, will not be included in the school libraries or classrooms.
  - B. Racism - Material will present a diversity of race, custom, culture, and belief as a positive aspect of the nation's heritage and give candid treatment to unresolved intercultural problems, including those which involve prejudice, discrimination, and the undesirable consequences of withholding rights, freedom, or respect of an individual. Required material will comply with all applicable laws.
  - C. Sexism - Material will reflect sensitivity to the needs, rights, traits and aspirations of individuals without preference or bias. Required material will comply with all applicable laws.
  - 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 complies with all applicable laws and is subjected to a test of literary merit and reality by the teacher-librarians and licensed staff who will take into consideration their reading of public and community standards of morality.
  - G. Controversial issues materials will be directed toward maintaining a balanced collection representing various views.

The selection decision should be made on the basis of whether the material presents an accurate representation of society and culture, whether the circumstances depicted are realistically portrayed, or whether the material has literary or social value when the material is viewed as a whole.

These guidelines will not be construed in such a manner as to preclude materials which accurately represent the customs, morals, manners, culture, or society of a different time or a different place.

## III. Procedure for Selection

- A. Material purchased for libraries and classrooms is recommended for purchase by licensed employees, in consultation with administrative staff, school library staff, students or an ad hoc committee as appointed by the board. The material recommended for purchase is approved by the appropriate building administrator.

## SELECTION OF INSTRUCTIONAL MATERIALS

1. The materials selected will support stated objectives and goals of the school district. Specifically, the goals are:
  - a. To acquire materials and provide service consistent with the demands of the curriculum;
  - b. To develop students' skills and resourcefulness in the use of libraries and learning resources;
  - c. To effectively guide and counsel students in the selection and use of materials and libraries;
  - d. To foster in students a wide range of significant interests;
  - e. To provide opportunities for aesthetic experiences and development of an appreciation of the fine arts;
  - f. To provide materials to motivate students to examine their own attitudes and behaviors and to comprehend their own duties and responsibilities as citizens in a pluralistic democracy;
  - g. To encourage life-long education through the use of the library; and,
  - h. To work cooperatively and constructively with the instructional and administrative staff in the school.
  
2. Materials selected are consistent with stated principles of selection. These principles are:
  - a. To select 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 racial, religious and ethnic groups in the community by:
    1. Portraying people, 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.

## SELECTION OF INSTRUCTIONAL MATERIALS

- 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 others 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?

SELECTION OF INSTRUCTIONAL MATERIALS

6. Will it help students and teachers keep abreast of and understand current events?
  7. Will it foster and develop hobbies and special interests?
  8. Will it help develop aesthetic tastes and appreciation?
  9. Will it serve the needs of students with special needs?
  10. Does it inspire learning?
  11. Is it relevant to the subject?
  12. Will it stimulate a student's interest?
4. Gifts of library or instructional materials may be accepted if the gift meets existing criteria for library and instructional materials. The acceptance and placement of such gifts is within the discretion of the board.
5. In order to provide a current, highly usable collection of materials, teacher-librarians will ensure constant and continuing renewal of the collection, not only the addition of up-to-date materials, but by the judicious elimination of materials which no longer meet school district needs or find use. The process of weeding instructional materials will be done according to established and accepted standards for determining the relevance and value of materials in a given context.

Approved: \_\_\_\_\_

Reviewed: 2/14/05; 4/12/10; 1/26/15;

Revised: 7/12/99; 2/14/00; 10/22/07; 2/21/19; 12/12/22; 7/24/23

INSTRUCTIONAL AND LIBRARY MATERIALS INSPECTION AND DISPLAY

Parents and other members of the school district community may view the instructional and library 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.

Instructional and library materials may be viewed on school district premises.

The district will publish on the district's website a comprehensive list of all book available to students in libraries operated by the school district.

It is the responsibility of the superintendent to develop administrative regulations regarding the inspection of instructional materials.

***NOTE: The federally funded programs portion of this policy reflects federal law on the subject of parental rights to inspect instructional materials.***

***NOTE: The publication requirement listed is a legal requirement. Until July 1, 2025, if districts do not currently use electronic library catalogs, the district may request a waiver from the Department of Education from this requirement.***

Legal Reference:           Goals 2000: Educate America Act, Pub. L. No. 103-227, 108 Stat. 125 (1994).  
                                  Iowa Code §§ 279.8; 279.74; 280.3, .14; 301  
                                  281 I.A.C. 12.3(12).

Cross Reference:602       Curriculum Development  
                                  605 Instructional Materials  
                                  901.1Public Examination of School District Records

Approved 9/12/1988

Reviewed 2/14/05; 1/26/15; 2/21/19

Revised 2/14/00; 10/22/07; 4/12/10; 12/12/22; 7/24/23



## OBJECTION TO INSTRUCTIONAL AND LIBRARY MATERIALS

Members of the school district community may object to the instructional and library 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. Information related to the process for reconsideration of instructional and library materials will be made available on the district's website.

Parents or guardians of students enrolled in the district have the ability to request that their student not be able to access certain instructional materials or check out certain library materials. For purposes of prohibiting access to instructional materials, Iowa law has defined instructional materials to mean either printed or electronic textbooks and related core materials that are written and published primarily for use in elementary school and secondary school instruction and are required by a state educational agency or district for use by students in the student's classes by the teacher of record. Instructional materials does not include lesson plans.

***NOTE: This is a mandatory policy including the language allowing parents or guardians to request their student not be provided with certain instructional materials. The district is required to provide this policy and accompanying regulation/exhibits to parents at least annually either in paper or electronic form. The board may edit the policy and regulation to reflect its philosophy, goals and practices***

Legal Reference: Iowa Code §§ 279.8; 279.74, .77; 280.3, .14; 301  
281 I.A.C. 12.3(12).

Cross Reference: 213 Public Participation in Board Meetings  
402.5 Public Complaints About Employees  
602 Curriculum Development  
605 Instructional Materials

Approved 2/14/2000  
Reviewed 10/27/03; 2/14/05; 1/26/15; 2/21/19  
Revised 10/22/07; 4/12/10; 12/12/22; 7/24/23

## 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 and library 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 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 a combination of community members and licensed employees as details in 605.3R1. The community should not, therefore, infer that the committee is biased or is obligated to uphold prior professional decisions.

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 meaningful discussion of disparate views. 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.

The committee may, at its discretion, hear an oral presentation from the complainant to the committee to expand and elaborate on the complaint. The committee may 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.

Approved: 2/14/2000

Reviewed: 2/14/05; 1/26/15; 2/21/19

Revised: 10/27/03, 10/22/07; 4/12/10; 12/12/22

RECONSIDERATION OF INSTRUCTIONAL AND LIBRARY MATERIALS

REQUEST FORM

Request for re-evaluation of printed or multimedia 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 \_\_\_\_\_

MULTIMEDIA MATERIAL IF APPLICABLE:

Title \_\_\_\_\_

Producer (if known) \_\_\_\_\_

Type of material (website, online resource,  
filmstrip, motion picture, etc.) \_\_\_\_\_

PERSON MAKING THE REQUEST REPRESENTS: (circle one)

Self \_\_\_\_\_ Group or Organization \_\_\_\_\_

Name of group \_\_\_\_\_

Address of Group \_\_\_\_\_

RECONSIDERATION OF INSTRUCTIONAL AND LIBRARY MATERIALS REQUEST FORM

1. What brought this item to your attention?

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2. To what in the item do you object? (please be specific; cite pages, or frames, etc.)

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3. In your opinion, what harmful effects upon students might result from use of this item?

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4. Do you perceive any instructional value in the use of this item?

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5. Did you review the entire item? If not, what sections did you review?

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6. Should the opinion of any additional experts in the field be considered?

\_\_\_\_\_ yes                      \_\_\_\_\_ No

If yes, please list specific suggestions: \_\_\_\_\_

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7. To replace this item, do you recommend other material which you consider to be of equal or superior quality for the purpose intended?

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RECONSIDERATION OF INSTRUCTIONAL AND LIBRARY MATERIALS REQUEST FORM

8. Do you wish to make an oral presentation to the Review Committee?

\_\_\_\_\_ Yes (a) Please contact the Superintendent

(b) Please be prepared at this time to indicate the approximate length of time your presentation will require. Although this is no guarantee that you'll be allowed to present to the committee or that you will get your requested amount of time.

\_\_\_\_\_ Minutes.

\_\_\_\_\_ No

\_\_\_\_\_  
Dated

\_\_\_\_\_  
Signature

Reviewed 4/12/10; 1/26/15; 2/21/19

Revised: 12/12/22

SAMPLE LETTER TO INDIVIDUAL CHALLENGING INSTRUCTIONAL MATERIALS OR LIBRARY

Dear:

We recognize your concern about the use of \_\_\_\_\_ in our school district. The school district has developed procedures for selection of instructional materials but realizes that not everyone will agree with every selection made.

To help you understand the selection process, we are sending copies of the school districts:

1. Instructional goals and objectives,
2. Instructional and Library Materials Selection policy statement, and,
3. Procedure for reconsideration of instructional and library 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,

Approved: 2/14/00

Reviewed: 10/27/03; 2/14/05; 10/22/07; 4/12/10; 1/26/15; 2/21/19

Revised: 12/12/22

REQUEST TO PROHIBIT A STUDENT FROM CHECKING OUT  
SPECIFIC LIBRARY MATERIALS

Request to prohibit a student from checking out certain library materials to be submitted to the superintendent.  
Please complete one form per student.

REQUEST INITIATED BY \_\_\_\_\_ DATE \_\_\_\_\_

Name \_\_\_\_\_

Address \_\_\_\_\_

City/State \_\_\_\_\_ Zip Code \_\_\_\_\_ Telephone \_\_\_\_\_

Name of affected Student \_\_\_\_\_

Requester's Relationship to Student (must be parent/legal guardian) \_\_\_\_\_

BOOK OR OTHER PRINTED MATERIAL TO PROHIBIT STUDENT FROM CHECKING OUT:

Author \_\_\_\_\_ Hardcover \_\_\_\_\_ Paperback \_\_\_\_\_ Other \_\_\_\_\_

Title \_\_\_\_\_

Publisher (if known) \_\_\_\_\_

Date of Publication \_\_\_\_\_

MULTIMEDIA MATERIAL TO PROHIBIT STUDENT FROM CHECKING OUT:

Title \_\_\_\_\_

Producer (if known) \_\_\_\_\_

Type of material (filmstrip, motion picture, etc.) \_\_\_\_\_

\_\_\_\_\_  
Dated

\_\_\_\_\_  
Signature

***REQUEST TO PROHIBIT A STUDENT FROM ACCESSING SPECIFIC INSTRUCTIONAL AND LIBRARY MATERIALS***

Request to prohibit a student from checking out certain instructional materials to be submitted to the superintendent. Please complete one form per student.

REQUEST INITIATED BY \_\_\_\_\_ DATE \_\_\_\_\_

Name \_\_\_\_\_

Address \_\_\_\_\_

City/State \_\_\_\_\_ Zip Code \_\_\_\_\_ Telephone \_\_\_\_\_

Name of affected Student \_\_\_\_\_

Requester's Relationship to Student (must be parent/legal guardian) \_\_\_\_\_

**BOOK OR OTHER PRINTED MATERIAL TO PROHIBIT STUDENT FROM ACCESSING:**

Author \_\_\_\_\_ Hardcover \_\_\_\_\_ Paperback \_\_\_\_\_ Other \_\_\_\_\_

Title \_\_\_\_\_

Publisher (if known) \_\_\_\_\_

Date of Publication \_\_\_\_\_

**MULTIMEDIA MATERIAL TO PROHIBIT STUDENT FROM ACCESSING:**

Title \_\_\_\_\_

Producer (if known) \_\_\_\_\_

Type of material (filmstrip, motion picture, etc.) \_\_\_\_\_

\_\_\_\_\_  
Dated

\_\_\_\_\_  
Signature



## RECONSIDERATION OF INSTRUCTIONAL AND LIBRARY 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. While the individuals recommending the selection of such material were duly qualified to make the selection and followed the proper procedure and observed the criteria for selecting such mater; the district must be ready to acknowledge that an error in selection may have been made despite this process. School employees regularly read great numbers of reviews in the selection process, and occasional errors are possible.
1. The complainant will address the complaint at the lowest organizational level of licensed staff. Often this will be the classroom teacher.
  2. The school official or employee receiving a complaint regarding instructional or library materials will try to resolve the issue at the lowest organizational level. The materials generally 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 district'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 teacher-librarian who can identify and explain the use of the material.
    - c. The school official or employee receiving the initial complaint will direct the complainant to complete the Request for Reconsideration of Instructional and Library Materials Form, and notify the building level principal of receipt of the complaint within two school days after the reconsideration form is received. Schools officials will offer to assist the complainant in completing the form, but if a complainant refuses to complete the form, the complaint will be deemed invalid and no further action taken.
- B. Request for Reconsideration
1. A member of the school district community may formally challenge instructional and library 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 Request for Reconsideration of Instructional and Library Forms.
  3. The individual will state the specific reason the instructional or library material is being challenged. The Request for Reconsideration of Instructional and Library Form is signed by the individual and filed with the building-level principal.
  4. The building-level principal will promptly file the objection with the Superintendent for re-evaluation.

## RECONSIDERATION OF INSTRUCTIONAL AND LIBRARY MATERIALS REGULATION

5. The Superintendent will convene a reconsideration committee within two weeks of receipt of the Reconsideration Form.
6. The committee will make their recommendation to the Superintendent within five school days of meeting.
7. The Superintendent will issue a decision related to the Reconsideration Request Form within 5 school days of receipt of the committee's recommendation. A copy of the Superintendent's decision will be provided to the complainant.
8. An appeal of the Superintendent's decision may be filed with the board secretary within five days of the Superintendent's decision. The board will determine whether to hear the appeal at the next regular meeting or within 30 days of the Superintendent's decision, whichever is later. If the board elects to hear the appeal, the board will act to affirm, modify or reverse the decision of the Superintendent. The board's decision will be communicated to the complainant. The board's decision will be deemed final.
9. 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.
10. The Reconsideration Committee
  - a. The reconsideration committee is made up of six members.
    - (1) One licensed employee designated annually, as needed, by the superintendent.
    - (2) One teacher-librarian designated annually by the superintendent.
    - (3) One member of the administrative team designated annually by the superintendent.
    - (4) Three members of the community appointed annually, as needed, by the board.
  - b. The committee will 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. The committee may be subject to applicable open meetings and public records laws. Notice of committee meeting is made public through appropriate communications methods as required by law.
  - f. The committee will receive the completed Reconsideration Request Form from the superintendent.
  - g. The committee will determine its agenda for the first meeting which may include the following:
    - (1) Distribution of copies of the completed Reconsideration Request Form.
    - (2) An opportunity for the individual or a group spokesperson to talk about or expand on the Reconsideration Request Form.
    - (3) Distribution of reputable, professionally prepared reviews of the challenged instructional material if available.
    - (4) Distribution of copies of the challenged instructional material as available.

## RECONSIDERATION OF INSTRUCTIONAL MATERIALS REGULATION

- h. The Committee will determine whether interested persons, including the individual filing the challenge, may have an opportunity to share their views. The committee may request that individuals with special knowledge be present to give information to the committee.
- i. 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 superintendent, the complainant and the appropriate attendance centers.
- j. The individual filing the challenge is kept informed by the Superintendent of the status of the reconsideration request throughout the reconsideration process. The individual filing the challenge and known interested parties is given appropriate notice of meetings as required by law.
- k. Following the superintendent's decision with respect to the committee's recommendation, the individual may appeal the decision to the board for review.
- l. A recommendation to sustain a challenge will not be interpreted as a judgment of irresponsibility on the part of the individuals involved in the original selection or use of the material.
- m. Requests to reconsider materials which have previously been reconsidered by the committee must receive approval of two-thirds of the committee members before the materials will again be reconsidered.
- n. If necessary or appropriate in the judgment of the committee, the committee may consolidate related challenges, or decline to hear multiple challenges to the same material. Generally, the committee will not hear subsequent challenges to the same material within the same school year.

Approved: 2/14/00

Reviewed: 2/14/05; 4/12/10; 1/26/15; 2/21/19

Revised: 10/27/2003; 10/22/07; 7/24/23; 1/15/24

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 economical ways to utilize multi-media, computers, electronic devices, and other technologies 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.

NOTE: This is a mandatory policy and reflects the educational standards.

Legal Reference: Iowa Code § 279.8.  
281 I.A.C. 12.3(12), 12.5(10), .5(17).

Cross Reference: 602 Curriculum Development  
605 Instructional Materials

Approved 4/9/1990  
Reviewed 2/14/2005; 1/26/15; 2/21/19  
Revised 2/14/00; 10/22/07; 4/12/10; 12/12/22

## SCHOOL LIBRARY

The school district will maintain a school library in each building for use by employees and by students during the school day.

Materials for the libraries will be acquired consistent with all applicable laws and board policy, "Instructional Materials Selection." The district shall provide access to all parents and guardians of students enrolled in the district an online catalog of all books available to students in the school libraries. This access will be displayed on the school district's website. Any challenges to library materials will be handled following the process for handling challenges to instructional and library materials as established in board policy.

It is the responsibility of the principal of the building in which the school library is located to oversee the use of materials in the library.

It is the responsibility of the superintendent to develop procedures for the selection and replacement of both library and instructional materials, for the acceptance of gifts, for the weeding of library and instructional materials.

***NOTE: This is a mandatory policy and reflects the educational standards. District who do not currently have online library catalog software may request a waiver from the DE for the requirement to post a list. Waivers may be accepted until July 1, 2025.***

Legal Reference: Iowa Code §§ 256.7(24); 256.11(9); 279.8, .50 280.6; 14; 301  
281 I.A.C. 12.3(11), (12).

Cross Reference: 602 Curriculum Development  
605 Instructional Materials

Approved 2/14/2000

Reviewed 2/14/2005; 1/26/15; 2/21/19

Revised 10/22/07; 4/12/10; 12/12/22; 7/24/23

## INTERNET – ACCEPTABLE USE

The district recognizes the importance of developing students into agile learners who are capable of addressing the complex needs of our future workforce. For this reason, the district has prioritized making available technology and programs that teach students to embrace modern technology and tools while fostering a secure learning environment for students to the extent reasonable. 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 address may be issued to students. Students may be permitted to use district-issued email address and Internet-based collaboration software to send and received messages at school.

The Internet can provide a vast collection of educational resources for students and employees. It is a global network, which makes it impossible to control all available information. Because information appears, disappears and changes constantly, it is not possible to predict or control what students may locate. The school district makes no guarantees as to the accuracy of information received on the Internet. Although students will be under teacher supervision while on the network, it is not possible to constantly monitor individual students and what they are accessing on the network. Some students might encounter information that may not be of educational value. Student Internet records and access records are confidential records treated like other student records. Students' Internet activities will be monitored by the school district to ensure students are not accessing inappropriate sites that have visual depictions that include obscenity, child pornography or are harmful to minors. The school district will use technology protection measures to protect students from inappropriate access, including sites that include obscenity, child pornography or are harmful to minors.

The school district will monitor 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 cyberbullying, including awareness and response. Employees will provide age appropriate training for students who use the Internet. The training provided will be designed to promote the school district's commitment to:

- The standards and acceptable use of Internet services as set forth in this policy and regulation;
- Student safety with regard to:
  - safety on the Internet;
  - appropriate behavior while on 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 under the Children's Internet Protection Act (CIPA) or E-rate.

INTERNET – ACCEPTABLE USE

***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: 3/16/1998

Reviewed: 2/14/2000; 2/14/05; 1/26/15;

Revised: 6/10/02; 4/12/10; 5/14/12; 2/21/19; 12/18/12; 6/23/16;0/21; 4/8/24

## INTERNET ACCESS PERMISSION LETTER TO PARENTS K-12

Students may be provided access to the Internet, the worldwide information network, at school with parental permission on the attached form. Students will be taught what is considered appropriate Internet usage. These rules apply to equipment owned by the District and equipment and/or personal devices brought to school from home.

The Board of Education, teachers, and administrators firmly believe the information, the immediacy and the interaction available on this worldwide network far outweigh the risk that users may procure material which is inconsistent with the educational goals of the District.

The use of the network is a privilege and may be taken away for violation of law or board policy or regulations. The use of the Internet must be in support of education and research, consistent with the educational objectives of the Clarke Community School District, board policy and regulations, and the terms of this document. Access to and use of the Internet is a privilege and not a right. Users will be expected to abide by the generally accepted rules of network etiquette and those outlined in board policy and regulations. Online activities may be monitored through our CIPA-mandated filter. A copy of the filtering guidelines may be obtained from the District administrator. A violation of the guidelines for use of the Internet may result in sanctions against the user. The user will be responsible for any financial obligation incurred through the use of the Internet.

Students may be given access to a District provided e-mail account and other communication sites under the supervision of District staff. Appropriate and respectful language will be used in electronic mail and communications accessed via school equipment and via the school network.

**Users are expected to abide by the generally accepted rules of network etiquette, which include, but are not limited to the following:**

- Students will communicate politely and appropriately. Do not create, transmit, share, or display harassing, vulgar, lewd, or other inappropriate messages, images, or other materials.
- Students will maintain privacy. Do not reveal anyone's personal information, including your own.
- Students will respect all copyright and license agreements.
- Students will properly cite internet sources when gathering information for school research papers or projects.
- Students will respect the privacy of others, including their electronic storage areas.
- Students will report any problems with equipment to supervising staff or help desk staff.

**Unacceptable use includes, but is not limited to, the following:**

- Using the network or District-owned technology equipment for illegal purposes or in violation of board policy or regulations.
- Using the network or District-owned technology equipment for unethical actions.
- *Includes but not limited to:*
  - *Harassing, insulting, attacking, or threatening harm or embarrassment to others.*
  - *Creating, accessing, uploading, downloading, transmitting, distributing, sharing or displaying illegal, obscene, vulgar, lewd, profane, discriminatory, harassing, abusive, threatening, or sexually explicit material.*
- Using the network or District-owned technology equipment for activities that incur an expense to the District. *(Students/families will be expected to pay for these expenses.)*
- Downloading or uploading programs or files without permission from District technology staff.

**Violations: Consequences and Notifications**

Students who do not follow the Acceptable Use Guidelines shall be subject to the appropriate action described in board policy, and/or decided upon between teacher, technology staff, administration, and parent/guardians. Administration has the authority to create appropriate consequences, as needed based on individual circumstances.

As a parent or guardian of this student:

- I have read this letter and understand that access to the computing system and the Internet is designed for educational purposes.



INTERNET ACCESS PERMISSION LETTER TO PARENTS K-12

- I understand that it is impossible for the Clarke Community School District to restrict access to all controversial materials which may be available on the Internet or similar networks.
- I hereby grant permission for my student to access the Internet, and we agree to abide by the terms of the Internet – Acceptable Use – Safety Policy and Regulations.
- I will not hold the Clarke Community School District responsible for materials acquired by my student on the Internet, and I hereby agree to indemnify the District, with regard to any claims relating to this student's use of the Internet.
- I will not hold the Clarke Community School District responsible for any damages users suffer, or liabilities, financial or otherwise, incurred through the use of the Internet.
- I accept full responsibility for supervision of my student's Internet use if and when my child's use is not in a school setting.

Approved:

Reviewed: 2/14/05; 1/26/15; 2/21/19

Revised: June 10, 2002; 4/12/10;  
12/18/12; 6/23/16

ACCEPTABLE USE OF TECHNOLOGY AGREEMENT  
STUDENT/PARENT ACKNOWLEDGMENT

STUDENTS will abide by the Acceptable Use Agreement for Student Electronic Devices, Clarke Elementary School Student Pledge for Electronic Device Use and the Internet – Acceptable Use – Safety Policy and Regulations of the Clarke Community School District. If student(s) commit any violation of such terms, technology access privileges may be revoked and school disciplinary action and/or appropriate legal actions may be taken.

PARENTS/GUARDIANS: I have read and agree to assist my child in understanding and abiding by the Acceptable Use Agreement for Student Electronic Devices, Clarke Elementary School Student Pledge for Electronic Device Use and the Internet – Acceptable Use – Safety Policy and Regulations of the Clarke Community School District. I understand that access to CCSD technology equipment and its entire system of electronic communication is designed for educational purposes. I also recognize that some materials on the Internet may be controversial and objectionable and that, while every attempt will be made to block inappropriate sites, it is impossible for CCSD to restrict access to all controversial and objectionable materials. I will not hold CCSD responsible for the accuracy or quality of any materials acquired or viewed on its system by my child. I accept full responsibility for supervision of my student’s Internet use when the student is not at school. I understand that improper or inappropriate use of technology equipment and the CCSD system by my child may result in revocation of his/her technology access privileges and the imposition of school discipline, criminal penalties, or civil penalties. I accept all financial and legal liabilities that may result from my child’s use of CCSD equipment and technology system. I release CCSD, its officers, employees, agents, representatives, and all organizations and individuals related to the CCSD technology system from any and all liability or damages that may result from my child’s use of the CCSD equipment, electronic communication system, and other technology resources. I specifically agree to indemnify and hold CCSD, its officers, employees, agents, and representatives harmless from any actions, claims, costs, damages, or losses, including, but not limited to, attorney’s fees, incurred by CCSD relating to, or arising out of my child’s use of such equipment, system, and resources.

