

Policy Title:

Public Participation in Board Meetings

Code No. ***204.4.1***

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 may set time aside for citizen participation, either at a specific time during the meeting or during the discussion of agenda items. Citizens wishing to address the board, or wishing to bring a petition to the board, must notify the Board President and/or superintendent before 4:00 pm on the day of the meeting. Those wishing to address the board, or bring a petition to the board, will follow the same procedures outlined in the regulations. The board has the discretion to limit the amount of time set aside for public participation.

If the pressure of business or other circumstances dictate, the board president may decide to suspend this practice. The board president will recognize these individuals to make their comments at the appropriate time. The orderly process of the Board meeting will not be interfered with or disrupted. Only those speakers who follow regulations and are 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.

Date of Adoption: November 25, 2013

Date of Revision: April 7, 2014
July 13, 2026

Date of Review: May 11, 2015
August 9, 2021

Policy Title:

Public Participation in Board Meetings

Code No. ***204.4.1R***

Public Comment will:

- Be held at the beginning of the Board meeting, following roll call of members, and prior to the Consent Agenda.
- Be limited to three (3) minutes in length, per person.
- Be allowed for individuals who have contacted and received approval to speak, from the Board President and/or Superintendent by 4:00 p.m. the day of the Board meeting.
- Be allowed for interested citizens to present comments, suggestions or concerns, even if they are not on the agenda. However, an item must be included on the agenda before the board can officially act upon it. If not on the agenda, a community member will need to follow the regulations for an item to be placed on the agenda and contact the Board president and/or the Superintendent no later than Thursday prior to a regular meeting of the Board. Citizens are encouraged to communicate with Cedar Falls educators and school board members. If you have a concern, the best place to begin is with those directly involved and responsible, usually at the specific school: the teacher and/or principal. It is there that most problems can be quickly and productively resolved. If questions still remain, please contact the superintendent, or designee.
- Not be a dialogue, simply a time individuals can provide comments to the Board.

Date of Adoption: November 25, 2013

Date of Revision: April 7, 2014

Date of Review: May 11, 2015
August 9, 2021
June 8, 2026

Leaves of absence may be set forth in a collective bargaining agreement, handbook, or individual employment contract approved by the Board of Education. This policy delineates leaves of absence for employees not covered by a collective bargaining agreement.

To the extent a group of employees has a recognized collective bargaining unit, the provisions of the collective bargaining agreement regarding leaves of absence, if any, shall apply. If a specific leave provision within this policy is not addressed in a collective bargaining agreement, the provision of this policy shall also apply to employees within the collective bargaining unit.

Sick Leave

All regular full and part time employees, except teachers, shall be granted paid leave of absence for personal illness, injury, or associated treatment each consecutive service year in the following amounts:

- | | |
|-------------------------------------|---------|
| • 1 st full school year: | 13 days |
| • 2 nd full school year: | 15 days |
| • Thereafter: | 18 days |

Teachers shall be granted 20 days of leave for personal illness, injury or associated treatment per consecutive service year.

Temporary employees shall not be granted paid sick leave.

Unused sick leave days may be accumulated to a maximum of 95 contract days, including the current year allocation. Accrued but unused sick leave is not “paid out” upon termination of employment, and shall not be reinstated if an employee later returns to the District.

Sick leave days will be prorated for employees who are not contracted for or who do not work a full contract year. Part-time employees shall be granted a pro-rata amount of sick leave based upon the ratio of the number of hours they work to 40 hours. Any individual employed on the basis of less than five days per week shall be granted a pro-rated amount of sick leave.

Up to a maximum of eight days of paid sick leave may be approved under the following circumstances; such days will be deducted from the employee’s personal sick leave balance:

- Leave for the parent of a new born or newly adopted child
- Illness, injury, or medical treatment for a member of the employee’s immediate family.

Up to a maximum of one day of paid sick leave may be approved under the following circumstances; such days will be deducted from the employee’s personal sick leave balance:

- Routine medical, dental, or vision treatments for the employee or employee’s immediate family.

“Immediate family” is defined as: a spouse, parent (including step relationships), or child (including step, adopted, foster, and legal guardian).

(NOTE: Elective and cosmetic surgery and related procedures, including but not limited to cosmetic treatments, orthodontic consultation or treatment, lasik surgery, periodic physicals and preventative health check-ups, etc. do not qualify for paid sick leave.)

An employee making a claim for paid sick leave, either for the employee’s own illness or that of a family member, shall provide a medical report from a doctor confirming the necessity for such a leave of absence upon request of the superintendent or designee. A report may also be required to confirm fitness to return to duty.

Workers’ Compensation

An employee injured or disabled on the job may be eligible to receive a weekly benefit under the Iowa workers’ compensation law. If an employee receives workers’ compensation benefits, the employee’s accumulated sick leave will be reduced proportionate to the amount the workers’ compensation benefits are to the employee’s regular salary. At such time, the employee may also elect to have the workers’ compensation benefits supplemented from the District by using either sick leave, vacation leave, personal leave, and/or earned compensatory time. If supplemental payments are elected, leave time will be reduced by one full day for each day of absence. When all leave time is exhausted, supplemental payments will cease.

