

The Board of Directors of the Cedar Falls Community School District in the County of Black Hawk, State of Iowa, met in regular session pursuant to the laws and rules of said Board at the James L. Robinson Administrative Center, 1002 West First Street, Cedar Falls, Iowa, at 7:00 p.m. The meeting was called to order by the President and the roll being called there were present Deon Senchina in the chair, and the following named Directors: Jim Brown, Susan Lantz, James Kenyon, Jenny Leeper, Joyce Coil, and David Williams. Others in attendance were: Mike Wells, Superintendent, Douglas Nefzger, Director of Business Affairs, Dan Conrad, Director of Secondary Education, Dr. Adrian Talbot, Director of Human Resources and Pam Zeigler, Director of Elementary Education. Student council representatives in attendance were Andrew Stensland and Agatha Fenech. Also in attendance were Dawn Ask Martin, Liz Kressig, Pat Trampel, Blake Boiwide, Sarah Eastmen, Alison Gowans and Emily Christensen.

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

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

Director Coil moved and Director Williams seconded the motion to approve the following items:

1. The agenda of the April 8, 2013, Board of Education agenda as presented.
2. Approval of the March 5, 11, 18, 25 and April 1, 2013 Board of Education meeting minutes
3. Approval of the bills as presented for payment as reviewed by the designated Board member, Joyce Coil
4. Approval of open enrollment requests
5. Human Resource report
6. Approval of Agreements:
 - Luther College Field Experience Agreement
 - River Hills: Waterloo Community School District
 - Buena Vista Practicum and Student Teaching agreement
 - Lattin Photography One-Year agreement
 - ESTES Construction/ICAT Referendum Planning Process agreement

Open Enrollment Report

April 8, 2013

2012-2013 School Year:

Cayden J Foust	5 th Grade
Current resident district:	Waterloo
District requested:	Cedar Falls
Effective date:	2012-2013 – C
Saxon A Mangrich	Kindergarten
Current resident district:	Waterloo
District requested:	Cedar Falls
Effective date:	2012-2013 – C
Mason J Padgett	3 rd Grade
Current resident district:	Denver
District requested:	Cedar Falls
Effective date:	2012-2013 – C
Capri N Wilson	4 th Grade
Current resident district:	Waterloo
District requested:	Cedar Falls
Effective date:	2012-2013 – C

2013-2014 School Year (OUT):

Jasmine K Dalton	10 th Grade
Current resident district:	Cedar Falls
District requested:	Waterloo
Effective date:	2013-2014
Currently Attends:	Holmes Junior High
Owen Deibler	2 nd Grade
Current resident district:	Cedar Falls
District requested:	Waverly-Shell Rock
Effective date:	2013-2014
Currently Attends:	Janesville (OE Out)
Brody T Reglein	10 th Grade
Current resident district:	Cedar Falls
District requested:	CAM CSD (Iowa Connections)
Effective date:	2013-2014
Currently Attends:	Peet Junior High
Madison M Schmidt	8 th Grade
Current resident district:	Cedar Falls
District requested:	Janesville
Effective date:	2013-2014
Currently Attends:	Holmes Junior High
Theresa A Schmidt	9 th Grade
Current resident district:	Cedar Falls
District requested:	Janesville
Effective date:	2013-2014
Currently Attends:	Holmes Junior High

2013-2014 School Year (IN):

Francis Bryan	Kindergarten
Current resident district:	Waterloo
District requested:	Cedar Falls
Effective date:	2013-2014
Taylorann N Herman	10 th Grade
Current resident district:	Waterloo
District requested:	Cedar Falls
Effective date:	2013-2014
Kayana Joyce	Kindergarten
Current resident district:	Waterloo
District requested:	Cedar Falls
Effective date:	2013-2014
Alexis J Knudsen	11 th Grade
Current resident district:	Hudson
District requested:	Cedar Falls
Effective date:	2013-2014

Aquayla Lumpkin Current resident district: District requested: Effective date:	11 th Grade Waterloo Cedar Falls 2013-2014
Jibri T Petroske Current resident district: District requested: Effective date:	11 th Grade Waterloo Cedar Falls 2013-2014
Trey Porter Current resident district: District requested: Effective date:	Kindergarten Waterloo Cedar Falls 2013-2014
Quintell S Phillips, Jr. Current resident district: District requested: Effective date:	Kindergarten Hudson Cedar Falls 2013-2014
Nevaeh R Prugh Current resident district: District requested: Effective date:	Kindergarten Grundy Center Cedar Falls 2013-2014
Hailey Stedman Current resident district: District requested: Effective date:	11 th Grade Hudson Cedar Falls 2013-2014
Elly E Wagner Current resident district: District requested: Effective date:	Kindergarten Waterloo Cedar Falls 2013-2014

Human Resources Report

April 8, 2013

Resignations - Recommended for Approval

Heather Brubaker	Holmes	Math	06/04/2013	Reason: Other
Mackenzie Brus	Lincoln	Kindergarten	06/04/2013	Reason: Relocation
Linda Sneed	High School	Ind. Tech	06/04/2013	Reason: Other
Bard Mackey	Hansen	Band	06/04/2013	Reason: Retirement
Betty Luther	Holmes	Ind. Tech	06/04/2013	Reason: Retirement
Abigail Fliehler	Southdale/OH	TAG	06/04/2013	Reason: Relocation

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

Item No. 2 – Public Hearing to Adopt the Fiscal Year 2013-2014 Certified Budget

President Senchina reported that she had in her possession an affidavit of publication showing the notice of time and place of the hearing for the 2013-2014 school year budget having been published in the Waterloo/Cedar Falls Courier on March 20, 2013. The Board will now hold a hearing on the proposed school budget summary for fiscal year 2013-2014. No public comments were offered. No written or oral objections were received. President Senchina then declared the public hearing closed.

Item No. 3 – Public Hearing to Amend the 2012-2013 School Year Budget

President Senchina reported that she had in her possession an affidavit of publication showing the notice of time and place of the hearing for the proposed school budget amendment for fiscal year 2012-2013 having been published in the Waterloo/Cedar Falls Courier on March 20, 2013. The Board will now hold a hearing on the proposed budget amendment for fiscal year 2012-2013. No public comments were offered. No written or oral objections were received. President Senchina then declared the public hearing closed.

Item No. 4 – Approval of the Fiscal Year 2013-2014 Certified Budget

Director Brown moved and Director Lantz seconded the motion that the Cedar Falls Board of Education approve the 2013-2014 school year budget as follows:

	2013-14 Estimated Expenditures	Estimated Amount Necessary to be Raised by Taxation
General Operating Fund	\$56,333,883	\$19,420,043
Student Activity Fund	\$1,276,590	\$0
Management Fund	\$794,967	\$450,000
Fiduciary Fund	\$30,000	\$0
Capital Projects Fund	\$11,779,895	\$0
Physical & Plant Equipment Levy	\$3,883,425	\$3,065,599
Debt Service Fund	\$2,258,834	\$0
Nutrition Fund	<u>\$2,315,752</u>	<u>\$0</u>
Total	<u>\$78,673,346</u>	<u>\$22,935,642</u>

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

Item No. 5 – Approval of Amendment to the Fiscal Year 2012-2013 School Year Budget

Director Williams moved and Director Kenyon seconded the motion that the Cedar Falls Board of Education approve the proposed expenditure amendments to the 2012-2013 school year budget for instruction from \$34,232,869 to \$39,434,516, total support services portion of the budget from \$14,258,771 to \$15,881,258 and non-instructional program from \$2,042,300 to \$2,362,176. Directors voting in favor of the motion: Brown, Leeper, Coil, Kenyon, Williams, Lantz and Senchina. Those voting “no” none. Motion carried.

Item No. 6 – Secretary’s Monthly Financial Reports

Mr. Nefzger reviewed the monthly balances for March 2013 for the general fund, schoolhouse, student activity, and food service. President Senchina reported that the report would be filed subject to audit.

Item No. 7 – Communications

None

Item No. 8 – Approval of Orchard Hill 2013 Portable Classroom Project Bids

Mr. Nefzger introduced Mr. Daniel Channer from Struxture Architects. Mr. Channer reviewed the bids received for the Orchard Hill 2013 portable classroom project. There were six bids received and it is the recommendation of Struxture Architects for acceptance of the low quote from Prairie Construction Services of Waterloo, Iowa in the amount of \$118,280. Director Coil moved and Director Lantz seconded the motion to accept the low quote from Prairie Construction Services of Waterloo, Iowa in the amount of \$118,280. This project will be funded through the 2013-2014 school year physical plant and equipment fund. Directors voting in favor of the motion: Coil, Brown, Senchina, Kenyon, Williams, Lantz, and Leeper. Those voting “no” none. Motion carried.

