

Selection for Employment and Assignments

The Cedar Falls Community School District will select for employment qualified applicants for each position without improper discrimination on the basis of race, color, creed, religion, sex, sexual orientation, gender identity, national origin, ethnic background, age, disability, or genetic information. **The District will provide equal opportunity to all employees and applicants for employment that includes hiring, placement, promotion, transfer or demotion, recruitment, advertising or solicitation for employment, treatment during employment, rates of pay or other forms of compensation, and layoff or termination.** Persons with disabilities who can perform the essential functions of an assignment with or without reasonable accommodations shall be considered qualified applicants. The District shall take affirmative action in the recruitment, appointment, assignment, and advancement of personnel **in major job categories where women, men, federally designated racial and ethnic minority groups and persons with disabilities are underrepresented** ~~to accomplish the goals of equal employment opportunity.~~ In keeping with the law, the District shall consider the veteran status of applicants.

Employment Conditions

The Cedar Falls Community School District will not unlawfully discriminate against any individual with respect to compensation, terms, conditions, or privileges of employment because of such individual's race, color, creed, religion, sex, sexual orientation, gender identity, national origin, ethnic background, age, disability, or genetic information.

Complaints of Discrimination

Any applicant or employee alleging discrimination on the basis of race, color, creed, religion, sex, sexual orientation, gender identity, national origin, ethnic background, age, disability, or genetic information may follow the complaint procedures set forth in Policy 401.4. The complainant may bypass any step of the complaint procedure where the person to whom the complaint is to be lodged is the alleged perpetrator. The complainant may file the initial complaint with the compliance officer, whose decision may be appealed to the superintendent or designee. Inquiries or complaints may also be directed to federal and state agencies including the Iowa Civil Rights Commission, the Equal Employment Opportunity Commission, and the Office of Civil Rights of the United States Department of Education.

The complainant may be required to complete a complaint form and turn over copies of evidence of discrimination including, but not limited to, recordings, memoranda, letters, and pictures. The investigator shall promptly commence an investigation and proceed to completion. Both the complainant and the alleged perpetrator will be given an opportunity to give a statement. A written investigation report shall be completed, and a summary of the report (including a finding that the complaint was founded, unfounded, or inconclusive) will be forwarded to the complainant and to the alleged perpetrator.

Compliance Officer

The executive director of human resources shall be designated as the District's compliance officer to insure that applicants and employees are treated in accordance with this policy. In the event the executive director of human resources is the alleged perpetrator, the associate superintendent for teaching and learning shall be the alternate compliance officer. The compliance officer shall also be responsible for coordinating the preparation, implementation, evaluation, and updating of written equal employment opportunity and affirmative action plans, with systematic input from diverse racial/ethnic groups, women, men, and persons with disabilities.

Confidentiality

The right of confidentiality, both of the complainant and of the alleged perpetrator, will be respected to the extent possible consistent with the District's legal obligations to investigate allegations of misconduct and to take corrective action when misconduct has occurred. Complaints of discrimination shall not be filed in the complainant's personnel file.

No Retaliation

No person shall retaliate against another person because the person has filed a discrimination complaint, assisted or participated in an investigation, or has opposed language or conduct that violates this policy, as long as the participation or action was done in good faith.

Corrective Action

The District will take action to halt any improper discrimination or retaliation and will take other appropriate corrective actions to remedy all violations of this policy. This may include disciplinary measures, including discharge of a perpetrator.

Notice

In order to effectively communicate and interpret the District's policy to all levels of the administration and to all other employees, applicants, educational agencies and to the public, a statement of the District's policy shall be distributed to all applicants for employment and shall be disseminated annually to employees, students, parents, and recruitment sources. District employees involved in the hiring or supervision of personnel shall be trained on proper equal employment opportunity procedures.

Title IX: Discrimination and Harassment Based on Sex Prohibited

The District has separate procedures for reports or complaints of sexual harassment governed by Title IX of the Education Amendments Act of 1972. The policy governing such instances is Code No. 504.5.2: Discrimination and Harassment Based on Sex Prohibited. Procedures for addressing such reports or complaints are available as follows:

Electronically on the District website at www.cfschools.org/about-us/TitleIX

Paper copies are available in the administrative office and school counselor's office at each school as well as in the Human Resource Department in the Robinson Administration Center.

Date of Adoption:	June 23, 1975
Date of Review:	July 11, 2022
Dates of Revision:	December 13, 1976 March 11, 1985 May 8, 1989 June 11, 1990 December 10, 1990 August 9, 1993 September 12, 1994 April 24, 1995 November 11, 1996 October 12, 1998 July 12, 1999 September 27, 1999 November 25, 2002 July 19, 2004 August 14, 2006 September 8, 2008 August 8, 2011 April 22, 2013 August 8, 2016 September 28, 2020

DISCRIMINATION/HARASSMENT COMPLAINT FORM

Please complete the following as fully as possible. If you need assistance, contact the compliance officer.