An employee who, in the course of employment, suffers a personal injury resulting from an episode of violence toward that employee for which workers’ compensation is payable, shall be entitled to have workers’ compensation benefits supplemented in order for the employee to receive full salary and benefits for the shortest of:

- (a) one year from the date of the disability; or
- (b) the period during which the employee is disabled and incapable of employment.

Supplementation in such situations shall not be charged against sick leave, vacation time, personal leave, or earned compensatory time. The District may require the employee, as a condition of receiving benefits under this section, to provide a signed statement that justifies the use of this leave and, if medical attention is required, a certificate from a licensed physician that states the nature and duration of the leave.

Extended Disability Leaves of Absence

An administrator, supervisor or classified employee, except a temporary employee, who is unable to work because of personal illness or injury, and who has exhausted all paid leave available, may be granted an unpaid leave of absence and may continue all available fringe benefits at his/her own expense, except that the District shall provide benefits in accordance with the Family and Medical Leave Act.

Family and Medical Leave Act

Federal law requires the District to grant up to 12 weeks of unpaid leave per year to employees who have been employed at least 12 months and who have worked at least 1,250 hours during the preceding 12 months for the purpose of:

- (1) the employee's personal serious health condition,
- (2) caring for the employee's newly born child,
- (3) caring for a child placed for adoption or placement of a foster child,
- (4) caring for the employee's parent, spouse, or child (under 18 years of age, or 18 years of age or older and incapable of self-care because of a physical or mental disability) with a serious health condition, and
- (5) a qualifying exigency arising out of the fact that the employee's spouse, child, or parent is on active duty or has been notified of an impending call to active duty in the Armed Forces in a foreign country.

In addition, federal law requires the District to grant eligible employees up to 26 weeks of leave during a single twelve-month period to care for a covered service member with a serious illness or injury incurred or aggravated in the line of duty on active duty.

During FMLA the District requires an eligible employee to first utilize any earned paid sick leave, vacation time or other leave provided by policy or by a collective bargaining agreement to the extent the purpose is covered by and consistent with requirements for the paid leave time. Any FMLA leave in excess of available paid leave shall be unpaid.

At the employee's option, the District shall continue the District's contributions towards health insurance on behalf of the employee for up to 12 (or 26, if applicable) weeks as if the employee were still at work. If the employee has more than 12 (or 26, if applicable) weeks of paid leave available, the District shall continue the District's contribution until the paid leave is exhausted. The employee shall remit the employee's contribution towards health insurance by the date the District makes payment to the insurance carrier or within 30 days thereafter. Failure to make contributions when due may result in the employee losing coverage during the period of the leave. If the employer makes the employee-owed payments, the employee authorizes the District to offset such sums advanced against any sums owed to the employee. If the employee does not return to work at the end of the leave (except for reasons specified in the Act), the employee will be required to reimburse the District for all contributions made by the District while the employee was on unpaid leave.

Employees may request leave under the Family Medical and Leave Act for up to a total of 12 weeks per year (or a total of 26 weeks to care for a covered service member with a serious illness or injury incurred or aggravated in the line of duty). "Year" shall be defined as a 12-month period measured forward from the date an employee's first

FMLA leave begins. Leave to care for a newly-born, adopted or foster child must conclude within 12 months of the birth or placement of the child. Spouses, both of whom are employed by the District, may take a combined 12-week

allotment for the birth or placement of a child and/or spouses may take a combined 26-week allotment to care for a covered service member with a serious illness or injury incurred or aggravated in the line of duty. The District may require an employee to provide written certification from a health care provider when an employee requests family and medical leave for the employee's own serious health condition or to care for the employee's parent, spouse, or child with a serious health condition, or to care for a covered service member with a serious illness or injury.

Bereavement Leave

Immediate Family

Employees, except temporary employees, may be granted up to five days paid leave per occurrence in the event of the death of a member of the employee's immediate family. The "immediate family" shall include spouse, child (including step, adopted, foster or legal guardian relationship), parent, step-parent, brother, sister, step brother or step sister of the employee. The five days shall be taken within 30 calendar days of the death.

Extended Family or Close Friend

Employees, except temporary employees, may be granted up to three days paid leave per contract year in the event of the death of a member of the employee's extended family. "Extended family" for a death is defined as in-law relations (i.e. father, mother, sister, brother, son, daughter), grandparent and grandchild, or close friend. The three days shall be taken within 30 calendar days of the death.

Extended Family or Close Friend: Illness or Injury

Employees, except temporary employees, shall be granted up to a total of three days of paid leave per contract year in the event of illness or injury in the extended family or of a close friend.

"Extended family" for purposes of illness or injury is defined as sister, brother, step sister or brother, grandparent, grandchild, in-law relations (i.e. father, mother, sister, brother, son, daughter) or close friend.

Death of a Student or Employee

In the event of death of a student or employee of the Cedar Falls Community School District, the principal of the building or supervisor of the effected department may, after consultation with Director of Human Resources, grant to an appropriate number of designated employees sufficient time to attend the funeral as representatives of the

District; such time shall not be debited from employee leave balances. Other colleagues who wish to attend the funeral shall request applicable leave.

Personal Leave

Employees, except administrators and temporary employees are allowed up to two days of paid leave per year for personal leave. Personal leave may be granted for routine doctor or dental appointments including physicals, dental visits, well-baby appointments, preventive health checkups; visits with financial or legal advisors; or such other purposes as the employee may determine. Personal leave days may be accumulated up to four days, including the current year allotment.