Item No. 9 – Approval of Southdale Elementary Construction Project Change Order

Mr. Nefzger and Mr. Channer from Struxture Architects reviewed the change order request to furnish labor and materials for additional mechanical/electrical work to facilitate the future remodeling of the north classroom wing of Southdale Elementary School. This change order request will increase the original contract sum by \$57,901.94. Funding for this project will be offset by the previous change order to delete Alternate number 4 (Additional re-injection well) previously approved by the Board at the February 25, 2013 school board meeting. Director Lantz moved and Director Coil seconded the motion to accept the change order request totaling \$57,901.94 for the Southdale Elementary construction project. Directors voting in favor of the motion: Coil, Brown, Senchina, Kenyon, Williams, Lantz, and Leeper. Those voting “no” none. Motion carried.

Item No. 10 – Approval of Plans, Specifications and Set Public Hearing Date for Robinson Dresser Storm Shelter Project

Mr. Channer from Struxture Architects reviewed the plans, specifications and form of contract for the upcoming storm shelter project located at Robinson Dresser Complex. The plans and costs associated with the project are basically unchanged from the preliminary review the Board received on October 22, 2012. The total cost of the project is projected to be \$1,307,083 with the Federal Emergency Management Agency (FEMA) contributing \$632,677. The Iowa Homeland Security will be contributing an additional \$84,357 and the district will be responsible for the remaining amount of \$590,048. The District share of the project will be funded through the 2013-2014 school year physical plant and equipment fund. Director Leeper moved and Director Coil seconded the motion that the Cedar Falls Community School District Board of Education approve the proposed plans, specifications, proposed form of contract, and set April 22, 2013 at 7:00 p.m. as the date and time to hold a public hearing for the Robinson Dresser storm shelter project. Directors voting in favor of the motion: Lantz, Brown, Coil, Leeper, Kenyon, Williams and Senchina. Those voting “no” none. Motion carried.

Item No. 11 – Approval of Board Policy Series 500

Superintendent Wells reviewed the 500 series board policies. Because the changes were minor the policy revisions require only one reading. Director Lantz moved and Director Williams seconded the motion to approve the first and final reading of the 500 series board policies as recommended: Directors voting in favor of the motion: Williams, Coil, Brown, Kenyon, Senchina, Leeper and Lantz. Those voting “no” none. Motion carried.

Policy Title: *Objectives for Equal Educational Opportunities for Students* **Code No. 500**

This series of the board policy manual is devoted to the board's goals and objectives for assisting the students of the school district in obtaining an education. Each student will have an opportunity to obtain an education in compliance with the policies in this series.

It is the goal of the board to develop a healthy social, intellectual, emotional, and physical self-concept in the students enrolled in the school district. Each student attending school will have the opportunity to use it and its education program and services as a means for self-improvement and individual growth. In so doing, the students are expected to conduct themselves in a manner that assures each student the same opportunity.

The board supports the delivery of the education program and services to students free of discrimination on the basis of race, color, creed, sex, marital status, socio-economic status, national origin, religion, sexual orientation, gender identity or disability. This concept of equal educational opportunity serves as a guide for the board and employees in making decisions relating to school district facilities, employment, selection of educational materials, equipment, curriculum, and regulations affecting students.

Board policies, rules and regulations affect students while they are on school district property or on property within the jurisdiction of the school district; while on school owned and/or operated school or chartered vehicles; while attending or engaged in school activities; and while away from school grounds if misconduct will directly affect the good order, efficient management and welfare of the school district.

Board policy refers to the term "parents" in many of the policies. The term parents for purposes of this policy manual means the legal parents, the legal guardian or custodian of a student, and students who have reached the age of majority or are otherwise considered an adult by law.

Complaint Procedure

A “complaint” constitutes an allegation that these rules as they relate to the district’s Equal Educational Opportunity Policy, Title IX, Title VI, the ADA, or Section 504, have been violated. Any student who believes that these rules or laws have been violated shall notify the building principal, supervisor, or the Director of Secondary Education or the Director of Elementary Education. The investigator shall attempt to resolve informally, or at the earliest possible stage, all complaints. A written record will be made and kept. Information received during the investigation shall be kept confidential to the extent possible. Any complainant may be represented at all steps of this procedure by a representative of their choosing. The investigator shall reasonably and promptly commence the investigation upon receipt of the complaint. The investigator shall interview the complainant and may also interview witnesses as deemed appropriate. Upon completion of the investigation, the investigator shall present a written report to the superintendent or designee.

If the complaint is not satisfactorily resolved, the grievant(s) may request in writing an impartial third-party hearing. The written request shall be filed with the Board Secretary within 30 calendar days of the receipt of the investigator.

The impartial hearing shall be conducted by a hearing officer to be selected by the District and the person(s) filing the complaint. The hearing officer shall be an administrative law judge or another third-party hearing officer that is qualified to hear complaints related to alleged non-compliance with federal and state regulations requiring non-discrimination in educational programs. The impartial third-party hearing officer selected shall set the date and the time of the hearing.

Inquiries by students regarding compliance with equal educational opportunity and affirmative action laws and policies, including but not limited to complaints of discrimination, may also be directed in writing to the Director of the Region VII office of Civil Rights, U.S. Department of Education 8930 Ward Parkway, Suite 2037, Kansas City, MO. 64114 (816) 268-0550, <http://www.state.ia.us/government/crc/index.html> or Iowa Dept. of Education, Grimes State Office Bldg., Des Moines, IA. (515) 281-5294. This inquiry or complaint to the federal or state office may be done instead of, or in addition to, an inquiry or complaint at the local level.

Policy Title: *Resident Students* **Code No. 501.1**

Children who are residents of the school district community will attend the school district without paying tuition.

The residence of a student means the place, abode, or dwelling of the student. Generally, the legal dwelling of minors is the same as their parents. A student may establish a dwelling with someone other than the parents and attend public school in the school district without paying tuition if the primary purpose for residing in the school district is not for the purpose of obtaining a free public education. Further, students who have reached the age of majority and who are still eligible to attend an Iowa secondary school may declare their residence independent of the residence of the parents.

Each case involving the bona fide residence of a student will be decided upon its individual merits by the superintendent.

Policy Title: *Nonresident Students* **Code No. 501.2**

Students who are eligible to attend an Iowa public school but who are not legal residents of the school district may be admitted into the school district at the discretion of the superintendent upon application and payment of tuition. The tuition rate is the current per-pupil cost of the school district as computed by the board secretary and as authorized by the Iowa Department of Education.

Resident students whose families move from the school district after the start of a semester and who wish to complete the semester in the school district may be permitted to attend without the payment of tuition at the discretion of the superintendent and approval of the board. Students who plan to open enroll to the nonresident district may complete the school year without approval of the superintendent or board. These students, other than students in grades eleven and twelve, must have the recommendation of the principal.

Students in grades eleven or twelve who are no longer residents of the school district, but were residents in the preceding school year, may continue to attend school until they graduate without the payment of tuition. These students may be required to identify an adult, who resides in the school district, identified for administrative purposes.

Nonresident students who are eligible to attend an Iowa public school and who have evidence they will become legal residents of the school district prior to October 1 may be allowed to attend without the payment of tuition.

Policy Title: *Compulsory Attendance* **Code No. 501.3**

Parents within the school district who have children over age six and under age sixteen by September 15, in proper physical and mental condition to attend school, will have the children attend the school district at the attendance center designated by the board. Students will attend school the number of days school is in session in accordance with the school calendar. Exceptions to this policy include children who:

- have completed the requirements for graduation in an accredited school or have obtained a high school equivalency diploma;
- are attending religious services or receiving religious instruction;
- are attending an approved or probationary approved private college preparatory school;
- are attending an accredited nonpublic school; or,
- are receiving Competent Private Instruction.

It is the responsibility of the parent of a child to provide evidence of the child's mental and physical inability to attend school or of the child's qualifications for one of the exceptions listed above.

The principal will investigate the cause for a student's truancy. If the principal is unable to secure the truant student's attendance, the student will be referred to the county attorney.

