

The Board of Directors of the Cedar Falls Community School District in the County of Black Hawk, State of Iowa, met in regular session pursuant to the laws and rules of said Board at the James L. Robinson Administrative Center, 1002 West First Street, Cedar Falls, Iowa, at 7:00 p.m. The meeting was called to order by the President and the roll being called there were present Deon Senchina in the chair, and the following named Directors: Jim Brown, James Kenyon, Joyce Coil, Susan Lantz, Dave Williams and Jenny Leeper. Others in attendance were: Mike Wells, Superintendent, Dan Conrad, Director of Secondary Education, Douglas Nefzger, Director of Business Affairs and Adrian Talbot, Director of Human Resources. Student representatives present were Alyssa Vuong, Andrew Stensland, Agatha Fenech and Elizabeth Sesker. Also present Dawn Ask-Martin, P. Black, Sarah Hedberg, Victor Ochoa, Sarah Eastman, Sara Blanco, Brittan Lawrence, Emily Christensen and Scott Fenzloff.

President Senchina called the meeting to order and reported that the business and action to be taken at tonight's meeting will be focused on student achievement.

Item No. 1 – Approval of the Following Consent Agenda Items:

Director Coil moved and Director Lantz seconded the motion the Board approves the following items:

1. The agenda of the December 10, 2012 Board of Education agenda as presented.
2. Approval of the November 26, 2012 Board of Education meeting minutes as presented.
3. Approval of the bills as presented for payment as reviewed by the designated Board member, Jim Brown.
4. Approval of the following agreements:
 - 2013 Summer Tuck pointing Project
 - MOA for Iowa STEM Scale-up Programs
 - Robotics Program Facility Lease Agreement
 - IHSAA Cooperative Sponsorship for Bowling – Valley Lutheran
 - River Hills
 - Dike-New Hartford Community Schools
 - Tripoli Community Schools
 - Union Community Schools
 - Wapsie Valley Community Schools

Directors voting in favor of the motion: Lantz, Brown, Coil, Williams, Leeper, Kenyon and Senchina. Those voting “no” none. Motion carried.

Item No. 2 – Secretary's Monthly Financial Report

Mr. Nefzger reviewed the monthly balances for November 2012 in the general, schoolhouse, student activity, and food service funds. President Senchina reported that the report would be filed subject to audit.

Item No. 3 – Communications

Superintendent Wells reported that the first Tech Rookie Team qualified for state competition.

Item No. 4 – Presentation of Champion of Education Award

Superintendent Wells and President Senchina presented the Champion of Education award to Bruce and Jan Neuendorf for their time volunteered in the District's Lego League and Robotics programs

Item No. 5 – Set Public Hearing for Renewal of Swimming Pool Agreement with City of Cedar Falls

Mr. Nefzger reported that the City of Cedar Falls requested to renew the swimming pool agreement for the next three years and as per Iowa Code 297.22(1)c the District will need to hold a public hearing to lease or rent facilities if the agreement is longer than one year. Director Lantz moved and Director Williams seconded the motion the Board approve that the Cedar Falls Community School District Board of Education approve and set January 14, 2013 at 7:00 p.m. at the James L. Robinson Administrative Center, 1002 West First Street, Cedar Falls Iowa as the date, time and place to hold a public hearing for public comment on renewal of the three year lease agreement with the City of Cedar Falls for the use of swimming pools at Holmes and Peet Junior High Schools. Directors voting in favor of the motion: Lantz, Brown, Coil, Williams, Leeper, Kenyon and Senchina. Those voting “no” none. Motion carried.

Item No. 6 – Approval of Director of IASB District #3

Superintendent Wells reviewed the ballot for the IASB Director of District 3. Kevin Powell from Starmont is seeking the nomination for the Director’s position. Director Kenyon moved and Director Coil seconded the motion to approve the ballot cast for Kevin Powell for the IASB Director of District 3. Directors voting in favor of the motion: Lantz, Brown, Coil, Williams, Leeper, Kenyon, and Senchina. Those voting “no” none. Motion carried.