Personal leave shall be taken by Classified Employees (except para educators, food service and bus drivers in one hour, one-half day, or full day increments. Para educators, food service, bus drivers and teachers may take personal leave in one-half day or full day increments. Personal leave days may be accumulated up to four days, including the current year allotment.

Personal leave may be requested for use at a time that extends a vacation or holiday. Personal leave shall not be granted for teachers on days scheduled for state mandatory testing; days scheduled for end of semester or end of year exams; days scheduled for building or district-wide parent/guardian conferences; or during the first five or last two service days of the school year. Generally teachers should avoid requesting personal leave on a day scheduled for district-wide or building level professional development

Unused personal leave days, which exceed the maximum accrual, shall roll into a separate leave category to be used for "disruptive life events" after other applicable sick leave, extended family or close friend illness or injury leave, bereavement leave or personal leave has been exhausted. Disruptive life events are specified as: threat to personal property from fire, flood, wind, and/or recovery from such events; personal illness or injury; illness, injury or death in the immediate or extended family or close friend; closure of a day care or adult care facility in compliance with county, state or federal regulations. Any days accrued for disruptive life events are not available to be used as personal leave days and shall not be paid out upon termination from employment.

Military Leave

Leaves for military service will be granted in accordance with applicable law which provides that employees (other than employees employed temporarily for six months or less) who are members of the national guard, organized reserves or any component part of the military, naval, or air force or nurse corps of Iowa or of the United States, or who may be otherwise inducted into the military service shall, when ordered by proper authority to service, be entitled to a leave of absence for the period of such service, and without loss of pay for the first 30 calendar days of such leave of absence.

Jury Duty and Subpoena Leave

Employees called for jury service, or subpoenaed in a civil or criminal court proceeding on a matter related to their employment with the District, shall be permitted to be absent from duties. Pay received for jury or witness service, except travel expense, shall be remitted to the District. In order to receive payment, the employee must give at least two days' prior notice of the summons for service or subpoena, and must furnish satisfactory evidence that such service was performed on the days for which payment is claimed. An employee not required to perform duty all day shall return to work.

Conference Leave

An employee appointed by the appropriate director to represent an area of service or instruction or the District, will be granted leave with pay to attend educational conferences or conventions. All approved costs will be borne by the District.

An employee approved by the appropriate director to attend an educational conference or convention directly or closely related to the employee's area of service shall be eligible for leave with pay. In such instances, the District shall provide a substitute, if necessary, and may partially or wholly reimburse the employee for approved expenses (depending upon factors which include, but are not limited to, the nature of the conference, the number of persons attending, and the costs related to the attendance).

An employee who is an officer or participant of a curriculum specialty event, conference, or convention may attend with pay if approved by the appropriate director. In such instances, the District shall pay for the cost of any required substitute, but will not reimburse the employee for any conference/convention-related expenses.

Requests for approval for leaves described in paragraphs two and three of this section must be made to the appropriate director at least two weeks before the beginning of the leave.

Public Office Leave

Leaves of absence for service in an elected municipal, county, state or federal office shall be granted in accordance with applicable law. The leave of absence shall be without pay or benefits and shall not exceed six years. The employee may continue all fringe benefits in effect for the duration of the leave at his/her own expense. In addition, an employee who becomes a candidate for elective public office shall be granted a leave commencing within 30 days prior to a contested primary, special, or general election and continuing until the day after the election. The employee shall first use any earned compensatory time, then vacation and personal leave time and then unpaid leave. An employee who is a candidate for any elective public office shall not campaign while on duty as an employee.

Other Absences

Leaves of absence for reasons other than those listed above, or in excess of the number of days allowed, may be granted by the superintendent or designee. The employee shall have deducted from his/her salary an amount equal

to one day's pay for each day of absence. The District shall not continue fringe benefits, but the employee may continue the fringe benefits for the duration of the leave at his/her own expense, except that the District shall provide benefits in accordance with the Family and Medical Leave Act.

Waiting Period

Upon initial employment, new employees will be subject to a 30-day waiting period before paid leave may be used, excluding vacation accrual, where applicable, which shall begin accruing upon the first day of employment. Leave will become available on the first payroll date following completion of the 30-day waiting period. This waiting period does not apply to legally mandated leaves, including but not limited to leave required under the Family and Medical Leave Act or Iowa Workers' Compensation law.

The superintendent or designee may grant a deviation from the 30-day waiting period under appropriate circumstances.

Discipline

Absences for reasons other than those provided for in this policy or in a negotiated agreement, or failure on the part of the employee to follow procedures for requesting leave of absence, failure of the employee to provide reasonable evidence confirming the necessity for the leave of absence following request by the District, failure of an employee to return to work on the specified date following the leave of absence, failure to communicate in a timely manner an inability to return to work on the specified date following the leave of absence, or failure to provide a legitimate reason for failing to return on the specified date following the leave of absence, or submitting a false or misleading explanation for the leave may be grounds for disciplinary action, including dismissal.