The school will participate in mediation if requested by the county attorney. The superintendent or designee will represent the school district in mediation. The school district will monitor the student's compliance with the mediation agreement and will report violations of the mediation agreement to the county attorney.

Policy Title: *Entrance - Admissions* **Code No. 501.4**

Children in the school district community will be allowed to enroll in the school district's regular education program beginning at age five. The child must be age five on or prior to September 15 to participate in the school district's kindergarten program. The child must be age six on or prior to September 15 to begin the first grade of the education program.

The board will require evidence of age and residency in the form of a birth certificate or other evidence before the student may enroll in the school district's education program. It is within the discretion of the superintendent or designee to determine what is satisfactory evidence for proof of age and residency.

Prior to enrollment, the child must provide the administration with their health and immunization certificate. Failure to provide this information within the time period set by the superintendent is reason for suspension, expulsion or denying admission to the student.

Policy Title: *Attendance Area Boundaries* **Code No. 501.5**

Attendance area boundaries shall be determined by the Board of Education.

Students shall attend the school in the attendance area in which they live, except upon special assignment to another attendance center and with approval by the appropriate director. Parents shall have the right to appeal decisions pertaining to attendance assignments to the superintendent and the Board of Education.

Students moving within the district will attend the building center to which their residence is assigned. Under certain conditions the student may be permitted to remain at the original center or to be assigned to another attendance center by the appropriate director.

There may be occasions when parents request, for personal reasons that a student be permitted to remain at their original school. In such circumstances, approval may be given by the appropriate director for the student to remain temporarily at the original school. Such temporarily extended enrollments should terminate at a logical break point in the school year such as a vacation period, a reporting period or the end of the school year. When such a request is initiated by the parents, any needed transportation shall be provided by the parents.

Policy Title: *Student Absences — Unexcused* **Code No. 501.6**

Students shall attend school unless excused by the building administrator. Absences, which are not approved by the administration, shall be unexcused absences. Students are subject to disciplinary action for unexcused absences.

A student absent without the building administrator's permission is considered truant. Truant students may be reported to law enforcement officials. Repeated trancies may result in loss of credit and possible exclusion from school. Under Iowa law, [Iowa Code §§ 294.4](#), it is a criminal offense when parents or guardians do not ensure that their children attend school on a regular basis.

Policy Title: *Exchange Students* **Code No. 501.7**

Exchange students may be enrolled and attend the Cedar Falls Community Schools without tuition charges if they reside within the boundaries of this district and are recommended and approved by the high school administration as being qualified in accordance with their established rules and regulations.

The acceptable number of exchange students enrolled at a given time shall be one per 250 students or portion thereof enrolled in a given building. Individual cases which are unusual or unique and which would exceed the designated ratio shall be sent by the high school administration to the Board of Education or their designated representative for disposition. The district reserves the right to approve enrollment of exchange students associated/sponsored with programs meeting the guidelines established by the district.

Policy Title: *Marriage and/or Pregnancy Policy* **Code No. 501.8**

Married students may attend school and will have the same rights and responsibilities of all the other students in attendance. The school advises married students to notify their counselors so that the school is aware of the marriage.

A pregnant student may continue to attend school as long as she is able to maintain her academic class schedule and is physically able to be in regular attendance. She may also, upon request, make arrangements with school officials to continue her education through an alternate program.

Following the delivery of the child, the student may return to school whenever her doctor gives approval.

Policy Title: *Open Enrollment as a Sending District* **Code No. 501.9**

The school district will participate in open enrollment as a sending district. As a sending district, the board will allow resident students, who meet the requirements set by the board, to open enroll to another public school district.

Parents requesting open enrollment out of the school district for their student will notify the school district no later than March 1 in the year preceding the first year desired for open enrollment. The notice is made on forms provided by the Department of Education. The forms are available at the central administration office.

Parents of children who will begin kindergarten in the school district are exempt from the open enrollment March 1 deadline. Parents of children who will begin kindergarten will file in the same manner set forth above by September 1. Parents who have good cause for failing to meet the March 1 deadline may make an open enrollment request in the same manner set forth above.

The receiving district will approve open enrollment requests according to the timelines established by law. The parents may withdraw the open enrollment request prior to the start of the school year. The receiving district's superintendent will notify the parents and sending school district by mail within five days of the school district's action to approve or deny the open enrollment request.

The board will not approve a student's request to allow the receiving district to enter the school district for the purposes of transportation.

An open enrollment request out of the school district from parents of a special education student shall be reviewed on a case-by-case basis. The determining factor for approval of such an open enrollment request will be whether the special education program available in the receiving school district is appropriate for the student's needs. (The area education agency director of special education serving the receiving district shall determine whether the program is appropriate.) The special education student shall remain in the school district until the final determination is made.

It shall be the responsibility of the superintendent to maintain open enrollment request applications and notice forms. It shall also be the responsibility of the superintendent to develop appropriate office procedures and administrative regulations necessary for open enrollment requests.

Policy Title: *Open Enrollment as a Receiving District* **Code No. 501.10**

The school district will participate in open enrollment as a receiving district. As a receiving district, the board will allow nonresident students, who meet the legal requirements, to open enroll into the school district. The board shall have complete discretion to determine the attendance center of the students attending the school district under open enrollment.

The board shall take action on the open enrollment request no later than June 1 in the year preceding the first year desired for open enrollment. The superintendent will notify the sending school district and parents within five days of the school district's action to approve or deny the open enrollment request.

Open enrollment requests into the school district will not be approved if insufficient classroom space exists. Insufficient classroom space is determined on a case-by-case basis. In making its determination whether insufficient classroom space exists, the Board may consider several factors, including but not limited to, the nature of the education program, the grade level, the available licensed employees, the instructional method, the physical space, student-teacher ratios, equipment and materials, facilities either being planned or under construction, facilities planned to be closed, current and projected financial condition of the school district, a sharing agreement in force or planned, a bargaining agreement in force, laws or rules governing special education class size, board-adopted school district goals and objectives, and other factors considered relevant by the Board.

Open enrollment requests into the school district will also not be approved for students who have been suspended or expelled by the administration or the board of the school district the student is or was attending until the student has been reinstated into the school district from which the student was suspended or expelled. Once the student is reinstated, the student's open enrollment request will be considered in the same manner as other open enrollment requests provided the required timelines are met.

Open enrollment requests into the school district that, if denied, would result in students from the same nuclear family being enrolled in different school districts, will be given highest priority. The board, in its discretion, may waive the insufficient classroom space reason for denial for students of the same nuclear family to prevent the division of a nuclear family between two school districts. Other open enrollment requests into the school district shall be considered in the order received by the school district with the first open enrollment request given a higher priority than the second open enrollment request and so forth.

Generally, students in grades nine through twelve open enrolling into the school district shall not be eligible for participation in interscholastic athletics, at the varsity level, during the first ninety days of open enrollment into the school district.

Parents of students whose open enrollment requests are approved by the board shall be responsible for providing transportation to and from the receiving school district without reimbursement unless the parents qualify for transportation assistance. The board will not approve transportation into the sending district.

An open enrollment request into the school district from parents of a special education student is reviewed on a case-by-case basis. The determining factors for approval of such an open enrollment request will be whether the special education program available in the school district is appropriate for the student's needs and whether the enrollment of the special education student will cause the class size to exceed the maximum allowed. The area education agency director of special education serving the school district shall determine whether the program is appropriate. The special education student shall remain in the sending district until the final determination is made.

The policies of the school district shall apply to students attending the school district under open enrollment.

It shall be the responsibility of the superintendent to develop appropriate office procedures and administrative regulations necessary for open enrollment requests.

Policy Title: *Homeless Children and Youth* **Code No. 501.11**

The Board will make reasonable efforts to identify homeless children and youth within the district, encourage their enrollment, and eliminate existing barriers to their receiving education which may exist in district policies or practices. The designated coordinator of homeless children and for tracking and monitoring programs and activities for these children is the Director of Secondary Education.

Policy Title: *Student Discipline* **Code No. 502.1**

Introduction

An important part of the educational process is helping young people become aware of their rights and the responsibilities that accompany those rights. The school has the duty to create an atmosphere in which self-discipline, as an aspect of responsibility, is approached both positively and productively.

Parents/guardians must be the first to foster self-discipline within the child at home; the school provides an environment in which this training can be developed further, enabling all students to have the right to pursue their own educational needs without disruption by others.