ELECTRONIC DEVICE USE: The student below will be issued an electronic device in support of his/her education at CCSD. The electronic device and its content remain the property of CCSD. Clarke Community School District’s Acceptable Use Agreement for Student Electronic Devices, Clarke Elementary School Student Pledge for Electronic Device Use and the Internet – Acceptable Use – Safety Policy and Regulations fully apply to the use of this equipment both on and off school premises. Other board policies and regulations may also apply. Electronic devices settings have been adjusted for appropriate school use. These settings must not be altered, deleted or circumvented in any way. CCSD reserves the right to remove any non-school related material (apps, music, pictures). The student and parent/guardian agree to be responsible for the proper maintenance and care of the electronic device, and to return it when requested in the same condition in which it was received, except for normal and reasonable wear and tear. Electronic devices may be inspected periodically to check for appropriate use. Students shall have no expectation of privacy in the electronic devices or any materials therein.

STUDENT NAME (printed): \_\_\_\_\_

PARENT NAME (printed): \_\_\_\_\_

PARENT SIGNATURE: \_\_\_\_\_

DATE: \_\_\_\_\_

Approved 12/18/12

Reviewed 1/26/15; 2/21/19

Revised 6/23/16

Clarke Community School District

Acceptable Use Agreement for Student Electronic Devices

**Chromebook Care and Maintenance**

1. Students are responsible for the safety, maintenance, and activity of their own Chromebook.
2. Students must never loan the device to anyone for any reason.
3. Students will not deface the Chromebook in any way (i.e. scoring, carving, painting, permanently marking). No modifications including removable skins, stickers or anything that cannot be quickly removed shall be put on the device. Students may not remove any district applied asset tags, and should make every effort not to cover district applied asset tags.
4. Care should be taken to protect the device from the elements. This includes accidental food and beverage spills, excess humidity and precipitation, extreme cold weather, and leaving in direct sunlight. All of these things will harm the device and are not covered under the typical warranty.
5. Students will not place heavy objects on top of the Chromebook as pressure can damage the screen.
6. Students will make sure nothing is on the keyboard before closing the Chromebook in order to prevent damage to the screen.
7. Do not spray the Chromebook directly with cleaners.
8. Cords and cables must be inserted and removed carefully to prevent undue wear and damage.
9. Chromebooks must never be left in an unlocked locker, unlocked car, or any unsupervised area.
10. All Clarke School Chromebooks are outfitted with an asset tag for inventory purposes. Asset tags may not be removed or altered in any way.
11. Any attempt to alter the Chromebook or change the configuration of the device will result in immediate disciplinary action.
12. Students will be allowed to download apps and extensions approved by CCSD only. The only apps or extensions students will have access to will be made available through the management system.

**Chromebook Usage Expectations Outside of School**

1. Students are allowed to set up access to home wireless networks on their Chromebooks to do their schoolwork from home.
2. It is the sole responsibility of the parents/guardians to monitor device use outside of school. If parents/guardians are interested in providing content filtering at home, it is suggested that parents/guardians contact their Internet provider for details and support.
3. It is highly recommended that students completely turn off their Chromebooks at night. This will allow the device to update on its own when powered on the following day.

**Saving to the Chromebook**

1. Students should save work to their school Google Drive accounts when using their Chromebook.
2. Chromebooks will NOT be backed up by the district in cases of resetting or reimaging. Student Google Accounts are in the cloud and saved automatically so resetting or reimaging does not affect content saved there.
3. It is the student's responsibility to ensure that their work is backed up for any items not saved to Google Drive. Items not saved to Google Drive can be lost due to mechanical failure or accidental deletion.

## Clarke Community School District

## Acceptable Use Agreement for Student Electronic Devices

**Student Safety Expectations**

1. I will follow the Clarke Schools' Acceptable Use Policy.
2. I will obey all school rules concerning behavior and communication that apply to technology use.
3. I will only use my Chromebook with my school account.
4. I will not participate in bullying, harassing, stalking or teasing other people or publicly defaming people by spreading gossip, insults or other unkindness, and/or accessing any social network, website, blog, Wiki, etc. with the purpose of creating, viewing or participating in the humiliation of others.
5. If I see a message, comment, image or anything else online that makes me concerned for my safety or the safety of another student (for example something that could be considered harassment, bullying, or a threat), I will bring it to the attention of a teacher or administrator immediately.
6. I will visit websites as directed by my teacher as appropriate to complete any assignments. If I am unsure if a site is appropriate, I will check with a teacher, administrator, or parent/guardian before opening the website.
7. If I'm uncertain whether an activity is permitted or appropriate, I will ask a teacher or administrator before engaging in that activity.
8. I will not request, make, or forward sexually suggestive photographs.
9. I will not retrieve material that is obscene, profane, violent, discriminatory or depicts or describes illegal activities.
10. I will comply with trademark and copyright laws and all license agreements. Ignorance of the Law is not immunity. If you are unsure, ask a teacher or parent.
11. I will give credit to all sources used, whether quoted or summarized. This includes all forms of media on the Internet, such as graphics, movies, music, and text. Plagiarism is a violation of the Clarke Schools student rules.

**Loss, Theft or Damage**

1. In the event that a Chromebook is lost or stolen, students should notify their teacher and the District's Technology Department immediately. The Chromebook will have absolutely no value to anyone but the student it is assigned to. The device will not allow any other user to log in.
2. In the event of damage to a Chromebook that is outside the typical manufacturer warranty, parents/students will be responsible for the repair. The first time this happens, the student will pay for 50% of the repair/replacement cost, on the second and subsequent incidents the student will pay the full cost of the repair/replacement.
3. If there are any problems with a Chromebook, students should notify their teacher and the District's Technology Department immediately so that they may take prompt action to repair the Chromebook if possible. While a student Chromebook is being serviced a loaner device may be issued. All rules and policies apply to the loaner Chromebook.
4. Chromebooks are subject to inspection by the District at any time without notice.

Clarke Community School District

Acceptable Use Agreement for Student Electronic Devices

**Clarke Schools Student and Parent Chromebook Loan Agreement Form**

1. We understand that Chromebook use is a privilege not a right.
2. We understand that Clarke Schools is loaning the student a Chromebook that is only to be used for academic and educational purposes pertaining to coursework at Clarke Schools until school resumes.
3. We understand that in the event of damage to the Chromebook that is outside the typical manufacturer warranty, we will be responsible for the repair. This first time this happens we will pay for 50% of the repair/replacement cost, on the second and subsequent incidents we will pay the full cost of the repair/replacement.
4. If there are any problems with the Chromebook, we will notify the teacher and the District's Technology Department immediately so that they may take prompt action to repair the Chromebook if possible.
5. In the event that the Chromebook is lost or stolen, we will notify the teacher and the District's Technology Department immediately. Lost/stolen Chromebooks are not covered under warranty and we understand that we are responsible to replace the device. If the device is stolen, you are to file a police report and notify the District's Technology Department immediately.
6. We understand that the device will be filtered with a CIPA (Children's Internet Protection Act) compliant filtering system that will remain active at all times. Any attempt to bypass this filtering will result in disciplinary action. We understand that it is our responsibility to use the device and the Internet appropriately for school related work only.
7. The Chromebook and charger will be returned in the same condition it was issued.
8. We understand that we will not remove the case or the paper inside the case for any reason.
9. We understand that if these rules are broken or the device is continually misused the punishments will be set according by CCSD.

Approved 12/18/12

Reviewed 1/26/15; 2/21/19

Revised 6/23/16

Clarke Community School District

Acceptable Use Agreement for Student Electronic Devices

A copy of this signed agreement will be kept on file.

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**Parent/Guardian's name**

**Contact Number**

I have read, understand, discussed with my child, and agree to abide by the stipulations set forth in this Agreement.

\_\_\_\_\_ By checking this box I affirm that I have discussed the acceptable use and care of the device with my child.

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**Student name**

---

**Parent/Guardian Signature**

---

**Date**

---

**Asset #**

---

**Make and Model**

**Device Condition: New Perfect Good Fair**

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**Condition notes:**

**Clarke Elementary School  
Student Pledge for Electronic Device Use**

**Student Pledge for Electronic Device Use:**

- I will take good care of my electronic device.
- I will never leave the electronic device unattended.
- I will not take my electronic device into the restrooms.
- I will never loan out my electronic device to other individuals. (grades 3-6only)
- I will charge my electronic device's battery daily. (grades 3-6only)
- I will keep food and beverages away from my electronic device since they may cause damage to the device.
- I will not disassemble any part of my electronic device or attempt any repairs.
- I will protect my electronic device by only carrying it while in the case provided.
- I will use my electronic device in ways that are educational, appropriate, and meet Clarke Elementary School expectations.
- I will not place decorations (such as stickers, markers, etc.) on the electronic device or deface the serial number.
- I understand that my electronic device is subject to inspection at any time without notice and remains the property of Clarke Community School District.
- I will follow the policies outlined in the electronic device portion of this handbook and applicable Clarke Elementary School technology policies while at school, as well as outside the school day.
- I will not load extra software / apps on to my electronic device.
- I will be responsible for all damage or loss caused by neglect or abuse.
- I agree to return the District electronic device, case, and power cords in good working condition. (grades 3-6 only)
- I will notify school officials in case of theft, vandalism, and other acts.
- I understand that a police report will be filed by the school if necessary.

Student Name (Please Print): \_\_\_\_\_

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

Approved: 7/13/15Reviewed: 2/21/19Revised: 6/23/16

Internet Acceptable Use Violation Notice  
Grades K-6

Notice must be given to the student, technology personnel,  
building principal, and parent/guardian

Student: \_\_\_\_\_

Teacher: \_\_\_\_\_

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

Students who have used the Internet at school inappropriately are subject to a consequence described in the school's discipline policy or student handbook or to the following consequences:

First Violation:

The above has violated the Acceptable Use Policy. For one week, the student will only be able to use technology with the permission of his/her teacher in an increased supervised environment. Each opportunity for technology use in the class for this week will be evaluated separately based on equal access/opportunity for learning.

Second Violation:

The above has violated the Acceptable Use Policy. For two weeks, the student will only be able to use technology with the permission of his/her teacher and principal in an increased supervised environment. Each opportunity for technology use in the class for this time period will be evaluated separately based on equal access/opportunity for learning.

Third Violation:

A parent meeting will be scheduled, and a plan will be created and implemented based on the input and review of acceptable use infraction.

Severe Violation:

Violation will bring immediate suspension of technology use. A parent meeting will be scheduled, and a plan will be created and implemented based on the input and review of acceptable use infraction.



Internet Acceptable Use Violation Notice  
Grades 7-12

Notice must be given to the student, technology personnel,  
building principal, and parent/guardian

Student: \_\_\_\_\_

Teacher: \_\_\_\_\_

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

Students who have used the Internet at school inappropriately are subject to a consequence described in the school's discipline policy or student handbook or to the following consequences:

First Violation of Acceptable Use Policy:

For one week, the student will only be able to use technology with permission of his/her teacher in an increased supervised environment. Each opportunity for technology use in the class will be evaluated separately based on equal access/opportunity for learning.

Second Violation of Acceptable Use Policy:

For two weeks, the student will only be able to use technology with permission of his/her teacher in an increased supervised environment. Each opportunity for technology use in the class will be evaluated separately based on equal access/opportunity for learning.

Third Violation of Acceptable Use Policy:

A parent meeting will be scheduled, and a plan will be created and implemented based on the input and review of acceptable use infraction.

Severe Violation:

Violation will bring immediate suspension of technology use. A parent meeting will be scheduled, and a plan will be created and implemented based on the input and review of acceptable use infraction.

Approved: June 10, 2002

Reviewed: 2/14/05; 1/26/15;  
6/23/16; 2/21/19

Revised: 4/12/10, 12/18/12

## INTERNET - ACCEPTABLE 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 system will be available to licensed 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 Internet-based collaboration software student accounts and electronic mail addresses may be issued to students.
    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 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 to 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 promote accountability, 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 follow district cybersecurity policy and procedures to ensure network security.
    7. The school District makes no guarantees as to the accuracy of information accessed through the Internet.
- III. Student Use of Internet
- A. Equal Opportunity – The Internet is available to all students within the school district through teacher access.
  - B. On-line Protocol.
    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)*.

## INTERNET - ACCEPTABLE USE – REGULATION

- 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 objectionable language is prohibited.
  - d. Always sign messages.
- 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.
- i. Student Violations – Consequences and Notifications

Students who access restricted items on the Internet are subject to the appropriate actions 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 5 days 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 parents and a copy provided to the building principal. The student will forfeit all Internet privileges for a minimum period of 10 days.
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 parents and a copy provided to the building principal. The student will forfeit all Internet privileges 15 days or the balance of the school year.

Approved: 4/12/10

Reviewed: 1/26/15; 2/21/19

Revised: 12/18/12; 6/23/16; 4/8/24

## USE OF INFORMATION RESOURCES

In order for students to experience a diverse curriculum, the board encourages employees to supplement their regular curricular materials with other resources. In so doing, the board recognizes that federal law makes it illegal to duplicate copyrighted materials without authorization of the holder of the copyright, except for certain exempt purposes. Severe penalties may be imposed for plagiarism, unauthorized copying or using of media, including, but not limited to, print, electronic and web-based materials, unless the copying or using conforms to the "fair use" doctrine. Under the "fair use" doctrine, unauthorized reproduction of copyrighted materials is permissible for such purposes as criticism, comment, news reporting, teaching, scholarship or research providing that all fair use guidelines are met.

While the school district encourages employees to enrich the learning programs by making proper use of supplementary materials, it is the responsibility of employees to abide by the school district's copying procedures and obey the requirements of the law. In no circumstances shall it be necessary for school district staff to violate copyright requirements in order to perform their duties properly. The school district will not be responsible for any violations of the copyright law by employees or students. Violation of the copyright law by employees may result in discipline up to, and including, termination. Violation of the copyright law by students may result in discipline, up to and including, suspension or expulsion.

Parents or others who wish to record, by any means, school programs or other activities need to realize that even though the school district received permission to perform a copyrighted work does not mean outsiders can copy it and re-play it. Those who wish to do so should contact the employee in charge of the activity to determine what the process is to ensure the copyright law is followed. The school district is not responsible for outsiders violating the copyright law or this policy.

Any employee or student who is uncertain as to whether reproducing or using copyrighted material complies with the school district's procedures or is permissible under the law should contact the teacher-librarian who will also assist employees and students in obtaining proper authorization to copy or use protected material when such authorization is required.

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

***Note: This is a mandatory policy. The policy is based upon federal law. It is strongly recommended the board seek legal counsel prior to making substantive edits to the policy and sample regulation. For more detailed discussion of this issue, see IASB's Policy Primer, Vol. 20 #1-August 31, 2007.***

Legal References: 17 U.S. Code Sec. 101 et al.  
281 I.A.C. 12.3(12).

Cross References: 605.6 Internet – Acceptable Use – Safety Policy

Approved 10/22/2007

Reviewed 1/26/15; 5/13/19

Revised 4/12/10

## USE OF INFORMATION RESOURCES REGULATION

Employees and students may make copies of copyrighted materials that fall within the following guidelines. Where there is reason to believe the material to be copied does not fall within these guidelines, prior permission shall be obtained from the publisher or producer with the assistance of the teacher-librarian. Employees and students who fail to follow this procedure may be held personally liable for copyright infringement and may be subject to discipline by the board.

Under the "fair use" doctrine, unauthorized reproduction of copyrighted materials is permissible for such purposes as criticism, comment, news reporting, teaching, scholarship or research. Under the fair use doctrine, each of the following four standards must be met in order to use the copyrighted document:

- Purpose and Character of the Use – The use must be for such purposes as teaching or scholarship.
- Nature of the Copyrighted Work – The type of work to be copied.
- Amount and Substantiality of the Portion Used – Copying the whole of a work cannot be considered fair use; copying a small portion may be if these guidelines are followed.
- Effect of the Use Upon the Potential Market for or value of the Copyrighted Work – If resulting economic loss to the copyright holder can be shown, even making a single copy of certain materials may be an infringement, and making multiple copies presents the danger of greater penalties.

### **Authorized Reproduction and Use of Copyrighted Material Reminders:**

- Materials on the Internet should be used with caution since they may, and likely are, copyrighted.
- Proper attribution (author, title, publisher, place and date of publication) should always be given.
- Notice should be taken of any alterations to copyrighted works, and such alterations should only be made for specific instructional objectives.
- Care should be taken in circumventing any technological protection measures. While materials copied pursuant to fair use may be copied after circumventing technological protections against unauthorized copying, technological protection measures to block access to materials may not be circumvented.

In preparing for instruction, a teacher may make or have made a single copy of:

- A chapter from a book;
- An article from a newspaper or periodical;
- A short story, short essay or short poem; or,
- A chart, graph, diagram, drawing, cartoon or picture from a book, periodical or newspaper.

A teacher may make multiple copies not exceeding more than one per pupil, for classroom use or discussion, if the copying meets the tests of "brevity, spontaneity and cumulative effect" set by the following guidelines. Each copy must include a notice of copyright.

- Brevity
  - A complete poem, if less than 250 words and two pages long, may be copied; excerpts from longer poems cannot exceed 250 words;
  - Complete articles, stories or essays of less than 2500 words or excerpts from prose works less than 1000 words or 10% of the work, whichever is less may be copied; in any event, the minimum is 500 words;
  - Each numerical limit may be expanded to permit the completion of an unfinished line of a poem or prose paragraph;

## USE OF INFORMATION RESOURCES REGULATION

- One chart, graph, diagram, drawing, cartoon or picture per book or periodical issue may be copied. “Special” works cannot be reproduced in full; this includes children’s books combining poetry, prose or poetic prose. Short special works may be copied up to two published pages containing not more than 10 percent of the work.
- Spontaneity – Should be at the “instance and inspiration” of the individual teacher when there is not a reasonable length of time to request and receive permission to copy.
- Cumulative Effect – Teachers are limited to using copied material for only one course for which copies are made. No more than one short poem, article, story or two excerpts from the same author may be copied, and no more than three works can be copied from a collective work or periodical column during one class term. Teachers are limited to nine instances of multiple copying for one course during one class term. Limitations do not apply to current news periodicals, newspapers and current news sections of other periodicals.

### Copying Limitations

Circumstances will arise when employees are uncertain whether or not copying is prohibited. In those circumstances, the teacher-librarian should be contacted. The following prohibitions have been expressly stated in federal guidelines:

- Reproduction of copyrighted material shall not be used to create or substitute for anthologies, compilations or collective works.
- Unless expressly permitted by agreement with the publisher and authorized by school district action, there shall be no copying from copyrighted consumable materials such as workbooks, exercises, test booklets, answer sheets and the like.
- Employees shall not:
  - Use copies to substitute for the purchase of books, periodicals, music recordings, consumable works such as workbooks, computer software or other copyrighted material. Copy or use the same item from term to term without the copyright owner's permission;
  - Copy or use more than nine instances of multiple copying of protected material in any one term;
  - Copy or use more than one short work or two excerpts from works of the same author in any one term;
  - Copy or use protected material without including a notice of copyright. The following is a satisfactory notice: NOTICE: THIS MATERIAL MAY BE PROTECTED BY COPYRIGHT LAW.
  - Reproduce or use copyrighted material at the direction of someone in higher authority or copy or use such material in emulation of some other teacher's use of copyrighted material without permission of the copyright owner.
  - Require other employees or students to violate the copyright law or fair use guidelines.

### Authorized Reproduction and Use of Copyrighted Materials in the Library

A library may make a single copy or three digital copies of:

- An unpublished work in its collection;
- A published work in order to replace it because it is damaged, deteriorated, lost or stolen, provided that an unused replacement cannot be obtained at a fair price.
- A work that is being considered for acquisition, although use is strictly limited to that decision. Technological protection measures may be circumvented for purposes of copying materials in order to make an acquisition decision.

## USE OF INFORMATION RESOURCES REGULATION

A library may provide a single copy of copyrighted material to a student or employee at no more than the actual cost of photocopying. The copy must be limited to one article of a periodical issue or a small part of other material, unless the library finds that the copyrighted work cannot be obtained elsewhere at a fair price. In the latter circumstance, the entire work may be copied. In any case, the copy shall contain the notice of copyright and the student or staff member shall be notified that the copy is to be used only for private study, scholarship or research. Any other use may subject the person to liability for copyright infringement.

### **Authorized Reproduction and Use of Copyrighted Music or Dramatic Works**

Teachers may:

- Make a single copy of a song, movement, or short section from a printed musical or dramatic work that is unavailable except in a larger work for purposes of preparing for instruction;
- Make multiple copies for classroom use of an excerpt of not more than 10% of a printed musical work if it is to be used for academic purposes other than performance, provided that the excerpt does not comprise a part of the whole musical work which would constitute a performable unit such as a complete section, movement, or song;
- In an emergency, a teacher may make and use replacement copies of printed music for an imminent musical performance when the purchased copies have been lost, destroyed or are otherwise not available.
- Make and retain a single recording of student performances of copyrighted material when it is made for purposes of evaluation or rehearsal;
- Make and retain a single copy of excerpts from recordings of copyrighted musical works for use as aural exercises or examination questions; and,
- Edit or simplify purchased copies of music or plays provided that the fundamental character of the work is not distorted. Lyrics shall not be altered or added if none exist.

Performance by teachers or students of copyrighted musical or dramatic works is permitted without the authorization of the copyright owner as part of a teaching activity in a classroom or instructional setting. The purpose shall be instructional rather than for entertainment.

Performances of nondramatic musical works that are copyrighted are permitted without the authorization of the copyright owner, provided that:

- The performance is not for a commercial purpose;
- None of the performers, promoters or organizers are compensated; and,
- Admission fees are used for educational or charitable purposes only.

All other musical and dramatic performances require permission from the copyright owner. Parents or others wishing to record a performance should check with the sponsor to ensure compliance with copyright.

### **Recording of Copyrighted Programs**

Television programs, excluding news programs, transmitted by commercial and non-commercial television stations for reception by the general public without charge may be recorded off-air simultaneously with broadcast transmission (including simultaneous cable retransmission) and retained by a school for a period not to exceed the first forty-five (45) consecutive calendar days after date of recording. Upon conclusion of this retention period, all off-air recordings must be erased or destroyed immediately. Certain programming such as that provided on public television may be

## USE OF INFORMATION RESOURCES REGULATION

exempt from this provision; check with the teacher-librarian or the subscription database, e.g. unitedstreaming.

Off-air recording may be used once by individual teachers in the course of instructional activities, and repeated once only when reinforcement is necessary, within a building, during the first 10 consecutive school days, excluding scheduled interruptions, in the 45 calendar day retention period. Off-air recordings may be made only at the request of and used by individual teachers, and may not be regularly recorded in anticipation of requests. No broadcast program may be recorded off-air more than once at the request of the same teacher, regardless of the number of times the program may be broadcast. A limited number of copies may be reproduced from each off-air recording to meet the legitimate needs of teachers. Each additional copy shall be subject to all provisions governing the original recording.

After the first ten consecutive school days, off-air recordings may be used up to the end of the 45 calendar day retention period only for evaluation purposes, i.e., to determine whether or not to include the broadcast program in the teaching curriculum. Permission must be secured from the publisher before the recording can be used for instructional purposes after the 10 day period.

Off-air recordings need not be used in their entirety, but the recorded programs may not be altered from their original content. Off-air recordings may not be physically or electronically combined or merged to constitute teaching anthologies or compilations. All copies of off-air recordings must include the copyright notice on the broadcast program as recorded.

### **Authorized Reproduction and Use of Copyrighted Computer Software**

Schools have a valid need for high-quality software at reasonable prices. To assure a fair return to the authors of software programs, the school district shall support the legal and ethical issues involved in copyright laws and any usage agreements that are incorporated into the acquisition of software programs. To this end, the following guidelines shall be in effect:

- All copyright laws and publisher license agreements between the vendor and the school district shall be observed;
- Staff members shall take reasonable precautions to prevent copying or the use of unauthorized copies on school equipment;
- A back-up copy shall be purchased, for use as a replacement when a program is lost or damaged. If the vendor is not able to supply a replacement, the school district shall make a back-up copy that will be used for replacement purposes only;
- A copy of the software license agreement shall be retained by the, teacher-librarian; and,
- A computer program may be adapted by adding to the content or changing the language. The adapted program may not be distributed.

### **Fair Use Guidelines for Educational Multimedia**

Students may incorporate portions of copyrighted materials in producing educational multimedia projects such as videos, Power Points, podcasts and web sites for a specific course, and may perform, display or retain the projects.