Date of Adoption: February 10, 1969
November 26, 1973
June 9, 1975
July 11, 1977

Date of Revision: August 21, 1978
September 10, 1979
May 8, 1989
November 25, 2002
November 25, 2005
August 8, 2005
October 24, 2005
July 16, 2007
September 22, 2008
June 10, 2013
August 8, 2016
September 11, 2017
August 13, 2018
August 8, 2022
August 14, 2023

July 13, 2026

A. District Notice

1. The District will post a notice regarding family and medical leave.
2. Information on the Family and Medical Leave Act and on the Board of Education policy on family and medical leave, including leave provisions and employee obligations, will be provided annually.
3. When an employee requests family and medical leave, the 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 (or 26 week) entitlement;
 - b. a reminder that an employee requesting family and medical leave for his/her serious health condition or for that of an immediate family member or for that of a covered service member must furnish medical certification of the serious health condition and notice of the consequences for failing to do so;
 - c. an explanation of the employee's right and obligation to substitute paid leave for family and medical leave, including a description of when the District requires substitution of paid leave and the conditions related to the substitution; and
 - d. a statement notifying the employee that the employee must pay, and must make arrangements for paying, any premium or other payment to maintain health or other benefits, as applicable.

B. Eligible Employees

Employees are eligible for family and medical leave if three criteria are met.

If the employee requesting leave is unable to meet the three criteria, then the employee is not eligible for family and medical leave.

1. The District has more than 50 employees on the payroll at the time leave is requested;
2. The employee has worked for the District for at least 12 months or 52 weeks (the months and weeks need not be consecutive); and
3. The employee has worked at least 1,250 hours within the previous year. Full-time professional employees who are exempt from the wage and hour law may be presumed to have worked the minimum hour requirement.

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. The employee must give at least 30 days' notice for foreseeable leave. Failure to give the notice may result in the leave beginning 30 days after notice is received.
- c. Employees must consult with the District prior to scheduling planned medical treatment leave to minimize disruption to the District. The scheduling is subject to the approval of the health care provider.

2. Unforeseeable family and medical leave.

- a. Definition - leave is unforeseeable in such situations as emergency medical treatment or premature birth.
- b. The 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 District may require the employee 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; the child must be under 18, or, if over 18, incapable of self-care because of a mental or physical disability;
- d. Employee's serious health condition that makes the employee unable to perform the essential functions of the employee's position;

- e. Any qualifying exigency arising out of the fact that the employee's spouse, child or parent is on active duty or has been notified of an impending call or order to active duty in the Armed Forces in support of a contingency operation;
- f. To care for the employee's spouse, child, parent, or a person to whom the employee is next of kin who is a member of the Armed Forces or who is undergoing medical treatment, recuperation, or therapy, is otherwise in out-patient status, or on the temporary disability retired list for a serious injury or illness sustained in the line of duty or on active duty.

2. *Medical certification*

- a. When required:
 - (1) Employees shall be required to present medical certification of the employee's serious health condition and inability to perform the essential functions of the job.
 - (2) Employees shall be required to present medical certification of the family member's serious health condition and that it is medically necessary for the employee to take leave to care for the family member.
 - (3) Employee shall be required to present medical certification of the spouse, child, parent or next of kin who is a covered service member.
- b. Employee's medical certification responsibilities:
 - (1) The employee must obtain the certification from the health care provider who is treating the individual with the serious health condition.
 - (2) The District may require the employee to obtain a second certification by a health care provider chosen by and paid for by the District if the District has reason to doubt the validity of the certification an employee submits. The second health care provider cannot, however, be employed by the District on a regular basis.
 - (3) If the second health care provider disagrees with the first health care provider, then the 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 District and paid for by the District. This certification or lack of certification is binding upon both the employee and the District.
- c. Medical certification will be required 15 calendar days after family and medical leave begins unless it is impracticable to do so. The District may request recertification every 30 calendar days or as otherwise provided by law. Recertification must be submitted within 15 calendar days of the District's request.

- d. The employee must provide certification of fitness to return to duties from the health care provider who was treating the employee with a serious health condition prior to the employee returning to work.

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 or to care for a covered service member with a serious illness or injury which is not supported by medical certification may be denied until such certification is provided.

E. Entitlement

1. Employees are entitled to 12 weeks family and medical leave per year (12-month period), except that employees are entitled to 26 weeks family and medical leave during a single 12-month period to care for a covered service member.
2. The 12-month period is measured forward from the date an employee's first FMLA leave begins.
3. If insufficient leave is available, the District may:
 - a. Deny the leave if entitlement is exhausted; or
 - b. Award additional leave.

F. Type of Leave Requested

1. Continuous - employee will not report to work for set number of days or weeks.
2. Intermittent - employee requests family and medical leave for separate periods of time.
 - a. Intermittent leave is available for:
 - (1) Birth, adoption or foster care placement of child only with the District's agreement.
 - (2) Serious health condition of the employee, spouse, parent, or child or of a serious illness or injury of covered service member when medically necessary without the District's agreement.
 - (3) A qualifying exigency arising out of the fact that the spouse, child or parent of the employee is on active duty or has been notified of an impending call or order to active duty in the Armed Forces in support of a contingency operation without the District's agreement.
 - b. In the case of foreseeable intermittent leave, the employee must schedule the leave to minimize disruption to the District's operation.