Date of Complaint: _____

Name of Complainant: _____

Position and Building of Complainant: _____

Primary Address: _____

Primary Telephone: () _____ Email: _____

Name and Position of Alleged Perpetrator: _____

Discrimination Alleged:

_____ Race, Color	_____ Sexual Orientation
_____ Sex/Gender	_____ Gender Identity
_____ Religion, Creed	_____ Age
_____ National Origin, Ethnic Background	_____ Disability
_____ Other _____	_____ Genetic Information

Statement of Discrimination/Harassment: (Include dates, places and persons involved in incidents, if known. List any witnesses, their position and addresses and telephone numbers. Attach any pertinent written documents. Describe any actions you took in response to the incidents.)

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

Signature: _____

Name Printed: _____

Date: _____

WITNESS STATEMENT

Date of Interview: _____

Interviewer: _____

Name of Person Giving Statement: _____

Position and Building of Witness: _____

Primary Address: _____

Primary Telephone: () _____ Email: _____

Statement: (Include dates, places and persons involved if known.)

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

Signature: _____

Name Printed: _____

Date: _____

SUMMARY OF DISPOSITION OF DISCRIMINATION/HARASSMENT COMPLAINT

Name of Complainant: _____

Position and Building of Complainant: _____

Name and Position of Alleged Perpetrator/Respondent: _____

Date of Initial Complaint _____

Nature of Harassment Alleged:

_____ Race, Color	_____ Sex/Gender
_____ Sexual Orientation	_____ Age
_____ Religion, Creed	_____ Disability
_____ National Origin, Ethnic Background	_____ Gender Identity
_____ Other _____	_____ Genetic Information

Summary of Investigation:

Conclusion: _____ Founded (The totality of the evidence reasonably demonstrates the actions occurred and constituted improper discrimination or harassment.)

 _____ Unfounded (It is reasonable to believe that the actions complained of did not occur, or were not so serious or pervasive as to constitute improper discrimination or harassment.)

 _____ Inconclusive

Signature

Typed or Printed Name

Position

Address

Date

Copies to:

_____ Complainant

_____ Alleged Perpetrator/Respondent

_____ Superintendent or Designee

The superintendent or designee shall be responsible for recruiting personnel for the various positions within the District, with the assistance of other employees as the superintendent or designee may so determine. The superintendent or designee shall take affirmative action to encourage persons to apply in accordance with the District's affirmative action plan.

The superintendent or designee shall use such methods, advertising media or other sources as may be appropriate to recruit personnel. Vacant positions shall be posted online at the TeachIowa.gov website as required by law. Vacant positions requiring licensed employees not filled via transfer shall generally be advertised in at least one print or electronic publication having statewide circulation. All applicants shall be required to complete an application. Applicants who provide false, inaccurate, or incomplete information in their application form or resume or who fail to disclose information requested in the application form may not be eligible for employment.

To the fullest extent permitted by state and federal law, the District may consider all information concerning an applicant or an employee in making hiring, termination, and other employment-related decisions. The term "all information" includes information of any kind (verbal, written, photographic, videographic, etc.) that is accessible in any medium (print, electronic, etc.) from any source.

The District may consider public information and other information to which it has lawful access. This may include information that is contained in social networking sites, blogs, and other websites. If there is information that pertains to the applicant that requires explanation, interpretation, or clarification when it is considered by the District, it is the applicant's obligation to communicate this information to the District.

Information that is relevant to the District's decisions may be considered regardless of the date on which the District obtains the information and regardless of the date on which the information was first published, created, or made accessible to the District.

Employees who have provided false, inaccurate or incomplete information in their application form or resume or who have failed to disclose information requested in the application form will be subject to disciplinary action up to and including termination of employment. This policy applies to all employees regardless of the date on which the individual was employed and applies to all violations regardless of the date on which the District discovers the violation of this policy.

Applications for employment may be obtained and completed online at the District's website or applicants may contact the Human Resource Department for assistance in completing an application. Administrators and supervisors will follow district hiring practices to fill positions in their work area and will make recommendations to the superintendent or designee concerning employment and assignment.