## USE OF INFORMATION RESOURCES REGULATION

Educators may perform or display their own multimedia projects to students in support of curriculum-based instructional activities. These projects may be used:

- In face-to-face instruction;
- In demonstrations and presentations, including conferences;
- In assignments to students;
- For remote instruction if distribution of the signal is limited;
- Over a network that cannot prevent duplication for fifteen days, after fifteen days a copy may be saved on-site only; or,
- In their personal portfolios.

Educators may use copyrighted materials in a multimedia project for two years, after that permission must be requested and received.

The following limitations restrict the portion of any given work that may be used pursuant of fair use in an educational multimedia project:

- Motion media: ten percent or three minutes, whichever is less;
- Text materials: ten percent or 1,000 words, whichever is less;
- Poetry: an entire poem of fewer than 250 words, but no more than three poems from one author or five poems from an anthology. For poems of greater than 250 words, excerpts of up to 250 words may be used, but no more than three excerpts from one poet or five excerpts from an anthology;
- Music, lyrics and music video: Up to ten percent, but no more than thirty seconds. No alterations that change the basic melody or fundamental character of the work;
- Illustrations, cartoons and photographs: No more than five images by an artist, and no more than ten percent or fifteen images whichever is less from a collective work;
- Numerical data sets: Up to ten percent or 2,500 field or cell entries, whichever is less;

Fair use does not include posting a student or teacher's work on the Internet if it includes portions of copyrighted materials. Permission to copy shall be obtained from the original copyright holder(s) before such projects are placed online. The opening screen of such presentations shall include notice that permission was granted and materials are restricted from further use.

***Notices – Before including this section, make sure employees are ready to comply with it and notices are posted.***

*The teacher-librarian is responsible for ensuring that appropriate warning devices are posted. The warnings are to educate and warn individuals using school district equipment of the copyright law. Warning notices must be posted:*

- *On or near copiers;*
- *On forms used to request copying services;*
- *On video recorders;*
- *On computers; and,*
- *At the library and other places where interlibrary loan orders for copies of materials are accepted.*

Reviewed: 4/12/10; 1/26/15; 5/13/19

Revised: 7/24/23

## ARTIFICIAL INTELLIGENCE IN THE EDUCATION ENVIRONMENT

The district believes that to adequately prepare modern learners for the future, advances in technology should first be explored within the education environment. At its most simple, generative artificial intelligence (AI) is automation based on association. AI tools analyze large amounts of information and detect patterns using that information to draw a conclusion. The AI tools then improve the conclusions drawn based upon additional data reviewed, patterns found, and prior conclusions drawn. Generative AI for the education environment has the potential to automate classroom organizational tasks, enhance individualized student learning, teaching, assessment of student learning, and even enhance research and professional development for educators.

However, generative AI tools can be vulnerable to inaccuracy in some significant ways. AI tools can: have bias in how the tools detect patterns; detect patterns/draw conclusions based on inaccurate data; and may not be fully accessible to students to differing abilities. It is valuable for students to understand the potential uses and limitations of this imperfect technology in an educational environment where AI tools have been carefully selected and are monitored and reviewed within appropriate guidelines. For this reason, human oversight and decision making must lead the selection, use, and review of AI tools in the education environment.

Only humans can verify the accuracy of AI tools and apply proper context to any information generated from them. AI tools will never be the sole determining factor used to make decisions related to student learning, assessment, academic integrity, and behavior. All decisions must be made by appropriate licensed staff and based upon a holistic analysis of available evidence.

Privacy must be protected when using generative AI tools. AI draws conclusions based on analysis of data. No personally identifiable information about other students or staff will be shared with AI tools, without prior written consent from the parent or guardian of the student, or from the student/staff if applicable. Permission must be granted prior to students using open-source AI tools that may share information outside the tool itself, and with any entities outside the control of the privacy terms and conditions of the AI tool.

Use of AI tools by students and staff will be at all times appropriate to the educational environment and subject to all applicable laws, regulations and policies. This includes but is not limited to the Family Education Rights and Privacy Act, Children's Internet Protection Act, and the Children's Online Privacy Protection Rule; as well as district policies on student conduct, copyright protections, student records, personnel records, bullying and harassment, and staff/student expression.

The Superintendent, working in collaboration with relevant staff, will develop regulations necessary to carry out the intent of this policy.

***Note: This policy is discretionary and can be adapted to suit the needs of your district. AI is an umbrella term. Nearly all districts already utilize classroom management software, collaboration software and other technologies within the district that use AI technology in some fashion. The intent of this policy is to address the use of generative and open-source AI tools more specifically in the education setting, and what limitations and protections will be built into that process.***

Legal References:      16 C.F.R. 312  
                                 34 C.F.R. pt. 99  
                                 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   4/8/24    
Reviewed             
Revised

## ARTIFICIAL INTELLIGENCE IN THE EDUCATION ENVIRONMENT REGULATION

### **Selection of AI tools**

AI tools will be vetted by relevant stakeholders including, but not limited to the district's IT staff and, when related to student learning or assessment, by the Curriculum Director. Decisions to use AI tools should be focused on:

- Protection of students: Any AI tools used in the district must comply with the requirements to safeguard students from accessing material that is obscene, child pornography and harmful to minors.
- Privacy: Personally identifiable information of students will not be shared without necessary written consents. Further, any AI tools utilized must meet the requirements of the School Official exemption listed in FERPA, and described in policy 712.
- Accessibility: Is the tool available to students of all abilities? If not, what comparable alternatives will be offered to ensure an equitable learning environment for all students?
- Accuracy: To the extent reasonable, the AI tool should be both reliable and unbiased in its pattern recognition, and data used by the tool should be verified for accuracy.
- Transparent and Interruptible: Student use of AI tools must be able to be monitored by licensed staff to safeguard the appropriateness of the learning experience for the student and monitor for accuracy of the AI tool.

### **Academic Integrity**

Use of AI in research and graded work by students must include proper source citations. Copyright protections must be strictly adhered to. Students who fail to comply with these requirements may face discipline as stated in relevant district policies.

### **Appropriate Use**

Prior to using AI tools, classroom teachers will clearly state how AI tools may be used to engage in and complete educational tasks and assignments. Classroom teachers will establish appropriate parameters for AI tool usage and will monitor student use of AI tools as appropriate.

### **Prohibited Uses**

Students will not use AI tools to access or create information that is discriminatory, constitutes bullying or harassment, shares confidential or personally identifiable information of others, or access/create material that is harmful to minors, obscene, or child pornography. Any violation of this regulation will be treated as a violation of relevant district policies and may be subject to loss of access to the AI tool, and further discipline.

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 *may* 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 (2007).

Cross Reference: 606.9 Insufficient Classroom Space

Approved 9/12/1988 Reviewed 2/14/05; 1/26/15; 5/13/19 Revised 2/14/00; 4/12/10

## 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.

The district will provide and maintain a suitable flagstaff at each school site and raise the Iowa and United States Flags each school day as weather conditions permit. The district will display the United States flag and administer the Pledge of Allegiance in each 1<sup>st</sup> through 12<sup>th</sup> grade classroom on school days.

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 § 279.8 280.5

Cross Reference: 603 Instructional Curriculum  
604.5 Religious-Based Exclusion From A School Program

Approved 2/14/2000 Reviewed 2/14/05; 1/26/15; 5/13/19 Revised 4/12/10; 11/8/21

## 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. This policy is not intended to address the use of service animals, assistive animals, therapy animals or emotional support animals on district property.

Legal Reference: Iowa Code § 279.8

Cross Reference: 105 Assistance Animals  
507 Student Health and Well-Being

Approved 2/14/2000

Reviewed 2/14/05; 1/26/15

Revised 4/12/10; 6/17/19

STUDENT PRODUCTION OF MATERIALS AND SERVICES

Materials and services produced by students at the expense of the school district are to be the property of the school district. Materials and services produced by students at the student's expense, except for incidental expense to the school district, are to be the property of the student.

It is the responsibility of the superintendent to determine incidental expense.

Legal Reference: Iowa Code § 279.8 (2007).

Cross Reference: 408.2 Licensed Employee Publication or Creation of Materials

Approved 2/14/2000

Reviewed 2/14/05; 1/26/15; 5/13/19

Revised 4/12/10



## 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 board's approval will be required for field trips and excursions outside the state. Board approval will be required for field trips and excursions which involve unusual length or expense.

Field trips and excursions are to be arranged with the principal well in advance. 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.

***NOTE: This is not a required policy but one that is recommended. The board may need to amend it to reflect current practice.***

Legal Reference: 390 C.F.R. Pt. 390.3(f) (2004).  
Iowa Code § 279.8 (2007).  
281 I.A.C. 43.9.

Cross Reference: 503.1 Student Conduct  
503.4 Good Conduct Rule  
603 Instructional Curriculum  
711 Transportation

Approved 9/12/1998

Reviewed 1/26/15; 5/13/19

Revised 2/14/00; 2/14/05; 4/12/10

## INSUFFICIENT CLASSROOM SPACE

It is the goal of the district to create learning environments that encourage the growth and development of each student. Providing classrooms with an appropriate student-teacher ratio is central to achieving this goal. Insufficient classroom space exists when conditions in the district adversely affect the implementation of the district's goals and its educational program.

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.

***NOTE: This is a policy mandated by Iowa's open enrollment law and reflects the requirements of the law.***

Legal Reference: Iowa Code § 282.18(13)  
281 I.A.C. 17.6(3).

Cross Reference: 103 Long-Range Needs Assessment  
501.15 Open Enrollment Transfers - Procedures as a Receiving District  
606.1 Class Size - Class Grouping

Approved 2/14/2000

Reviewed 1/26/15; 5/13/19

Revised 2/14/05; 4/12/10; 2/23/22

SHARED-TIME STAFF

The administration may enter into a shared-time contract with another school district, or other public educational institution according to Chapter 28E, Iowa Code, to allow certificated staff to fill a vacant or newly created part-time position where none of the current staff members are available or do not possess the necessary certification and/or qualifications as determined by the Board.

The school district shall consider proposals of other public educational institutions to share certificated staff members where the arrangements may be mutually beneficial to the institutions, personnel and students involved.

All shared-time contracts shall be made on a voluntary basis with the teacher or administrator to be shared between the institutions.

Approved: 9/12/1998

Reviewed: 2/28/05; 4/12/10; 1/26/15;  
5/13/19

Revised: 2/14/2000

SHARED-TIME ENROLLMENT

The Board of Directors is obligated and charged by the State of Iowa to supply educational opportunity to all who qualify and enroll in its schools. The Board will permit the education of private school students on a part-time basis, provided this is consistent with the rules developed by the Iowa legislature, and provided that such students are enrolled in the public school for sufficient times and courses of study as administrators determine to be in the best interests of all concerned.

CROSS REF.: 501.7, Shared-Time Students

Approved: 9/12/1988

Reviewed: 2/28/05; 4/12/10; 1/26/15  
5/13/19

Revised: 2/14/2000

PUBLIC/PRIVATE SCHOOL RELATIONS

The Board recognizes the responsibilities and contributions of the district private schools in meeting the educational mission of the state and local district.

Notwithstanding the legal separation of church and state, it is the policy of the District Board of Education that the district's administrative staff initiate and develop positive working relationships with private school personnel serving students who reside in our district in order to facilitate good educational experiences for pupils enrolled in private schools. This relationship includes the sharing of certain information as required by law.

The superintendent/designee shall initiate the necessary regulations, data collection forms, and procedures to carry out the intent of this policy.

Approved: 9/12/1988

Reviewed: 2/28/05; 4/12/10; 1/26/15;  
5/13/19

Revised: 2/14/2000

STUDENT GUIDANCE AND COUNSELING PROGRAM

The board will provide a student guidance and counseling program. The school counselor will be certified with the Iowa Board of Educational Examiners 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.

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Legal Reference: Iowa Code § 280.14; 622.10  
281 I.A.C. 12.3(11).

Cross Reference: 506 Student Records  
603 Instructional Curriculum  
604.4 Program for At-Risk Students

Approved 4/9/1990  
Reviewed 2/14/05; 1/26/15; 5/13/19  
Revised 2/14/00; 4/12/10; 7/24/23



## STUDENT HEALTH SERVICES

Health services are an integral part of assisting all students to increase learning, achievement, and performance. Health services coordinate and support existing programs to assist each student in achievement of an optimal state of physical, mental and social well being. Student health services ensure continuity and create linkages between school, home, and community service providers. The school district's needs, and resources determine the linkages.

Except in emergent care situations or child abuse assessments, the district will not administer invasive physical examinations or health screenings of a student that are not required by state or federal law without first obtaining the written consent of the student's parent or guardian.

- Emergent care situation means a sudden or unforeseen occurrence of onset of a medical or behavioral condition that could result in serious injury or harm to a student or others in the event immediate medical attention is not provided. Emergent care situation includes the need to screen a student or others for symptoms or exposures during an outbreak or public health event of concern as designated by the department of public health.
- Invasive physical examination means any medical examination that involves the exposure of private body parts or any act during such examination that includes incision, insertion, or injection into the body, but does not include a hearing, vision or scoliosis screening.
- Student health screening means an intentionally planned, periodic process to identify if students may be at risk for a health concern and to determine if a referral for an in-depth assessment is needed to consider appropriate health services. Student health screening does not include an episodic, individual screening done in accordance with professional licensed practice.

The superintendent, in conjunction with the school nurse will develop administrative regulations implementing this policy. The superintendent will provide a written report on the role of health services in the education program to the board annually.

***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.”***

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, 279, 280.23.  
 281 I.A.C. 12.3(4), (7), (11); 12.4(12); 12.8  
 282 I.A.C. 22  
 641 I.A.C. 7  
 655 I.A.C. 6

Cross Reference: 501.4 Entrance - Admissions  
 507 Student Health and Well-Being

Approved 9/12/1988

Reviewed 1/26/15; 5/13/19

Revised 2/14/20; 2/14/05; 4/12/10; 5/10/21; 12/12/22; 7/24/23



## STUDENT HEALTH SERVICES REGULATION

### Student Health Services Administrative Regulations

- I. Student Health Services - Each school building may develop a customized student health services program 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 health care

#### C. Provide for student health needs related to educational achievement:

1. Manage chronic and acute illnesses
2. Provide special health procedures and medication including delegation, training, and supervision of qualified designated school personnel
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

## STUDENT HEALTH SERVICES REGULATION

5. Prevent and control communicable disease and monitor immunizations
  6. Promote optimal mental health
  7. Promote a safe school facility and a safe school environment
  8. Participate in and attend team meetings as a team member and health consultant
- D. Promote student health, well-being, and safety to foster healthy living:
1. Provide developmentally appropriate health education and health counseling for individuals and groups
  2. Encourage injury and disease prevention practices
  3. Promote personal and public health practices
  4. Provide health promotion and injury and disease prevention education
- E. Plan and develop the student health services program collaboratively with the superintendent, school nurse, and school health team:
1. Gather and interpret data to evaluate needs and performance
  2. Establish health advisory council and school health team
  3. Develop health procedures and guidelines
  4. Collaborate with staff, families, and community
  5. Maintain and update confidential student school health records
  6. Coordinate program with all school health components
  7. Coordinate with school improvement
  8. Evaluate and revise the health service program to meet changing needs
  9. Organize scheduling and direct health services staff
  10. Develop student health services annual status report
  11. Coordinate information and program delivery within the school and between school and major constituents
  12. Provide health services by qualified health professionals to effectively deliver services, including multiple levels of school health expertise such as registered nurses, physicians, and advanced registered nurse practitioners
  13. Provide for professional development for school health services staff
- III. Expanded Health Services
- These additional health services address learning barriers and the lack of access to health care. Examples include school-based services in the school, school-linked services connected to the school, primary care, mental health, substance abuse, and dental health.

Approved: 2/14/05

Reviewed: 4/12/10; 1/26/15;

Revised: 5/13/19; 7/24/23

## CONTROL OF HEAD LICE

The school district wants to work with the families who desire their children be free of head lice.

A student may be excluded from school if active head lice or nits/eggs are present on the student. The student will be allowed to return to school after treatment which includes use of special shampoo or lotion on the scalp, intense environmental cleaning, and removal of all nits/eggs. The school nurses shall be available to assist with information on how to treat the problem.

Approved: 9/21/1992

Reviewed: 4/12/10; 5/13/19

Revised: 2/14/2000; 2/28/2005;  
2/9/15

# NONINSTRUCTIONAL OPERATIONS AND BUSINESS SERVICES

Series 700

Code No.

## **700 Purpose of Noninstructional and Business Services**

### **701 Financial Accounting System**

- 701.1 Depository of Funds
- 701.2 Transfer of Funds
- 701.3 Financial Records
- 701.4 Governmental Accounting Practices and Regulations
- 701.5 Fiscal Management
- 701.5R1 Financial Metrics

### **702 Cash in School Buildings**

### **703 Budget**

- 703.1 Budget Planning

### **704 Revenue**

- 704.1 Local - State - Federal - Miscellaneous Revenue
- 704.2 Debt Management Policy
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- 704.3 Investments
- 704.4 Gifts - Grants - Bequests
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### **705 Expenditures**

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- 707.1 Secretary's Reports
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### **708 Care, Maintenance and Disposal of School District Records**

### **709 Insurance Program**

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- 710.1 School Nutrition Program
- 710.1E1 School Nutrition Program Notices of Nondiscrimination
- 710.1E2 Child Nutrition Programs Civil Rights Complaint Form
- 710.1R1 School Nutrition Program Civil Rights Complaints Procedure
- 710.2 Free or Reduced Price Meals Eligibility
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**711 Transportation**

- 711.1 Student School Transportation Eligibility
- 711.2 Student Conduct On School Transportation
- 711.2E1 Bus Discipline Report (Exhibit)
- 711.2E2 Bus/Parent Contact Note (Exhibit)
- 711.2R1 Student Conduct on School Transportation Regulation
- 711.3 Student Transportation for Extracurricular Activities
- 711.4 Summer School Program Transportation Service
- 711.5 Transportation of Nonresident and Nonpublic School Students
- 711.6 Transportation of Nonschool Groups
- 711.7 School Bus Safety Instruction
- 711.8 Transportation in Inclement Weather
- 711.10 School Bus Passenger Restraints

**712 Technology and Data Security**

- 712R1 Security Requirements of Third-Party Vendors Regulations

**713 Responsible Technology Use & Social Networking**

- 713.R1 Responsible Technology Use & Social Networking Regulation

Updated 3/23/15; 6/13/16; 5/8/17; 7/15/19; 5/10/21; 11/8/21; 2/23/22; 7/24/23; 4/8/24

## PURPOSE OF NONINSTRUCTIONAL AND BUSINESS SERVICES

This series of the board policy manual is devoted to the goals and objectives for the school district's noninstructional services and business operations that assist in the delivery of the education program. These noninstructional services include, but are not limited to, transportation, the school lunch program and child care. The board, as it deems necessary, will provide additional noninstructional services to support the education program. To the extent a group of employees has a recognized collective bargaining unit, the provisions of the master contract regarding such topics shall prevail.

It is the goal of the board to provide noninstructional services and to conduct its business operations in an efficient manner.

Approved 4/29/1996 Reviewed 3/14/2005; 5/10/10; 12/14/15; 3/8/21 Revised 2/12/18

## 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 institutions to serve as the official school district depository or depositories. The board will also designate the maximum amount which may be kept on deposit in each bank. This amount will be designated the first time a new depository is identified, and will be reviewed at least once every [five] years or when an increase or additional depository is needed. The amount stated in the resolution must be for all depositories and include all of the school district's funds.

It is the responsibility of the board secretary to include the resolution in the minutes of the meeting.

*Note: While this policy is not mandatory, the content of it is. The requirement to review the amount designated is not a legal requirement, but is a best practice. Districts have flexibility in determining how frequently to review this.*

Legal Reference: Iowa Code §§ 12C.2; 279.33

Cross Reference: 210.1 Annual Meeting  
206.3 Secretary-Treasurer  
704.1 Local - State - Federal - Miscellaneous Revenue

Approved 4/29/1996

Reviewed 3/14/2005; 12/14/15; 3/8/21

Revised 5/10/10; 2/23/22; 4/8/24



## 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.

If all requirements for district use of funds under the Preschool Foundation Aid, Professional Development Supplement, Home School Assistance Program, Teacher Leadership Supplement, or any discontinued fund have been met and funds remain unexpended and unobligated at the end of the fiscal year, the district may transfer all or a portion of remaining funds by passage of a board resolution into the district's flexibility account in accordance with law. Before the expenditure of amounts in the flexibility account, the district shall publish notice of the time, date, and place of a public hearing on the proposed resolution approving said expenditures. The board must find and certify that the statutory requirements of each original source of funds have been met before adopting the resolution approving the expenditures. The district will present a copy of the signed board resolution to the Department of Education.

The District may transfer by board resolution from the general fund to the student activity fund an amount needed to purchase or refurbish protective and safety equipment required for any extracurricular interscholastic athletic contest or competition sponsored or administered by the Iowa High School Athletic Association of Iowa Girls High School Athletic Union.

If the before and after school program exceeds the amount necessary to operate the program, the excess amount may, following a public hearing, be transferred by resolution of the board of directors of the school corporation for deposit in the general fund of the school corporation to be used for school district general fund purposes. The district will present a copy of the signed board resolution to the Department of Education.

Beginning in FY 2024, unexpended and unobligated dollars that remain at the end of a fiscal year in addition to ongoing revenues may be transferred to the Teacher Salary Supplement (TSS) program from Professional Development Supplement (PDS), Talented and Gifted (TAG), and Teacher Leadership Supplement (TLS) without board action.

The district may choose to request approval from the School Budget Review Committee to transfer funds to make a program whole, prior to its elimination.

Temporary transfers (loans) of funds are permitted between funds but must be repaid to the originating fund, with interest, by Oct. 1 following the end of the fiscal year.

It is the responsibility of the board secretary to make recommendations to the board regarding transfers and to provide the documentation justifying the transfer.

Legal Reference: Iowa Code §§ 24.21-.22; 257.10; 279.8; 279.42; 298A.  
289 I.A.C. 6

Cross Reference: 701.3 Financial Records  
703 Budget  
704.2 Sale of Bonds

Approved 4/29/1996

Reviewed 12/14/15

Revised 3/14/2005; 5/10/10; 5/10/21; 11/8/21; 7/24/23; 4/8/24

## 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 – This fund is the chief operating fund of the district. It is used to account for all financial resources except those accounted for and reported in another fund.
- Special revenue fund – These funds account for the proceeds of specific revenue sources other than trusts or major capital projects, that are legally restricted or committed to expenditure for specified purposes other than debt service or capital projects.
  - Management Levy fund
  - Student activity fund
- Capital projects fund – These funds are used to account for financial resources to acquire or construct major capital facilities or other capital assets (other than those of proprietary funds and trust funds) and to account for revenues from SAVE
  - Physical plant and equipment levy fund (PPEL)
  - Secure and Advance Vision for Education (SAVE)
- Debt service fund – This fund is used to account for the accumulation of resources for, and the payment of general long-term debt principal and interest.

**Proprietary fund type** – These funds account for operations of the school district operated similar to private business for which a fee is charged to external users for good or services, or they account for the costs of providing goods and services provided by one department to other departments on a cost reimbursement basis.

- Enterprise fund
  - School nutrition fund
  - Child care fund
  - Internal service fund
  - Community Education
  - Preschool (nonvoluntary, state)

**Fiduciary funds:** - These funds are used to account for monies or assets held by the school district on behalf of, or in trust for, another entity.

- Trust
  - Expendable Trust Funds
  - Nonexpendable Trust Funds
  - Pension Trust Funds
- Custodial Funds

### **Non-Fiduciary Scholarship Fund**

**Account groups** - The groups are the accounting records for capital assets and long-term debt.

- General capital assets account group
- General long-term debt account group

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 in conjunction with the school business official 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.***

Legal Reference: Iowa Code §§ 291; 298; 298A  
281 I.A.C. 98.

Cross Reference: 704 Revenue  
705 Expenditures

Approved 3/14/2005  
Reviewed 12/14/15  
Revised 5/10/10; 5/8/17; 2/23/22; 4/8/24

## 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 business manager/board secretary 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.

### **Fund Balance Reporting**

Financial reporting for the balances in the District's governmental funds is based on Governmental Accounting Standards Board (GASB) Statement 54. Fund Balance Reporting and Governmental Fund Types Definitions. Fund balance refers to the difference between assets and liabilities in the governmental funds balance sheets. GASB 54 established a hierarchy that is based on "the extent to which the government is bound to honor constraints on the specific purpose for which the amounts in those funds can be spent."

The governmental funds can have up to five fund balance classifications. The classifications are defined below for most to least restrictive.

**Nonspendable Fund Balance** includes amounts that cannot be spent because they are either not in spendable form, or legally or contractually required to be maintained intact. This includes items not expected to be converted to cash, including inventories and prepaid expenses. It may also include other property acquired for resale and the principal of a permanent fund.

**Restricted Fund Balance** should be reported when constraints placed on the use of resources are either externally imposed by creditors, grantors, contributors, or law or regulations of other governments; or imposed by law through constitutional provisions or enabling legislation. This includes "categorical balances."