The Cedar Falls Community School Board of Education affirms its support of the school student responsibility and discipline policies, its intent to support school staff that enforces these policies, and its intent to hold school staff accountable for implementing the policies.

Disciplinary action should follow as closely as possible the infraction or behavior that interferes substantially with the educational program and be related directly to the student(s) involved. The teacher is the key to providing disciplinary direction. The principal or designee should be involved only in those cases in which the student's behavior calls for assistance due to safety concerns or the serious or repetitive nature of the behavior.

For those few students who seem unable or unwilling to adjust self-discipline to the common good and who, consequently, continually disrupt the orderly operation of the school, procedures must be established to prevent and correct abuses. When situations allow, an attempt should be made by teachers, counselors, and administrators, in cooperation with parents/guardians, to help troubled students modify their behavior. The Department of Education guidelines indicate that it is appropriate for the principal to suspend a student from classes when necessary. Section 282.3 of the Code of Iowa provides: "The Board may exclude from school children . . . whose presence in school has been found to be injurious to the health of other pupils . . ."

Code of Iowa

Section 282.4 of the code provides:

- The Board may, by a majority vote, expel any student from school for a violation of the regulations or rules established by the Board, or when the presence of the student is detrimental to the best interests of the school.
- That same section enables the Board to permit any teacher, principal, or superintendent temporarily to suspend a student, notice of the suspension being at once given in writing to the president of the Board. Section 279.8 empowers the Board to adopt rules governing the conduct of students.

Section 282.5 provides:

- When a student is suspended by a teacher, principal, or superintendent, pursuant to section 282.4, the student may be readmitted by such teacher, principal, or superintendent when the conditions of the suspension have been met, but when excluded or expelled by the Board the student may be readmitted only by the Board or in the manner prescribed by the Board.

Special Note: Discipline of a special education student can result in a change in placement, and therefore demands special procedures. Conditions governing the discipline of a special education student are contained in this policy.

The goal of school discipline policies should be to ensure the right of all students to a productive educational environment in which they may learn the social skills necessary to develop into mature, responsible young adults, accountable for their own actions.

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I. Definition of School Discipline

School discipline is the guidance of the conduct of students in a way which permits the orderly and efficient operation of the school, i.e., the maintenance of a scholarly, disciplined atmosphere to achieve maximum educational benefits for all students.

II. Definition of Misconduct

Students will be disciplined for conduct which disrupts or interferes with an educational program, which disrupts the orderly and efficient operation of the school or school activity, which disrupts the rights of other students to obtain their education or participate, or which interrupts the maintenance of a scholarly, disciplined atmosphere. Misconduct may include, without limitation:

- A. Refusal to conform to school policies, rules or regulations.
- B. Conduct which disturbs the orderly, efficient and disciplined atmosphere and operation of the school or school activity.
- C. Refusal to comply with directions from teachers, administrators, or school personnel including registered volunteers on school premises or participating in or attending school activities.
- D. Physical attack or threats of physical attack to students, teachers, administrators, or other school personnel.
- E. Possession of weapons or dangerous objects, or items that appear to be weapons or dangerous objects.
- F. Extortion.
- G. Criminal or illegal behavior.
- H. Theft, robbery, or possession of stolen goods.
- I. Damaging, altering, injuring, defacing or destroying any building, fixture, or tangible property.
- J. Causing a fire or explosion, or placing any burning or combustible material, or any incendiary or explosive device or material, in or near any school property or other premises where a school sponsored activity will be held, whether or not any such property is actually destroyed or damaged.
- K. Threatening to place or attempting to place any incendiary or explosive device or material, or any destructive substance or device, in or about the school premises or other premises where a school sponsored activity will be held.
- L. Fighting or engaging in disruptive or violent behavior.
- M. Activities, including making noise, which disrupt the orderly, efficient and disciplined atmosphere of the school or school-sponsored activity.
- N. Abusive epithets, threatening gestures, or harassment of other students, teachers, administrators, school personnel or other persons lawfully on school premises or participating in or attending school activities.
- O. By words or action initiating or circulating a report or warning of fire, epidemic, or other catastrophe knowing such report to be false or such warning to be baseless.
- P. Obstructing school premises or access to school premises or premises where a school activity is being held.
- Q. Possessing, consuming, or distributing alcoholic liquors or beer on school property or while attending a school activity.
- R. Possession, use or distribution of a controlled substance or controlled substance look alike.
- S. Possession, use, or distribution of tobacco.
- T. Gambling.
- U. Documented misconduct detrimental to the best interest of the school district.
- V. Truancy.
- W. Unauthorized access to computer hardware or software and the manipulation of electronically stored information.
- X. Violating academic integrity by actions such as cheating or plagiarism.
- Y. Bullying and taunting.

III. Areas in Which Disciplinary Control of Students is to be Exercised

- A. While on school premises.
- B. While being transported to and from school-sponsored activities in school-owned and/or operated school buses, chartered buses, or privately owned vehicles.
- C. While attending or engaged in school-sponsored activities.
- D. While away from school grounds if such conduct would directly affect the good order, efficiency, management, and welfare of the school.

IV. Consequences for Violating the Regulations, Rules, and Policies of the School District

Students who violate policies, rules or regulations of the school district, or who have documented cases of misconduct detrimental to the best interest of the school district, may be suspended, excluded, or expelled from school, or otherwise punished as provided by this policy. Students engaged in illegal activities may also be referred to the police.

The principal or designee may impose a range of penalties based upon their professional judgment and the facts and circumstances of each situation. Consequences may range from warning, counseling, community or school service projects, probation, written reprimand, detention, in-school suspension, loss of privileges, removal from class, suspension from school, suspension from participation in activities, or recommendation for exclusion or expulsion.

The principal or designee shall have the authority to suspend students temporarily. Such suspension may be for a period not to exceed 10 school days. A suspended student shall be given opportunity to make up work and receive credit on the same basis as other absentees. A day of suspension shall be counted as an excused absence. The initiative to make up work must be made by the students.

The School Board of Education, upon the recommendation of the building principal, may exclude or expel a student from school for violation of the policies, rules or regulations of the school district or for documented cases of misconduct detrimental to the best interest of the school district. The Board may exclude or expel any incorrigible child or any child whose presence in school may be injurious to the health of other students or to the welfare of the school. Exclusion is defined as a student being excluded from regular attendance for a period determined by the board with an alternative educational program being provided by the district. Expulsion is defined as a board decision to deny a student any educational program for a determinate period of time.

Corporal Punishment: Corporal punishment, meaning the intentional physical punishment of students, is prohibited.

Students with Disabilities: Students with disabilities who engage in misbehavior and disciplinary infractions are subject to normal school disciplinary rules and procedures so long as such treatment does not abridge the right to free appropriate public education (refer to section VII).

Sanctions regarding student's behavior while involved in activities/athletics shall be governed by Board Policy #503.4.

The Superintendent shall develop rules and procedures to implement this discipline policy and shall report such procedures to the Board of Education of the school district.

V. Firearms

Any student who is determined to have brought a firearm to school will be expelled from school for a period of not less than one calendar year. The superintendent shall have the authority to recommend this expulsion requirement be modified on a case-by-case basis.

The term "firearm" includes, but not limited to:

- A. any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive;
- B. the frame or receiver of any such weapon;
- C. any firearm muffler or firearm silencer; and
- D. any destructive device.

The term "destructive device" includes, but not limited to any explosive, incendiary, or poison gas, bomb or grenade.

The principal may allow authorized persons to display weapons or other dangerous objects for educational purposes.

VI. Physical Contact With a Student and the Use of Reasonable Force

- A. Physical contact with the body of a student shall not be considered corporal punishment if it is reasonable and necessary under the circumstances, is not designed or intended to cause pain, and is not done with the intent to punish the student. Such contact is not prohibited.

- B. Factors determining whether the contact was reasonable and necessary are:
- To quell a disturbance or prevent an act that threatens physical harm to any person.
 - To obtain possession of a weapon or other dangerous object within a pupil's control.
 - For the purposes of self-defense or defense of others as provided for in Iowa Code Section 704.3.
 - For the protection of property as provided for in Iowa Code Section 704.4 or 704.5.
 - To remove a disruptive pupil from class, any area of school premises, or from school-sponsored activities off school premises.
 - To prevent a student from the self-infliction of harm.
 - To protect the safety of others.