Selection and assignment of staff shall be based upon the following:

- a. All professional employees shall be properly certificated, authorized or licensed as required by statute, the Iowa Department of Education and the Iowa Board of Educational Examiners and as required by the District's job descriptions.
- b. All classified employees shall be properly licensed by the State if a license is required by law or by the District's job description.
- c. Educational and other training where such training is necessary or appropriate for the position.
- d. Needs of the District.
- e. Demonstrated ability to fulfill all aspects and essential duties of the position.
- f. Demonstrated rapport with children, fellow workers, and others.
- g. Ability to exercise discretion and good judgment.
- h. Diligence and dependability.
- i. Honesty and integrity.
- j. Ability to follow instructions and suggestions of supervisors.
- k. Compatibility with the District's philosophy and programs.
- l. Adherence to professional ethics.
- m. Personal qualities advantageous to the position.
- n. History of past successful job experiences.
- o. If applicable, impact on the school and or department from which an employee is requesting an internal transfer, as well as the "fit" with the existing staff in the school and or department into which an internal transfer has been requested.
- p. Satisfactory outcomes on post-offer pre-employment testing and, where applicable, pre-assignment testing including, but not limited to, drug and alcohol testing and physical abilities testing.
- q. Other factors or qualities as may be determined from time to time by the administrative and supervisory staff.

The District shall carefully consider the facts relating to any applicant who has a known history of a criminal conviction or of a conviction or judicial or administrative finding of child, dependent adult, or sexual abuse, and shall make an employment decision in accordance with applicable law. **An offer of employment shall be conditional upon the District performing post-offer pre-employment.** ~~The District shall perform~~ criminal and abuse

background checks and drug and alcohol testing; as required by law and as deemed necessary by the administration. Based upon the results of the background check the District will determine whether an offer of employment will be extended. If the candidate is a teacher who has an Initial License from the Board of Educational Examiners issued within eight calendar months of the anticipated date of employment, then the requirement for a background check is waived. The District will perform repeat background checks on employees as required by law and as it deemed necessary by the administration.

Employees who operate school vehicles are subject to drug and alcohol testing if a Commercial Driver's License (CDL) is required to operate the school vehicle and the vehicle either transports 16 or more persons including the driver or weighs 26,001 pounds or more. For purposes of the drug and alcohol testing program, the term "employees" includes applicants who have been offered a position to operate a school bus or other vehicle requiring a CDL. The District will conduct Federal Motor Carrier Safety Administration (FMCSA) Clearing House pre-employment queries and annual queries as required by law. Job candidates and employees must provide written consent for the District to perform FMCSA Clearing House queries; candidates or employees who withhold consent will be prohibited from performing any safety sensitive function. The Board policy governing the drug and alcohol testing for bus drivers and other vehicles requiring a CDL is Code No. 402.12.2: Testing Program for Drivers of Buses and other Vehicles Requiring a Commercial Driver's License (CDL).

Employment of administrators and teachers shall require Board of Education approval. The Superintendent however, will have the authority to employ a licensed teacher on a temporary basis until a recommendation can be made and action can be taken by the Board on the position.

The superintendent or designee will have the authority to employ:

- licensed employees, other than administrators and teachers
- directors, associate directors, supervisors, managers and coordinators
- classified employees

Determining the assignment of each employee, the location where the assignment will be performed, and voluntary/involuntary transfers is within the sole discretion of the Board and the authority to make such decisions is delegated to the superintendent or designee.

Date of Adoption: September 8, 2008

Date of Revision: June 10, 2013
June 8, 2015
August 8, 2016
September 11, 2017
August 8, 2022

Policy Title:

Student Discipline
(Threats of Violence or Cause Incidents of Violence)

Code No. ***502.1.1***

Discipline Policy

Discipline is designed to promote behavior that will enable students to learn and successfully participate in their educational and social environments. The district discipline policy for students who make a threat of violence or commit an act of violence is developed to help students understand their obligations to others in the school setting, secure the safety of all students, staff and the community, and to correct student behavior if a violation occurs (2023 Iowa Acts, chapter 96 (House File 604), sec. 7, new section 279.79, subsection 1).

Students will conduct themselves in a manner fitting their age, grade level, and maturity, and with respect and consideration for the rights of others while on school district property or on property within the jurisdiction of the school district; while on school owned and/or operated school or chartered vehicles; while attending or engaged in school activities; and while away from school grounds if misconduct will directly affect the good order, efficient management and welfare of the school district. Consequences for the misconduct will be fair and tailored to the age, grade level and maturity of the student.

Discipline and other responses to threats or incidents of violence by a student with a disability, including removal from a class, placement in a therapeutic classroom, suspensions, and expulsions, will comply with the provisions of applicable federal and state laws including, but not limited to, the IDEA, Section 504 of the Rehabilitation Act, and the Americans with Disabilities Act (2023 Iowa Acts, chapter 96 (House File 604), sec. 7, new section 279.79, subsection 3).

District Response to a Threat or Incident of Violence by a Student

Reporting a Threat of Violence or Incidence of Violence

In the case of any threat of violence or incident of violence that results in injury, property damage or assault by a student, the teacher will report to the school principal or designee within 24 hours of the incident. The principal or designee will notify the parent or guardian of the student(s) who threatened or perpetrated an act of violence and the student(s) who the threatened or perpetrated an act of violence was made against within 24 hours after receipt of the teacher's report and complete an investigation of the incident as soon as possible. The classroom teacher may also notify the parent or guardian of the student who made the threat or caused the incident, and the parent or guardian of the student against whom the threat or incident was directed (2023 Iowa Acts, chapter 96 (House File 604), sec. 4).