**Assigned Fund Balance** reflects amounts that are constrained by the government's intent to be used for specific purposes by meet neither the restricted no committed forms of constraint. Unless the amount is negative, the assigned fund balance is the residual classification for the governmental funds other than the general fund. If the amount is negative, then the residual amount is shown as unassigned.

**Unassigned Fund Balance** is the residual classification for the general fund only. As noted above, if a negative residual amount exists in other governmental funds then the amount is reported as unassigned.

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.

***Note: This policy is an optional policy. Should the board not adopt a policy implementing GASB54, the default is to reduce – committed, assigned and unassigned fund balances – in that order. Adoption of a policy gives boards the ability to have greater control over their fund balances.***

Legal Reference: Iowa Code §§ 257.31(4); 279.8; 297.22-.25; 298A.

Cross Reference:	701.3	Financial Records
	703	Budget
	704	Revenue

Approved 7/11/11

Reviewed 12/14/15; 3/8/21

Revised 4/8/24

## FISCAL MANAGEMENT

The Board recognizes its fiduciary responsibility to oversee the management of school district funds in keeping with the school district vision, mission and goals. To achieve this purpose, the board may engage in learning about the financial needs, operations and requirements of the district as appropriate for the board's understanding of the district's financial position. The Board also commits to engaging in annual financial goal setting for the district based upon measurable data and projections for the district.

After the fiscal year has closed, the Superintendent or their designee will provide to the Board concise, timely, well organized financial data. The Board will exercise its oversight responsibilities by reviewing relevant PK-12 public education sector indicators to understand the financial trends of the district.

The board will establish and review financial goals annually. The District will measure whether these goals were obtained as of June 30, but only after completion of the Certified Annual Report due September 15<sup>th</sup> each year.

Providing the best possible educational experience for all students and meeting federal, state, and local academic goals for each student requires maximizing General Fund resources for use in the instructional program. The board may request from the School Budget Review Committee (SBRC) additional modified spending authority (MSA) where it may be available for items such as:

- Special education deficit balances
- Advances to support increasing student enrollment
- Supports for students identified as English Learners
- At risk / dropout prevention programming
- Initial staffing associated with opening new buildings or programs
- Any other lawful purpose

Any award of modified supplement amount will be levied as a cash reserve based on the recommendation of the superintendent/designee and approved by the Board of Education in keeping with the fiscal management performance measures provided for in district policy.

***NOTE: Districts should include any optional uses of MSA the district uses in the bulleted list.***

Legal Reference:Iowa Code §§ 257.7, 31; 279.8

Approved 1/15/24

Reviewed \_\_\_\_\_

Revised \_\_\_\_\_

## FINANCIAL METRICS

The following relevant PK-12 public sector indicators will be provided to the Board annually to better understand the financial trends of the district. These indicators will be an accurate depiction as of June 30<sup>th</sup> of the preceding fiscal year and will depict at a minimum of five (5) years of data.

- Total revenues and expenditures by fund and major sources;
- Financial Solvency Ratio - assigned plus unassigned fund balances divided by total revenue minus AEA flow through;
- Unspent Authorized Budget Ratio - amount of maximum spending authority left at year end after deducting the general fund expenditures incurred during the year;
- Unspent Authorized Balance Ratio Net of Restricted Fund Balances (Categorical Fund Balances) - amount of maximum spending authority left at year end after deducting both the general fund expenditures incurred during the year and the total restricted fund balances (categorical fund balances) at year end;
- Enrollment Trend - funding follows the student so it is important to understand district enrollment numbers;
- Staff costs as a percent of total general fund.

### Financial Projections

Five-year financial projections of the general fund will be prepared and updated annually. The general fund is the operating fund of the district where the majority of salaries and benefits are funded. Projections will help the board determine sustainability of the annual operating budget and help make future budgetary decisions.

The District is committed to utilizing the following financial metrics in determining district financial goals:

1. **Unspent Authorized Budget Ratio:** Maintain unspent authorized budget ratio within the 10-20% target range. The current year's projected balance will be discussed with the Board before staffing and other spending decisions are finalized for the succeeding year.
2. **Unspent Authorized Budget Net of Restricted Fund Balances (Categorical Balances):** Maintain unspent authorized budget ratio net of restricted fund balances (categorical balances) within the 10-18% target range. The district will attempt to spend the restricted (categorical) annual allocation in the year received to the extent possible.
3. **Solvency Ratio:** Maintain an unrestricted, uncommitted general fund balance within the 7-17% % target range with 7% being a minimum goal. The current year's projected balance will be discussed with the Board before establishing the succeeding year's cash reserve levy and before staffing and other spending decisions are finalized.
4. *The District will take reasonable steps to achieve a total general fund balance at least equal to its unspent authority. This enables the District to cash flow its legal spending limit.*

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 the safe within the locked storage room in the secondary and in a locked fireproof file within a locked room in the elementary.

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 or the superintendent's designee to develop administrative regulations to determine the amount of cash necessary for each day's operations, to establish any necessary petty cash accounts, to determine how often deposits must be made and to comply with this policy.

***Note: It is best practice for districts to specify the amount of petty cash they will keep on hand, establish any needed petty cash accounts and determine how often deposits will be made, however, there are no legal requirements for these practices. These should reflect the needs of your district.***

Legal Reference:Iowa Code § 279.8

Cross Reference:701.1 Depository of Funds  
704Revenue

Approved 4/29/1996

Reviewed 12/14/15; 3/8/21

Revised 3/15/2005; 5/10/10; 2/23/22



## 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. 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.

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 and business manager to prepare the budget for review by the board prior to the April 30 deadline each year. The District will provide all of the information necessary for the Proposed Property Tax Statement of the Department of Management by March 15.

Mailing of Proposed Property Tax Hearing Statement is completed by the county auditor by March 20. A public hearing of the Proposed Property Taxes is then held not less than 10 days and not more than 20 days prior to the date of the hearing. The hearing notice is published in a newspaper designed for official publication in the school district. The hearing notice must also be posted on the district website and district social media accounts on the same day it is published in the newspaper. The hearing on the Proposed Property Tax must be unique and separate meeting and be the only item on the agenda.

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 30.

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 10 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 30. It is the responsibility of the board secretary to file the adopted and certified budget with the county auditor and the Iowa Department of Management.

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: 214 Public Hearings  
703 Budget  
704 Revenue  
705 Expenditures

Approved 4/29/1996

Reviewed 12/14/15; 3/8/21

Revised 3/14/2005; 5/10/10; 2/23/22; 4/8/24

## 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. However, following a properly noticed public hearing, the board of directors may elect to deposit proceeds from the sale of real property or buildings into any fund under the control of the school corporation. Notice for the public hearing must be published in a newspaper of general circulation within the district not less than ten and no more than twenty days prior to the proposed public hearing. Notice of the public hearing must include the date, time and location of the public hearing. And a description of the proposed action. 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.

LOCAL - STATE - FEDERAL - MISCELLANEOUS REVENUE

Legal Reference: Iowa Code §§ 12C; 23A; 24.9; 257.2; 279.8, .41; 282.2, .6, .24; 291.12, 297.9-.12, .22; 301.1

Cross Reference: 701.1 Depository of Funds  
703 Budget  
803 Selling and Leasing  
905 Use of School District Facilities & Equipment

Approved 4/29/1996 Reviewed 12/14/15; 3/8/21 Revised 3/14/2005; 5/10/10; 2/23/22

## 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.

Approved 4/29/1996

Reviewed 12/14/15; 3/8/21

Revised 3/14/2005; 5/10/10;  
3/23/15

## DEBT MANAGEMENT POLICY

### 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.

## DEBT MANAGEMENT POLICY

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 services and security or escrow purchases.

## **DEBT MANAGEMENT POLICY**

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 (2013).

Cross Reference:        701     Financial Accounting System  
                              704     Revenue



## 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;

Approved 2/13/12

Reviewed 12/14/15; 3/8/21

Revised \_\_\_\_\_

POST-ISSUANCE COMPLIANCE REGULATION FOR TAX-EXEMPT OBLIGATIONS

- 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.

## POST-ISSUANCE COMPLIANCE REGULATION FOR TAX-EXEMPT OBLIGATIONS

- 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;

POST-ISSUANCE COMPLIANCE REGULATION FOR TAX-EXEMPT OBLIGATIONS

- f) Ensure, after input from bond counsel, compliance with any bidding requirements set forth by the IRS regulations to the extent as issuer elects to the purchase of a guaranteed investment contract;
- g) In determining the issue price for any advance refunding issuance, obtain and retain issue price certification by the purchasing underwriter at closing;
- h) After the issuance of an advance refunding issue, ensure timely identification of violations of any federal tax requirements and engage bond counsel in attempt to remediate same in accordance with IRS regulations.

8. Continuing Disclosure

The board treasurer shall assure compliance with each continuing disclosure certificate and annually, per continuing disclosure agreements, file audited annual financial statements and other information required by each continuing disclosure agreement. The board treasurer will monitor material events as described in each continuing disclosure agreement and assure compliance with material event disclosure. Events to be reported shall be reported promptly, but in no event not later than 10 business days after the day of the occurrence of the event. Currently, such notice shall be given in the event of:

- a) Principal and interest payment delinquencies;
- b) Non-payment related defaults, if material;
- c) Unscheduled draws on debt service reserves reflecting financial difficulties;
- d) Unscheduled draws on credit enhancements relating to the bonds reflecting financial difficulties;
- e) Substitution of credit or liquidity providers, or their failure to perform;
- f) Adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax-exempt status of the bonds, or material events affecting the tax-exempt status of the bonds;
- g) Modifications to rights of Holders of the Bonds, if material;
- h) Bond calls (excluding sinking fund mandatory redemptions), if material, and tender offers;
- i) Defeasances of the bonds;
- j) Release, substitution, or sale of property securing repayment of the bonds, if material;
- k) Rating changes on the bonds;
- l) Bankruptcy, insolvency, receivership or similar event of the Issuer;
- m) The consummation of a merger, consolidation, or acquisition involving the Issuer or the sale of all or substantially all of the assets of the Issuer, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material; and
- n) Appointment of a successor or additional trustee or the change of name of a trustee, if material.

Legal Reference: Iowa Code §§ 257.31(4); 279.8; 297.22-.25; 298A (2011).  
<http://www.irs.gov/taxexemptbond/article/0,,id=243503,00.html>

Cross Reference: 704 Revenue  
707 Fiscal Reports

## INVESTMENTS

School district funds in excess of current needs 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 the 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, .10A; 12C; 22.1, .14; 28E.2; 257; 279.29; 283A; 285; 502.701; 633.123

Cross Reference: 206.4- Treasurer

Approved 4/29/1996

Reviewed 3/14/2005; 12/14/15; 3/8/21

Revised 5/10/10; 7/15/19

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 (2007).

Cross Reference: 217 Gifts to Board of Directors  
402.4 Gifts to Employees  
508.1 Class or Student Group Gifts

Approved 4/29/1996 Reviewed 3/14/2005; 12/14/15; 3/8/21 Revised 5/10/10

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 superintendent or superintendent's designee.

Whether such revenue is collected from student contributions, club dues, and special activities or result from admissions to special events or from other fund-raising activities, all funds will be under the jurisdiction of the board and under the specific control of the superintendent or superintendent's designee. 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 board secretary to keep student activity accounts up-to-date and complete.

Any unencumbered class or activity account balances will automatically revert to the activity fund when a class graduates or an activity is discontinued.

Legal Reference: Iowa Code §§; 279.8

Cross Reference: 504 Student Activities  
701 Financial Accounting System

Approved 4/29/1996 Reviewed 12/14/15; 3/8/21 Revised 3/14/2005; 5/10/10;  
7/15/19; 2/23/22



## ONLINE FUNDRAISING CAMPAIGNS – CROWDFUNDING

The Clarke 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 board or their designee. Any fundraising efforts conducted using the district's name, symbols or imagery will be conducted in accordance with all policies, regulations and rules for fundraising within the district. 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: This is an optional policy.**

**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."***

**NOTE: As districts determine the appropriate approval process, consider other issues that may need to be approved in addition to the project itself. For example, does the administrator approve the text of the entry that will appear online or photographs of the classroom and students?**

Legal Reference: Iowa Code §§ 279.8; 279.42; 565.6.

Cross Reference: 508.1 Class or Student Group Gifts  
504.5 Student Fundraising  
704.4 Gifts – Grants – Bequests  
904.2 Advertising and Promotion

Approved 6/13/16

Reviewed 3/8/21

Revised 2/23/22; 12/12/22

## 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 a locally-owned business 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 a part of response evaluation. Other statutory purchasing preferences will be applied as provided by law, including goals and reporting with regard to procurement from certified targeted small businesses, minority-owned businesses, and female owned 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 request for proposals, quotations, or bids for goods and services up to \$20,000.
- For goods and services at least \$20,000 and up to \$40,000 the superintendent shall receive proposals, quotations, or bids for the goods and services with board approval prior to purchase. The quotation process must be formal, and include written quotations.
- For goods and services exceeding, \$40,000, the competitive request for proposal (RFP) or competitive bid process shall be used and received prior to board approval. RFP's and bids are formal, written submissions vial 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 may be based on several 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 outline 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

## PURCHASING – BIDDING

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 same 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.

***NOTE: While Iowa law dictates threshold amounts for quotes and bids for public improvement projects, there is no such requirement for goods and services. The district has discretion in this area to set the amounts required for the purchasing process.***

***NOTE: Districts should compare the discretionary purchasing limits in the section regarding goods and services with purchasing limits set in other policies (e.g., expenditures) to ensure consistency.***

Legal Reference: Iowa Code §§ 26; 28E; 72.3; 73; 73A; 285; 297; 301.  
261 I.A.C. 54.  
281 I.A.C. 43.25.

Cross Reference: 705 Expenditures  
801.4 Site Acquisition  
802 Maintenance, Operation and Management  
802.3 Emergency Repairs  
803 Selling and Leasing

Approved 4/29/1996

Reviewed 12/14/15; 3/8/21

Revised 3/14/05; 4/23/07; 5/10/10; 10/25/2010; 11/14/11; 3/14/16; 7/15/19, 12/14/20; 7/24/23

## 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 5/10/21 \_\_\_\_\_

Reviewed \_\_\_\_\_

Revised \_\_\_\_\_

## 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 Suspension (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.

§200.216 Prohibition on certain telecommunications and video surveillance services or equipment

(a) The district is prohibited from obligating or expending loan or grant funds to:

1. Procure or obtain;
2. Extend or renew a contract to procure or obtain or
3. Enter into a contract (or extend or renew a contract) to procure or obtain equipment, services, or systems that uses covered telecommunications equipment or services as a substantial or essential component of any system, or as critical technology as part of any system. As described in Public law 115-232, section 889, covered telecommunications equipment is telecommunications equipment produced by Huawei Technologies Company or ZTE Corporation (or any subsidiary or affiliate of such entities).
  - i. For purpose of public safety, security of government facilities, physical security surveillance of critical infrastructure, and other national security purposes, video surveillance of critical infrastructure, and other national security purposes, video surveillance and telecommunication equipment produced by Hytera Communications Corporation, Hangzhou Hikvision Digital Technology Company, or Dahua Technology Company (or any subsidiary or affiliate of such entities)
  - ii. Telecommunications or video surveillance services provided by such entities or using such equipment.
  - iii. Telecommunications or video surveillance equipment or services produced or provided by an entity that the Secretary of Defense, in consultation with the Director of the National Intelligence of the Director of the Federal Bureau of Investigation, reasonable believes to be an entity owned by or controlled by, or otherwise connected to, the government of a foreign country.

(b) In implementing the prohibition under Public Law 115-232, section 889, subsection (f), paragraph (1), heads of executive agencies administering loan, grant, or subsidy programs shall prioritize available funding and technical support to assist affected businesses, institutions and organizations as is reasonable necessary for those affected entities to transition from covered communications equipment and services, to procure replacement equipment and services, and to ensure that communications service to users and customers is sustained.

(c) See Public Law 115-232, section 889 for additional information.

(d) See also §200.471.

Approved 5/10/21

Reviewed \_\_\_\_\_

Revised: 12/12/22; 7/24/23



## CREDIT AND PROCUREMENT CARDS

Employees may use school district credit cards and/or procurement cards (p-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, travel expenses related to professional development or fulfillment of required job duties, fuel for school district transportation vehicles used for transporting students to and from school and for school-sponsored events, payment of claims related to professional development of the board and employees, and other expenses required by employees and the board in the performance of their duties.

Employees and officers using a school district credit or procurement card must submit a detailed itemized receipt in addition to a credit or procurement 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 or procurement 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 or procurement 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 or procurement card for actual and necessary expenses incurred in the performance of the superintendent's duties. The transportation director may maintain a school district credit or procurement 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 or procurement 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 or procurement card used by the superintendent and the board is for appropriate school business.

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

***NOTE: This is a mandatory policy. School districts that have credit cards must have a board policy. School districts that have only a gasoline credit card should amend this policy to reflect their practice.***

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

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

Approved 1/28/98

Reviewed 1/12/04; 6/11/18

Revised 6/8/09; 1/28/13; 7/15/19; 7/24/23

PAYMENT FOR GOODS AND SERVICES

The board authorizes the issuance for payment of claims against the school district for goods and services. The board will allow the payment after the goods and services have been received and accepted in compliance with board policy.

The board authorizes the board secretary, upon approval of the superintendent, to issue payment for verified bills, for reasonable and necessary expenses, when the board is not in session. The board secretary will examine the claims and verify bills. The board will approve payment for the bills at the board's regular board 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.

***NOTE: The board may delegate payment of verified bills to the board secretary who can then pay upon approval of the superintendent. Should the board delegate this responsibility, the board must still approve the payment at the board's next regular board meeting. Or, the board can maintain the responsibility for reviewing the bills before payment.*** For more detailed discussion of this issue, see IASB's Policy Primer, Vol. 19 #5- May 24, 2006.

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) (2007).  
281 I.A.C. 12.3(1).  
1980 Op. Att'y Gen. 102, 160, 720.  
1976 Op. Att'y Gen. 69.  
1972 Op. Att'y Gen. 130, 180, 392, 456, 651.  
1936 Op. Att'y Gen. 375.

Cross Reference: 705 Expenditures

Approved 4/29/1996 Reviewed 12/14/15; 3/8/21 Revised 3/14/2005; 11/13/06; 5/10/10

EXPENDITURES FOR A 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 Art. III, sec. 31;  
Iowa Code §§ 68A.505; 279.8; 721.2.  
281 I.A.C. 98.70  
1979 Op. Atty. Gen., No. 79-4-26

Cross References: 401.7 Employee Travel Compensation  
704.1 Local-State-Federal-Miscellaneous Revenue  
704.5 Student Activities Fund  
705.1 Purchasing-Bidding  
705.2 Credit and Procurement Cards  
705.3 Payment for Goods and Services  
707.5 Internal Controls  
905.1 Community Use of School District Facilities & Equipment

Approved 7/15/19

Reviewed 3/8/21

Revised \_\_\_\_\_

## 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.

Approved 7/15/19

Reviewed 3/8/21

Revised \_\_\_\_\_

## PAYROLL PERIODS

The payroll period for the school district is monthly. Employees are paid on the last working 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 board secretary to issue payroll to employees in compliance with this policy.

Legal Reference: Iowa Code §§ 20; 91A.

Cross Reference: 706.2 Payroll Deductions

Approved 4/29/1996 Reviewed 5/10/10; 12/14/15; 3/8/21 Revised 3/14/2005; 2/12/18

## 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, federal insurance contributions and the Iowa Public Employees' Retirement System (IPERS).

The district may deduct wages are required or allowed by state or federal law or by order of a court of competent jurisdiction. Employees may elect to have amounts withheld from their pay for items authorized 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 or superintendents' designee to determine which additional payroll deductions will be allowed.

***NOTE: Boards should adopt IASB sample policies to meet the needs of the local district. Please ensure that the language contained in local policy is consistent with language contained in other district documents (e.g., handbooks, master contracts, etc.).***

***For more detailed discussion of this issue, see IASB's Policy Primer, Vol. 25 #4 – May 1, 2017.***

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 4/29/1996 Reviewed 12/14/15; 3/8/21 Revised 3/14/2005; 5/10/10;  
7/9/18; 2/23/22

## 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.

***NOTE: This is a mandatory policy.***

Legal Reference: 29 U.S.C. Sec. 2 13(a)  
29 C.F.R. Part 541

Cross References: 409.2 Employee Leaves of Absence

Approved 3/14/2005 Reviewed 5/10/10; 12/14/15; 3/8/21 Revised 2/23/22



## 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 *Superintendent*. Within 15 business days of receiving the complaint, the *Superintendent* will make a determination as to whether the pay deductions were appropriate and provide the employee with a written response that may include reimbursement for any pay deductions that were not appropriately made.

This complaint procedure is available in addition to any other complaint process that also may be available to employees.

Reviewed: 5/10/10; 12/14/15; 3/8/21

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 (2007).

Cross Reference: 206.3 Secretary-Treasurer  
210.1 Annual Meeting  
707 Fiscal Reports

Approved 4/29/1996 Reviewed 3/14/2005; 12/14/15; 3/8/21 Revised 5/10/10

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 all other 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 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.

***NOTE: The sentence regarding the statement from the depository bank is a legal requirement.***

Legal Reference: Iowa Code §§ 279.31, .33.

Cross Reference: 206.3 Secretary-Treasurer  
210.1 Annual Meeting  
707 Fiscal Reports

Approved 4/29/1996 Reviewed 3/14/2005; 12/14/15; 3/8/21 Revised 5/10/10; 2/23/22

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.

***NOTE: This policy reflects the legal requirements for school district publications.***

Legal Reference: Iowa Code §§ 279.35, .36; 618 (2007).  
1952 Op. Att'y Gen. 133.

Cross Reference: 206.3 Secretary-Treasurer

Approved 4/29/1996 Reviewed 3/14/2005; 12/14/15; 3/8/21 Revised 5/10/10

AUDIT

In accordance with state law, to review the funds and accounts of the school district, the board will employ an independent 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. Annual audit reports shall remain on file as permanent records of the school district.

Legal Reference: Iowa Code § 11.6

Cross Reference: 701 Financial Accounting System  
707 Fiscal Reports

Approved 4/29/1996

Reviewed 12/14/15; 3/8/21

Revised 3/14/2005; 5/10/10; 2/23/22

## 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, business manager and board secretary shall be responsible for developing internal controls designed to prevent and detect fraud, financial impropriety, or fiscal irregularities within the school district subject to review and approval by the board. Administrators shall be alert for any indication of fraud, financial impropriety, or irregularity within the administrator's area of responsibility.

Any employee who suspects fraud, impropriety, or irregularity shall report their suspicions immediately to his/her immediate supervisor, the superintendent, and/or the board president. The superintendent and/or board president 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 and/or board president 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 as required by law 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.

***NOTE: For more detailed discussion of this issue, see IASB's Policy Primer, Vol. 19 #4- May 24, 2006.***

Legal References: American Competitiveness and Corporate Accountability Act of 2002,  
Pub. L. No. 107-204.  
Iowa Code §§ 11, 279.8

Cross References: 401.12 Employee Use of Cell Phones  
707.6 Audit Committee

Approved 11/13/2006 Reviewed 5/10/10; 12/14/15; 3/8/21

Revised 7/15/19; 2/23/22

## 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 vest interests of the district.
- Providing false, inaccurate, or misleading financial information to district administrators or the board of directors.

The superintendent and/or board president shall notify the State Auditor’s office of any suspected fraud, embezzlement or financial irregularities as required by law. The district will comply with all investigation procedures and score as directed by the State Auditor’s office. All employees involved in the investigation shall be advised to keep information about the investigation confidential. The superintendent and/or the board president may engage qualified independent auditors to assist in the investigation.

If an investigation substantiates the occurrence of a fraudulent activity, the superintendent, and/or the board president or board vice-president if the investigation centers on the superintendent, shall issue a report to the board and appropriate personnel. 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.

Legal References:        American Competitiveness and Corporate Accountability Act of 2002,  
   Pub. L. No. 107-204.  
   Iowa Code ch. 11, 279.8

Cross References:        401.12 Employee Use of Cell Phones  
   707.6    Audit Committee

Reviewed: 5/10/10; 12/14/15; 3/8/21

Revised: 7/15/19; 2/23/22\_\_\_\_\_

## 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 and board secretary 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 ..... 11 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 ..... 7 years after leaving the district
- Payroll personnel records ..... 3 years after leaving the district
- Employment applications ..... 2 years
- Payroll records ..... 3 years
- School meal programs accounts/records ..... 3 years after submission of the final claim for  
reimbursement

In the event that any federal or state agency requires a record to 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 individual buildings of the attendance center where the student attends. Permanent records must 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 school offices and will be retained permanently. These records will be maintained by the superintendent. Special education records shall be maintained in accordance with law.



The superintendent may 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.

***NOTE: Most of the time limits listed in this policy are legal requirements. Where the law is silent, best practice time limits have been developed. Prior to changing any of the time limits listed, it is recommended that local counsel be contacted.***

Legal Reference: 7 C.F.R. §210.23 (c)  
Iowa Code §§ 22.3, 22.7; 91A.6; 279.8; 291.6; 554D.114; 554D.119; 614.1(13).  
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).

