

## ANNUAL NOTIFICATIONS

### **Abuse and Harassment of Student by District Employee: Level I and II Investigators**

The Fremont-Mills School District does not tolerate employees physically or sexually abusing or harassing students. Students who are physically or sexually abused or harassed by an employee should notify their parents, teacher, principal, or another employee. The Iowa Department of Education has established a two-step procedure for investigating allegations of physical or sexual abuse of students by employees. That procedure requires the school district to designate an independent investigator to look into the allegations. The school district has designated Allyson Forney and Kurt Hanna as Level I investigators. The school district's Level II Investigator is Kevin Aistrope, Fremont County Sheriff.

Physical abuse is a non-accidental physical injury that leaves a mark at least 24 hours after the incident. While employees cannot use physical force to discipline a student, there are times when the use of physical force is appropriate. The times when physical force is appropriate include, but are not limited to, times when it is necessary to stop a disturbance, to obtain a weapon or other dangerous object, for purposes of self-defense or to protect the safety of others, to protect others from harm, for the protection of property, or to protect a student from self-infliction of harm.

Sexual abuse includes, but is not limited to, sexual acts involving a student and intentional sexual behavior as well as sexual harassment. Sexual harassment is unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature when submission to such conduct is made either implicitly or explicitly a term or condition of the student's education or benefits; submission to or rejection of the conduct is used as the basis for academic decisions affecting that student; or the conduct has the purpose or effect of substantially interfering with a student's academic performance by creating an intimidating, hostile, or offensive educational environment.

### **Administrative Scope of Authority**

Students have the opportunity and the right to use the school as a means of self-improvement and individual growth. In doing so, they are expected to conduct their affairs in such a way as to assure other students the same opportunities without serving to restrict or otherwise inhibit their individual and collective rights. Of equal importance is the right of school authorities to prescribe and control, consistent with fundamental constitutional safeguards, student conduct in the school. In exercising this right, the building administration, working with the teaching staff and with the students, will attempt to achieve the objectives and follow the procedures set forth by board policies and administrative regulations

pertaining to the various aspects of student rights, student conduct, and student discipline.

### **Alcohol-, Drug- and Tobacco-Free Campus**

All of the Fremont-Mills' facilities support an alcohol-free, drug-free and tobacco-free environment. Students, staff, and visitors are prohibited from consuming or being under the influence of alcohol; illegal drugs; or tobacco in any form, including smoking or vaping, anywhere on the grounds, or in any of the district's buildings or vehicles.

### **Asbestos Notification**

The Asbestos Hazard Emergency Response Act of 1986 (AHERA) was designed to determine the extent of asbestos concerns in the schools and to act as a guide in formulating asbestos management policies for the schools. The school district facilities have been inspected by a certified asbestos inspector as required by AHERA. The inspector located, sampled, and determined the condition and hazard potential of all material in the school facilities suspected of containing asbestos. The inspection and laboratory analysis records form the basis of the asbestos management plan.

A certified management planner has developed an asbestos management plan for the school district facilities which includes the following: notification letters, training for employees, a set of procedures designed to minimize the disturbance of asbestos-containing materials, and plans for regular surveillance of the materials. A copy of the management plan is available for inspection in the superintendent's office.

### **Board of Education Policies and Procedures**

The board policies and procedures cited in this publication are for reference only. They appear in full text in the Board's manuals and are a matter of public record. Full board policies referenced in the handbook are available to review through the superintendent's office.

### **Bullying/ Harassment**

The Fremont-Mills Board of Education has designated the Dean of Students, Mrs. Chelsey Zimmerman, and Mr. Kyle Fichter, Student Supports as the district's investigators of allegations regarding bullying and harassment. *Please see the Conflict/Bullying/Harassment section of this handbook for more information.*

### **Child Abuse Reporting**

The Code of Iowa, Chapter 235A.3, requires all school employees to report suspected child abuse or willful neglect. Staff members who have reason to believe or suspect that a child has been abused or neglected are legally responsible to report such information to the

Department of Health and Human Services (HHS). The school may notify parents that a report is being made to HHS but is not required by law to do so.

### **Compulsory Attendance Iowa Code Chapter 299**

A child who has reached the age of six and is under sixteen years of age by September 15 is of compulsory attendance age. Except as provided in section 299.2, the parent, guardian, or legal or actual custodian of a child who is of compulsory attendance age, shall cause the child to attend some public school, an accredited nonpublic school, or competent private instruction in accordance with the provisions of chapter 299A, during a school year, as defined under section 279.10. The board of directors of a public school district or the governing body of an accredited nonpublic school shall set the number of days of required attendance for the schools under its control.