- c. During the period of foreseeable intermittent leave, the District may move the employee to an alternative position with equivalent pay and benefits. *[For instructional employees, see G below.]*
- 3. Reduced work schedule - employee requests a reduction in the employee's regular work schedule.
 - a. Reduced work schedule family and medical leave is available for:
 - (1) Birth, adoption or foster care placement of child only with the District's agreement.
 - (2) Serious health condition of the employee, spouse, parent, or child or of a serious illness or injury of a covered service member when medically necessary without the District's agreement.
 - (3) A qualifying exigency arising out of the fact that the spouse, child or parent of the employee is on active duty or has been notified of an impending call or order to active duty in the Armed Forces in support of a contingency operation without the District's agreement.
 - b. In the case of foreseeable reduced work schedule leave, the employee must schedule the leave to minimize disruption to the District's operation.
 - c. During the period of foreseeable reduced work schedule leave, the District may move the employee to an alternative position with equivalent pay and benefits. *[For instructional employees, see G below.]*

G. Special Rules for Instructional Employees

- 1. Definition - an instructional employee is one whose principal function is to teach and instruct students in a class, a small group or in an individual setting. This includes, but is not limited to, teachers, coaches, driver's education instructors and special education assistants.
- 2. Instructional employees who request foreseeable medically necessary intermittent or reduced work schedule family and medical leave greater than twenty percent of the work days in the leave period may be required to:
 - a. Take leave for the entire period or periods of the planned medical treatment; or
 - b. Move to an available alternative position, with equivalent pay and benefits, but not necessarily equivalent duties, for which the employee is qualified.
- 3. Instructional employees who request continuous family and medical leave near the end of a semester may be required to extend the family and medical leave through the end of

the semester. The number of weeks remaining before the end of a semester do not include scheduled school breaks, such as summer, winter or spring break.

- a. If an instructional employee begins family and medical leave for any purpose more than five weeks before the end of a semester, the 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 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 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 District will continue to fulfill the 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. The employee must continue to pay health care benefit contributions or other benefit contributions regularly paid by the employee unless the 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 shall reimburse the District at a time set by the superintendent or designee.
3. An employee who fails to make the health care contribution payments within 30 calendar days after they are due will be notified that his/her coverage may be canceled if payment is not received within an additional 15 calendar days.
4. An employee may be required to re-certify the medical necessity of family and medical leave for the serious medical condition of an employee or family member or of a serious injury or illness of a covered service member once every 30 calendar days or as otherwise provided by law and to return the certification within 15 calendar days of the request.
5. The employee must notify the District of the employee's intent to return to work at least once each month during 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 District, in writing, of the employee's intent not to return. The District will cease benefits upon receipt of this notification.

I. Use of Paid Leave for Family and Medical Leave

An employee shall substitute unpaid family and medical leave with any paid leave available to the employee, which is applicable to the reason for family and medical leave, under Board of Education policy or a collective bargaining agreement. Paid leave includes sick leave, family illness leave, emergency leave, paid vacation, and/or personal leave. When the District determines that paid leave is being taken for a FMLA reason, the District will notify the employee within two business days (if feasible) that the paid leave will be counted as FMLA leave.

J. Definitions

The following definitions shall apply to the District's policy and regulations on family and medical leave:

1. *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.
2. *Contingency Operation* - means a military operation that: (1) is designated by the U.S. Secretary of Defense as an operation in which members of the Armed Forces are or may become involved in military actions, operations, or hostilities against an enemy of the United States or against an opposing military force; or (2) results in the call or order to, or retention on, active duty of members of the uniformed services under applicable law during a war or during a national emergency declared by the U.S. President or Congress.
3. *Continuing Treatment* - a serious health condition involving continuing treatment by a health care provider includes one or more of the following:
 - a. 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 health care provider.
 - b. Any period of incapacity due to pregnancy or for prenatal care.

- c. 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.).
 - d. 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.
 - e. Any period of absence to receive multiple treatments (including any period of recovery therefrom) by a health care provider or by a provider of health care services under orders of, or on referral by, a health care provider, either for restorative surgery after an accident or other injury, or for a condition that would likely result in a period of incapacity of more than three consecutive calendar days in the absence of medical intervention or treatment, such as cancer (chemotherapy, radiation, etc.), severe arthritis (physical therapy), kidney disease (dialysis).
- 4. *Covered Service Member* – a 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 out-patient status, or is otherwise on the disability retired list, for a serious injury or illness.
 - 5. *Eligible Employee* - an employee of the District which has more than 50 employees on the payroll at the time leave is requested. The employee has worked for the District for at least twelve months and has worked at least 1,250 hours within the previous year.
 - 6. *Essential Functions of the Job* - those functions which are fundamental to the performance of the job. It does not include marginal functions.
 - 7. *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."

8. *Family Member* - individuals who meet the definition of son, daughter, spouse or parent.
9. *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.
10. *Health Care Provider* -
 - a. A doctor of medicine or osteopathy who is authorized to practice medicine or surgery by the state in which the doctor practices; or
 - b. 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; or
 - c. Nurse practitioners and nurse-midwives who are authorized to practice under state law and who are performing within the scope of their practice as defined under state law; or
 - d. Christian Science practitioners listed with the First Church of Christ Scientist in Boston, Massachusetts; or
 - e. 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; or
 - f. 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.
11. *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.
12. *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.
13. *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.