Item No. 7 – Approval of Board Policy 504.5 Anti-Bullying/Harassment

Superintendent Wells reviewed the first reading of board policy 504.5 Anti-Bullying/Harassment. Mr. Conrad reviewed investigative procedures that are followed concerning the bullying and harassment of students. Director Williams moved and Director Leeper seconded the motion to approve the first reading of the following board policy 504.5 Anti-Bullying/Harassment. Directors voting in favor of the motion: Lantz, Brown, Coil, Williams, Leeper, Kenyon, and Senchina. Those voting “no” none. Motion carried.

Policy Title: Anti-Bullying/Harassment: Students **Code No. 504.5**

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

The Board of Education prohibits harassment, bullying, hazing, or any other victimization of students, based on any of the following actual or perceived traits or characteristics, including but not limited to, age, color, creed, national origin, race, religion, marital status, sex, sexual orientation, gender identity, physical attributes, physical or mental ability or disability, ancestry, political party preference, political belief, socioeconomic status, or familial status.

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

If, after an investigation, a student is found to be in violation of this policy, the student shall be disciplined by appropriate measures up to, and including but not limited to, suspension, exclusion, and expulsion. All reports of bullying/harassment will be documented and reported to the Iowa Department of Education.

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

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

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

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

- Verbal, nonverbal, physical or written harassment, bullying, hazing, or other victimization that have the purpose or effect of causing injury, discomfort, fear, or suffering to the ~~victim~~ **target**;
- Implied or explicit threats concerning one's grades, achievements, property, etc. that have the purpose or effect of causing injury, discomfort, fear, or suffering to the ~~victim~~ **target**;
- Demeaning jokes, stories, or activities directed at the student that have the purpose or effect of causing injury, discomfort, fear, or suffering to the ~~victim~~ **target**;
- Repeated remarks of a demeaning nature that have the purpose or effect of causing injury, discomfort, fear, or suffering to the ~~victim~~ **target**; (**Note: this bullet was moved from the second to the four bullet**), and/or;
- Unreasonable interference with a ~~student's~~ **person's** performance or creation of an intimidating, offensive, or hostile environment.

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

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

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

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

School employees, volunteers, parents or guardians, and students will assist with the enforcement of this policy, including but not limited to assisting with educational and preventative measures, reporting, and investigations of harassment or bullying. Any person who promptly, reasonably, and in good faith reports an incident of bullying or harassment under this policy to a school official or supervisor, shall be immune from civil or criminal liability relating to such report and to the person's participation in any administrative, judicial, or other proceeding relating to the report. Individuals who knowingly file a false complaint **or give false statements in an investigation** may be subject to appropriate disciplinary action.

Retaliation against any person, because the person has filed a bullying or harassment complaint or assisted or participated in a harassment investigation or proceeding, is also prohibited. ~~Individuals who knowingly file false harassment complaints and any person who gives false statements in an investigation shall be subject to discipline by appropriate measures, as shall~~ **(combine to make the following sentence. 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, **but not limited to** suspension, **exclusion** and expulsion.

The school or school district will promptly and reasonably investigate allegations of bullying or harassment. The Director of Secondary Education and/or Director of Elementary Education or designee will be responsible for handling all complaints by students alleging bullying or harassment. **Investigators will consider the totality of circumstances presented in determining whether conduct objectively constitutes harassment or bullying. (The previous sentence is added to comply with the Safe Schools Certification Law.)**

It also is the responsibility of the superintendent, in conjunction with the investigator and principals, to develop procedures regarding this policy. The Board will annually communicate 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 district websites
- Readily accessible in the principal and counselor offices
- Other

ANTI-BULLYING/HARASSMENT COMPLAINT FORM

(Completion of this form is optional. The District also encourages direct communication of concerns with the student's teacher, counselor, administrator or other trusted staff member who can assist in documenting a bullying/harassment complaint.)