The board of directors of a public or the governing body of an accredited nonpublic school may, by resolution, require attendance for the entire time when the schools are in session in any school year and adopt a policy or rules relating to the reasons considered to be valid or acceptable excuses for absence from school.

Students under age 16 on September 15th are required to attend school through the remainder of the year after the student's 16th birthday. Failure to do so can result in the child being declared truant and appropriate charges filed with the County Attorney. Violations of a truancy mediation agreement or refusal to participate in a mediation agreement are a simple misdemeanor.

### **Excessive Absences Procedure:**

<i>5 days</i>	Auto-generated letter to parent
<i>10 days</i>	Auto-generated letter to parent School Resource Officer or other school personnel will contact parent.
<i>15 days</i>	Meeting with School Resource Officer and school personnel.  Cooperative Agreement will be established. The Cooperation Agreement is developed by the County Attorney, reviewed by the parent and school personnel, then filed with the County Attorney and the school.
<i>Beyond 15 days</i>	If further absences occur that violate the Cooperation Agreement, additional meetings will be scheduled with the School Resource Officer and/or the County Attorney in order to establish a Mediation Agreement.

### **Corporal Punishment, Restraint, and Physical Confinement and Detention (Chapter 103)**

State law forbids school employees from using corporal punishment against any student. Certain actions by school employees are not considered corporal punishment. Additionally, school employees may use "reasonable and necessary force, not designed or intended to cause pain" to do certain things, such as prevent harm to persons or property.

State law also places limits on school employees' abilities to restrain or confine and detain any student. The law limits why, how, where, and for how long a school employee may restrain or confine and detain a child. If a child is restrained or confined and detained, the school must maintain documentation and must provide certain types of notice to the child's parent.

If you have any questions about this state law, please contact the superintendent. The complete text of the law and additional information is available on the Iowa Department of Education's website:  
[www.iowa.gov/educate](http://www.iowa.gov/educate).

### **Educational Records**

Student records containing personally identifiable information, except for directory information, are confidential. Only persons, including employees, who have a legitimate educational interest, are allowed to access a student's records without the parent's permission. Parents may access, request amendments to, and copy their child's record during regular office hours. Parents may also file a complaint with the United States Department of Education if they feel their rights regarding their child's records have been violated. For a complete copy of the school district's policy on student records or the procedure for filing a complaint, contact the business manager.

### **Equal Education Opportunities / Notice of Non-Discrimination**

The Fremont-Mills Community School District School Board will not discriminate on the basis of race, color, national origin, sex, disability, religion, creed, age (for employment), marital status (for programs), sexual orientation, gender identity, or socioeconomic status (for programs) in its educational programs and its employment practices. 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, and rules and regulations pertaining to contract compliance and equal opportunity.

The Board is committed to the policy that no otherwise qualified person will be excluded on the basis of race, color, national origin, sex, disability, religion, creed, age (for employment), marital status (for programs), sexual orientation, gender identity, or socioeconomic status (for programs) in its educational programs and its employment practices. Further, the Board affirms the

right of all students and staff to be treated with respect and to be protected from intimidation, discrimination, physical harm, and harassment.

There is a grievance procedure for processing complaints of discrimination. If you have questions or a grievance related to this policy, please contact David Gute, 1114 HWY 275, Tabor, IA 51653, (712) 629-2325, [dgute@fntabor.org](mailto:dgute@fntabor.org).

### **Family Education Rights and Privacy Act (FERPA)**

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:

- The right to inspect and review the student's education records within 45 days of the day the district receives a request for access. Parents or eligible students should submit to the school principal (or appropriate school official) a written request that identifies the record(s) they wish to inspect. The principal will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.
- The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate or misleading or in violation of the student's privacy rights. Parents or eligible students may ask the school district to amend a record that they believe is inaccurate or misleading. They should write the school principal, clearly identify the part of the record they want changed and specify why it is inaccurate or misleading. If the district decides not to amend the record as requested by the parent or eligible student, the district will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.
- The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent. One exception, which permits disclosure without consent is disclosure to school officials with legitimate educational interests. A school official is a person employed by the district as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the school board; a person or company with whom the district has contracted to perform a special task (such as an attorney, auditor, AEA employees, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee or student assistance team, or assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility. Upon request, the district discloses education records without consent to officials of another school district in which a student seeks or intends to enroll. (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 request.)
- The right to inform the school district that the parent does not want directory information, as defined below, to be released. Any student over the age of eighteen or parent not wanting this information released to the public must make objection in writing by fall registration to the principal. The objection needs to be renewed annually. Directory information: name, address, telephone listing, date and place of birth, email address, grade level, enrollment status, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, the most recent previous school or institution attended by the student, photograph and likeness, and other similar information.
- 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 are Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Ave., SW, Washington, DC, 20202-4605.