In determining the reasonableness of the contact or force used, the following factors shall be considered:

- The nature of the misconduct of the student, if any, precipitating the physical contact by the school employee.
 - The size and physical condition of the student.
 - The instrumentality used in making the physical contact.
 - The motivation of the school employee in initiating the physical contact.
 - The extent of injury to the student resulting from the physical contact.
- C. Whenever force is used against a student to protect persons or property or to obtain possession of a weapon or dangerous object, it shall be reported immediately to the building principal or designee.
- D. Whenever force is used against a student to protect persons or property or to obtain possession of a weapon or dangerous object, it shall be reported immediately to the student's parents/guardians by the building principal or designee.

VII. Procedures for Exclusion / Expulsion Cases

- A. When a student is suspended pending recommendation for exclusion or expulsion, the building principal shall immediately notify the director of elementary or secondary education and the superintendent of schools to review the alleged misconduct and all relevant matters. Following this review, a final determination of a recommendation for exclusion or expulsion to the Board of Education will be made by the director and the superintendent. The building principal shall hold a conference with the parents/guardians and the student to discuss the reasons for the suspension and proposed recommendation for exclusion or expulsion.
- B. If, after investigation and review, it is determined that exclusion or expulsion should be recommended to the Board of Education, the building principal, with assistance from the director of elementary or secondary education and legal counsel, shall prepare appropriate notice. The director of elementary or secondary education shall consult with the secretary of the Board of Education to arrange a time for the hearing. The notice of hearing on the recommended exclusion or expulsion shall state the reasons for the recommendation and shall have attached thereto documents that describe the alleged incidents that have precipitated the recommendation. There shall be included a direct citation of the section of the discipline policy, Board policy, and/or state statute that has been violated. The notice shall state the time and place of the hearing.
- C. Notice of the recommendation to the board for exclusion/expulsion shall be served upon the parents/guardians by the Director of Elementary or Secondary Education. The notice shall be sent by registered mail to the last known local address of the parents/guardians.
- D. At the same time the notice and supporting documents are delivered to the student and his/her parents/guardians, copies shall be forwarded to the president of the Board of Education who shall call a meeting of the Board to hear the matter. Copies shall also be delivered to the superintendent, legal counsel, and the secretary of the Board of Education.

If the student has attained age 18, the notice shall be given to the student. It may also be given to the student's parents/guardians if they have shown the student is a dependent as defined in the Family Education Rights & Privacy Act of 1974 and the regulations there under.

E. The Hearing:

1. The hearing shall be held on a date not later than 10 school days subsequent to the date of suspension.
2. The student may be accompanied by:
 - a. Parent(s)/guardian(s)
 - b. Legal counsel or any other advisor of his/her choice
3. The Board of Education and the school district may also be advised by legal counsel.
4. The Board of Education, in its discretion, may postpone the hearing upon request when it deems such a postponement necessary or appropriate; but a request for postponement for the convenience of legal counsel shall ordinarily be refused.
5. The student and his/her parents/guardians may waive the hearing by furnishing a signed statement that they will waive the hearing. Nothing in this policy shall be construed to prohibit settlement by the parents/guardians by agreement, or waiver of hearing, or both.
6. At the hearing, the student may respond to the complaint orally or in writing. The response may admit or deny the allegation of the notice in whole or in part. The student may also offer any explanation or comment that he/she believes relevant or appropriate.
7. Each party to the hearing, directly or through his/her legal counsel or other advisor, may introduce evidence, witnesses to testify, or statements in writing, and may testify in his/her own behalf. To the extent that either party may rely on written statements as evidence, he/she shall clearly indicate how and from what source the evidence has been obtained. Each party shall have an opportunity to question any witnesses, either directly or through his/her legal counsel, or other advisor. If the Board should find it necessary to limit cross examination or the number of witnesses in order to protect the hearing against disruption, confusion, or unwarranted dilatory tactics, or for other good cause, it shall have the authority to do so. The proceedings shall be administrative and shall not be conducted as an adversary proceeding.
8. If the student shall fail to appear at the hearing, or if, having appeared, shall make no response to the complaint, the Board shall nevertheless invite the school administration to submit evidence in support of the complaint. The hearing shall be in closed session so as not to disclose confidential student records, unless an open session is requested by the student or the parents/guardians of the student if the student is a minor.
9. If a party to the hearing should deliberately conduct himself/herself in a manner disruptive of the hearing, the Board shall be authorized to exclude him/her and to proceed with the hearing as if he/she had not personally appeared. A hearing shall be attended only by the Board, the Superintendent or designee, administrative personnel familiar with the case, the student, the student's parents/guardians, the student's legal counsel or other advisor, and legal counsel for the school board and school district. Witnesses other than the foregoing should be excluded except when presenting information to the Board, unless the student and his/her parents/guardians waive this exclusion. The Board may order all witnesses to be excluded on its own motion.
10. Provisions shall be made either for a transcript or for a verbatim record in the form of an audio recording of the hearing. The complaint, the student's response, the transcript or record, and all other papers in the proceeding except the final disposition of the case, shall be for the use only in the proceedings and in the internal processes of the school district related thereto; and no such transcript, record, or papers shall be voluntarily disclosed to any person outside the school district.

F. The Decision:

1. The Board of Education in executive session shall consider all relevant evidence introduced at the hearing, make findings of fact and conclusions as to the disciplinary action as it deems to be appropriate. The Board may consider the student's prior record as submitted by the school administration at the hearing. The Board determination shall be by majority vote. The Board of Education shall promptly notify the parents/guardians and the student, as well as the Superintendent or the person designated by him/her, concerning the Board's findings of fact and determination.
2. Within three calendar days after receipt of notice of expulsion or their disciplinary action, the student may request in writing, reconsideration by the Board of Education, stating the reasons therefore. The Board of Education may, in its discretion, deny such requests and proceed to give effect to the exclusion, expulsion, or other disciplinary action; or it may grant the request and after reconsideration, either amend or confirm its determination. It shall then proceed to give effect to its final determination.
3. As part of the final decision, the Board will set the term of the exclusion or expulsion and will prescribe the conditions under which the student will be readmitted.
4. A student may appeal the decision of the Board as provided in Chapter 290, Code of Iowa.

VIII. Special Education

Special education students may be suspended for a term no longer than 10 consecutive school days unless weapons or drugs are involved, or if the student's conduct is not a manifestation of his/her disability. The procedural protections of the Individuals with Disabilities Education Act (IDEA) are to be followed. In an emergency situation where a child poses an immediate threat to the safety of others, the principal may suspend the child for up to 10 school days and seek a court order temporarily enjoining the child from attending school or attending an alternative setting if more than 10 days. Multiple short term removals (i.e., 10 consecutive school days or less) for separate incidents of misconduct are permitted to the extent the removals would be applied to children without disabilities. Students who carry a weapon to school or school function or who possess or use illegal drugs or sell or solicit the sale of a controlled substance while at school or school function, can be placed in an interim alternative educational setting as determined by the Individual Educational Program (IEP) team; but no more than for 45 calendar days.

IX. Non-authorized Persons

Persons should not be in the school building or on school premises at any time without authorization of the school building administrator. Any intruder who interferes with school procedure may be required to leave the school premises and if his/her activities or actions disrupt the orderly operation of the school or school activity, or disrupt the disciplined, scholarly atmosphere, he/she may be subject to prosecution.

A. Non-authorized persons are:

1. Students not assigned to that specific building.
2. Any person not an employee of the Cedar Falls Community School District.
3. An employee or volunteer not assigned duties at that building or premises.

B. School administrators may enlist the aid of the police department to have removed any non-authorized persons.

C. Procedures dealing with non-authorized persons should be reasonable, ~~and~~ non-discriminatory and non-arbitrary in their operation.

X. Actions for Assault and Threats to School Personnel

A. Whenever any officer, employee, or agent of the school district has been struck or attacked by any individual or group, or has suffered bodily harm, he/she shall notify the principal immediately who shall call the Director and Superintendent. The principal shall notify the police and parents, and the student or students shall be suspended pending completion of the investigation and due process. Notice of the suspension shall be sent to the president of the Board through the superintendent. Following the investigation and an administrative determination relative to its appropriateness, a recommendation for discipline, up to and including expulsion, may be made.

B. Whenever any officer, employee, or agent of the school district is threatened with bodily harm by an individual or group of students, he/she shall notify the principal immediately, who shall suspend the student or students pending completion of the investigation. Following the investigation and an administrative determination relative to its appropriateness, a recommendation for discipline, up to and including expulsion, may be made.