An investigation will be initiated by the principal or designee upon learning of an incident of violence or threat of violence through any credible means. If the principal or designee finds that an incident of violence or threat of violence did occur, the administrator will determine the level of threat or incident by considering all aspects of the situation, including the student's intent and knowledge of the impact of their actions, their developmental level and context of the incident. The resolution will focus on identifying the cause behind the behavior and appropriate corrective action (2023 Iowa Acts, chapter 96 (House File 604), sec. 7, new section 279.79, subsections 1 and 4).

A student who makes a threat of violence, causes an incident of violence that results in injury or property damage, or who commits an assault, will be subject to escalating levels of discipline for each occurrence. When appropriate, referrals will be made to local law enforcement. The district retains the authority to assign the level of disciplinary measures appropriate to the severity of the threat of violence or incident of violence (2023 Iowa Acts, chapter 96 (House File 604), sec. 7, new section 279.79, subsection 5).

Threat of Violence

Threat of violence means a written, verbal, electronic or behavioral message that either explicitly or implicitly expresses an intention to inflict emotional or physical injury, property damage, or assault.

Incident of Violence

Incident of violence means the intentional use of physical force or power against oneself, another person, a group or community or property resulting in injury, property damage or assault.

Injury

Injury means “physical pain, illness or any impairment of physical condition.” State v. McKee, 312 N.W.2d 907, 913 (Iowa 1981).

Property Damage

Property damage means any destruction, damage, impairment or alteration of property to which the individual does not have a right to take such an action. Property means real property, which includes any real estate, building, or fixture attached to a building or structure, and personal property, which includes intangible property (Iowa Code section 4.1(21)).

Assault

Assault means when, without justification, a student does any of the following:

an act which is intended to cause pain or injury to, or which is intended to result in physical contact which will be insulting or offensive to another, coupled with the apparent ability to execute the act; or any act which is intended to place another in fear of immediate physical contact which will be painful, injurious, insulting or offensive, coupled with the apparent ability to execute the act; or intentionally points any firearm toward another or displays in a threatening manner any dangerous weapon toward another.

The act is not an assault when the person doing any of the above and the other person are voluntary participants in a sport, social or other activity, not in itself criminal, when the act is a reasonably foreseeable incident of such sport or activity, and does not create an unreasonable risk of serious injury or breach of the peace (Following Iowa Code section 708.1).

Escalating Responses by Grade Band

The following responses outline a range of responses at each Level. The intention is to work with the student to reduce the misbehaviors. If the behavior of the student is severe, the administrative team may find it necessary to escalate the response.

Grades PK-6

Level	Escalating Response
Level 1	<ul style="list-style-type: none"> Requires parent or guardian notification. May require an individualized educational program (IEP) meeting, if the student has an IEP, or a 504 meeting, if the student has a 504. Responses may include any of the following: <ul style="list-style-type: none"> Parent or guardian conference that includes the student, when appropriate; When appropriate and with written parent consent, counseling, and/or mental health counseling subject to available resources of the district; Behavior intervention student agreement coupled with another response(s); Restitution or opportunities to repair relationships coupled with another response(s); Detention; Temporary removal from class; and/or Put safety plan in place. Unless the first offense is unusually serious, the administrator will avoid permanent removal from a class.
Level 2	<ul style="list-style-type: none"> Requires parent or guardian notification. Review of response to prior offense, if applicable, to inform increased level of response. Requires an individualized educational program (IEP) meeting to review and/or revise the student's behavior intervention plan (BIP), if the student has an IEP, or a 504 meeting if the student has a 504. Responses to the incident may include the following: <ul style="list-style-type: none"> Parent or guardian conference that includes the student, when appropriate; When appropriate, with written parent/guardian consent, counseling, and/or mental health counseling subject to available resources of the district; Behavior intervention student agreement coupled with another response(s); Restitution or opportunities to repair relationships coupled with another response(s); Detention; Temporary or permanent removal from extracurricular activities; Temporary or permanent removal from class; In-school suspension or out-of-school suspension for 1 to 9 days; Put safety plan in place; Suspension of transportation privileges, if misconduct occurred in a school vehicle; Placement in an alternative learning environment; Contact law enforcement; and/or Contact or referral to any other applicable agencies.