Name of complainant: _____

Position of complainant: _____

Name of Target: _____

Date of complaint: _____

Name of person who allegedly harassed or bullied: _____

Date and place of incident or incidents: _____

Description of misconduct: _____

Name of witnesses (if any): _____

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

Any other information: _____

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

Signature: _____

Date: ____ / ____ / ____

Completed complaint form should be given to target's building principal.

ANTI-BULLYING/HARASSMENT WITNESS DISCLOSURE FORM

Name of witness: _____

Position of witness: _____

Name of Target: _____

Date of testimony, interview: _____

Description of incident witnessed: _____

Any other information: _____

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

Signature: _____

Date: ____ / ____ / ____

Completed complaint form should be given to target's building principal.

Policy Title: *Anti-Bullying/Harassment: Students* Code No. *504.5R1*

ANTI-BULLYING/HARASSMENT INVESTIGATION PROCEDURES

Individuals who feel that they have been **bullied or** harassed should:

- Communicate to the **person who allegedly harassed or bullied harasser** that the individual expects the behavior to stop, if the individual is comfortable doing so. If the individual wants assistance communicating with the **person who allegedly harassed or bullied harasser**, the individual should ask a teacher, counselor or principal to help.

- If the **bullying or** harassment does not stop, or the individual does not feel comfortable confronting the **person who allegedly harassed or bullied harasser**, the individual should:
 - **Communicate to** ~~tell~~ a teacher, counselor or principal; ~~and~~
 - ~~write down exactly what happened, keep a copy and give another copy to the teacher, counselor or principal including;~~
 - what, when and where it happened;
 - who was involved;
 - exactly what was said or what **was done; the harasser did;**
 - witnesses ~~to the harassment;~~
 - what the **person student** said or did, either at the time or later;
 - how the **person student** felt; and
 - how the **person who allegedly harassed or bullied harasser** responded.

INCIDENT ~~COMPLAINT~~ INVESTIGATION & RESOLUTION PROCEDURE

Once an incident of bullying or harassment has been communicated to a teacher, counselor, administrator or other district staff member OR a written notice of a complaint has been received, an investigation process will begin. The Directors of Elementary and Secondary Education or designee are charged with ensuring the appropriate investigation procedures are in place and carried out and will begin the investigation process for all complaints received by the Central Administration Office. Information received during the investigation will be kept confidential to the extent possible.

The person who first received knowledge of the alleged bullying or harassment will either begin the investigation or document the incident for the building principal who then becomes the investigator. The investigator will begin the investigation and intervention reasonably and promptly by completing and documenting all steps in the district's process. As part of this process, the investigator will interview the target and the person doing the alleged harassing or bullying. The investigator may ask for documentation

of the behavior, including but not limited to letters, computer printouts, electronic files, or pictures. The investigator may also interview witnesses or ask for written statements as deemed appropriate.

Information about the incident will be entered in the district's computer system, whether founded or unfounded, using a district approved form and process which complies with the Department of Education's reporting procedures. The investigator will make a determination as to if bullying or harassment is founded along with any conclusions and next steps, which may include disciplinary action. The building principal will be notified of all bullying or harassment incidents, whether founded or unfounded, by the investigator. Following receipt of the investigator's report, the principal may investigate further, if deemed necessary, and make a determination of any appropriate additional steps which may include discipline. **All founded cases of bullying or harassment will result in notification of both the target (if a student) and harasser's parents or guardians.**

INCIDENT INVESTIGATION & RESOLUTION PROCEDURE

~~Once an incident of bullying or harassment has been communicated~~

COMPLAINT PROCEDURE

~~An individual who believes that the individual has been harassed or bullied will notify the Director of Secondary Education, the designated investigator. The alternate investigator is the Director of Elementary Education. The investigator may request that the individual complete the Harassment/Bullying Complaint form and turn over evidence of the harassment, including, but not limited to, letters, tapes, or pictures. The complainant shall be given a copy of the completed complaint form. Information received during the investigation is kept confidential to the extent possible.~~

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

INVESTIGATION PROCEDURE

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

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

RESOLUTION OF THE COMPLAINT

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

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

POINTS TO REMEMBER IN THE INVESTIGATION

- Evidence uncovered in the investigation is confidential.
- Complaints must be taken seriously and investigated.
- No retaliation will be taken against individuals involved in the investigation process.
- Retaliators will be disciplined ~~up to and including~~ **including, but not limited to** suspension, **exclusion**, and expulsion.