14. *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.
15. *Medically Necessary* - certification for medical necessity is the same as certification for serious health condition.
16. *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.
17. *Next of Kin* – the nearest blood relative of that individual.
18. *Out-patient Status* – with respect to a covered service member, means the status of a member of the Armed Forces assigned to a medically necessary treatment facility as an out-patient or a unit established for the purpose of providing command and control of members of the Armed Forces receiving medical care as out-patients.
19. *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.
20. *Physical or mental disability* - a physical or mental impairment that substantially limits one or more of the major life activities of an individual.
21. *Reduced leave schedule* - a leave schedule that reduces the usual number of hours per workweek, or hours per workday, of an employee.
22. *Serious health condition* - an illness, injury, impairment, or physical or mental condition that involves:
 - a. 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 therefrom), or any subsequent treatment in connection with such inpatient care; or
 - b. 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 therefrom) 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 of, 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.
- c. Any period of incapacity due to pregnancy or for prenatal care.
- d. 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.).
- e. 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.
- f. 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 regime 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 a 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.
- Absences 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.

23. *Serious Injury or Illness* – in the case of a member of the Armed Forces, means an injury or illness incurred in the line of duty or on active duty that may render the member medically unfit to perform the duties of the member’s office, grade, rank or rating.
24. *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.
25. *Spouse* - a husband or wife recognized by Iowa law including common law marriages.

Wages and Salaries

The Board of Education shall establish salary schedules and rates of pay for the several positions in the District not covered by a collective bargaining agreement. Wages and salaries shall be negotiated with properly certified bargaining representatives for employees who are covered by a collective bargaining agreement.

Changes to Wage Rates and Salaries for Individual Employees

Changes to wage rates and salaries for employees covered by a collective bargaining agreement shall be in accordance with that agreement. Individual changes to the salary schedule and rates of pay set by the Board for individual employees not covered by a collective bargaining agreement may be determined by the Superintendent in consultation with the Executive Director of Human Resources and the Chief Financial Officer. Wages and salaries will be reviewed at least annually and may be increased, frozen or decreased if there is a valid and legal basis to do so.

Overtime

Non-exempt employees shall be compensated on an hourly basis, which is at least the minimum wage set by federal or state law, whichever is higher. Over-time work must have the prior approval of the employee's supervisor. Failure to obtain approval shall result in disciplinary action. Non-exempt employees shall be compensated at one and one-half times their regular hourly wage rate for work over 40 hours in a work week, or shall be granted compensatory time at one and one-half time for work over 40 hours a work week. The District may require that the employee take compensatory time rather than over-time pay provided the employee is notified of this requirement prior to working the over-time hours. A work week shall run from Sunday at 12:01 a.m. to the following Sunday at 12:00 a.m. Holidays, paid vacations and paid leaves of absence shall not count towards the 40 hours for purposes of computing overtime, unless a collective bargaining agreement provides otherwise. Non-exempt employees shall complete daily time records showing actual time worked, or shall be required to use a time-clock. All time actually worked shall be paid. The time records shall be signed if requested. Failure of the employee to maintain such records or falsification of such records will be grounds for disciplinary action.

Salary Basis

The Fair Labor Standards Act (FLSA) is a federal law which requires that most employees in the United States be paid at least the federal minimum wage for all hours worked and overtime pay at time and one-half the regular rate of pay for all hours worked over 40 hours in a workweek.

However, the FLSA provides an exemption from both minimum wage and overtime pay for employees employed as bona fide executive, administrative, professional and outside sales employees. The FLSA also exempts certain computer employees. To qualify for exemption, employees generally must meet certain tests regarding their job duties and be paid on a salary basis at not less than the amount set by the U.S. Department of Labor. Job titles do not determine exempt status. In order for an exemption to apply, an employee's specific job duties and salary must meet all the requirements of the Department's regulations.

Salary Basis Requirement

To qualify for exemption, employees generally must be paid at not less than the amount set by the U.S. Department of Labor on a salary basis. These salary requirements do not apply to teachers, counselors, librarians, academic administrators i.e., those whose primary duty is performing administrative functions directly related to academic instruction or training, or employees whose primary duty is teaching, tutoring, instructing, or academic functions directly related to academic instruction or training, and exercise independent judgment. Exempt computer employees may be paid at least the amount set by the U.S. Department of Labor on a salary basis or on an hourly basis at a rate not less than the amount set by the U.S. Department of Labor.

Being paid on a "salary basis" means an employee regularly receives a predetermined amount of compensation each pay period on a weekly or less frequent basis. The predetermined amount cannot be reduced because of variations in the quality or quantity of the employee's work. Subject to exceptions listed below, an exempt employee must receive the full salary for any work week in which the employee performs any work, regardless of the number of days or hours worked. Exempt employees do not need to be paid for any work week in which they perform no work. If the employer makes deductions from an employee's predetermined salary, i.e., because of the operating requirements of the business, that employee is not paid on a "salary basis." If the employee is ready, willing and able to work, deductions may not be made for time when work is not available.

Circumstances in Which the Employer May Make Deductions from Pay

Deductions from pay are permissible when an exempt employee is absent from work for one or more full days for personal reasons other than sickness or disability; for absences of one or more full days due to sickness or disability if the deduction is made in accordance with a bona fide plan, policy or practice of providing compensation for salary lost due to illness; to offset amounts employees receive as jury or witness fees, or for military pay; or for unpaid disciplinary suspensions of one or more full days imposed in good faith for workplace conduct rule infractions. Also, an employer is not required to pay the full

salary in the initial or terminal week of employment, for penalties imposed in good faith for infractions of safety rules of major significance, or for weeks in which an exempt employee takes unpaid leave under the Family and Medical Leave Act. In these circumstances, either partial day or full day deductions may be made to the extent permitted by law.