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Level 3	<ul style="list-style-type: none"> • Requires parent or guardian notification. • Review of response to prior offense, if applicable, to inform increased level of response. • Requires an individualized educational program (IEP) meeting to review and/or revise the student's behavior intervention plan (BIP), if the student has an IEP, or a 504 meeting if the student has a 504. • Responses to an incident may include the following: <ul style="list-style-type: none"> • Parent or guardian conference that includes the student, when appropriate; • When appropriate, with written parent/guardian consent, counseling, and/or mental health counseling subject to available resources of the district; • Behavior intervention student agreement coupled with another response(s); • Restitution or opportunities to repair relationships coupled with another response(s). • Detention; • Temporary or permanent removal from extracurricular activities; • Temporary or permanent removal from class; • In-school suspension or out-of-school suspension for 1 to 9 days; • Put safety plan in place; • Suspension of transportation privileges, if misconduct occurred in a school vehicle; • Placement in an alternative learning environment; • Recommendation for expulsion; • Contact law enforcement; and/or • Contact or referral to any other applicable agencies.
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Grades 7-12

Level	Escalating Response
Level 1	<ul style="list-style-type: none"> • Requires parent or guardian notification. • May require an individualized educational program (IEP) meeting, if the student has an IEP, or a 504 meeting, if the student has a 504. • Responses to an incident may include, but are not limited to, the following: <ul style="list-style-type: none"> • Parent or guardian conference that includes the student, when appropriate; • When appropriate and with written parent/guardian consent, counseling, and/or mental health counseling subject to available resources of the district; • Behavior intervention student agreement coupled with another response(s); • Restitution or opportunities to repair relationships coupled with another response(s); • Detention; • Temporary removal from extracurricular activities; • Temporary removal from class; • In-school suspension; and/or • Suspension of transportation, if misconduct occurred in a school vehicle.

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Level 2	<ul style="list-style-type: none">• Requires parent or guardian notification.• Review of response to prior offense, if applicable, to inform increased level of response.• Requires an individualized educational program (IEP) meeting to review and/or revise the student's behavior intervention plan (BIP), if the student has an IEP, or a 504 meeting if the student has a 504.• Response to an incident may include the following:<ul style="list-style-type: none">• Parent or guardian conference that includes the student, when appropriate;• When appropriate and with written parent/guardian consent, counseling, and/or mental health counseling subject to available resources of the district;• Behavior intervention student agreement coupled with another response(s);• Restitution or opportunities to repair relationships coupled with another response(s);• Detention;• Temporary or permanent removal from extracurricular activities;• Temporary or permanent removal from class;• In-school suspension or out-of-school suspension for up to 10 (ten) days;• Put safety plan in place;• Suspension of transportation privileges, if misconduct occurred in a school vehicle;• Placement in an alternative learning environment;• Contact law enforcement; and/or• Contact or referral to any other applicable agencies.
Level 3	<ul style="list-style-type: none">• Requires parent or guardian notification.• Review of response to prior offense, if applicable, to inform increased level of response.• Requires an individualized educational program (IEP) meeting to review and/or revise the student's behavior intervention plan (BIP), if the student has an IEP, or a 504 meeting if the student has a 504.• Response to an incident may include the following:<ul style="list-style-type: none">• Parent or guardian conference that includes the student, when appropriate;• When appropriate and with written parent/guardian consent, counseling, and/or mental health counseling subject to available resources of the district;• Behavior intervention student agreement coupled with another response(s);• Restitution or opportunities to repair relationships coupled with another response(s);• Detention;• Temporary or permanent removal from extracurricular activities;• Temporary or permanent removal from class;• In-school suspension or out-of-school suspension for up to 10 (ten) days;• Put safety plan in place;• Suspension of transportation privileges, if misconduct occurred in a school vehicle;• Placement in an alternative learning environment;• Recommendation for expulsion;• Contact law enforcement; and/or• Contact or referral to any other applicable agencies.

Definitions (consistent with the Department's Data Dictionary 2022-23)

Detention means the student's presence is required during non-school hours for disciplinary purposes. The student can be required to appear prior to the beginning of the school day, after school has been dismissed for the day or on a non-school day. Whether a student will serve detention, and the length of the detention, is within the discretion of the licensed employee or the building principal disciplining the student.

Expulsion means an action by the board to remove a student from the school environment, which includes, but is not limited to, classes and activities, for a period of time set by the board.

In-school suspension means the student will attend school but will be temporarily isolated from one or more classes while under supervision. An in-school suspension will not exceed ten consecutive school days.

Out-of-school suspension means the student is removed from the school environment, which includes school classes and activities. An out-of-school suspension will not exceed ten consecutive school days unless due process is provided as required by federal and state law. A restriction from school activities means a student will attend school and classes and practice but will not participate in school activities.

Placement in an alternate learning environment means placement of a student in an environment established apart from the regular educational program that includes rules, staff and resources designed to accommodate student needs and to provide a comprehensive education consistent with the student learning goals and content standards established by the school district.

Removal from the classroom means a student is sent to the building principal's office. It is within the discretion of the person in charge of the classroom to remove the student.

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 auto-injector (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.

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 auto-injector.