CONFLICTS

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

STUDENT HANDBOOK PROVISION

Initiations, Hazing, Bullying or Harassment

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

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

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

(Language below is the same, unless shown in red or ~~strike through~~, but the order is changed.)

Harassment or bullying ~~based upon factors other than sex~~ **is defined as includes**, but is not limited to ~~te~~:

- Involving one-sided, unwanted actions,
- Causing social, emotional, or physical harm,
- Involving an imbalance of power,
- Causing the target to feel threatened or unsafe, or
- Is typically, but not always, repeated.

Sexual harassment may include unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature. Sexual harassment includes, but is not limited to:

- verbal, physical, written, or **electronic** harassment or abuse, (**“electronic” includes, but is not limited to, communication via electronic mail, internet-based communications, cell phones, electronic text messaging or similar technologies.**)
- pressure for sexual activity,
- repeated remarks to a person with sexual or demeaning implications, and
- suggesting or demanding sexual involvement, accompanied by implied or explicit threats.

Harassment or bullying on the basis of 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 includes conduct of a verbal or physical nature that is designed to embarrass, distress, agitate, disturb or trouble persons ~~when~~ **which**:

- Places the ~~student~~ **person** in reasonable fear of harm to the ~~student's~~ person or property;
- Has a substantially detrimental effect on the ~~student's~~ **person's** physical or mental health;
- Has the effect of substantially interfering with the ~~student's~~ **person's** academic **or work** performance; or
- Has the effect of substantially interfering with the ~~student's~~ **person's** ability to participate in, **provide**, or benefit from the services, activities, or privileges provided by a school.
- ~~verbal, physical, or written harassment or abuse;~~
- ~~repeated remarks of a demeaning nature;~~
- ~~implied or explicit threats concerning one's grades, job, etc; and~~
- ~~demeaning jokes, stories or activities.~~

Item No. 8 – Approval of Increased Allowable Growth for At-risk and Drop-Out Prevention

Mr. Conrad reviewed the application for modified allowable growth for drop-out prevention. Mr. Conrad reviewed the definitions of a returning drop-out student. A returning drop-out student is a student in grades 7-12 who has left the school and is now returning. A potential drop-out student is a resident student that demonstrates poor school judgment as indicated by two or more of the following categories:

1. High rate of absenteeism, truancy or frequent tardiness
2. Limited or no extra-curricular participation, lack of identification with school and discipline issues resulting in a suspension/exclusion
3. Poor grades, failing core classes or elementary students not being promoted or advancing to the next grade level
4. Low achievement in reading or math, which reflects two or more years in a lower grade level
5. Children in grades K-3 who make the definition of at-risk as adapted by the Iowa Department of Education

The District is requesting a total of \$663,421 of modified allowable growth for at-risk and drop-out prevention. This is \$89.00 more than the request for the previous school year. A tentative tax asking would be approximately the same rate as the previous year, 0.43088/\$1,000. Director Williams moved and Director Lantz seconded the motion to approve the application for increased allowable growth of \$663,421 for at-risk and drop-out students for the 2013-2014 school year. Directors voting in favor of the motion: Lantz, Brown, Coil, Leeper, Williams, Kenyon, and Senchina. Those voting “no” none. Motion carried.