The School District may share any information with the parties 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 parties 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. This agreement only governs a school district's ability to share information and the purposes for which that information can be used.

### **Homeless Education Liaison**

Homeless children and youth must have equal access to the same free and appropriate public education as their non-homeless counterparts, (McKinney-Vento Homeless Assistance Act: Title VII-B; Every Student Succeeds Act (ESSA)).

#### **Definition of a Homeless Child/Youth**

- A homeless child or youth ages 3-21
- A child who lacks a fixed, regular, and adequate nighttime residence and includes the following:
  - A child who is sharing the housing of others (includes doubled-up families) due to loss of housing, economic hardship, or a similar reason;
  - is living in a motel, hotel, or camping grounds due to the lack of alternative accommodations;
  - is living in an emergency or transitional shelter;
  - is abandoned in a hospital
- A child who has 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
- A child who is living in a car, park, abandoned building, substandard housing, bus or train station, or similar setting; or
- A migratory child/youth who qualifies as homeless because of the living circumstances described above
- Includes youth who have run away or youth being forced to leave home.

The Fremont-Mills CSD will make reasonable efforts to identify homeless children and youth of school age within the district, encourage their enrollment, and eliminate existing barriers to their receiving an education which may exist in district policies or practices. The Fremont-Mills Board of Education has designated Mrs. Stefanie Shaw as the Homeless Liaison for homeless children and youth. Please contact Mrs. Shaw with questions and/or family concerns at [sshaw@fmtabor.org](mailto:sshaw@fmtabor.org).

### **Human Growth and Development**

The school district provides students with instruction in human growth and development. Parents may review the human growth and development curriculum prior to its use and have their child excused from human growth and development instruction by contacting the school nurse.

### **Open Enrollment**

Iowa's open enrollment law allows students residing in one school district to request transfer to another school

district upon parent request. Upon initial open enrollment, students may be ineligible for varsity competition for 90 school days (summer school not included) unless an exception applies under Iowa Code Rule 281-36.15. Families interested in open enrollment must contact the superintendent of their resident district for information and forms.

### **Parent Notification-Highly Qualified**

Parents in the Fremont-Mills Community School District have the right to learn about the following qualifications of their child's teacher: state licensure requirements for the grade level and content areas taught, along with the current licensure of staff. Parents may request this information by contacting the business manager.

### **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 educational 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 educational programs 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, or 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 attend 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.

### **School Fees-Waiver Policy**

Students whose families meet the income guidelines for free and reduced priced lunch, the Family Investment Program (FIP), Supplemental Security Income (SSI), or students who are in foster care are eligible to have their student fees waived or partially waived. Students whose families are experiencing a temporary financial difficulty may be eligible for a temporary waiver of student fees. Parents or students who believe they may qualify for temporary financial hardship should contact office personnel for a waiver form. This waiver does not carry over from year to year and must be completed annually.

### **School Video Cameras**

The Fremont-Mills Schools have several cameras that assist in monitoring the school building, grounds, and buses. The cameras will assist the administration in providing a safe environment for students and a positive building climate. Cameras scan inside and outside premises, entrances, and hallways. The cameras will digitally record events twenty-four hours a day.

### **Statement of Jurisdictional and Behavioral Expectations**

This handbook is an extension of board policy and is a reflection of the goals and objectives of the Fremont-Mills Community School Board. The Board, administration, and employees expect students to conduct themselves in a manner fitting to their age level and maturity and with respect and consideration for the rights of others. Students are expected to treat teachers, employees, students, visitors, and guests with respect and courtesy. Students may not use abusive language, profanity, or obscene gestures or language.

Good student behavior is expected and necessary to create a safe, orderly, and positive school environment.

Students who disrupt may be disciplined by any staff member. When a student's actions interfere with learning, safety, or orderly school climate, he or she may be moved, removed, isolated, or serve detention. We believe all students can behave appropriately in school. We will not tolerate any student preventing a teacher from teaching and/or any other student from learning.

The school reserves and retains the right to modify, eliminate, or establish school district policies, rules, regulations, and student handbook provisions as circumstances warrant, including those contained in this handbook. Students are expected to know the contents of the handbook and comply with it. Students or parents with questions or concerns may contact school administrators for information about the current enforcement of policies, rules, regulations, or student handbook of the school district.

### **Use of Law Enforcement-K9 Unit**

Fremont-Mills Community School District reserves the right to bring in K-9 units to search lockers and parking lots for contraband materials.