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 opioid antagonists to retain authorization to administer these medications. if the following occur:-

- Failure to administer an opioid antagonist to a student or individual by proper route, failure to administer the correct dosage, or failure to administer an opioid antagonist according to generally accepted standards of practice ("medication error")

Reporting: The district will contact emergency medical services (911) immediately after a stock **epinephrine auto-injector 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; ~~or~~
 - **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.**
- ~~• The administration of an opioid antagonist.~~
- ~~• Incidents should be reported to the Iowa Department of Education's School Nurse Leader, Melissa Walker, by email at melissa.walker@iowa.gov~~

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

In connection with transactions subject to federal suspension and debarment requirements, the District is prohibited from entering into transactions with parties that are debarred, suspended, or otherwise excluded from or ineligible for participation in federal assistance programs or activities.

When soliciting bids or otherwise preparing to enter into such a transaction, the superintendent or designee will use at least one of the following verification methods to ensure that any parties to the transaction are not suspended or debarred prior to committing to any sub-award, purchase, or contract:

1. Obtaining a certification of a party's compliance with the federal suspension and debarment requirements in connection with any application, bid, or proposal;
2. Requiring compliance with the federal suspension and debarment requirements as an express condition of any sub-award, purchase, or contract in question; or
3. Prior to committing to any sub-award, purchase, or contract, check the online Federal System for Award Management at <https://sam.gov/reports/awards/standard> to determine whether the relevant party is subject to any suspension or debarment restrictions.

2 CFR Part 200 Subpart B-General Provisions

200.113 Mandatory Disclosures

A non-Federal entity or applicant for a Federal award must disclose, in a timely manner, in writing to the Federal awarding agency or pass-through entity all violations of Federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the Federal award. Non-Federal entities that have received a Federal award including the term and condition outlined in Appendix XII—Award Term and Condition for Recipient Integrity and Performance Matters are required to report certain civil, criminal, or administrative proceedings to SAM. Failure to make required disclosures can result in any of the remedies described in §200.338 Remedies for noncompliance, including suspension or debarment. (See also 2 CFR part 180, 31 U.S.C. 3321, and 41 U.S.C. 2313.) It is the responsibility of the Superintendent to timely report to the relevant federal or pass through agency any violations of federal criminal law involving fraud, bribery or gratuity potentially impacting a federal grant.

Date of Adoption:

In connection with transactions subject to federal suspension and debarment requirements, the District is prohibited from entering into transactions with parties that are debarred, suspended, or otherwise excluded from or ineligible for participation in federal assistance programs or activities.

When soliciting bids or otherwise preparing to enter into such a transaction, the superintendent or designee will use at least one of the following verification methods to ensure that any parties to the transaction are not suspended or debarred prior to committing to any sub-award, purchase, or contract:

1. Obtaining a certification of a party's compliance with the federal suspension and debarment requirements in connection with any application, bid, or proposal;
2. Requiring compliance with the federal suspension and debarment requirements as an express condition of any sub-award, purchase, or contract in question; or
3. Prior to committing to any sub-award, purchase, or contract, check the online Federal System for Award Management at <https://sam.gov/reports/awards/standard> to determine whether the relevant party is subject to any suspension or debarment restrictions.

2 CFR Part 200 Subpart B-General Provisions

200.113 Mandatory Disclosures

A non-Federal entity or applicant for a Federal award must disclose, in a timely manner, in writing to the Federal awarding agency or pass-through entity all violations of Federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the Federal award. Non-Federal entities that have received a Federal award including the term and condition outlined in Appendix XII—Award Term and Condition for Recipient Integrity and Performance Matters are required to report certain civil, criminal, or administrative proceedings to SAM. Failure to make required disclosures can result in any of the remedies described in §200.338 Remedies for noncompliance, including suspension or debarment. (See also 2 CFR part 180, 31 U.S.C. 3321, and 41 U.S.C. 2313.) It is the responsibility of the Superintendent to timely report to the relevant federal or pass through agency any violations of federal criminal law involving fraud, bribery or gratuity potentially impacting a federal grant.

Date of Adoption: March 19, 2024

Policy Title:

***Purchasing, Bidding, Using Federal Funds
In Procurement Contracts***

Code No. 705.5

In addition to the District's standard procurement and purchasing procedures, the following procedures for vendors/contractors paid with federal funds are required. When federal, state, and local requirements conflict, the most stringent requirement will be followed.

2 CFR Part 200 Subpart D Subsection §200.318 (c)(1)

No District employee, officer, or agent may participate in the selection, award and administration of contracts supported by a Federal award if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract. District officers, employees, and agents may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts. However, for situations where the financial interest is not substantial or the gift is an unsolicited item of nominal value, district employees must abide by all relevant board policies. Violation of this requirement may result in disciplinary action for the District employee, officer, or agent.