Item No. 9 – Approval of Substantial Completion of Peet Junior High Press Box Project

Mr. Nefzger reviewed the Peet Junior High press box project and recommended that the Board accept substantial completion of the project. Mr. Nefzger reported that final costs were \$2,322 over the original estimate, due to the requirement of moving a natural gas line that supplies Peet Junior High School. Director Coil moved and Director Brown seconded the motion that the Cedar Falls Board of Education to accept as complete Peet Junior High press box project and all claims for materials furnished, labor performed and service on this contract must be filed within the next 30 days. Directors voting in favor of the motion: Senchina, Brown, Coil, Leeper, Kenyon, Lantz and Williams. Those voting “no” none. Motion carried.

Item No. 10 – Informational Report on Bilingual Programs

Superintendent Wells introduced Victor Ochoa, instructor at Peet Junior High School, Sara Blanco instructor at Holmes Junior High, Patricia Black and Brittan Lawrence, instructors at the High School. The four instructors reviewed what a foreign language elementary school program would look like. Mr. Ochoa reported that the benefits to the program would include:

- Academic progress in other subjects
- Narrows achievement gaps
- Benefits basic skill development
- Benefits higher order, abstract and creative thinking
- Enhances and enriches cognitive development
- Enhances student sense of achievement
- Helps students score higher on standard tests
- Promotes cultural awareness and competency
- Approves chances of college acceptance
- Enhances career opportunities
- Benefits understanding and security in community and society

Mr. Ochoa reviewed the potential types of foreign language program offerings at the elementary level which include:

1. Basics in K-6 with a goal of acquiring proficiency in listening and speaking in a foreign language with an understanding and appreciation of other cultures.
2. Content based foreign language program with a goal of acquiring proficiency in listening and speaking in a foreign language. Program would use subject content as a vehicle for acquiring foreign language skills.
3. Partial inversion program where the student would become functionally proficient in a language with a goal of mastering subject content taught in the foreign language.
4. Two way inversion program where the student would become functionally proficient in a new language, master the content taught and acquires an understanding and appreciation of other cultures.
5. Total inversion program is where a student would be functionally proficient in the foreign language, master the content and acquire an understanding and appreciation of the cultures.

Ms. Blanco reviewed the characteristics of a successful bilingual program. These include:

- Enjoyable, meaningful language lesson materials and activities.
- Curricula based on the national foreign language standards.
- Clear program goals.
- Accessibility for all students.
- Communication and coordination across content areas.
- Articulation among grades in elementary school and from elementary school to later grades.
- Well-qualified teachers who receive regular professional development.

The team reviewed the planning process for the potential implantation of a foreign language program in the school district, as well as designing the program. A considerable amount of time was spent answering questions from Board members regarding multiple language offerings, reduced attendance and the sustainability of other world language programs once a single elementary foreign language program is implemented. President Senchina and the Board thanked the team for their efforts in their presentation.

Item No. 11 – Student Board Member Report

Student Board member, Andrew Stensland reported the student senate continues the planning of the dance marathon to benefit University of Iowa Hospital and Clinics on February 15th, 2013. Mr. Stensland also reported on athletic activities such as boys and girls basketball and wrestling.

Item No. 12 – Closed Session of the Board Under Section 21.5(i) of the Iowa Code

Director Brown moved and Director Coil seconded the motion that the Cedar Falls Board of Education enter into closed session to evaluate the professional competency of an individual who's appointment, hiring, performance, or discharge is being considered when necessary to prevent needless and irreparable injury to that individual's reputation and that individual requests a closed session 2003 Code of Iowa 21.5(i). Directors voting in favor of the motion: Williams Coil, Leeper, Lantz, Kenyon, Brown and Senchina. Those voting "no" none. Motion carried.

Board room was cleared at 8:45 p.m.

Board entered closed session at 8:46 p.m.

Board returned to open session at 8:55 p.m.

Item No. 13 – Questions, Comments, and Concerns

None

Item No. 14 – Adjournment

Director Lantz moved and Director Williams seconded the motion to adjourn. Directors voting in favor of the motion: Brown, Kenyon, Coil, Senchina, Williams, Lantz and Leeper. Those voting "no" none. Motion carried. The meeting was adjourned at 8:56 p.m. At the conclusion of the meeting the Board entered into a negotiations strategy session.

Secretary

President