C. It shall be the responsibility of the person who suffers the assault or injury to file any charges for prosecution.

XI. Distribution of Discipline Policy and Administrative Rules and Procedures

The discipline policy and administrative rules and procedures shall be printed and distributed to attendance centers; shall be made available to staff, students and parents/guardians; and shall be available in at least one location in each attendance center which is accessible to staff, parents/guardians and students at the beginning of the school year.

Policy Title:

***Student Discipline
Administrative Regulations***

Code No. 502.1R

I. Authorized Actions

Students who violate policies, rules or regulations of the school district, or who have documented cases of misconduct detrimental to the best interest of the school district, may be suspended, excluded, or expelled from school, or otherwise punished as provided by this policy. Students engaged in illegal activities may also be referred to the police or other social agency.

The following actions are authorized under the discipline policy of the school district and by these administrative rules and procedures, and may be taken at any stage in the discipline proceedings.

- A. By the staff member or the principal or other administrator as the principal's designee*:
1. Conference with student.
 2. Parent conference or communication.
 3. Detention, before or after school or on Saturday.
 4. Removal from class, not to exceed one (1) school day.
 5. Referral to administration for further action.

*Staff members are to follow the procedures and expectations of the building discipline plan.

- B. By the principal or designee:
1. Warning
 2. Counseling
 3. Reprimand
 4. Probation
 5. Detention
 6. In-school suspension
 7. Denial of privileges and/or participation in extracurricular activities
 8. Out-of-school suspension
 9. Removal from a specific class for up to the balance of the semester, with educational alternatives
 10. Recommendation to the board of education for exclusion or expulsion
 11. As an alternative to the above actions, the principal or designee may offer a student an opportunity to participate in community or school service projects. Failure to perform the obligations of this alternative on the part of the student would lead to further disciplinary action
- C. By the Board of Education of the school district: Exclusion or Expulsion. Following review of the evidence at the board hearing, the Board may order a lesser sanction as an alternative to exclusion or expulsion.
- D. The Board of Education shall expel any student, who is determined to have brought a firearm to school, for not less than one calendar year. The Superintendent has the authority to recommend to the Board of Education that the expulsion requirement be modified on a case-by-case basis.

Criminal acts may be subject to discipline procedures under the discipline policy. In addition, criminal acts may be reported by the building principal or his/her designee to the police.

II. Definitions

- A. Detention: Detention shall be the requirement that a student remain after school, or come to school early, or on Saturday for purposes of discipline.
- B. Removal from class: Removal from class is that period of time a student is sent from the classroom by the teacher to the office of the principal or designee for a period of time not to exceed one (1) day when the principal or designee reviews with the student and the classroom teacher the misconduct and determines the conditions for readmission to class, or further disciplinary proceedings.

- C. Denial of privileges and/or participation in extracurricular activities: Denial of extracurricular activities or privileges shall be the declaration of ineligibility to participate in such extracurricular activities or privileges for a period of time to be specified by the building principal or his/her designee.
- D. Probation: Probation is conditional attendance during a trial period imposed for conduct which violates the regulations or rules established by the board of directors, including misconduct as defined in the discipline policy, or in cases of conduct detrimental to the best interests of the school. Breach of the conditions of probation may result in more severe sanctions.
- E. In-school suspension: In-school suspension is the temporary isolation of a student from one or more classes while under proper administrative supervision. In-school suspension may be imposed by the principal or designee for violation of school rules or policies (including the discipline policy) where the infraction does not necessarily warrant removal from school by suspension.
- F. Out-of-school Suspension: Suspension is that period of time a student is sent home from school by the principal. A student may be suspended from school for a period of not to exceed ten (10) consecutive school days for any infraction. A suspended student shall be given opportunity to make up work and receive credit on the same basis as other absentees. Suspended days are to be counted as absences. If suspension is contemplated beyond three days it must be discussed with the Assistant Superintendent for Human Resources.
- G. Removal from a specific class for up to the balance of the semester: Removal from a specific class for up to the balance of the semester is isolation of a student from a specified class while under proper supervision and occurs where the student's conduct does not warrant exclusion from other classes or expulsion from school.
- H. Exclusion: Exclusion is an act carried out only by the Board of Education by a majority vote that excludes a student from school for a determinate period of time. During the period of exclusion, the school district will provide the student with an alternative educational program.
- I. Expulsion: Expulsion is that act carried out only by the Board of Education by a majority vote that expels any student from school for a determinate period of time. During the period of expulsion, the school district will provide no educational program or services to the student.

III. Administrative Action

- A. Removal from class: Classroom teachers may temporarily remove from class any student for misconduct. Such removal from class shall be to the office of the principal or designee and shall not exceed one day.

When a student is removed from class to the office of the principal or designee by a classroom teacher, the principal or designee shall ascertain the reasons for the temporary removal from class. The classroom teacher shall submit a written report to the principal specifying the misconduct or reason for suspension from class. If necessary, suitable arrangements for readmission to class shall be established during a teacher-student conference, which may include the principal or designee, and may also include the parent(s)/guardian(s). Administrative procedures in Section IV shall be followed.
- B. Probation: The principal or designee may specify that the student may be readmitted to class upon probation, conditional upon good behavior during a specified period. Probation may be imposed for infractions of school rules or policies (including the discipline policy) where the infraction does not necessarily warrant removal from school by suspension. Written notice of probation shall be given to the student and his/her parent(s)/guardian(s) and shall be placed in the student's supplementary record. Should the student breach the conditions imposed for probation, the student may be suspended from school, or may be subject to any of the other authorized actions pursuant to the discipline policy and these administrative rules and procedures. Administrative procedures in Section IV shall be followed.
- C. In-school suspension: The principal or designee may specify the imposition of an in-school suspension which shall be imposed for a period not to exceed 10 school days. In-school suspension may be imposed for infractions of school rules or policies (including the discipline policy) where the infraction does not necessarily warrant removal from school by suspension. Written notice of in-school suspension shall be given to the student and his/her parent(s)/guardian(s), and shall be placed in the student's supplementary record.

- D. Removal from a specific class for up to the balance of the semester with educational alternative (secondary students only): If the principal or designee determines that other sanctions for discipline have not and will not resolve a specific discipline problem in a class situation, and if the principal or designee, in consultation with the Director of Secondary Education, determines that exclusion or expulsion is not recommended, then the principal may remove the student from the specific class for up to the balance of the school semester and may specify coincidental with such removal some other supervised alternative for the student. Such removal shall be specified only after the principal has explored all available disciplinary alternatives and all other educational alternatives, including placement of the student in another class under the direction of another teacher, and only after a conference has been held with the student and his/her parent(s)/guardian(s). Notice of such removal from class for the balance of the semester shall be given in writing to the student, parent(s)/guardian(s), and the Director of Secondary Education.

When such removal is ordered, it shall be with the opportunity for proper administrative supervision during the time of such removal.

- E. Out-of-school suspension: A student may be suspended out-of-school for up to 10 school days by the principal or designee for violation of the regulations or rules established by the board of directors of the school district, including misconduct as defined by the discipline policy, or for conduct detrimental to the best interests of the school district or when the presence of the student will cause substantial interference with the maintenance of the educational environment or in the normal operation of the school or school activity. Notice of suspension shall be given to the student's parent(s)/guardian(s) and the Director of Elementary or Secondary Education.
- F. Manifestation Determination: If a long-term suspension (in-school or out-of-school) is imposed on a student receiving special education services, an immediate meeting of the student's IEP team should be held to assess the effectiveness and appropriateness of the student's placement. In an emergency situation where a child poses an immediate threat to the safety of others, and in the absence of parental consent to the long-term suspension, the school will seek a court order temporarily enjoining the child from attending school.
- G. Under no circumstances may more than one in-school suspension or out-of-school suspension be imposed upon a student based upon the same set of facts.

IV. Administrative Procedures

These procedures are to be followed when a student is placed on probation or suspended or denied privileges or declared ineligible for extracurricular activities, or when a student is removed from a specified class for the balance of the semester (due process).

- A. A student should be told what he/she is accused of doing, orally or in writing, and be given an explanation of the evidence and the rules or policy allegedly violated. The principal or designee shall make an informal investigation, hearing all available accounts of the incident, and have discussion with the student. If written notice and explanation is not given, a written memorandum shall be prepared after the discussion, one copy to be placed in the student's file and the other to be mailed to the student's parent(s)/guardian(s).
- B. If the student denies the charges, he/she should be given an opportunity to explain his/her side of the story. There need be no delay between the time of the discussion and explanation to the student and the student's opportunity for response.