2 CFR Part 200, Subpart D Subsection §200.320 (e)(1-4)

Procurement for contracts paid with federal funds may be conducted by noncompetitive (single source) proposals when one or more of the following circumstances apply:

- (1) the item is only available from a single source;
- (2) public exigency or emergency will not permit the delay resulting from competitive bids;
- (3) the Federal awarding agency or pass-through entity expressly authorizes noncompetitive proposals in response to a written request from the non-Federal entity; or
- (4) after solicitation of a number of sources, competition is inadequate.

2 CFR Part 200, Subpart D Subsection §200.321

The District will take all necessary affirmative steps to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible. Affirmative steps must include:

- (1) placing such businesses on solicitation lists;
- (2) soliciting such businesses whenever they are potential sources;
- (3) when economically feasible, dividing contracts into smaller tasks or quantities to allow participation from such businesses;

- (4) establishing delivery schedules that encourage participation by such businesses;
- (5) when appropriate, utilizing the Small Business Administration and the Minority Business Development Agency of the Department of Commerce; and
- (6) requiring the primary contractor to follow steps (1) through (5) when subcontractors are used.

The district will include the following provisions in all procurement contracts or purchase orders include the following provisions when applicable:

2 CFR Part 200 Appendix II

(A) Contracts for more than the simplified acquisition threshold currently set at \$150,000, which is the inflation adjusted amount determined by the Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council (Councils) as authorized by 41 U.S.C. 1908, must address administrative, contractual, or legal remedies in instances where contractors violate or breach contract terms, and provide for such sanctions and penalties as appropriate.

(B) All contracts in excess of \$10,000 must address termination for cause and for convenience by the non-Federal entity including the manner by which it will be effected and the basis for settlement.

(C) Equal Employment Opportunity. Except as otherwise provided under 41 CFR Part 60, all contracts that meet the definition of “federally assisted construction contract” in 41 CFR Part 60-1.3 must include the equal opportunity clause provided under 41 CFR 60-1.4(b), in accordance with Executive Order 11246, “Equal Employment Opportunity” (30 FR 12319, 12935, 3 CFR Part, 1964-1965 Comp., p. 339), as amended by Executive Order 11375, “Amending Executive Order 11246 Relating to Equal Employment Opportunity,” and implementing regulations at 41 CFR part 60, “Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor.”

(D) Davis-Bacon Act, as amended (40 U.S.C. 3141-3148). When required by Federal program legislation, all prime construction contracts in excess of \$2,000 awarded by non-Federal entities must include a provision for compliance with the Davis-Bacon Act (40 U.S.C. 3141-3144, and 3146-3148) as supplemented by Department of Labor regulations (29 CFR Part 5, “Labor Standards Provisions Applicable to Contracts Covering Federally Financed and Assisted Construction”). In accordance with the statute, contractors must be required to pay wages to laborers and mechanics at a rate not less than the prevailing wages specified in a wage determination made by the Secretary of Labor. In addition, contractors must be required to pay wages not less than once a week. The non-Federal entity must place a copy of the current prevailing wage determination issued by the Department of Labor in each solicitation. The decision to award a contract or subcontract must be conditioned upon the acceptance of the wage determination. The non-Federal entity must report all suspected or reported violations to the Federal awarding agency. The contracts must also include a provision for compliance with the Copeland “Anti-Kickback” Act (40

U.S.C. 3145), as supplemented by Department of Labor regulations (29 CFR Part 3, “Contractors and Subcontractors on Public Building or Public Work Financed in Whole or in Part by Loans or Grants from the United States”). The Act provides that each contractor or subrecipient must be prohibited from inducing, by any means, any person employed in the construction, completion, or repair of public work, to give up any part of the compensation to which he or she is otherwise entitled. The non-Federal entity must report all suspected or reported violations to the Federal awarding agency.

(E) Contract Work Hours and Safety Standards Act (40 U.S.C. 3701-3708). Where applicable, all contracts awarded by the non-Federal entity in excess of \$100,000 that involve the employment of mechanics or laborers must include a provision for compliance with 40 U.S.C. 3702 and 3704, as supplemented by Department of Labor regulations (29 CFR Part 5). Under 40 U.S.C. 3702 of the Act, each contractor must be required to compute the wages of every mechanic and laborer on the basis of a standard work week of 40 hours. Work in excess of the standard work week is permissible provided that the worker is compensated at a rate of not less than one and a half times the basic rate of pay for all hours worked in excess of 40 hours in the work week. The requirements of 40 U.S.C. 3704 are applicable to construction work and provide that no laborer or mechanic must be required to work in surroundings or under working conditions which are unsanitary, hazardous or dangerous. These requirements do not apply to the purchases of supplies or materials or articles ordinarily available on the open market, or contracts for transportation or transmission of intelligence.