Pay Deductions for Leaves of Absence

The District provides a variety of leaves of absence to allow employees to be absent from work. As a public employer, the District is expected to record and monitor the work that employees perform and to conform to principles of public accountability in its compensation practices. Therefore, it is the policy of the District that when an employee is absent from work for less than one work day, 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

In each case in which a non-exempt 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.

In no event shall the total number of days subject to pay deduction under this policy exceed three (3) days per school year without prior approval from the superintendent or designee.

Compliance

It is District policy to comply with all applicable laws with respect to payments of wages, salaries, and benefits to employees, including the Fair Labor Standards Act, including specifically the salary basis requirements of the FLSA, and the Iowa Wage Payment Collection Act. Therefore, all administrators and supervisors are prohibited from making any improper deductions from the salaries of employees. Employees are to be aware of this policy and that the District does not allow deductions that violate federal or state law.

If an employee believes that an improper deduction has been made to the employee's salary, or that proper payment has not been made, the employee should immediately report this information in writing to the Chief Financial Officer. Reports of improper deductions or payments will be promptly investigated. If it is determined that an improper deduction has occurred, the employee will be promptly reimbursed for any improper deduction made. This procedure is in addition to any other complaint process that may also be available to employees.

Date of Adoption: September 22, 2008

Date of Revision: May 13, 2013
August 8, 2016
August 8, 2022
July 13, 2026

The Board recognizes that some students may need prescription and non-prescription medication to participate in their educational program. It is the responsibility of the parent or legal guardian to ensure that the school receives properly authorized medication. Medication shall be administered and accessed only by the school nurse, health assistant, or, in the absence of health office staff, by a person who has successfully completed the Iowa School Medication Management course. A medication administration course and periodic update shall be overseen by a registered nurse, and a record of course completion shall be kept on file by the district.

Medication shall not be administered without authorization from the parent or legal guardian. Authorization shall include the student's name, date of request, medication name, administration instructions, and authorizing signature. The medication must be in the original labeled container either as dispensed by the pharmacist or as sold by the manufacturer. Dosing directions must be within the Manufacturer's Direction for Use on the product label. All medications provided by the parent shall be in an unopened container within the expiration date for use.

- The District may provide Acetaminophen 325mg-650mg for oral dosing every four to six hours as needed during instructional hours to secondary students (grades 7-12) with authorization from the parent or legal guardian.
- The District may provide 1-2 tabs of Calcium Carbonate per day as needed during instructional hours to secondary students (grades 7-12) with authorization from the parent or legal guardian.
 - The District will provide up to 5 doses of each medication (Acetaminophen and Calcium Carbonate) per school year. If students need more frequent doses, parents will be contacted and asked to provide a supply to be kept in the health office.
- The District will not provide Acetaminophen or Calcium Carbonate for elementary students (grades PK-6).

A record of the administration of medication shall be kept for each student receiving medication and shall include:

- Date
- Student's name
- Medication
- Medication dosage
- Administration time
- Administration method
- Signature and title of person administering medication
- Any unusual circumstances, actions or omissions

By law, the school district shall permit students with asthma or other airway constricting disease or students with risk of anaphylaxis to self-administer their medication or use an epinephrine auto-injector, as the case may be, upon authorization of their parent or guardian and prescribing licensed health care professional in writing. Students may

self-administer prescription medications with written authorization of the student's parent or legal guardian and physician upon a showing of competency in accordance with law. These authorizations will be on file in the health office and will be renewed annually for continuation by the school nurse. Pursuant to state law, the school district and its employees are to incur no liability, except for gross negligence, as a result of an injury arising from self-administration of medication or use of an epinephrine auto-injector by the student. The parent or legal 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 use of an epinephrine auto-injector by the student as established by Iowa Code Section 280.16. The school district and its employees acting reasonably and in good faith shall incur no liability for any improper use of medication or for supervising, monitoring, or interfering with a student's self-administration of medication.

Cedar Falls Schools Health staff will follow the Iowa Nurse Practice Act standards. FDA approved non-medication treatments will ONLY be administered at school with written orders from a physician as defined in the State of Iowa.

Medication shall be stored in a secured area unless alternate provision is documented. The parent or legal guardian is responsible for providing safe delivery of medication and equipment to and from school and to pick up remaining medication and equipment at the end of the school year or whenever it is no longer needed at school. Emergency protocols for medication-related reactions and uncommon medication administration situations shall be posted in the area where medications are administered. Medication information shall be confidential information not subject to disclosure except as provided by law.

The superintendent or designee shall be responsible, in conjunction with the school nurse, for developing rules and regulations governing the administration of medication, prescription and non-prescription, to students. Annually, each student shall be provided with the requirements for administration of medication at school. The parent/guardian must notify school officials immediately if any changes occur in the administration of medication during the school year.