The principal or designee may, in his/her discretion, find it advisable to have the person(s) who observed and reported the misconduct present when the accusation and explanation is given; to allow the student to confront such person(s); or to hear the person(s) in behalf of the student. Such proceedings shall be informal. If the student makes a reasonable request that other persons be questioned, the principal or designee should attempt to talk to them if possible.

- C. If the student does not deny the charges, the principal shall explain the sanction to be imposed.

- D. Students whose presences pose a continuing danger to persons or property or an ongoing threat of disrupting the academic process may be immediately removed from school. In such cases, the notice of hearing should follow as soon as practical, not later than three school days after immediate suspension. If the student is immediately removed from school, the principal or designee shall investigate the incident and decide, by the end of the school day, whether further disciplinary action is necessary. If an additional suspension is necessary beyond the end of the school day, the principal or designee shall give notice to the student and his/her parent(s)/guardian(s), describing what the student is accused of doing, an explanation of the evidence, the rule or policy allegedly violated, and the time when the student and his/her parent(s)/guardian(s) may have a hearing as heretofore provided.
- E. When a student is suspended pending exclusion or expulsion, the procedures for exclusion or expulsion in the discipline policy shall be followed. If after five school days, the principal determines not to recommend exclusion or expulsion, the principal, the student, and the student's parent(s)/guardian(s) shall make suitable arrangements for readmission.
- F. Nothing in this procedure shall be construed to prohibit informal settlement by the parent(s)/guardian(s) by agreement, or waiver of hearing or both.

V. Procedures for Sending a Suspended Student Home During the School Day

When a student is suspended, the principal shall attempt to reach the student's parent(s)/guardian(s) to inform them of the school's action and to request that they come to the school for the child. If the student is entitled to transportation, and if the parent(s)/guardian(s) are unable to come for the child, the school shall provide transportation to the home, provided there is a parent(s)/guardian(s) there to receive the child. If the principal cannot reach the parent(s)/guardian(s), or where no one will be at home to receive the student, the student shall remain on school property until the close of the school day.

Notwithstanding this requirement, the principal may order the student to leave the school premises immediately when faced with mass violations of school rules or where it is not possible to keep the student on school premises and restore order to protect people on the school grounds. However, even in this instance, distance to the home and the age of the individual child may require keeping the student until the parent(s)/guardian(s) can be contacted.

VI. Truancy Procedure

Truancy is a symptom of maladaptive behavior and may require remedial procedures. The following sequential steps outline a guide to be followed. Most cases will be resolved by use of steps A, B, and C. More persistent truancy cases may result in suspension and/or exclusion from school, and some may be referred to the county attorney for mediation.

- A. The principal or designee shall counsel with the student.
- B. The parent(s)/guardian(s) shall be informed by telephone and/or mail and be requested to counsel with the student. The school counselor should be notified and shall arrange for ongoing counseling.
- C. The principal or designee shall hold a conference with the student and the student's parent(s)/guardian(s).
- D. The principal may suspend the student or place the student on probation. A conference must be held with the student and the student's parent(s)/guardian(s) before the student is readmitted to school. The principal may require an agreement stating the conditions of readmission which shall be signed by the student and the principal.
- E. The student may be suspended and the principal or designee may arrange for a psychological evaluation and may make whatever other investigation is relevant and recommend appropriate remedial measures. This may mean a referral to the juvenile court or other community agencies.
- F. The principal may recommend exclusion or expulsion of the student and/or recommend referral to the County Attorney for mediation.

VII. Procedures for Handling Student Alcohol or Controlled Substance Cases

- A. When it is determined that a student has been using, possessing, selling or delivering alcohol, tobacco, controlled substances, or controlled substance look-alikes on school premises or at school activities the student may be suspended by the building principal. The administrative procedures for suspension shall be applied in such case.
- B. In addition, if it is determined that the student has been using, possessing, selling or delivering controlled substances on school premises or at a school-sponsored activity, the student may be recommended for exclusion or expulsion by the building principal.
- C. All instances of alcohol, tobacco, or controlled substance possession, use or sale shall be reported to the parent(s)/guardian(s), and may be reported to local law enforcement agencies.
- D. Repeated violations involving alcohol and tobacco may result in a recommendation to the board of education for exclusion or expulsion.

VIII. Referral of students with alcohol or substance abuse problems

- A. All school personnel shall report information relative to students with alleged drug problems to the principal.
- B. The principal may refer the matter to the nurse, counselor, student assistant team, or other school personnel.
- C. The principal may refer the case to a medical consultant.
- D. Assistance for substance abuse, rather than punishment, is the first goal of these referrals.

Policy Title:

Freedom of Expression

Code No. 502.4

Student expression, other than student expression in student-produced official school publications, made on the school district property premises or under the jurisdiction of the school district or as part of a school-sponsored activity may be attributed to the school district; therefore, student expression must be responsible. Student expression must be appropriate to assure students learn and meet the goals of the school district and the potential audience is not exposed to material that may be harmful or inappropriate for their level of maturity.

Students will be allowed to express their viewpoints and opinions as long as the expression is responsible. The expression shall not, in the judgment of the administration, encourage the breaking of laws, cause defamation of persons, be obscene or indecent, or cause a material and substantial disruption to the educational program. The administration, when making this judgment, shall consider whether the activity in which the expression was made is school-sponsored and whether review or prohibition of the students' speech furthers an educational purpose.

Further, the expression must be done in a reasonable time, place, and manner that is not disruptive to the orderly and efficient operation of the school district.

Students who violate this policy may be subject to disciplinary measures. Employees shall be responsible for ensuring students' expression is in keeping with this policy. It shall be the responsibility of the superintendent to develop administrative regulations regarding this policy.

Policy Title:

Search and Seizure

Code No. 502.6

School district property is held in public trust by the board. School district authorities may, without a search warrant, search students, student lockers, personal effects, desks, work areas, or student vehicles or protected student areas based on a reasonable and articulable suspicion that a school district policy, rule, regulation or law has been violated. The search shall be in a manner reasonable in scope to maintain order and discipline in the schools, promote the educational environment, and protect the safety and welfare of students, employees and visitors to the school district facilities. The furnishing of a locker, desk or other facility or space owned by the school and provided as a courtesy to a student, even if the student provides the lock for it, shall not create a protected student area and shall not give rise to an expectation of privacy with respect to the locker, desk, or other facility.

To ensure students are properly maintaining their assigned lockers, the principal of the building may periodically inspect all or a random selection of lockers. Either students or another individual will be present during the inspection of lockers. Student lockers may also be searched at any time without advanced notice.

School authorities may seize any illegal, unauthorized or contraband materials discovered in the search. Items of contraband may include, but are not limited to, nonprescription controlled substances, marijuana, cocaine, amphetamines, barbiturates, apparatus used for controlled substances, alcoholic beverages, tobacco, weapons, explosives, poisons and stolen property. Such items are not to be possessed by a student while they are on school district property or on property within the jurisdiction of the school district; while on school owned, operated, and/or sponsored school or chartered buses; while attending or engaged in school activities; and while away from school grounds if misconduct will directly affect the good order, efficient management and welfare of the school district. Possession of such items will be grounds for disciplinary action including suspension or expulsion and may be reported to local law enforcement officials. The board believes that illegal, unauthorized or contraband materials may cause material and substantial disruption to the school environment or present a threat to the health and safety of students, employees, or visitors on the school district premises or property within the jurisdiction of the school district.

It shall be the responsibility of the superintendent, in conjunction with the principals, to develop administrative regulations regarding this policy.

Search and Seizure

SEARCH AND SEIZURE CHECKLIST

I. What factors caused you to have a reasonable and articulable suspicion that the search of this student or the student's effects or automobile would turn up evidence that the student has violated or is violating the law, school policy, rules or regulations affecting school order?