Cross Reference: 206.3 Secretary-Treasurer  
215 Board of Directors' Records  
401.5 Employee Records  
506 Student Records  
901 Public Examination of School District Records

Approved 4/29/1996  
Reviewed 12/14/15; 3/8/21  
Revised 3/14/2005; 5/10/10; 6/13/16; 2/23/22; 7/24/23

## 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 *fixed assets manager* is responsible for maintaining the fixed assets management system, processing claims and maintaining loss records.

***NOTE: The board may choose the amount of its deductible in paragraph three. Since significant cost savings in insurance premiums can be generated with higher deductibles, it is suggested the board give careful thought before subscribing to a deductible below \$5,000. Maintaining the replacement cost in the school district's fixed assets management system allows the school district to ensure insurance coverage is at the appropriate level.***

Legal Reference: Iowa Code §§ 20.9; 85.2; 279.12, .28; 285.5(6), .10(6); 296.7; 298A; 517A.1; 670.7 (2007).  
1974 Op. Att'y Gen. 171.  
1972 Op. Att'y Gen. 676.

Cross Reference: 205 Board Member Liability  
804 Safety Program

Approved 4/29/1996 Reviewed 12/14/15; 3/8/21 Revised 3/14/2005; 5/10/10



## SCHOOL NUTRITION PROGRAM NOTICES OF NONDISCRIMINATION

### USDA Nondiscrimination Statement

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex, disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.

Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotape, American Sign Language, etc.), should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at 800-877-8339. Additionally, program information may be made available in languages other than English.

To file a program complaint of discrimination, complete the [USDA Program Discrimination Complaint Form](#), (AD-3027) found online at: <https://www.usda.gov/oascr/how-to-file-a-program-discrimination-complaint>, any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call 866-632-9992. Submit your completed form or letter to USDA by:

1. Mail: U.S. Department of Agriculture  
Office of the Assistant Secretary for Civil Rights  
1400 Independence Avenue, SW  
Washington, D.C. 20250-9410
2. Fax: 202-690-7442
3. Email: [program.intake@usda.gov](mailto:program.intake@usda.gov)

This institution is an equal opportunity provider.

### Iowa Nondiscrimination Statement

It is the policy of this CNP provider not to discriminate on the basis of race, creed, color, sex, sexual orientation, gender identity, national origin, disability, age, or religion in its programs, activities, or employment practices as required by the Iowa Code section 216.6, 216.7, and 216.9. If you have questions or grievances related to compliance with this policy by this CNP Provider, please contact the Iowa Civil Rights Commission, Grimes State Office Building, 400 E 14th St, Des Moines, IA 50319-1004; phone number 515-281-4121 or 800-457-4416; website: <https://icrc.iowa.gov/>.

Approved: 7/19/22

## CHILD NUTRITION PROGRAMS CIVIL RIGHTS COMPLAINT FORM

Complaint Contact Information:

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

Street Address, City, State, Zip: \_\_\_\_\_

County: \_\_\_\_\_ Area Code/Phone: \_\_\_\_\_

Email Address: \_\_\_\_\_

Complaint information:

1. Specific name and location of the entity and individual delivering the service or benefit:
2. Describe the incident or action of the alleged discrimination or give an example of the situation that has a discriminatory effect on the public, potential program participants, or current participants:
3. On what basis does the complainant feel discrimination exists (race, color, national origin, sex, age, disability, creed, sexual orientation, religion, gender identity, political party affiliation, actual/potential parental/family/marital status)?
4. List the names, titles, and business addresses of persons who may have knowledge of the alleged discriminatory action:
5. List the date(s) during which the alleged discriminatory actions occurred, or if continuing, the duration of such actions:
6. Date complaint received: \_\_\_\_\_
7. Person receiving complaint: \_\_\_\_\_
8. Action(s) taken:

USDA is the cognizant agency for the Child Nutrition Programs listed and therefore is the first contact for the six protected classes of race, color, national origin, sex, age, and disability for complaints received within 180 days. Civil rights complaints must be submitted to the USDA Office of Civil Rights within five calendar days of receipt and no later than 180 days of the discriminatory act. The link for submission of a complaint is: [program.intake@usda.gov](mailto:program.intake@usda.gov).

In Iowa, protected classes also include sexual orientation, gender identity, religion or creed and complaints can be filed up to 300 days of occurrence. The address for Iowa complaints is: Iowa Civil Rights Commission, Grimes State Office building, 400 E. 14th St. Des Moines, IA 50319-1004; phone number 515-281-4121, 800-457-4416; website: <https://icrc.iowa.gov/>.

This institution is an equal opportunity provider.12/2021

Approved: 7/19/22

## SCHOOL NUTRITION PROGRAM CIVIL RIGHTS COMPLAINTS PROCEDURE

### USDA Child Nutrition Programs in Iowa

#### Procedures for Handling a Civil Rights Complaint

1. Civil rights complaints related to the National School Lunch Program, School Breakfast Program, Afterschool Care Snack Program, Summer Food Service Program, Seamless Summer Option, or Child and Adult Care Food Program are written or verbal allegations of discrimination based on USDA protected classes of race, color, national origin, sex, age, and disability.
2. Any person claiming discrimination has a right to file a complaint within 180 days of the alleged discrimination. See below for additional Iowa Civil Rights information. A civil rights complaint based on the protected classes listed in #1 above must be forwarded to the address on the nondiscrimination statement.
3. All complaints, whether written or verbal, must be accepted by the School Food Authority (SFA)/Sponsor/Organization and forwarded to USDA at the address or link on the nondiscrimination statement within 5 calendar days of receipt. An anonymous complaint should be handled the same way as any other. Complaint forms may be developed, but their use cannot be required. If the complainant makes the allegations verbally or in a telephone conversation and is reluctant or refuses to put them in writing, the person who handles the complaint must document the description of the complaint.
4. There must be enough information to identify the agency or individual toward which the complaint is directed and indicate the possibility of a violation. Every effort should be made to obtain at least the following information:
  - Name, address and telephone number or other means of contacting the complainant;
  - The specific location and name of the organization delivering the program service or benefit;
  - The nature of the incident(s) or action(s) that led the complainant to feel there was discrimination;
  - The basis on which the complainant feels discrimination occurred (race, color, national origin, sex, age, or disability);
  - The names, titles, and addresses of people who may have knowledge of the discriminatory action(s); and
  - The date(s) when the alleged discriminatory action(s) occurred or, if continuing, the duration of such action(s).
5. USDA is the cognizant agency for the Child Nutrition Programs listed and therefore is the first contact for the six protected classes listed in #1 above, for complaints received within 180 days. Civil rights complaints must be submitted to the USDA Office of Civil Rights within five calendar days of receipt and no later than 180 days of the discriminatory act. The link for submission of a complaint is: [program.intake@usda.gov](mailto:program.intake@usda.gov)
6. In Iowa, protected classes also include sexual orientation, gender identity, religion or creed and complaints can be filed up to 300 days of occurrence. The address for Iowa complaints is: Iowa Civil Rights Commission, Grimes State Office building, 400 E. 14th St. Des Moines, IA 50319- 1004; phone number 515-281-4121, 800-457-4416; website: <https://icrc.iowa.gov/>.

Bureau of Nutrition and Health, IDOE, 12/2021

Approved: 7/19/22

## FREE OR REDUCED PRICE MEALS ELIGIBILITY

Students enrolled and attending school in the school district, who meet the (USDA) eligibility guidelines will be provided the school nutrition program services at no cost or at a reduced price. The school 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 Business Manager or 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-priced meals, school personnel shall contact the Business Manager or Food Service Director.

If a student owes money for five or more meals, the Business Manager or 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.

***Note: There are three places in the policy where the board must identify the positions that will be responsible for determining free or reduced cost meal eligibility for the school nutrition programs. The board should ensure that the positions identified are authorized by applicable law to process information as designated in the National School Lunch program annual application.***

Legal Reference: 42 U.S.C. §§ 1751 *et seq.*  
7 C.F.R. §§ 210 *et seq.*  
Iowa Code § 283A  
281 I.A.C. 58.

Cross Reference: 710.1 School Nutrition Program  
710.3 Vending Machines  
710.4 Meal Charge Policy

Approved 7/29/1996 Reviewed 12/14/15; 3/8/21 Revised 3/14/2005; 5/10/10;  
5/8/17; 7/15/19

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.* (2004).  
7 C.F.R. Pt. 210 *et seq.* (2004).  
Iowa Code ch. 283A (2007).  
281 I.A.C. 58.

Cross Reference: 504.5 Student Fund Raising  
710 School Food Services

Approved 7/29/1996 Reviewed 12/14/15; 3/8/21 Revised 3/14/2005; 5/10/10



## MEAL CHARGES

In accordance with state and federal law, the Clarke 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. Payment to the account can be made at the Central office, any building office or in the respective lunchroom.*

Students who qualify for free meals shall never be denied a reimbursable meal, even if they have accrued a negative balance from previous purchases. Schools are encouraged to provide a reimbursable meal to students with outstanding meal charge debt. If an alternate meal is provided, the meal must be the same meal presented in the same manner to any student requesting an alternate meal.

*Employees may use a charge account for meals, but may charge no more than \$0.00 to this account. When an account reaches this limit, an employee shall not be allowed to charge further meals or a la carte items until the negative account balance is paid.*

### **Negative Account Balances**

The school district will make reasonable efforts to notify families when meal account balances are low. Additionally, the school district will make reasonable efforts to collect unpaid meal charges classified as delinquent debt. The school district will coordinate communications with the student's parent or guardian to resolve the matter of unpaid charges. Parents or guardians will be notified of an outstanding negative balance once the student owes five meals or more. Parents or guardians will be notified by notes sent home with the children, emails set at \$10.00 or a rate they request and/or a call home from the child or teacher. Negative balances approaching \$-10.00 are turned over to the Superintendent or superintendent's designee for collection. Options may include: collection agencies, small claims court, or any other legal method permitted by law.

## MEAL CHARGES

**Unpaid Student Meals Account**

The district will establish an unpaid student meals account in a school nutrition fund. Funds from private sources and funds from the district flexibility account may be deposited into the unpaid school meals account in accordance with law. Funds deposited into this account shall be used only to pay individual student meal debt.

**Communication of the Policy**

The policy and supporting information regarding meal charges shall be provided in writing to:

- All households at or before the start of each school year;
- Students and families who transfer into the district, at time of transfer; and
- All staff responsible for enforcing any aspect of the policy.

Records of how and when the policy and supporting information were communicated to households and staff will be retained.

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

***NOTE: The IASB sample policy is drafted to be consistent for all grade levels. However, local boards may vary the meal charge policy for elementary, middle, and high schools. Districts should update the policy accordingly if they wish to delineate meal charge practices based on the grade level of students.***

***NOTE: If the district elects to provide alternate meals for students, the alternate meal must contain components available to all students and be provided in the same manner as meals are provided to other students. Additionally, the district is expected to accommodate special dietary needs when a child's disability restricts their diet.***

***NOTE: The Iowa Department of Education has tools and resources available to help districts with the school nutrition program and meal charge policy implementation and review. Please visit the ["School Meals"](#) section of the Iowa Department of Education's website.***

***NOTE: School districts must follow appropriate debt collection practices when trying to recover unpaid meal charges.***

Legal Reference: 42 U.S.C. §§ 1751 *et seq.*  
 7 C.F.R. §§ 210 *et seq.*  
 U.S. DEP'T OF AGRIC., SP 46-2016, UNPAID MEAL CHARGES: LOCAL MEAL CHARGE POLICIES (2016).  
 U.S. DEP'T OF AGRIC., SP 47-2016, UNPAID MEAL CHARGES: CLARIFICATION ON COLLECTION OF DELINQUENT MEAL PAYMENTS (2016).  
 U.S. DEP'T OF AGRIC., SP 57-2016, UNPAID MEAL CHARGES: GUIDANCE AND Q&A (2016).  
 Iowa Code 283A.  
 281 I.A.C. 58.

Cross Reference: 710.1 School Nutrition Program  
 710.2 Free or Reduced Price Meals Eligibility  
 710.3 Vending Machine

Approved: 5/8/17

Reviewed: 3/8/21

Revised: 7/15/19

## STUDENT SCHOOL TRANSPORTATION ELIGIBILITY

Elementary students (K-6) will be allowed to be transported regardless of the distance from the school of attendance as a courtesy transportation. 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.

The following is in effect for all students eligible for transportation including courtesy transportation:

- Custodial parents are allowed to request one (1) designated pickup location for the morning and one (1) designated drop off location for the afternoon. This will be the established pickup and drop off location for one semester. This is allowed under Iowa code 285.1. (Joint or shared custodial parents may each make a request.)
- Permanent change in the pick up or drop off point during a semester will be accommodated. Contact the transportation director (342-4892) to make change.
- A parent may request, with a signed and dated note specifying student first and last name that their student be dropped off at another home, which is already on the bus route and does not require any change of bus by the student or route by the driver. This note must be presented to the bus driver upon boarding the bus for the afternoon route.
- The district will accommodate special requests when school is dismissed early for weather or scheduled early dismissals.
- An emergency request may be honored by contacting the transportation supervisor at 342-4892 by **2:00 P.M.** The transportation supervisor/designee will then contact the school if the emergency request is permitted. **DO NOT send a note to your child's teacher requesting a variation in bus route as this does not meet the emergency request requirement.** Special emergency requests must be kept to a minimum or the school district will have to follow Iowa Code 285.1 specifically.

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 location.
- Reimbursement of the actual costs of transportation when by mutual agreement the parents provide transportation for the student to and from the special education.

The school district is not required to provide reimbursement to parents who elect to provide transportation in lieu of agency-provided transportation.

A student may be required, at the board's discretion, to meet a school 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.

PK-6 students living in town may be offered transportation to school, as a courtesy, with designated stops assigned by the transportation supervisor.

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.

***NOTE: This policy reflects the legal requirements of transportation. Boards may expand transportation eligibility and, if so, the school district's practice should be reflected in board policy.***

Legal Reference: 20 U.S.C. §§ 1401, 1701 *et seq.* (2004).  
34 C.F.R. Pt. 300 *et seq.* (2004).  
Iowa Code §§ 256B.4; 285; 321 (2007).  
281 I.A.C. 41.412

Cross Reference: 501.16 Homeless Children and Youth  
507.8 Student Special Health Services  
603.3 Special Education  
711 Transportation

Approved 7/29/1996 Reviewed 12/14/15; 3/8/21 Revised 3/22/04; 3/15/2005; 5/10/10;  
7/9/12

## 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 transportation supervisor.

The board supports the use of recording devices on school buses used for transportation to and from school as well as for field trips, curricular or extracurricular events. The recording devices will be used to monitor student behavior and may be used as evidence in a student disciplinary proceeding. The recordings are student records subject to school district confidentiality, board policy and administrative regulations.

After three (3) 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.

***NOTE: This policy reflects the practice of recording device use on school buses. If a school district does not use recording devices, the third paragraph should be eliminated.***

Legal Reference: Iowa Code §§ 279.8; 285; 321

Cross Reference: 503 Student Discipline  
506 Student Records  
804.6 Use of Recording Devices on School Property

Approved 7/29/1996 Reviewed 12/14/15; 3/8/21 Revised 3/22/2004; 3/14/2005;  
5/10/10; 11/8/21



BUS/PARENT CONTACT NOTE

\_\_\_\_\_ is having problems on the school bus and I am  
student's name

unable to reach you by phone. Please contact me tonight at home at \_\_\_\_\_

phone number  
so we can work together to resolve these problems.

\_\_\_\_\_ AM \_\_\_\_\_ PM \_\_\_\_\_  
Driver's Signature

Reviewed: 5/10/10; 12/14/15; 3/8/21

## STUDENT CONDUCT ON SCHOOL TRANSPORTATION REGULATION

All persons riding in school district vehicles will adhere to the following rules. Video cameras may be in operation on the school buses. Drivers will report rule infractions on a Bus Discipline Report form. Each write-up of a student will be reviewed by the Transportation Supervisor and filed with the appropriate building administrator.

### Bus Rider Behavior Expectations

1. Riders are expected to follow the discipline of the driver at all times. A rider may be assigned a seat by the driver, may have a change in seat assignment, may be given a verbal reprimand and may be referred for additional discipline.
2. Riders are required by state law to remain seated and face forward at all times.
3. Riders are expected to use appropriate language and voice level at all times.
4. Riders are expected to keep hands, feet and objects to themselves.
5. Riders are expected to treat others with respect.
6. Riders who damage seats or other equipment will reimburse the district for the cost of the repair or replacement.

### BUS RIDER DISCIPLINE

The primary responsibility of the driver is to safely transport the students to and from school. While transporting students, the driver also has the responsibility of maintaining discipline on the bus.

Transportation of students by the school is a privilege. The students are responsible for their behavior on the bus. Their behavior affects the safe operation of the bus.

Parents/guardians are requested to explain the importance of proper behavior on the bus. They are also expected to support disciplinary actions that are necessary to help their child change his/her behavior.

The bus driver will complete a Bus Discipline Report form on all students who exhibit misconduct on the bus and file it with the Transportation Supervisor. The Transportation Supervisor will then file the Bus Discipline Report with the appropriate building administrator. The building administrator may assign a variety of disciplinary action up to and including suspension of bus privileges.

In the event that a student's conduct is so disruptive that they must be removed from the bus during a scheduled trip, the Transportation Supervisor shall have the authority to suspend the rider for the remainder of that school day. A conference must be held with the parent, Transportation Supervisor and a school administrator in order to reinstate bus privileges.

Approved 7/29/1996

Reviewed 7/13/1998; 12/14/15; 3/8/21

Revised 3/14/2005;  
5/10/10



STUDENT TRANSPORTATION FOR EXTRACURRICULAR ACTIVITIES

The board in its discretion may provide school district transportation for extracurricular activities including, but not limited to, transporting student participants and other students to and from extracurricular events.

Students participating or attending extracurricular events, other than those held at the school district facilities, may be transported to the extracurricular event by school district transportation vehicles or by another means approved by the superintendent.

Students, who are provided transportation in school district transportation vehicles for extracurricular events, 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 (2007).  
281 I.A.C. 41.412

Cross Reference: 504 Student Activities  
711 Transportation

Approved 7/29/1996 Reviewed 12/14/15; 3/8/21 Revised 3/14/2005; 7/30/07; 5/10/10

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 (2007).  
281 I.A.C. 43.10, 412.

Cross Reference: 603.2 Summer School Instruction  
711 Transportation

Approved 7/29/1996 Reviewed 12/14/15; 3/8/21 Revised 3/14/2005; 5/10/10

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 board secretary for billing.

Continued transportation of nonresident and nonpublic school students on a public school vehicle route will be subject to resident public school students' transportation needs. The superintendent 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 (2007).

Cross Reference: 711 Transportation

Approved 7/29/1996 Reviewed 3/14/2005; 12/14/15; 3/8/21 Revised 5/10/10

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) (2005).  
281 I.A.C. 41.412; 43.10.

Cross Reference: 711 Transportation  
900 Principles and Objectives for Community Relations

Approved 7/29/1996 Reviewed 12/14/15; 3/8/21 Revised 3/14/2005; 5/10/10

## 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

Approved 7/29/1996 Reviewed 12/14/15 Revised 3/14/2005; 5/10/10; 5/10/21

## TRANSPORTATION IN INCLEMENT WEATHER

School district buses will not operate when weather conditions due to fog, rain, snow or other natural elements make it unsafe to do so. Because weather conditions may vary around the school district and may change quickly, the best judgment possible will be used with the information available.

The final judgment as to when conditions are unsafe to operate will be made by the superintendent. The superintendent will be assisted by the actual "on location" decisions and reports of the transportation supervisor.

Students, parents, employees and patrons will be notified by commercial radio, T.V, and social media (e.g. text messaging, district web site, etc) 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, T.V, and social media media (e.g. text messaging, district web site, etc). 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.

***Note: This is a mandatory policy, but the content isn't. Boards should amend the policy if necessary to reflect their practices.***

Legal Reference: Iowa Code § 279.8 (2013).

Cross Reference: 601.2 School Day

Approved 3/14/2005 Reviewed 3/8/21 Revised 5/10/10; 12/14/15

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.

***Note: All Iowa school districts utilizing school buses must have a policy in place on this topic. This policy applies even to districts who contract out their bussing services with a third party.***

Legal Reference: 281 I.A.C. 43.10(6)

Cross Reference: 711.7 School Bus Safety Instruction

Approved 5/10/21

Reviewed \_\_\_\_\_

Revised \_\_\_\_\_

## TECHNOLOGY AND DATA SECURITY

The Clarke 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.

*Note: This policy and accompanying regulation are not mandatory for districts. This policy is intended as guidance for districts. Data and technology security are very broad topic areas, and the purpose of this policy is to attempt to break down this subject into more manageable topics for districts. In deciding how and when to implement data safeguards, districts should balance the already existing need to safeguard data with the resources they have available.*

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:               401.13 Staff Technology Use/Social Networking  
  506.1 Student Records  
  605.4 Technology in the Classroom

Approved 7/15/19

Reviewed 3/8/21

Revised \_\_\_\_\_

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.

Approved 7/15/19

Reviewed 3/8/21

Revised \_\_\_\_\_

## RESPONSIBLE TECHNOLOGY USE & SOCIAL NETWORKING

Computers, electronic devices and other technology are a powerful and valuable educational and research tools and, as such, are an important part of the instructional program. In addition, the school district depends upon technology 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 technology resources. Students, staff, and volunteers must conduct themselves in a manner that does not disrupt the educational process and failure to do so may result in discipline, up to and including student discipline under all relevant district policies and discharge for employees.

### General Provisions

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

The superintendent, working with appropriate staff, shall establish regulations governing the use and security of the school district's technology resources. The school district will make every reasonable effort to maintain the security of district networks and devices. All users of the school district's technology 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, or expulsion as well as suspension and/or revocation of technology access privileges.

Usage of the school district's technology resources is a privilege, not a right and that use entails responsibility. District-owned technology and district maintained Internet-bases collaboration software, social media and e-mail accounts are the property of the school district. Therefore, users of the school district's network must not expect, nor does the school district guarantee, privacy for use of the school district's network including web sites visited. The school district reserves the right to access and view any material stored on school district equipment, within district-owned software, or any material used in conjunction with the school district's network.

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

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

Approved 4/25/11

Reviewed 6/11/18

Revised 1/28/13; 4/8/24

## RESPONSIBLE TECHNOLOGY USE & SOCIAL NETWORKING

### Social Networking or Other External Web Sites

For purposes of this policy any web site, other than the school district web site or school district sanctioned web sites, are considered external web sites. Employees and volunteers shall not post confidential or proprietary information, including photographic images, about the school district, its employees, students, agents or others on any external web site without prior written consent of the superintendent. Employees, students and volunteers shall adhere to all applicable privacy and confidentiality policies adopted by the school district when on external web sites. Employees, students and volunteers shall not use the school district logos, images, iconography, etc. on external web sites unless authorized in advance by school administration. Employees shall not use school district time or property on external sites that are not in direct relation to the employee's job duties. 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. Employees, students and volunteers who don't want school administrators to know their personal information, should refrain from sharing it on the internet. Employees and volunteers should not connect with students via external web sites without consent of the building level administrator.

Employees and volunteers who wish to connect with students through an Internet-based software application that is not District-approved must first obtain the prior written consent of the building administrator. At all times, no less than two licensed employees must have access to all accounts and interactions on the software application. Employees and volunteers who would like to start a social media site for school district sanctioned activities, should obtain prior written consent from the superintendent.

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

Legal Reference: Iowa Code § 279.8  
281 I.A.C., .26

Cross Reference: 104 Anti-Bullying/Harassment  
306 Administrator Code of Ethics  
401.11 Employee Orientation  
407 Licensed Employee Termination of Employment  
413 Classified/Confidential/Director/Other Employee Termination of Employment  
605 Instructional Materials

## RESPONSIBLE TECHNOLOGY USE & SOCIAL NETWORKING REGULATION

### General

The following rules and regulations govern the use of the school district's network systems, employee access to the internet, and management of digital 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, 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 case of an emergency.
- Employees may access the internet for education-related and/or work-related activities.
- Employees shall refrain from using technology resources for personal use, including access to social networking sites.
- Use of the school district technology and school e-mail address is a public record. Employees cannot have an expectation of privacy in the use of the school district's network and technology.
- Use of technology 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 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 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 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 technology use guidelines may be denied access to the school district's network.
- Employees are representatives of the district at all times and must model appropriate character, both on and off the worksite. This applies to material posted with personal devices and on personal websites and/or social media accounts. Posted messages or pictures which diminish the professionalism or discredit the capacity to maintain respect of students and parents may result in disciplinary action up to and including termination if the content posted is found to be disruptive to the educational environment and adversely impacts the employee's ability to effectively serve as a role model or perform his/her job duties for the district. The type of material that would affect an employee's ability to serve as an appropriate role model includes, but is not limited to, text or depictions involving hate speech, nudity, obscenity, vulgarity or sexually explicit content. Employee communications with students should be limited as appropriate. If there is any uncertainty, employees should consult their building administrator.