Date of Adoption: April 10, 1995

Date of Revision:	December 9, 1996	July 13, 2026
	February 11, 2002	
	January 13, 2003	
	October 25, 2004	
	June 8, 2009	
	September 28, 2009	
	April 8, 2013	
	June 12, 2017	
	August 9, 2021	
	August 14, 2023	

Policy Title: *Administration of Stock Prescription Medication*

Code No. *506.1.2*

The Cedar Falls Community School District seeks to provide a safe environment for students, staff, and visitors who are at risk of potentially life-threatening incidents including opioid overdose and severe allergic reactions (anaphylaxis). Therefore, it is the policy of the district to annually obtain a prescription for an opioid antagonist and an epinephrine delivery system (epi-pen) from a licensed healthcare 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 acute opioid overdose or anaphylaxis during the day. These prescription medications will be available pending supply availability.

Procurement and maintenance of supply: The district shall stock a minimum of the following for each attendance center:

- One dose of opioid antagonist;
- One pediatric dose and one adult dose of epinephrine.

The ability to obtain an annual prescription will depend upon local medical provider's policies and willingness to collaborate with the district. The ability to replace expired medications will depend on supply availability.

The supply of such medication shall be maintained in a secure, dark, temperature-controlled location in each school building.

A school nurse or health assistant shall routinely check the stock of medication and document in a log monthly:

- The expiration date;
- Any visualized particles; or
- Color change.

Training: A school nurse or personnel trained and authorized may provide or administer any of the medication 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 opioid overdose or anaphylaxis. Training to obtain a signed certificate to become personnel authorized to administer an opioid antagonist and/or epinephrine injector shall consist of the requirements established by law.

Authorized personnel will be required to provide a procedural skills demonstration to the school nurse demonstrating competency in the administration of these medications to retain authorization to administer these medications.

Reporting: The district will contact emergency medical services (911) immediately after a epinephrine delivery system or 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:

- The administration of stock epinephrine or an opioid antagonist.
- Each medication incident with the administration of stock epinephrine or opioid antagonist;
- Each medication error with the administration of stock epinephrine or opioid antagonist;
 - Medication Errors include: Failure to administer medication to a student or individual by proper route, failure to administer the correct dosage, or failure to administer medication according to generally accepted standards of practice.

Within 30 days, the district will report any naloxone administration to the Iowa Department of Health and Human Services:

- Reported administration should be sent to the State Opioid Response (SOR 2) helpdesk at sor@idph.iowa.gov as an email
- The email should only include the date of administration and the outcome (was the individual able to be revived).

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 opioid antagonist or stock epinephrine provided they acted reasonably and in good faith.

The superintendent or designee may develop an administrative process to implement this policy.

Date of Adoption: December 12, 2022

Date of Revision: August 14, 2023
March 19, 2024
July 13, 2026

Policy Title:

School Nutrition Program Purchasing Procedures

Code No: 705.3

It shall be the responsibility of the superintendent or designee to approve purchases, except those authorized by, approved by or requiring direct board action. 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 when in the opinion of the superintendent it is prudent to do so.

Federal laws and regulations require state agencies and school authorities to comply with a host of requirements and rules specifically addressing procurement of goods, products, and services for School Nutrition Programs. The School Food Authority (SFA) determines the type of goods or services needed, the quantity for goods or frequency (for services) needed, the quality needed, any special requirements for any of the items, the date by which delivery is needed, the location(s) to which delivery will occur, and the legality of the procurement process.

Procurement Methods

Micro-purchase threshold not to exceed USDA Threshold (\$15,000)

Micro-purchases do not require obtaining quotes. Staff must keep a log or file to document purchased item, price and vendor, must distribute micro-purchases equitably among qualified suppliers and may be awarded without soliciting competitive quotations if the SFA considers the price to be reasonable.

Informal, small purchase threshold between Micro-purchase threshold and <\$250,000

The superintendent or designee shall follow District non-construction purchasing procedure policy as amended.

Formal, large purchase threshold greater than >\$350,000

The superintendent or designee shall follow District non-construction purchasing procedure policy as amended.

Non-competitive proposal

This is a procurement method used when competition is deemed inadequate or impossible due to public exigency or emergency. Negotiations must include both price and terms using the same procedures that would be followed for competitive proposals. Procurement by non-competitive proposals may be used only when the award of a contract is infeasible under small purchase procedures, sealed solicitation, or competitive proposals and one of the following applies:

- The item is available only from a single source.
- The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation.
- The awarding agency authorizes non-competitive proposals.
- After solicitation of a number of sources, competition is determined inadequate.
- All non-competitive proposals must be approved by the Bureau of Nutrition and Health Services, Iowa Department of Education prior to requesting proposal.

Bidding guidelines and requirements shall follow the Cedar Falls Community School District's non-construction purchasing procedure policy as amended or Federal guidelines, whichever is most restrictive

Buy American

Cedar Falls Community School District supports the Buy American provision requiring schools to purchase, to the maximum extent practical, domestic commodities and products. A domestic commodity or product means an agricultural commodity that is processed in the United States, and/or a food product that is processed in the United States substantially using agricultural commodities that are produced in the United States. Purchases made in accordance with Buy American provision must still follow applicable procurement rules calling for free and open competition.

Ethics

Ethical behaviors are practices that promote free and open competition. Accurate documentation is important to demonstrate compliance with the contractual terms and the district policies. Ethical violations in the workplace are a serious matter and may result in employee disciplinary action, as per board policy, as well as potential loss of funding for the nutrition program.

Date of Adoption: August 8, 2016

Date of Review: July 14, 2025
July 13, 2026

Date of Revision: August 13, 2018