(F) Rights to Inventions Made Under a Contract or Agreement. If the Federal award meets the definition of “funding agreement” under 37 CFR §401.2 (a) and the recipient or subrecipient wishes to enter into a contract with a small business firm or nonprofit organization regarding the substitution of parties, assignment or performance of experimental, developmental, or research work under that “funding agreement,” the recipient or subrecipient must comply with the requirements of 37 CFR Part 401, “Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Grants, Contracts and Cooperative Agreements,” and any implementing regulations issued by the awarding agency.

(G) Clean Air Act (42 U.S.C. 7401-7671q.) and the Federal Water Pollution Control Act (33 U.S.C. 1251-1387), as amended—Contracts and subgrants of amounts in excess of \$150,000 must contain a provision that requires the non-Federal award to agree to comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act (42 U.S.C. 7401-7671q) and the Federal Water Pollution Control Act as amended (33 U.S.C. 1251-1387). Violations must be reported to the Federal awarding agency and the Regional Office of the Environmental Protection Agency (EPA).

(H) Debarment and Suspension (Executive Orders 12549 and 12689)—A contract award (see 2 CFR 180.220) must not be made to parties listed on the government wide exclusions in the System for Award Management (SAM), in accordance with the OMB guidelines at 2 CFR 180 that implement Executive Orders 12549 (3 CFR part 1986 Comp., p. 189) and 12689 (3 CFR part 1989 Comp., p. 235), “Debarment and Suspension.” SAM Exclusions

contains the names of parties debarred, suspended, or otherwise excluded by agencies, as well as parties declared ineligible under statutory or regulatory authority other than Executive Order 12549.

(I) Byrd Anti-Lobbying Amendment (31 U.S.C. 1352)—Contractors that apply or bid for an award exceeding \$100,000 must file the required certification. Each tier certifies to the tier above that it will not and has not used Federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, officer or employee of Congress, or an employee of a member of Congress in connection with obtaining any Federal contract, grant or any other award covered by 31 U.S.C. 1352. Each tier must also disclose any lobbying with non-Federal funds that takes place in connection with obtaining any Federal award. Such disclosures are forwarded from tier to tier up to the non-Federal award.

(J) See §200.322 Procurement of recovered materials.

§200.216 Prohibition on certain telecommunications and video surveillance services or equipment

(a) The district is prohibited from obligating or expending loan or grant funds to:

1. Procure or obtain;
2. Extend or renew a contract to procure or obtain; or
3. Enter into a contract (or extend or renew a contract) to procure or obtain equipment, services, or systems that uses covered telecommunications equipment or services as a substantial or essential component of any system, or as critical technology as part of any system. As described in Public law 115-232, section 889, covered telecommunications equipment is telecommunications equipment produced by Huawei Technologies Company or ZTE Corporation (or any subsidiary or affiliate of such entities).
 - i. For purpose of public safety, security of government facilities, physical security surveillance of critical infrastructure, and other national security purposes, video surveillance and telecommunication equipment produced by Hytera Communications Corporation, Hangzhou Hikvision Digital Technology Company, or Dahua Technology Company (or any subsidiary or affiliate of such entities).
 - ii. Telecommunications or video surveillance services provided by such entities or using such equipment.
 - iii. Telecommunications or video surveillance equipment or services produced or provided by an entity that the Secretary of Defense, in consultation with the Director of the National Intelligence of the Director of the Federal Bureau of Investigation, reasonably believes to be an entity owned by or controlled by, or otherwise connected to, the government of a foreign country.

(b) In implementing the prohibition under Public Law 115-232, section 889, subsection (f), paragraph (l), heads of executive agencies administering loan, grant, or subsidy programs shall prioritize available funding and technical support to assist affected businesses, institutions and organizations as is reasonably necessary for those affected entities to transition from covered communications equipment and services, to procure replacement equipment and services, and to ensure that communications service to users and customers is sustained.

(c) See Public Law 115-232, section 889 for additional information.

(d) See also §200.471.

Policy Title:

Distribution of Literature

Code No. **1001.2**

The Board of Education recognizes that effective communications are frequently a part of worthwhile civic and community projects or organizations. Electronic or other information from nonprofit and for-profit local community organizations may be approved for electronic distribution or other posting to students or school employees, if the materials are not in conflict with Board Policies.

The District shall maintain a centralized location for all District and community postings and notices, which shall include union postings and election notices. Notices not posted in approved locations may be removed by District personnel.

Materials submitted by outside organizations (parent-teacher associations are considered school agencies) are not to be distributed **directly** to ~~the pupils~~ **students, staff** or sent to ~~the~~ homes unless authorization has been granted by the superintendent or his/her designee and appropriate arrangements have been made to have the materials prepared and delivered to that school. Such a request would only be approved when **a generalized electronic distribution or posting is not appropriate and it is deemed** for the best interests of ~~the pupils~~ **students, staff** and school and not a commercial venture.

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