## RESPONSIBLE TECHNOLOGY USE & SOCIAL NETWORKING REGULATION

### Prohibited Activity and Uses

The following is a list of prohibited activity for all employees concerning use of the school district's 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 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 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 technology on the school district's technology and/or network without the permission of Technology Coordinator.
- Using the network in a fashion inconsistent with directions from teachers and other staff and generally accepted network etiquette.

### Other Technology Issues

Employees should contact students and their parents through the school district technology or phone system 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.

Approved: 4/25/11

Reviewed: 6/11/18

Revised: 1/28/13; 2/25/13; 6/23/16; 2/8/21; 4/8/24

## BUILDINGS & SITES

Series 800

### Code No.

#### **800 Objectives of Buildings & Sites**

#### **801 Site Acquisition and Building Construction**

- 801.1 Buildings & Sites Long Range Planning
- 801.2 Buildings & Sites Surveys
- 801.3 Educational Specifications for Buildings & Sites
- 801.4 Site Acquisition

#### **802 Maintenance, Operation and Management**

- 802.1 Maintenance Schedule
- 802.2 Requests for Improvements
- 802.3 Emergency Repairs
- 802.4 Capital Assets
- 802.4R1 Capital Assets Regulation
- 802.4R2 Capital Assets Management System Definitions
- 802.5 Buildings & Sites Adaptation for Persons with Disabilities
- 802.5R Accommodating Persons with Disabilities
- 802.6 Vandalism
- 802.7 Energy Conservation

#### **803 Selling and Leasing**

- 803.1 Disposition of Obsolete Equipment
- 803.1R Disposition of Obsolete Equipment
- 803.1E Request for Disposition of Obsolete Equipment
- 803.2 Lease, Sale or Disposal of School District Buildings & Sites

#### **804 Safety Program**

- 804.1 Facilities Inspections
- 804.2 District Emergency Operations Plan
- 804.3 Bomb Threats
- 804.4 Asbestos Containing Material
- 804.5 Stock Prescription Medication Supply
- 804.5E1 Parental Authorization and Release Form for the Administration of a Voluntary School Supply of Stock Medication for Life Threatening Incidents
- 804.6 Use of Recording Devices on School Property
- 804.6R1 Use of District Owned Recording Devices on District Property Regulation
- 804.7 Radon Mitigation
- 804.7R1 Radon Mitigation Regulation

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.

Approved 10/14/1996

Reviewed 6/7/10; 4/25/16

Revised 3/28/2005



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 sites 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 (2007).

Cross Reference: 103 Long-Range Needs Assessment

Approved 10/14/1996 Reviewed 4/25/16 Revised 3/28/2005; 6/7/10

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 (2007).

Cross Reference: 103 Long-Range Needs Assessment  
801 Site Acquisition and Building Construction

Approved 10/14/1996 Reviewed 4/25/16 Revised 3/28/2005; 6/7/10

## 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.

***NOTE: For more detailed discussion of this issue, see IASB's Policy Primer, Vol. 17 #5- September 9, 2003.***

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 §§ Ch 26; 280.3, .14; 297; 544A (2007).  
1974 Op. Att'y Gen. 529.

Cross Reference: 801 Site Acquisition and Building Construction

Approved 10/14/1996 Reviewed 3/28/2005; 4/25/16 Revised 10/27/2003; 6/7/10

## 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 specific sites in compliance with applicable laws.

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: 212 Closed Sessions  
705.1 Purchasing - Bidding  
801 Site Acquisition and Building Construction

Approved 10/14/1996 Reviewed 4/25/16 Revised 3/28/05; 6/7/10;  
2/23/22

## 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.

*NOTE: The sentence on graffiti is necessary because of the liability a school district could incur in a case involving harassment. The continued presence of graffiti could expose the school district to liability. It is recommended that school districts implement a procedure to discourage, report and remove graffiti in a timely manner.*

Legal Reference: Iowa Code §§ 279.8; 280.3, .14 (2007).

Cross Reference: 502.2 Care of School Property/Vandalism  
502.5 Student Lockers  
802 Maintenance, Operation and Management  
804.1 Facilities Inspections

Approved 10/14/1996 Reviewed 4/25/16 Revised 3/28/2005; 6/7/10

## 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 \$10,000 may be approved by the superintendent. Improvements exceeding \$10,000 must be approved by the board. Routine maintenance and repairs outlined in the maintenance schedule will be followed.

*NOTE: The amount in the blanks should be consistent with the amounts in Policies 705.1 and 803.2.*

Legal Reference: Iowa Code §§ 279.8; 280.3, .14 (2007).

Cross Reference: 802.1 Maintenance Schedule  
802.3 Emergency Repairs

Approved 10/14/1996 Reviewed 4/25/16 Revised 3/28/2005; 6/7/10

## EMERGENCY REPAIRS

In the event of an emergency requiring repairs, in excess of the state limit, to a school district facility are necessary to correct or control the situation and to prevent the closing of school, the provisions relating to bidding will not apply.

It is the responsibility of the superintendent to obtain certification from the area education agency administrator stating such repairs in excess of the state limit were necessary to prevent the closing of school.

It is the responsibility of the superintendent to notify the board as soon as possible considering the circumstances of the emergency.

*NOTE: This policy reflects Iowa law regarding emergency repairs. The certification of the AEA administrator is a legal requirement.*

Legal Reference: Iowa Code §§ 26.3, 280.3, .14; 297.8 (2007).

Cross Reference: 705.1 Purchasing - Bidding  
802 Maintenance, Operation and Management

Approved 10/14/1996 Reviewed 4/25/16 Revised 3/28/2005; 6/7/10

## 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 a historical cost equal to or greater than (\$5,000.00, *capitalization threshold*), except for intangible right-to-use lease assets. The Federal regulations governing school lunch programs require capital assets attributable to the school lunch program with a historical cost of equal to or greater than \$500 be capitalized. Additionally, capital assets are depreciated over the useful life of each capital asset.

All intangible assets (except for right-to-use lease assets) with a purchase price equal to or greater than (\$50,000.00, *capitalization threshold*) 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.

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 district recognizes the importance of classifying leases of intangible assets as assets or liabilities in financial statement. When operating as a lessor, the district will recognize a lease liability and an intangible right-to-use lease asset. When operating a lessee, the district will recognize a lease receivable and a deferred inflow of resources consistent with the requirements established in GASB 97.

The District recognizes a lease liability and an intangible right-to-use lease asset with an initial value of (\$5,000.00, *capitalization threshold*) or more. At the commencement of a lease, the District initially measures the lease liability at the present value of payments expected to be made during the lease term. Subsequently, the lease liability is reduced by the principal portion of the lease payments made. The lease asset is initially measured as the initial amount of the lease liability, adjusted for lease payments made at or before the lease commencement date plus certain initial direct costs to place the asset in service. The lease asset is the amortized on a straight-line basis over the life of the lease.

The capital assets management system must be updated monthly to account for the addition/acquisition, disposal, relocation/transfer of capital assets. It is the responsibility of the superintendent to count and reconcile the capital assets with capital assets management system on June 30 each year.



## CAPITAL ASSETS

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.

***NOTE: This is a mandatory policy. It is suggested the board consider a capitalization threshold consistent with the GASB 34 Committee Recommendations which recommended "districts and AEAs implement capitalization levels that would capture at least 80% of the value of assets. However, the threshold should not be greater than \$5,000." In addition, Boards may wish to establish guidelines at lower thresholds for keeping track of capital assets for internal control and insurance purposes.***

***In determining the capital asset capitalization threshold, the size of the school district, the property insurance deductible and the time and effort necessary to account for and track capital assets with a lesser value should be considered. It is strongly recommended the board consult with the school auditor prior to setting the capitalization threshold.***

***An intangible asset excluding right to use lease should be recognized in the statement of net assets only if it is identifiable which means the asset is either separable or, arose from contractual or other legal rights, regardless of whether those rights are transferable or separable. The intangible asset must also possess all of the following characteristics/criteria:***

- ***lack of physical substance;***
- ***be of a nonfinancial nature (not in monetary form like cash or investment securities); and,***
- ***the initial useful life extending beyond a single reporting period.***

***Examples of intangible assets include easements, land use rights, patents, trademarks and copyrights. In addition, intangible assets include computer software purchased, licensed or internally generated, including websites, as well as outlays associated with an internally generated modification of computer software.***

***Intangible assets can be purchased or licensed, acquired through nonexchange transactions or internally generated. Intangible assets exclude assets acquired or created primarily for purposes of directly obtaining income, assets from capital lease transactions reported by lessees, and goodwill created through the combination of a government and another entity.***

***A school district could, and many do, use bar code identification tags to control capital assets, such as, technology equipment, etc., even though these capital assets have a cost below the capitalization threshold. In tracking these capital assets only the information necessary to control the location and use of them needs to be maintained. Some school districts video each classroom/office annually to save time and effort tracking capital assets below the capitalization threshold. The video is also helpful for insurance claims. Whether a school district chooses to track capital assets with a cost below the capitalization threshold or not, capital assets with a cost below the capitalization threshold should not be included in the capital assets listing for reporting purposes.***

***This policy provides for valuing capital assets at historical cost as required by GAAP. This policy bases the capitalization threshold on the historical/acquisition cost of the individual asset. The school district can choose to use the historical cost of all the items included in a purchase order as the basis for determining whether to capitalize the capital asset. The cost of improvements may be added to the historical cost of a capital asset. Deciding whether to add the costs of an improvement to a capital asset's historical cost is a judgment call which should be made after consulting with the school auditor.***

CAPITAL ASSETS

Legal Reference: Iowa Code §§ 257.31(4); 279.8; 297.22-.25; 298A

Cross Reference: 709 Insurance Program  
701.3 Financial Records

Approved 10/11/10

Reviewed \_\_\_\_\_

Revised 11/22/10, 4/25/16; 7/19/22

## CAPITAL ASSETS REGULATION

### A. Capital Assets Management System

The superintendent, and/or other designated staff, shall:

- 1) Conduct the fixed assets physical count;
- 2) Develop the fixed assets listing;
- 3) Tag fixed assets included in the fixed assets management system with a bar code identification number;
- 4) Make a recommendation of a computer software program for managing the fixed assets management system;
- 5) Enter the necessary data into the fixed capital assets management system and compile the appropriate reports;
- 6) Develop forms and procedures for maintaining the integrity of the fixed capital assets management system; and,
- 7) Maintain responsibility for an accurate fixed capital assets management system.

### B. Determining historical cost

1. The historical cost of a capital asset is based on the actual costs expended in making the capital assets serviceable.
2. Gifts of capital assets are valued at the estimated fair market value at the addition/acquisition date.
3. Fixed assets purchased under a capital lease are valued at historical cost of the net present value of the minimum lease payments on the addition/acquisition date.
4. The historical cost of capital assets must include capitalized interest.

### C. Annual capital assets listing reconciliation

1. The superintendent, and/or other designated staff, in conjunction with the capital assets management team, will conduct an annual capital assets physical count to develop the annual capital assets listing in a manner similar to the initial capital assets listing process in B above. At least every three years, someone other than the person in custody of the capital assets in the building/department/room will perform the capital assets physical count for the building/department/room.
2. Upon completion of the annual capital assets listing, the capital assets listing is reconciled to the capital assets management system data base.
3. Capital assets found to have been excluded from the data base are added to the capital assets management system. The capital assets management system process should be reviewed to prevent future incidents of excluding a capital asset.
4. Capital assets unaccounted for are reported to the superintendent who contacts the supervisor of and the individual in charge/control/custody of the capital asset. The individual in charge/control/custody of the capital asset has thirty days to account for the capital asset.

## CAPITAL ASSETS REGULATION

5. Capital assets unaccounted for after thirty days are reported to the superintendent for appropriate action and documentation. "Appropriate action" may include discipline, up to and including discharge, and may require the employee/person in charge/control/custody of the capital asset to replace the asset.
  6. The superintendent is responsible for documenting the reasons each asset was not reconciled to the capital assets management system.
- D. Addition/acquisition of capital assets.
1. The school district's purchasing policy and administrative regulations must be followed when acquiring capital assets. The school district's policy and administrative regulations must be followed for receiving a gift of capital assets.
  2. The capital assets addition/acquisition documentation must be completed for each additional capital assets with an addition/acquisition cost of equal to or greater than \$5,000.00. 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 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 fiscal year must be entered into the capital assets management system in the same fiscal year.
  4. The actual costs of construction in progress, other than infrastructure, is entered into the capital assets management system in the fiscal year in which costs are incurred until the total cost of addition/acquisition is entered. Upon completion of construction, the total costs accumulated over the period of construction are reclassified to buildings.

## CAPITAL ASSETS REGULATION

5. Capital assets acquired in a fiscal year must be entered into the capital assets management system in the same fiscal year.
- 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 fiscal year must be entered into the capital assets management system in the same fiscal year.
- 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 fiscal year must be entered into the capital assets management system in the same fiscal year.
  3. When assets are sold or disposed of, it is necessary to calculate and report a gain or loss in the statement of activities. The gain/loss is calculated by subtracting the net book value (historical cost less any accumulated amortization) from the net amount realized on the sale or disposal.
- G. Lost, damaged or stolen capital assets.
1. A Lost, Damaged or Stolen Capital Assets Report must be completed when a capital asset has been lost, damaged or stolen. The following information must be collected:

## CAPITAL ASSETS REGULATION

- a. Date of loss, damage or theft;
  - b. Employee/person discovering;
  - c. Quantity;
  - d. Description of capital asset;
  - e. Bar code tag identification number;
  - f. Location-building/department/room;
  - g. Description of loss, damage, etc.;
  - h. Filing of police report-yes or no;
  - i. Filing of insurance report-yes or no;
  - j. Sent for repair-yes or no;
  - k. Date returned from repair;
  - l. Date returned to location-building/department/room;
  - m. Department/person charged with custody; and,
  - n. Authorization.
2. Capital assets damaged, lost or stolen in a fiscal year must be entered into the capital assets management system in the same fiscal year.

## H. Capital assets reports

1. Annual reports for June 30 each year.
  - a. Capital assets listing including the following items:
    - 1) Balance sheet accounting/class code;
    - 2) Purchasing fund, function and depreciation function;
    - 3) Bar code tag identification number;
    - 4) Description of the capital asset;
    - 5) Historical cost or other;
    - 6) Location;
    - 7) Current year depreciation/expense; and,
    - 8) Accumulated depreciation/amortization.
  - b. Capital assets listing by location/building;
  - c. Capital assets listing by department/employee/person charged with custody; and,
  - d. Capital assets listing by replacement cost.

***NOTE: This sample administrative regulation provides a sample capital asset management system. It is important the administrative regulations adopted by a school district reflect its actual practice. The school district may choose to employ a service provider to conduct the annual capital assets physical count, annual capital assets listing and to implement a capital assets management system for capital assets required to be capitalized under board policy. Should the board employ a service provider, it is important to have the school attorney review the request for proposals and to draft the service provider contract.***

## CAPITAL ASSETS REGULATION

*This sample administrative regulation provides for valuing capital assets at historical cost as required by GAAP. This administrative regulation also requires the school district to maintain the replacement value of capital assets. Should the school district decide not to maintain replacement values for its capital assets, the requirement should be deleted from the administrative regulation.*

*Some school districts in completing their initial capital assets listing consider a room a unit. For example, 25 student desks, one teacher's desk, one teacher's chair, wastebasket, two storage/file cabinets and so forth could be considered a room unit with a value of \$35,000. The unit is included as one item on the capital assets listing.*

*This may be a difficult element of a capital assets management system. Capital assets have a tendency to be moved around and the employees moving them generally do not remember to complete the paperwork or even to inform the superintendent. A quality annual reconciliation process must be done to ensure a valid assets listing. Some school districts require a designated person at each building to complete the paperwork upon the disposal of a capital asset. School districts with a local area network can save paperwork by allowing each building to enter the information regarding disposal of capital assets as long as the appropriate checks and balances exist to verify the information.*

*The school auditor may, at a minimum, require a capital assets listing with the historical or other cost basis and balance sheet accounting/class code for each capital asset in the capital assets listing. It is important for the school district to consult with the district's auditor prior to determining the school district's requirements for this annual report. The other items listed above are optional unless recommended by the school auditor to meet the school district's needs.*

*The capital assets listing total dollar amount must equal the amount entered on the school district's Certified Annual Report (CAR). This amount is calculated as follows:*

*Capital assets listing prior year by balance sheet accounting/class code  
+ Additions/Acquisitions by balance sheet accounting/class code  
- Disposal by balance sheet accounting/class code  
=Capital assets listing current year by balance sheet accounting/class code*

*The last three reports may be used by school districts for many different purposes. For example, the "capital assets listing by location/building" and "capital assets listing by department/employee/person charged with custody" are used by school districts for the annual capital assets listing reconciliation to compare the actual capital assets in a building or department/room with the information in the capital assets management system.*

10/11/10

Reviewed 4/25/16

## CAPITAL ASSETS MANAGEMENT SYSTEM DEFINITIONS

**Back trending/standard costing** - an estimate of the historical original cost using a known average installed cost for like units as of the estimated addition/ acquisition date. This cost is only applied to the capital assets initially counted upon implementation of the capital assets management system when the historical original cost cannot be determined. It is inappropriate to apply the back trending/standard costing method to any capital assets acquired after the assets management system implementation date.

**Balance sheet accounting/class codes** - the codes set out for assets in the Iowa Department of Education Uniform Accounting Manual. They are: 200-capital assets; 211- land and land improvements; 221-site improvements; 222-accumulated depreciation on site improvements; 231-buildings and building improvements; 232-accumulated depreciation on buildings and building improvements; 241-machinery and equipment; 242-accumulated depreciation on machinery and equipment, 251-works of art and historical treasures; 252-accumulated depreciation on works of art and historical treasures, 261- infrastructure, 262-accumulated depreciation on infrastructure, and 271-construction in progress.

**Book value** - the value of capital assets on the records of the school district, which can be the cost or, the cost less the appropriate allowances, such as depreciation.

**Buildings and building improvements** - a capital assets account reflecting the addition/acquisition cost of permanent structures owned or held by a government and the improvements thereon.

**Business-type activities** – one of two classes of activities reported in the government-wide financial statements. Business-type activities are financed in the whole or in part by fees charged to external parties for goods or services. These activities are usually reported in enterprise funds.

**Capital expenditures/expenses** - expenditures/expenses resulting in the addition/acquisition of or addition/acquisition to the school district's capital assets.

**Capital assets** - Capital assets with a value of equal to or greater than \$5,000.00 based on the historical cost include: long-lived assets obtained or controlled as a result of past transactions, events or circumstances. Capital assets include buildings, construction in progress, improvements other than facilities, land, machinery and equipment, and intangible assets.

**Capitalization policy** - the criteria used by the school district to determine which capital assets will be reported as capital assets on the school district's financial statements and records

**Capitalization threshold** - The dollar value at which a government elects to capitalize tangible or intangible assets that are used in operations and that have initial useful lives extending beyond a single reporting period.

**Capitalized interest** - interest accrued and reported as part of the cost of the capital assets during the construction phase of a capital project. The construction phase extends from the initiation of pre-construction activities until the time the asset is placed in service.

**Construction in progress** - buildings in the process of being constructed other than infrastructure.

**Cost** - the amount of money or other consideration exchanged for goods or services.



## CAPITAL ASSETS DEFINITIONS

**Depreciation/Amortization** - expiration in the service life of capital assets, other than wasting assets, attributable to wear and tear, deterioration, action of the physical elements, inadequacy and obsolescence. In accounting for depreciation/amortization, the cost of a capital asset, less any salvage value, is prorated over the estimated service life of such an asset, and each period is charged with a portion of such cost.

**Fixtures** - attachments to buildings that are not intended to be removed and cannot be removed without damage to the buildings. Those fixtures with a useful life presumed to be as long as that of the building itself are considered a part of the building. Other fixtures are classified as machinery and equipment.

**General capital assets** - capital assets that are not capital assets of any fund, but of the governmental unit as a whole. Most often these capital assets arise from the expenditure of the financial resources of governmental funds.

**General capital assets account group (GFAAG)** - a self-balancing group of accounts established to account for capital assets of the school district, not accounted for through specific proprietary funds.

**Government activities** – activities generally financed through taxes, intergovernmental revenues, and other non-exchange revenues. These activities are usually reported in governmental funds and internal service funds.

**Government-wide financial statements** – Financial statements that incorporate all of a government's governmental and business-type activities, as well as its nonfiduciary component units. There are two basic government-wide financial statements the statement of net assets and the statement of activities. Both basic government-wide financial statements are presented using the economic resources measurement focus and the accrual basis of accounting.

**Historical (acquisition) cost** - the actual costs expended to place a capital asset into service. For land and buildings, costs such as legal fees, recording fees, surveying fees, architect fees and similar fees are included in the historical cost. For machinery and equipment, costs such as freight and installation fees and similar fees are included in the historical cost.

**Improvements** – In addition made to, or change made in, a capital asset, other than maintenance, to prolong its life or to increase the efficiency or capacity. The cost of the addition or change is added to the book value of the asset.

**Improvements other than buildings** - attachments or annexation to land that are intended to remain so attached or annexed, such as sidewalks, trees, drives, tunnels, drains and sewers. Sidewalks, curbing, sewers and highways are sometimes referred to as "betterments," but the term "improvements" is preferred.

**Infrastructure** – long-lived capital assets that normally are stationary in nature and normally can be preserved for a significantly greater number of years than most capital assets. Examples of infrastructure assets include; roads, bridges, tunnels, drainage systems, water and sewer systems, dams, and lighting systems.

**Investment in general capital assets** - an account in the GFAAG representing the school district's investment in general capital assets. The balance in this account generally is subdivided according to the source of the monies that finance the capital assets addition/acquisition, such as general fund revenues and special assessments.

## CAPITAL ASSETS DEFINITIONS

**Land and buildings** - real property owned by the school district.

**Machinery and equipment** - capital assets which maintain their identity when removed from their location and are not changed materially or consumed immediately (e.g., within one year) by use. Machinery and equipment are often divided into specific categories such as: transportation machinery and equipment which includes school buses and school district owned automobiles, trucks and vans; other motor machinery and equipment which includes lawn maintenance machinery and equipment, tractors, motorized carts, maintenance machinery and equipment, etc.; other machinery and equipment which includes furniture and machinery and equipment contained in the buildings whose original cost is equal to or greater than \$5,000.00, 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.

10/11/10

Reviewed: 4/25/16

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.

***NOTE: This policy reflects disability law as it relates to physical facilities. School districts are required to have a physical facilities transition plan that outlines when physical facilities will become accessible to persons with disabilities.***

Legal Reference:       29 U.S.C. §§ 621-634 (2004).  
                              42 U.S.C. §§ 12101 *et seq.* (2004).  
                              Iowa Code chs. 104A; 216 (2007).

Cross Reference:       102   Equal Educational Opportunity  
                              603.3 Special Education

Approved 10/14/1996       Reviewed 4/25/16       Revised 3/28/2005; 6/7/10

ACCOMMODATING PERSONS WITH DISABILITIES

If an office, building, or portion of a building is not accessible to a person with a disability, it shall be the responsibility of the employee of the district to make the necessary arrangements to accommodate the person with the disability.

Procedures suggested but not limited to include:

Employee making arrangements in another school owned facility that is accessible.

Employee requesting a supervisor to accommodate the request.

Meeting in an informal setting that is agreeable to the employee and person with disability.

While it may be necessary to schedule an appointment at a later time, under no circumstance shall a person with a disability be denied access because of a building or site deficiency.

Approved October 14, 1996

Reviewed 3/28/2005; 6/7/10; 4/25/16

Revised \_\_\_\_\_

## VANDALISM

The board believes everyone should treat school district buildings and sites and property with respect for the benefit of the education program. Users of school district property 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 (2007).

Cross Reference: 502 Students Rights and Responsibilities  
903.4 Public Conduct on School Premises

Approved 10/14/1996 Reviewed 3/28/2005, 4/25/16 Revised 6/7/10

## 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 (2007).

Cross Reference: 700 Purpose of Noninstructional and Business Services

Approved 10/14/1996 Reviewed 4/25/16 Revised 3/28/2005; 6/7/10

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 or property other than real property having a value of no more than \$25000 may be sold or disposed of in a manner determined by the board. See 803.1R. However, the sale or disposition of equipment, furnishings or supplies disposed of in this manner will be published in a newspaper of general circulation.

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 or disposition 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 unless otherwise required by law. 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.

***NOTE: The language in the second and third paragraphs reflect Iowa law regarding the sale of personal property. Boards should add their procedures for disposition of personal property valued at less than \$25,000 in the second paragraph.***

Legal Reference: Iowa Code §§ 24.9; 297.22-.25

Cross Reference: 704 Revenue  
705.1 Purchasing - Bidding  
803 Selling and Leasing

Approved 11/27/1995 Reviewed 10/14/1996; 4/25/16 Revised 7/10/1997, 3/28/2005;  
6/7/10; 3/23/15; 11/8/21

DISPOSITION OF OBSOLETE EQUIPMENT

All items of equipment and furnishings with an original value of over \$500 no longer needed by a building principal or supervisor in the Clarke Community School District shall be reported to the Business Manager.

Equipment or material determined to have no monetary value may be discarded if approved by the building principal or superintendent or the Business Manager.

A list of all obsolete equipment will be reviewed by the Superintendent and Business Manager annually. This review will determine which items may be recommended for sale at either a forthcoming public auction, bid, sale, or as a trade-in credit toward new equipment purchase.

District receipts shall be issued for items sold and all sales shall be noted in the inventory record.

The fixed assets inventory records shall be audited on an annual basis.

No employee of the district, board members or relatives of their immediate families shall be allowed to purchase school materials and equipment except at a public auction, bids, or sale at which time the public also participates.

The purchaser shall have the responsibility of removing the purchased property at no cost to the district.

Approved 11/27/95

Reviewed October 14, 1996; 6/7/10; 4/25/16

Revised 3/28/05



CLARKE COMMUNITY SCHOOL DISTRICT  
Request for Disposition of Obsolete Equipment

Location \_\_\_\_\_ Date \_\_\_\_\_

TAG # \_\_\_\_\_

DESCRIPTION \_\_\_\_\_

SERIAL # \_\_\_\_\_

LOCATION CODE \_\_\_\_\_

BUILDING CODE \_\_\_\_\_

ROOM ID \_\_\_\_\_

TEACHER NAME \_\_\_\_\_

CONDITION  
OF PROPERTY \_\_\_\_\_

QUANTITY \_\_\_\_\_

PRINCIPAL \_\_\_\_\_ DATE \_\_\_\_\_

\*\*\*\*\*

RESIDUAL VALUE \_\_\_\_\_

RECOMMENDED  
ACTION \_\_\_\_\_

DISTRICT APPROVAL \_\_\_\_\_ DATE \_\_\_\_\_

DISPOSITION DATE \_\_\_\_\_

Reviewed 6/7/10, 4/25/16

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 with a value of \$10,000 or more, a public hearing will be held. The board will adopt a resolution announcing the proposed sale which will contain notice of the time and place of the public hearing and the description of the property or locally known address. Notice of the time and place of the public hearing will be published at least once, but not less than 10 days and not more than 20 days, prior to the hearing date. Upon completion of the public hearing, the board may dispose of the property.

If the real property contains less than two acres, is located outside of a city, is not adjacent to a city and was previously used as a schoolhouse site, the property may revert to the owner of the tract from whom the property was taken following the procedures set forth in Iowa Code §§ 297.15-.25.

In the case of a sale or lease of school district real property not being used for the education program, unless otherwise exempted, advertisements for bids will be taken. If the bids received by the board are deemed inadequate, the board may decline to sell or lease the property and re-advertise.

In the case of the razing of a school district facility, in an amount in excess of the statutory minimum required by law, the board will advertise and take bids for the purpose of awarding the contract for the project.

The superintendent is responsible for coordinating the action necessary for the board to accomplish the lease, sale, or disposal of school district real property, including student-constructed buildings. It will also be the responsibility of the superintendent to make a recommendation to the board regarding the use of school district real property not being utilized for the education program.

***NOTE: The language in the second and third paragraph reflect Iowa law regarding the sale of real property.***

Legal Reference: Iowa Code §§ 297.15-.25 (2007).

Cross Reference: 704 Revenue  
705.1 Purchasing - Bidding  
803 Selling and Leasing

Approved 10/14/1996 Reviewed 4/25/16 Revised 3/28/2005; 6/7/10

## 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 (2007).

Cross Reference: 802 Maintenance, Operation and Management

Approved 10/14/1996 Reviewed 4/25/16 Revised 3/28/2005; 6/7/10

DISTRICT EMERGENCY OPERATIONS PLANS

The safety and security of the school community is paramount to Clarke Community School District. While there is no absolute guarantee of safety, it is the goal of the district to encourage and support a physically secure learning and working environment within its buildings. The district shall work in conjunction with community stakeholders including local emergency management coordinators and local law enforcement agencies to create emergency operations plans for all district buildings and school buildings where students are educated.

The superintendent/designee shall be responsible for the development, review and implementation of the district emergency operations plan. The plan shall include procedures for transmitting alerts regarding emergency situations to school personnel, students, and employers for non-school employees whose presence is regularly required in the school building. The emergency operations plan shall be updated and reviewed annually by the Board and shall address responses to natural disasters, active shooter scenarios and other emergencies as determined by the district. The emergency operations plans are confidential and shall not be subject to disclosure under Iowa Code Chapter 22. However, the district shall publish procedures for students, school personnel, parents, and family members to report possible safety threats on school grounds and at school activities.

The administration shall hold annual emergency operations drills at each district building covered by an emergency operations plan in accordance with law. The district shall determine which school personnel shall participate and whether local law enforcement and students participate in annual drills.

***NOTE: This is not a mandatory policy, but all school districts are required to have emergency operations plans in place for their districts no later than June 30, 2019.***

Legal Reference: Iowa Code 280.30

Cross Reference: 800 Objectives of Building and Sites

Approved 7/15/19

Reviewed \_\_\_\_\_

Revised \_\_\_\_\_

BOMB THREATS

As soon as a bomb threat is reported to the administration, the school district facility should be cleared immediately. A thorough search will be made by the appropriate school district or law enforcement officials. Employees and students will remain outside the school district facility until it is determined that danger no longer exists.

It is the responsibility of the superintendent to file a report or keep a report of each incident for the school district records.

Legal Reference: Iowa Code § 279.8 (2007).

Cross Reference: 804 Safety Program

Approved 10/14/1996 Reviewed 4/25/16 Revised 3/28/2005; 6/7/10

ASBESTOS CONTAINING MATERIAL

Friable and nonfriable asbestos containing materials will be maintained in good condition and appropriate precautions will be followed when the material is disturbed. If there is a need to replace asbestos it will be replaced with nonasbestos containing materials. Each school building will maintain a copy of the asbestos management plan.

The school district will annually notify, appoint and train appropriate employees as necessary.

Legal Reference: 20 U.S.C. §§ 3601 *et seq.* (2004).  
40 C.F.R. Pt. 763.84 (2004).  
Iowa Code §§ 279.52-.54 (2007).

Cross Reference: 403.4 Hazardous Chemical Disclosure  
802 Maintenance, Operation and Management

Approved 10/14/1996 Reviewed 4/25/16 Revised 3/28/2005; 6/7/10

## STOCK PRESCRIPTION MEDICATION SUPPLY

The Clarke Community School District seeks to provide a safe environment for students, staff, and visitors who are at risk of potentially life-threatening incidents including severe allergic reactions, respiratory distress and opioid overdose. Therefore, it is the policy of the district to annually obtain a prescription for epinephrine auto-injectors, bronchodilator canisters and spacers and/or opioid antagonists 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 administer to a student or individual who may be experiencing an anaphylactic reaction, respiratory distress or acute opioid overdose.

**Procurement and maintenance of supply:** The district shall stock a minimum of the following for each attendance center:

- One pediatric dose and one adult dose epinephrine auto-injector;
- One pediatric and one adult dose bronchodilator canister and spacer;
- One dose naloxone or other opioid antagonist.

The supply of such medication shall be maintained in a secure, easily accessible area for an emergency within the school building, or in addition to other locations as determined by the school district.

District nurses shall routinely check stock of medication and document in a log monthly:

- The expiration date;
- Any visualized particles or color change for epinephrine auto-injectors; or
- bronchodilator canister damage.

The employee shall be responsible for ensuring the district replaces, as soon as reasonably possible, any logged epinephrine auto-injector, bronchodilator canister or spacer, or opioid antagonist that is, empty after use, damaged, or close to expiration. The district shall dispose of stock medications and delivery devices in accordance with state laws and regulations.

**Training:** A school nurse or personnel trained and authorized may provide or administer any of the medications listed in this policy 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, respiratory distress, asthma or other airway-constricting disease, or opioid overdose. Training to obtain a signed certificate to become personnel authorized to administer an epinephrine auto-injector, bronchodilator canister or spacer, or opioid antagonist shall consist of the requirements of medication administration established by law and an annual anaphylaxis, asthma, other airway-constricting disease, opioid overdose training program approved by the Department of Education.

Authorized personnel will be required to retake the medication administration course, training program and provide a procedural skills demonstration to the school nurse demonstrating competency in the administration of stock epinephrine auto-injectors, bronchodilator canisters or spacers and opioid antagonists to retain authorization to administer these medications if the following occur:

- Failure to administer an epinephrine auto-injector, bronchodilator canister or spacer, or opioid antagonist according to generally accepted standards of practice (“medication error”); or
- Accidental injury to school personnel related to improperly administering the medication (“medication incident”).

## STOCK PRESCRIPTION MEDICATION SUPPLY

**Reporting:** Authorized personnel will contact the school nurse or emergency medical services (911) immediately after a stock bronchodilator canister is administered to a student or individual. The school nurse retains accountability for professional nursing judgement with the administration of stock bronchodilator and whether to contact emergency medical services in accordance with Iowa laws.

The district will contact emergency medical services (911) immediately after a stock epinephrine auto-injector, or stock opioid antagonist 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; bronchodilator canister or spacer, or opioid antagonist;
- Each medication error with the administration of stock epinephrine, bronchodilator canister or spacer, or opioid antagonist or
- The administration of a stock epinephrine auto-injector, bronchodilator canister or spacer, or opioid antagonist.

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 bronchodilator canister or spacer, or opioid antagonist 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, bronchodilator canister or spacer, or opioid antagonist. However, if a district decides to stock and maintain a supply of these medications the board is required to establish a policy.***

***NOTE: For additional information training resources, and reporting forms regarding voluntary stock medication, please visit the Department of Education's page titled "School Nurse Resources" and scroll down to "Stock Medications," located at <https://educateiowa.gov/pk-12/learner-supports/school-nurse/school-nurse-resources>.***

Legal Reference: Iowa Code §§ 135.185; .190 279.8.  
281 I.A.C. 14.3.  
655 IAC 6.2(2).

Cross Reference: 507.2 Administration of Medication

Approved 4/25/16  
Reviewed \_\_\_\_\_  
Revised 12/12/22; 7/24/23



PARENTAL AUTHORIZATION AND RELEASE FORM FOR THE ADMINISTRATION OF A VOLUNATRY SCHOOL SUPPLY OF STOCK MEDICATION FOR LIFE THREATENING INCIDENTS

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  
Student's Name (Last), (First), (Middle) Birthday School Date

The district seeks to provide a safe environment for students, staff, and visitors who are at risk of potentially life-threatening incidents The district supplies the following prescription medications for life threatening incidents that are listed below. Generic brands may be substituted, (select all that apply):

- *Epinephrine auto-injectors*
- *Bronchodilator*
- *Bronchodilator Canisters and Spacers*
- *Opioid Antagonist*

Pursuant to state law, the school district or and its employees are to incur no liability for any injury arising from the provision, administration, failure to administer, or assistance in the administration of the selected prescription medications supplied by the school for life threatening incidents provided they have acted reasonably and in good faith.

The parent or guardian shall sign consent for the student to receive the voluntary school supply of stock medication listed for life threatening incidents and sign a statement acknowledging that the school district is to incur no liability as a result of administration of a prescription medication for life threatening incidents provided the school district to have acted reasonably and in good faith. Electronic signature meets the requirement of written signature.

- I request the above-named student be administered the voluntary stock supply of prescription medication, in the name of the school district, by a school nurse or personnel trained and authorized to administer to a student who acting reasonably and in good faith perceives the student may be experiencing symptoms associated with a life threatening incident following the administration instructions listed as identified in the required annual awareness training associated with the stock medication(s) above and after completion of the medication administration course requirements
- I understand the school district and its employees acting reasonably and in good faith shall incur no liability as a result of administration of the prescription medication(s) for life threatening incidents provided the school district to have acted reasonably and in good faith.

\_\_\_\_\_  
Parent/Guardian Signature  
(agreed to the above statement)

\_\_\_\_\_  
Date

## USE OF RECORDING DEVICES ON SCHOOL PROPERTY

### District-Generated Recordings

The district believes in the importance of providing a safe and enriching learning environment possible for its students. The district uses digital recording devices on school property including school transportation vehicles to help protect the safety of district students, employees and community members; and to safeguard district property which is funded using public resources. Additionally, district-generated recordings of students engaging in the district's educational and extracurricular programs can be essential to engage positively with the school community and promote the value of public education.

In order to balance privacy and safety interests, no recording devices will be utilized on district property where individuals maintain a reasonable expectation of privacy. These areas include but are not limited to: the school nurse's office, restrooms, locker rooms, changing areas, lactation spaces and employee break areas.

Recordings of students have the potential to be considered education records. Any recordings will be maintained and accessed in compliance with the requirements of the Family Education Rights and Privacy Act and the district's policy on student records.

Recordings will be digitally maintained and stored for an appropriate amount of time to maintain the safety of the educational environment and to safeguard district property, after which they will be destroyed. The superintendent or superintendent's designee will establish any necessary regulations related to the secure storage, maintenance, viewing and destruction of digital recordings.

### Non-District Generated Recordings

The use of non-district owned recording devices on school property and at school events will be regulated. Students, parents and community members will not be permitted to take recordings of other students or employees during school hours unless the recording is authorized in advance by building administration. Students and employees found to violate this policy will be subject to disciplinary measures consistent with board policy and applicable student and employee handbooks. This policy will not be construed or enforced in a way that infringes on employee activity otherwise protected by law.

It is important to foster a community spirit and sense of unity within the district. However, the district acknowledges that not every student or staff member feels comfortable or safe being recorded. At district-sponsored extracurricular events and activities, the use of non-district owned recording devices by the public may be monitored by administration if a concern is made known to district administration by a student, employee or parent. Any individuals determined to be making recordings considered bothersome to students or staff may be asked to stop or destroy their recording and may be asked to leave the event.

Legal Reference:           20 USC 1232  
                                  Iowa Code §§ 279.8

Cross Reference:        506.1        Student Records  
                              711.2R2    Use of Recording Devices on School Buses

## USE OF DISTRICT OWNED RECORDING DEVICES ON DISTRICT PROPERTY REGULATION

The board supports the use of digital recording devices on school property as a means to monitor and maintain a safe environment for students and employees. The digital 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 digital recordings may be used as evidence in a student disciplinary proceeding.

### Student Records

The content of the digital 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 digital 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 video without consent from any student or parent also shown in the video if the other students are just bystanders. But if there is an altercation between multiple students, then all parents must give consent in order for the digital recording to be viewed by parents.

A digital recording recorded during a school-sponsored trip, such as an athletic event, may also be accessible to the sponsor or coach of the activity. If the content of the digital recording becomes the subject of a student disciplinary proceeding, it may be treated like other evidence in the proceeding.

### Notice

The school district will annually provide the following notice to students and parents:

The Clarke Community School District Board of Directors has authorized the use of digital recording devices on school district property. The digital 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 digital recording devices may be used in a student disciplinary proceeding. The content of the digital recording devices are confidential student records and will be retained with other student records. Digital recording devices 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 digital recording devices of their child if the digital recording devices are used in a disciplinary proceeding involving their child.

The following notice will also be placed on all school buses equipped with a digital recording device:

This bus is equipped with a video/audio monitoring system.

### Review of digital recording devices

The school district will review digital recording devices:

randomly. The digital recording devices may be re-circulated for erasure after 2 days.

Viewing of digital recording devices is limited to the individuals having a legitimate educational purpose. A written log will be kept of those individuals viewing the digital recording devices stating the time, name of individual viewing and the date the digital recording devices was viewed.

Student Conduct

Students are prohibited from tampering with the digital recording devices on the school property. 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.

Approved 7/15/1996 Reviewed 5/10/10; 12/14/15; 3/8/21 Revised 3/14/2005; 9/26/11;  
1/17/22

RADON MITIGATION

The district recognizes the importance of providing healthy learning environments for students, employees and community members in district buildings. The district will take appropriate measures as required by law to assess radon levels in attendance centers and provide for mitigation or other measures where appropriate.

It is the responsibility of the superintendent to create administrative regulations necessary to carry out this policy.

***Note: School boards are required to approve a plan to assess radon levels in attendance centers in accordance with the requirements listed in the accompanying regulation.***

Legal Reference: Iowa Code §§ 280.32

Cross Reference:

Approved 12/12/22 Reviewed \_\_\_\_\_ Revised \_\_\_\_\_

## RADON MITIGATION REGULATION

The district will create and the board will approve a plan to assess levels of radon gas present in district attendance centers. Funding for any costs related to radon testing or mitigation will be paid from the state school foundation aid received to the district or from revenues received from the Secure an Advanced Vision for Education fund.

Each district attendance center will undergo a short-term test for the presence of radon gas at least once by July 1, 2027. Short-term test means a test using a device that remains in an area for two to seven days to determine the amount of radon in the air. Repeated short-term testing will occur every five years following the date of the first test.

Radon testing will be performed by an individual certified to conduct such testing pursuant to *Iowa Code* section 136B.1 or by district employees who have completed a school radon testing training program approved by the Iowa Department of Education and the Iowa Department of Public Health.

If the results of any short-term test at an attendance center are at or above four picocuries per liter, the district will conduct a second short term test in spaces with elevated levels within sixty days of the first test. If the averaged test results of the first and second tests are at or above four picocuries per liter, the district will retain an individual credentialed to develop a radon mitigation plan.

The plan may include further diagnostic testing, corrective measures, and active mitigation. The mitigation plan will be completed within two years of first short-term test unless the district plans to abandon or renovate the attendance center within five years and renovation includes radon mitigation.

All new school construction will include radon resistant construction techniques.

SCHOOL DISTRICT - COMMUNITY RELATIONS

Series 900

**Code No.**

**900 Principles and Objectives for Community Relations**

**901 Public Examination of School District Records**

**902 Press, Radio and Television News Media**

- 902.1 News Media Relations
- 902.2 News Conferences and Interviews
- 902.3 News Releases
- 902.4 Live Broadcast or Video Recording

**903 Public Participation in the School District**

- 903.1 School – Community Groups
- 903.2 Community Resource Persons and Volunteers
- 903.3 Visitors to School District Buildings & Sites
- 903.4 Public Conduct on School Premises
- 903.5 Distribution of Materials
- 903.5R1 Distribution of Materials Regulation
- 903.6 Restrictions Regarding Persons Required to Register on the Sex Offender Registry

**904 Community Activities Involving Students**

- 904.1 Transporting Students in Private Vehicles
- 904.2 Advertising and Promotion

**905 Use of School District Facilities and Equipment**

- 905.1 Community Use of School District Facilities & Equipment
- 905.1R1 Community Use of School District Facilities & Equipment Regulation
- 905.1R2 Community Use of School District Buildings & Sites & Equipment Fees
- 905.1E1 Community Use of School District Facilities & Equipment Application Form
- 905.1E2 Community Use of School District Facilities & Equipment Indemnity and Liability Insurance Agreement
- 905.2 Tobacco/Nicotine-Free Environment
- 905.3 Weapons in the School District

**906 Unmanned Aircrafts – Drones**

**907 District Operation During Public Emergencies**

- 907.R1 District Operations During a Public Health Emergency Regulation

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 3/13/1989

Reviewed 9/13/2010; 5/9/16; 6/14/21

Revised 6/13/2005



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 office of the school district. These hours are 8:00 a.m. to 4:30 p.m. Monday through Friday, except for holidays and recesses.

Persons wishing to view the school district's public records will contact the board secretary and make arrangements for the viewing. The board secretary will make arrangements for viewing the records as soon as practicable, depending on the nature of the request.

Persons may request copies of public records by telephone or in writing, including electronically. The school district may require pre-payment of the costs prior to copying and mailing.

Persons wanting copies may be assessed a reasonable fee for the copy. Persons wanting compilation of information may be assessed a reasonable fee for the time of the employee to review and compile the requested information. The district will make every effort to provide the public record requested at no cost other than copying costs for a record which takes less than thirty minutes to produce.

Costs for legal services utilized for the redaction or review of legally protected confidential information may also be assessed to the individual requesting the records. Printing of materials for the public at the expense of the school district will only occur when the event is sponsored by the school district.

Pursuant to Iowa law, the board has determined certain records need to be confidential as their disclosure could jeopardize the safety of persons or property and include, but are not limited to, the following:

- Security procedures
- Emergency preparedness procedures
- Evacuation procedures
- Security codes and passwords

It is the responsibility of the board secretary to maintain accurate and current records of the school district. It is the responsibility of the board secretary to respond in a timely manner to requests for viewing and receiving public information of the school district.

***NOTE: This is a mandatory policy and is consistent with the Iowa public records law regarding access to, copying of and charging for copies of public records. By law, individuals have a right to access public records during the hours of 9:00 a.m – 12:00 p.m. and 1:00 p.m. – 4:00 p.m. unless the board sets other hours. IASB recommends that the board establish specific hours in board policy, and blanks are provided in the first paragraph of that purpose.***

Legal Reference: Iowa Code §§ 21.4; 22.7; 291.6

Cross Reference: 215 Board of Directors' Records  
401.5 Employee Records  
506 Student Records  
708 Care, Maintenance, and Disposal of School District Records  
902.1 News Media Relations

Approved 3/13/1989 Reviewed 6/14/21 Revised 6/13/05; 7/25/05; 11/13/06,  
9/13/10; 5/9/16; 12/12/22

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 either the superintendent or board president. 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 (2007).

Cross Reference: 902 Press, Radio and Television News Media

Approved 3/13/1989 Reviewed 5/9/16; 6/14/21 Revised 6/13/2005; 9/13/10

## 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 (2007).

Cross Reference: 902 Press, Radio and Television News Media

Approved 6/13/2005 Reviewed 5/9/16; 6/14/21 Revised 9/13/10

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 (2007).  
1980 Op. Att'y Gen. 73.  
1952 Op. Att'y Gen. 133.

Cross Reference: 902 Press, Radio and Television News Media

Approved 6/13/2005 Reviewed 5/9/16; 6/14/21 Revised 9/13/10

LIVE BROADCAST OR VIDEO RECORDING

Individuals may broadcast or video record public school district events, including open board meetings, as long as it does not interfere with or disrupt the school district event and it does not create an undue burden in adapting the buildings and sites to accommodate the request.

It is within the discretion of the superintendent to determine whether the request is unduly burdensome and whether the broadcast or video recording will interfere with or disrupt the school district event.

Video recording of classroom activities will be allowed at the discretion of the superintendent. Parents will be notified prior to video recording 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.

***NOTE: This policy states that prior to videotaping of classroom activities, parents will be notified but does not require parental permission. Notification is not a legal requirement, but it is recommended. The policy gives the school district the flexibility to have one notice to cover the entire year and can be placed in the student directory info policy, a parent newsletter or handbook.***

Legal Reference: Iowa Code §§ 21.4, .7; 22; 279.8 (2007).

Cross Reference: 506.2 Student Directory Information  
902.1 News Media Relations  
903.3 Visitors to School District Buildings and Sites

Approved 6/13/2005 Reviewed 6/14/21 Revised 9/13/10; 5/23/16

SCHOOL - COMMUNITY GROUPS

The board values the participation and the support of school district-community groups, including, but not limited to, the booster clubs and parent-teacher organizations, which strive for the betterment of the school district and the education program. The board will work closely with these groups.

Prior to any purchase of, or fund raising for the purchase of goods or services for the school district, the group 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 are separate from 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.

***NOTE: Boards may want to personalize this policy to reflect the actual groups, organizations and associations within the school district. Districts should clarify whether school-community group funds are going to be kept separate from the school district, or whether these funds will be held in custodial fund accounts, then eliminate the bracketed language that does not apply.***

Legal Reference: Iowa Code §§ 279.8.

Cross Reference: 903 Public Participation in the School District

Approved 6/13/2005 Reviewed 5/9/16 Revised 9/13/10; 2/23/22

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.

Volunteers within the district are held to the same high standards of behavior as school employees and will be subject to background checks prior to interacting with students in a volunteer capacity. It is the responsibility of the superintendent or the superintendent's designee to create regulations necessary to carry out this policy.

Legal Reference: Iowa Code §§ 279.8; 670.

Cross Reference: 603.1 Basic Instruction Program  
903.3 Visitors to School District Buildings and Sites

Approved 3/13/1989

Reviewed 5/9/16

Revised 6/13/2005; 9/13/10; 2/23/22

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 (2007).

Cross Reference: 902 Press, Radio and Television News Media  
903.2 Community Resource Persons and Volunteers

Approved 5/28/1990 Reviewed 5/9/16; 6/14/21 Revised 6/13/2005; 9/13/10



## PUBLIC CONDUCT ON SCHOOL PREMISES

The board expects that students, employees and visitors will treat each other with respect, engage in responsible behavior, exercise self-discipline and model fairness, equity and respect. Individuals violating this policy will be subject to discipline. Students will be disciplined consistent with the student conduct policies. Employees will be disciplined consistent with employee discipline policies and laws. Others will be subject to discipline according to this policy.

Individuals are permitted to attend school sponsored or approved activities or visit school premises only as guests of the school district, and, as a condition, they must comply with the school district's rules and policies. Individuals will not be allowed to interfere with or disrupt the education program or activity. Visitors, like the participants, are expected to display mature, responsible behavior. The failure of individuals to do so is not only disruptive but embarrassing to the students, the school district and the entire community.

To protect the rights of students to participate in the education program or activities without fear of interference or disruption and to permit the school officials, employees and activity sponsors and officials to perform their duties without interference or disruption, the following provisions are in effect:

- Abusive, verbal or physical conduct of individuals directed at students, school officials, employees, officials and activity sponsors of sponsored or approved activities or at other individuals will not be tolerated.
- Verbal or physical conduct of individuals that interferes with the performance of students, school officials, employees, officials and activity sponsors of sponsored or approved activities will not be tolerated.
- The use of vulgar, obscene or demeaning expression directed at students, school officials, employees, officials and activity sponsors of sponsored or approved activities participating in a sponsored or approved activity or at other individuals will not be tolerated.

If an individual becomes physically or verbally abusive, uses vulgar, obscene or demeaning expression, or in any way interrupts an activity, the individual may be removed from the event by the individual in charge of the event. Law enforcement may be contacted for assistance.

Individuals removed from school premises have the ability to follow the board's chain of command and complaint policies should they choose to do so. The exclusion is in effect should the individual choose to appeal the decision of the superintendent. The term "individual" as used in the policy also includes students and employees.

If an individual has been notified of exclusion and thereafter tries to enter a school building or attends a sponsored or approved activity, the individual will be advised that his/her attendance will result in prosecution. The school district may obtain a court order for permanent exclusion from the school building or from future school sponsored or approved activities.

PUBLIC CONDUCT ON SCHOOL PREMISES

***NOTE: This policy reflects the Iowa civility and trespass law, and outlines a school district's authority to enforce the law. The first paragraph of the policy addressing civility is mandatory, but the remaining portions are optional. Boards can amend the language as needed to fit their individual needs. For more detailed discussion of this issue, see IASB's Policy Primer, Vol. 20 #2- September 13, 2007.***

Legal Reference: Iowa Code §§ 279.8, .66; 716.7 (2007).

Cross Reference: 205 Board Member Liability  
504 Student Activities  
802.6 Vandalism  
903 Public Participation in the School District

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.

***NOTE: The regulation accompanying this policy has been approved by the 8th Circuit Court of Appeals in Bystrom v. Fridley High School, 822 F.2d 747 (8th Cir. 1987). Amendments to or deviation from this regulation should be addressed to local counsel prior to adoption.***

Legal Reference: U.S. Const. amend. I.  
Hazelwood School District v. Kuhlmeier, 484 U.S. 260 (1988).  
Bethel School District v. Fraser, 478 U.S. 675 (1986).  
New Jersey v. T.L.O., 469 U.S. 325 (1985).  
Tinker v. Des Moines Ind. Comm. Sch. Dist., 393 U.S. 503 (1969).  
Bystrom v. Fridley High School, 822 F.2d 747 (8th Cir. 1987).  
Iowa Code §§ 279.8; 280.22 (2007).

Cross References: 502.3 Freedom of Expression  
503.1 Student Conduct  
504 Student Activities  
603.9 Academic Freedom

Approved 6/13/2005 Reviewed 5/9/16; 6/14/21 Revised 9/13/10

## 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.

## DISTRIBUTION OF MATERIALS REGULATION

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.

## DISTRIBUTION OF MATERIALS REGULATION

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.

Restrictions Regarding Persons Required to Register on the Sex Offender Registry

Any person required to register as a sex offender under Iowa law who has been convicted of a sex offense against a minor, or any person required to register as a sex offender in another jurisdiction for an offense involving a minor, shall not do any of the following:

- a. Be present upon the property of a Clarke public elementary or secondary school or child care facility without the written permission of the school administrator or superintendent in advance.
- b. Loiter within three hundred feet of the boundary of a Clarke elementary or secondary school or child care facility.
- c. Be present on or in any vehicle owned, leased, or contracted by a Clarke elementary or secondary school without the written permission of the school administrator or superintendent when the vehicle is in use to transport students to or from a school or school-related activities.

A sex offender who has been convicted of a sex offense against a minor who is the parent or legal guardian of a Clarke student shall not be in violation of this policy solely during a period of time reasonably necessary to transport the offender's own student to or from a Clarke facility.

A sex offender who has been convicted of a sex offense against a minor who is legally entitled to vote shall not be in violation of this policy solely for the period of time reasonably necessary to exercise the right to vote in a public election if the polling location of the offender is located in a Clarke facility.

A sex offender who has been convicted of a sex offense against a minor shall not operate, manage, be employed by, or act as a contractor or volunteer at a Clarke elementary or secondary school or child care facility.

This policy shall not apply to resident students of school age. Separate policies of procedures will be applied to these persons.

Approved 2/13/17

Reviewed 6/14/21

Revised

## 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 and meet all applicable requirements set by the district. Prior to transporting students in private vehicles, the district may require the following:

- The vehicle used to transport the student(s) is in good condition and meets all applicable safety requirements;
- The driver transporting the student(s) possesses a valid drivers' license;
- Proof of insurance has been supplied to the superintendent and the insurance satisfies the minimum coverage requirements for driving personal vehicles in the State of Iowa; and
- The parents of the 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. If transportation is not provided by the school district, or if transportation provided by the school district is declined by the student or parent/guardian, then the responsibility and corresponding liability for transportation for school purposes shall rest solely with the student and parent/guardian.

This policy statement applies to transportation of students for school purposes in addition to transporting students to and from their designated attendance center. The superintendent may develop an administrative process to implement this policy.

***NOTE: It is important for districts to remember that if language is included in the policy, it needs to be followed in practice. For example, if the district requires written permission as stated above, the district needs to make sure that this is in fact being required for every student, every time. If the district finds a requirement to be impractical, then it should not be included in the policy.***

Legal Reference: Iowa Code §§ 279.8; 285; 321.  
281 I.A.C. 43.

Cross Reference: 401.6 Transporting of Students by Employees  
401.7 Employee Travel Compensation  
711 Transportation

Approved 3/13/1989 Reviewed \_\_\_\_\_

Revised 6/13/2005; 9/13/10;  
6/13/16; 2/23/22



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 not allowed except with prior board approval. Nonprofit entities and organizations may be allowed to use students, the school district name, or its buildings and sites if the purpose is educationally related and prior approval has been obtained from the board.

Legal Reference: Iowa Code § 279.8 (2007).

Cross Reference: 504.5 Student Fund Raising  
904 Community Activities Involving Students

Approved 3/13/1989 Reviewed 5/9/16; 6/14/21 Revised 6/13/05; 3/27/06;  
9/13/10

## COMMUNITY USE OF SCHOOL DISTRICT FACILITIES & EQUIPMENT

School district facilities and equipment will be made available to local nonprofit entities which promote cultural, educational, civic, community, or recreational activities. "Entity(ies)" will include organizations, groups and individuals and their agents. Any district employee using district-owned property or facilities for a use outside their duties as an employee is doing so as a community member, and not as a district employee. Prior to using district resources for activities outside the scope of their job duties, employees must meet the requirements to be considered a qualifying entity. Such use will be permitted only when the use does not interfere with or disrupt the education program or a school-related activity, the use is consistent with state law, and will end no later than midnight. It is within the discretion of the board to allow for-profit entities to use school district facilities and equipment. The board reserves the right to deny use of the facilities and equipment to an entity. It is within the discretion of the superintendent to allow use of school district facilities and equipment on Sundays.

Entities that wish to use school district facilities or equipment must apply at the district office or with the Activities Director. It is the responsibility of the board secretary or superintendent to determine whether the school district facility or equipment requested is available and whether the application for use meets board policy and administrative regulations. It is the responsibility of the superintendent and the board secretary to provide application forms, obtain proof of insurance, and draw up the contract for use of school district facilities and equipment.

Use of school district facilities and equipment by entities will be supervised by a school district employee unless special prior arrangements are made with the superintendent. The school district employee will not accept a fee from the entity using school district facilities and equipment. If appropriate, the school district employee may be paid by the school district.

Entities that use school district buildings, or equipment, or sites must leave the building or site in the same condition it was in prior to its use. Inappropriate use of school district facilities and equipment may result in additional fees charged to, or the inability of, the entity to use school district facilities or equipment in the future.

The 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 any use the facilities' and equipment without charge, they may be required to pay a custodial fee.

It is the responsibility of the superintendent to develop a fee schedule for the board's approval and to develop administrative regulations regarding this policy.

***NOTE: This policy requires that all users of school district facilities provide proof of insurance. This is not a legal requirement. It is there for the protection of the school district. Prior to waiving insurance requirements for groups, a school district should check with its insurance carrier to clarify coverage.***

Legal Reference: Iowa Code §§ 8D; 123.46; 276; 278.1(4); 279.8; 297.9-11

Cross Reference: 704 Revenue

Approved 4/9/2001 Reviewed 5/9/16 Revised 6/13/2005; 9/13/10;  
1/27/14; 7/15/19; 2/23/22

COMMUNITY USE OF SCHOOL DISTRICT FACILITIES & EQUIPMENT REGULATION

1. Alcoholic beverages will **NOT** be brought to or consumed on school grounds.
2. Smoking is prohibited in school district facilities and on school district grounds, including in private vehicles.
3. A school district employee must be present while the school district facility or equipment is being used by an entity.
4. After a school district facility, site, or equipment has been used by an entity, cleaning, including restoring the facility, site, or equipment to the condition it was in prior to its use, will be done by employees assisted by a committee from the entity. The fee charged to the entity for the use of the facility, site, or equipment will include these costs. However, if excessive costs are involved in cleaning or otherwise restoring the facility, site, or equipment to the condition it was in prior to its use, the board reserves the right to charge the entity for these excessive costs.
5. Entities are required to stay within the area of the school district facility or site and use only the school district equipment authorized by the school district for use by the entity. Other school district facilities, sites, or areas in the school district building or equipment are off limits to the entity.
6. A cancellation after the facility or equipment is made ready for the entity will be charged at the full rate. Cancellations made prior to that time will be charged a minimum cancellation fee or the costs incurred to the school district in anticipation of the entity's use, whichever is greater.

Updated: 9/13/10

Reviewed: 5/9/16; 6/14/21

COMMUNITY USE OF SCHOOL DISTRICT BUILDINGS & SITES & EQUIPMENT FEES  
SCHEDULE

In addition to paying the fees below, 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 Buildings and Sites**

Elementary Stage (first two hours)	\$25	
For each additional hour or fraction thereof		\$12.50
Elementary School gym (first two hours)	\$50	
Middle school gym (first two hours)	\$50	
High school gym (first two hours)	\$50	
For each additional hour or fraction thereof		\$25
Elementary School lunch room (first two hours)	\$25 plus actual cost for FS employee	
High School lunch room (first two hours)	\$25 plus actual cost for FS employee	
For each additional hour or fraction thereof		\$12.50

**High school auditorium with standard lights and sound**

by In District – Charitable (first two hours)	\$50
by In District – Charitable (for 4 hours)	\$100
by In District – Other* (first two hours)	\$50
by In District – Other* (for 4 hours)	\$100
by Out of District* (first two hours)	\$400
by Out of District* (for 4 hours)	\$550

\* or 5% of gross ticket sales, whichever is greater

**High school auditorium with theatrical lights and sound**

by In District – Charitable (first two hours)	\$150
by In District – Charitable (for 4 hours)	\$300
by In District – Other* (first two hours)	\$150
by In District – Other* (for 4 hours)	\$300
by Out of District* (first two hours)	\$500
by Out of District* (for 4 hours)	\$750

\* or 5% of gross ticket sales, whichever is greater

For each additional hour or fraction thereof for auditorium – **standard**

by In District either Charitable or Other	\$25
by Out of District	\$50

For each additional hour or fraction thereof for auditorium – **theatrical**

by In District either Charitable or Other	\$75
by Out of District	\$100

ICN Classroom **per hour** \$12.50

Classroom (maximum 4 hours per day) \$10.00

Custodial fee **per hour** Custodian actual cost

**Additional auditorium rental information:**

1. Standard lights and sound – fluorescent lighting on the stage and automatic sound system only.
2. Theatrical lights and sound – use of light booth for complete state lighting and use of sound booth.
3. Approved trained technician(s) will be required for use of the theatrical lights and sound system. Entity will make own arrangements for securing and paying the technician(s).
4. No children under the age of 18 shall be allowed during rehearsal unless in the production.
5. If requested and approved each entity shall be entitled to use the facility for rehearsal and technical practice for an amount of time equal to the number of hours the facility has been rented plus two (2) hours. Any additional use of the facility may be subject to an additional fee.
6. Charitable entities may request additional non-charged time. “Charitable entity” shall be defined as those entities that have qualified as such under Internal Revenue Code Section 501 (c)(3). Superintendent/designee may in his/her discretion require proof of the current status of this designation.

**Rates for Use of Equipment**

LCD Projector (one-half day)	\$50.00
For each additional hour or fraction thereof for the above	\$50.00

**ICN ROOM USE REGULATION**

The ICN is a statewide telecommunications network designed primarily to enhance learning opportunities for students, employees and board members. The school district recognizes that it is not the only authorized user of the ICN and other users will frequently be using the school district's ICN facilities. Sponsored and authorized users of the ICN must comply with state and federal law in using the ICN.

High School Media Specialist is responsible for coordinating ICN classroom use. Requests for use of the ICN classroom by employees for the educational program are filed with the High School Media Specialist.

It is the responsibility of the entity using the ICN classroom to comply with the requirements of the law and school district policy and its supporting administrative regulations.

1. The ICN is a limited access network and sponsored or authorized users cannot use the system for profit making ventures.
2. The use must be consistent with the mission of the sponsored or authorized user.
3. Users cannot resell time on the ICN.

4. Sponsored and authorized users are responsible for compliance with the Americans with Disabilities Act and Iowa Civil Rights Act. Sponsored and authorized users are responsible for making the necessary accommodations and are responsible for obtaining and paying for needed interpreters or interpretive equipment.
5. Sponsored and authorized users are required to stay within the ICN classroom and use the most direct route to the ICN classroom. Other school district facilities, sites, areas in the school district building or equipment are off limits to the authorized users.\*
6. The charge for use of the ICN room is \$12.50 per hour.
7. The ICN will be available Monday through Friday, 7:00 a.m. to 10:30 p.m. and Saturday, 8:00 a.m. to 4:00 p.m.
8. The sponsored or authorized user is responsible for all site and site usage charges.
9. A school district employee will be present in the school district facility while the ICN is in use.\*
10. Food and drink are **NOT** permitted in the ICN room.\*
11. First time use of the ICN will require prior training and should be organized through the school district ICN scheduler at 342-6505.
12. Use or transmission of copyrighted material, without prior approval of the copyright holder, is strictly prohibited. Appropriate use of the copyrighted material is the responsibility of the sponsored or authorized user, not the school district.\*
13. The school district reserves the right to amend these rules as necessary to reflect the ICN's usage and changes at the state or federal level. \*
14. The school district reserves the right to charge all costs, including attorneys' fees, that may arise to the authorized user for the sponsored or authorized user's failure to comply with the law, board policy and administrative regulations. \*

\*Items with an asterisk are not legal requirements but are items that should be considered when writing an ICN room usage regulation.

Revised: 9/13/10; 1/27/14; 5/9/16

Reviewed: 6/14/21

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.

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 \_\_\_\_\_ Request Date \_\_\_\_\_

Purpose \_\_\_\_\_ Hours \_\_\_\_\_

Rehearsal Request (dates & times) \_\_\_\_\_

**Auditorium / Elementary Stage**

Seating requirements of stage \_\_\_\_\_

Microphones \_\_\_\_ Yes \_\_\_\_ No

Public address system \_\_\_\_ Yes \_\_\_\_ No

Podium \_\_\_\_ Yes \_\_\_\_ No

Tables required on stage \_\_\_\_ Yes # \_\_\_\_\_ No

Stage curtain and attendant \_\_\_\_ Yes \_\_\_\_ No (NA for Elementary Stage)

Theatrical lighting/sound \_\_\_\_ Yes \_\_\_\_ No (NA for Elementary Stage)

Standard lighting/sound \_\_\_\_ Yes \_\_\_\_ No (NA for Elementary Stage)

Other equipment \_\_\_\_\_

**Gymnasium** \_\_\_\_ Elementary \_\_\_\_ High School \_\_\_\_ Middle School

Seating (specify) \_\_\_\_\_

Scoreboard \_\_\_\_ Yes \_\_\_\_ No

Public address system \_\_\_\_ Yes \_\_\_\_ No

**Classroom**

ICN Room \_\_\_\_\_

Regular Classroom \_\_\_\_\_

**Cafeteria** \_\_\_\_ Elementary \_\_\_\_ High School

Seating/Table requirements \_\_\_\_\_

Food Service Employee – actual cost

**Custodial – actual cost of custodian**

Approximate # Hours \_\_\_\_\_

**Other requirements**

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

Name of entity making application: \_\_\_\_\_

Name of person making application: \_\_\_\_\_

Address: \_\_\_\_\_

Phone #: \_\_\_\_\_

Date of Application : \_\_\_\_\_

---

For School Use Only:

Approved \_\_\_\_\_ Denied \_\_\_\_\_ \_\_\_\_\_

Date: \_\_\_\_\_ (School Designee Signature)

Event Security Required: \_\_\_\_\_ Yes \_\_\_\_\_ No

Estimated Auditorium / Elementary Stage rent \_\_\_\_\_

Estimated Gymnasium rent \_\_\_\_\_

Estimated Classroom rent \_\_\_\_\_

Estimated Cafeteria rent \_\_\_\_\_

Estimated Custodian fee \_\_\_\_\_

Estimated Other fee \_\_\_\_\_

\$50 deposit received with application \_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_ Cash \_\_\_\_\_ Ck #

Approved 4/9/2001

Reviewed 9/13/10; 6/14/21

Revised 6/13/2005; 5/9/16



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 Clarke Community School District, hereafter referred to as "school district," harmless from any and all damages and claims that may arise by reason of any negligence on the part of the entity in the use of any facilities or equipment owned by the school district. In case any action is brought therefore against the school district or any of its officers, employees or agents, the entity will assume full responsibility for the legal defense thereof, and upon its failure to do so on proper notice, the school district reserves the right to defend such action and to charge all costs, including attorneys' fees, to the entity.

The entity agrees to furnish and maintain during the usage of the facilities or equipment owned by the school district such bodily injury and property damage liability insurance as will protect the entity and the school district from claims for damages for personal injury, including accidental death, and from claims for property damages which may arise from the entity's use of the school district's facilities or equipment whether such operations be by the entity or by anyone directly or indirectly employed by the entity.

The entity will furnish the school district with a certificate of insurance acceptable to the school district's insurance carrier before the contract is issued.

Dated at \_\_\_\_\_, Iowa, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
(Entity) Clarke Comm. School District

By \_\_\_\_\_

By \_\_\_\_\_  
Superintendent

Title \_\_\_\_\_

By \_\_\_\_\_  
Secretary

Address \_\_\_\_\_

\_\_\_\_\_

Approved 4/9/2001 Reviewed 5/9/16; 6/14/21

Revised 6/13/2005; 9/13/10

TOBACCO/NICOTINE-FREE ENVIRONMENT

Tobacco and nicotine use is prohibited on school district facilities and grounds, including school vehicles, are off limits for all 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 nonschool-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.

***NOTE: According to Iowa law, all school grounds are smoke free. Boards have the authority to expand the policy to make the school facilities and grounds tobacco or nicotine free as well. For more detailed discussion of this issue, see IASB's Policy Primer, Vol. 22 #6-June 19, 2013 and Vol. 20 #5-July 28, 2008.***

Legal Reference: 20 U.S.C. 6083  
Iowa Code §§ 142D; 279.8, .9; 297

Cross Reference: 903.4 Public Conduct on School Premises  
905.1 Community Use of School District Buildings & Sites & Equipment

Approved 6/13/2005

Reviewed 5/9/16

Revised 9/8/2008; 9/13/10;  
5/23/11; 12/9/13; 2/23/22

WEAPONS IN THE SCHOOL DISTRICT

The board believes weapons, other dangerous objects and look-a-likes in school district facilities and at school district-approved events 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.

All weapons, dangerous objects and look-a-likes are prohibited to be carried, possessed, transported or otherwise stored on school district property and to school district-approved events. Exceptions to this policy include weapons carried by the following individuals in performance of their official duties:

- law enforcement;
- military personnel;
- corrections officers;
- individuals approved in writing by the Superintendent, and;
- students and individuals approved in writing by the Superintendent who are actively engaging in a school district approved firearms safety course, hunter education course or shooting sports activity.

Individuals found to be in violation of this district policy will be required to immediately remove the weapon, dangerous object or look-a-likes from the school district property or event. Students found to be in violation of this policy or any other board policies related to weapons will be subject to disciplinary proceedings.

***Note: In 2021, the legislature made changes to decriminalize the carrying of firearms on campus by certain individuals if certain circumstances are met. However, much like creating tobacco-free campuses, schools maintain the authority to choose whether to place additional limitations on the carrying of firearms on district property as needed to protect the health and safety of students and staff.***

Legal Reference:  
Iowa Code §§ 279.8; 280.21B; 483A.27(11), 724  
281 I.A.C. 12.3(6)

18 U.S.C. § 921

Cross Reference:	502	Student Rights and Responsibilities
	503	Student Discipline
	507	Student Health and Well-Being

Approved 11/8/21

Reviewed \_\_\_\_\_

Revised \_\_\_\_\_

## UNMANNED AIRCRAFTS – DRONES

The following policy applies to the extent not preempted by federal or state regulatory jurisdiction regarding unmanned aircrafts. For purposes of this policy, the term “unmanned aircraft” means an aircraft that is operated without the possibility of direct human intervention from within or on the aircraft.

The Clarke Community School District believes in maintaining the safety, security, and privacy of students, employees, and visitors. In keeping with this belief, the use or possession of unmanned aircrafts is prohibited on district property or in the space above the property that reasonably can be considered part of the district property.

The superintendent may make an exception to this policy in specific cases where the circumstances warrant such exception. In such situations and prior to approval, unmanned aircraft operators shall:

- Supply proof of insurance meeting liability limits established by the district;
- Present appropriate registration and authorization issued by the Federal Aviation Administration (FAA);
- Sign an agreement holding the district harmless from any claims of harm to individuals or damage to property; and
- Meet additional requirements as determined appropriate by the district.

If the unmanned aircrafts are operated as part of the district curriculum, prior to adoption into the curriculum, district employees shall work with district administration to ensure the appropriate insurance, registration, and authorizations are in place.

Unmanned aircrafts shall be operated in accordance with Iowa High School Athletic Association and Iowa Girls High School Athletic Union policy.

Failure to abide by this policy may result in local, state, and federal penalties if applicable.

***NOTE: The use of unmanned aircrafts is an unsettled area of the law. There is overlap with federal and state regulations and as such, there is the potential for challenge associated with the enforcement of the policy. Districts should, as with the adoption of any new policy, work with the district’s legal counsel to determine whether, when, and to what extent a policy on unmanned aircraft should be adopted at the local level.***

***NOTE: Districts who wish to approve the use of drones on school property, as part of the curriculum or for other purposes, should consult with the district’s insurance carrier prior to approval and operation. Most general liability policies have an exclusion for aircraft liability and the district would likely need additional liability coverage for the operation of drones. If you are a member of the IASB Safety Group, effective July 1, 2016, your policy with EMC automatically includes liability coverage for bodily injury and property damage caused by drones. However, coverage is not currently available for claims related to violation of privacy.***

***NOTE: Districts should be aware of the FAA unmanned aircraft safety guidelines, which include guidelines such as flying below 400 feet and not flying within 5 miles of an airport unless the airport and control tower have been contacted prior to flying. For a complete list of the guidelines, please visit the “Model Aircraft Operations” section of the FAA website, located at [http://www.faa.gov/uas/model\\_aircraft/](http://www.faa.gov/uas/model_aircraft/).***

Legal Reference: FAA Modernization and Reform Act of 2012, P.L. 112-95, Title III, Subtitle B.  
Model Aircraft Operating Standards, FFA AC No. 91-57A (Sept. 2, 2015).  
OFFICE OF CHIEF COUNSEL, FED. AVIATION ADMIN., State and Local  
Regulation of Unmanned Aircraft Systems (UAS) Fact Sheet (Dec. 17, 2015).  
Iowa Code § 279.8.  
IHSAA Drone Policy

Cross Reference: 602.1 Curriculum Development

Approved 6/13/16

Reviewed 6/14/21

Revised \_\_\_\_\_

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.

*[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 7/23/20

Reviewed 6/14/21

Revised \_\_\_\_\_

## 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.*