A. Eyewitness account.

1. By whom: _____
2. Date/Time: _____
3. Place: _____
4. What was seen: _____

B. Information from a reliable source.

1. From whom: _____
2. Time received: _____
3. How information was received: _____
4. Who received the information: _____
5. Describe information: _____

C. Suspicious behavior? Explain.

D. Student's past history? Explain.

E. Time of search: _____

F. Location of search: _____

G. Student told purpose of search: _____

H. Consent of student requested: _____

SEARCH AND SEIZURE CHECKLIST

- II. Was the search you conducted reasonable in terms of scope and intrusiveness?
- A. What were you searching for: _____
- B. Where did you search? _____
- C. Sex of the student: _____
- D. Age of the student: _____
- E. Exigency of the situation: _____
- F. What type of search was being conducted: _____
- G. Who conducted the search: _____
Position: _____ Sex: _____
- H. Witness(s): _____

- III. Explanation of Search.
- A. Describe the time and location of the search:

- B. Describe exactly what was searched:

- C. What did the search yield: _____
- D. What was seized: _____
- E. Were any materials turned over to law enforcement officials?

- F. Were parents notified of the search including the reason for it and the scope:

Search and Seizure Regulation I

SEARCH AND SEIZURE REGULATION

I. Searches, in general.

- A. Reasonable and Articulate Suspicion: A search of a student will be justified when there are reasonable grounds for the suspicion that the search will turn up evidence that the student has violated or is violating the law or school district policy, rules, or regulations affecting school order.

Reasonable suspicion may be formed by considering factors such as the following:

- (1) eyewitness observations by employees;
- (2) information received from reliable sources;
- (3) suspicious behavior by the student; or,
- (4) the student's past history and school record although this factor alone is not sufficient to provide the basis for reasonable suspicion.

- B. Reasonable Scope: A search will be permissible in its scope or intrusiveness when the measures adopted are reasonably related to the objectives of the search. Reasonableness of scope or intrusiveness may be determined based on factors such as the following:

- (1) the age of the student;
- (2) the sex of the student;
- (3) the nature of the infraction; and
- (4) the emergency requiring the search without delay.

II. Types of Searches

A. Personal Searches

1. A student's person and/or personal effects (e.g., purse, backpack, etc.) may be searched when a school official has reasonable suspicion to believe the student is in possession of illegal or contraband items or has violated school district policies, rules, regulations or the law affecting school order.
2. Personally intrusive searches will require more compelling circumstances to be considered reasonable.
 - (a) Pat-Down Search: If a pat-down search or a search of a student's garments (such as jackets, socks, pockets, etc.) is conducted, it will be conducted in private by a school official of the same sex as the student and with another adult witness of the same sex present, when feasible.
 - (b) A more intrusive search, short of a strip search, of the student's person, handbags, book bags, etc., is permissible in emergency situations when the health and safety of students, employees, or visitors are threatened. Such a search may only be conducted in private by a school official of the same sex as the student, with an adult of the same sex present unless the health or safety of students will be endangered by the delay which may be caused by following these procedures.

B. Locker and Desk Inspections

Although school lockers and desks are temporarily assigned to individual students, they remain the property of the school district at all times. The school district has a reasonable and valid interest in insuring the lockers and desks are properly maintained. For this reason, lockers and desks are subject to unannounced inspections and students have no legitimate expectations of privacy in the locker or desk. Periodic inspections of all or a random selection of lockers or desks may be conducted by school officials in the presence of the student or another individual. Any contraband discovered during such searches will be confiscated by school officials and may be turned over to law enforcement officials.

The contents of a student's locker or desk (coat, backpack, purse, etc.) may be searched when a school official has reasonable and articulable suspicion that the contents contains illegal or contraband items or evidence of a violation of law or school policy or rule. Such searches should be conducted in the presence of another adult witness when feasible.

C. Automobile Searches

Students are permitted to park on school premises as a matter of privilege, not of right. The school retains authority to conduct routine patrols of the student parking lots. The interior of a student's automobile on the school premises may be searched if the school official has reasonable and articulable suspicion to believe that illegal, unauthorized or contraband items are contained inside.

Policy Title:

Security Camera Supervision

Code No. 502.7

The Board supports the use of security cameras as a means to monitor and maintain a safe environment for students and employees, as deemed necessary by administration. The contents of a videotape or its digital equivalent may be used as evidence in a student disciplinary proceeding.

The content of the video recordings are a student record subject to board policy and administrative regulations regarding confidential student records. Only those persons with a legitimate educational purpose may view the recordings. In most instances, those individuals with a legitimate educational purpose may be the superintendent, building principal, transportation director, bus driver and special education staffing team. A parent may view the video recordings without consent from any student or parent also shown in the video if the other students are just bystanders. But if there is an altercation between multiple students, then all parents of students involved in the altercation must give consent in order for the video to be viewed by parents.

A video recorded during a school-sponsored trip, such as an athletic event, may also be accessible to the sponsor or coach of the activity. If the content of the video recording becomes the subject of a student disciplinary proceeding, it will be treated like other evidence in the proceedings.

Students are prohibited from tampering with the security cameras. Students found in violation of this regulation shall be disciplined in accordance with the District's discipline policy, will be reported to the police, and shall reimburse the District for any repairs or replacement necessary as a result of the incident.

Policy Title: *Student Activity Program* **Code No. 503.1**

Participation in school activities is a privilege. School activities provide the benefits of promoting additional interests and abilities in the students during their school years and for their lifetime.

Students will have an opportunity to participate in a school activity unless the activity is not offered, the activity is an intramural or interscholastic athletic activity, or the student cannot participate for disciplinary reasons. If the activity is an intramural or interscholastic athletic activity, students of the opposite sex will have a comparable opportunity for participation. Comparable opportunity does not guarantee boys and girls will be allowed to play on each other's teams when there are athletic activities available that will allow both boys and girls to reap the benefits of school activities, which are the promotion of additional interests and abilities in the students.

Student activity events must be approved by the superintendent or his/her designee. All out-of-state travel requires prior approval by the superintendent. The events must not disrupt the education program or other district operations.

A student in grades 9-12 who participates in a sport sponsored by the Cedar Falls Community School District may participate in that sport as an individual or member of a team in an outside school event during the same season, with permission of the building activities council. Such outside participation shall not conflict with the school sponsored athletic activity. A student who participates in a sport sponsored by an organization other than the district without obtaining permission from the activity director shall be ineligible to participate on a school sponsored team in that sport for a period of twenty percent (20%) of the contests. This number shall be determined by multiplying the total number of contests in that sport by 20%. In the case of a fractional number, the total contests that a student shall be withheld from will be determined by rounding to the nearest whole number. A student will be suspended for a minimum of one contest. If there is not a sufficient number of contests remaining in the scheduled season to fulfill the terms of a suspension, the suspension balance will be carried over to the tournament series and to the next season of that sport in which the student participates.

It shall be the responsibility of the superintendent to develop administrative regulations for each school activity. These regulations shall include, but not be limited to, when physical examinations will be required, how and when parents will be informed about the risk of the activity, forms and procedures for a waiver of liability from the parent and student in certain activities, and proof of insurance on the student participating in certain activities. Students wanting to participate in school activities must meet the requirements set out by the school district for participation in the activity and those identified in policy #503.2.

Policy Title: *Conduct Code for Extracurricular Activities* **Code No. 503.4**

Extracurricular activities, for purposes of this policy, include all extracurricular activities and all other school sponsored activities other than regular classroom and laboratory classes.

It is a privilege to participate in extracurricular activities at the Cedar Falls Community Schools. The student and/or the school is judged by the student's conduct. The attitude and conduct of a student has an impact on the attitude and conduct of others. Students participating in extracurricular activities are expected to abide by all rules of this policy during the entire calendar year, including summer months.

The activity director may declare a student ineligible whose conduct is contrary to and in violation of the rules and regulations established and made known by the activity director or whose conduct is contrary to or in violation of this conduct policy or other board policy.

- Item 1: To retain eligibility for participation in the Cedar Falls Community Schools extracurricular activities, students must conduct themselves as good citizens both in and out of school. Any student who is found to have violated the schools conduct code for extracurricular activities will be deemed ineligible for a period of time as described below. A student may lose eligibility under the conduct code for any of the following behaviors, including, but not limited to:
- Possession, use, or purchase of tobacco products, regardless of the students age;
 - Possession, use, under the influence, or the sale or purchase of alcoholic beverages;
 - Being in a car or in attendance at a function or party where alcohol or other drugs are being consumed illegally by minors;
 - Possession, use, or purchase of illegal drugs or the unauthorized possession, use, or purchase of otherwise lawful drugs;
 - Engaging in any act that would be grounds for arrest or citation in the criminal or juvenile court system, excluding minor traffic offenses, regardless of whether the student was cited, arrested, convicted or adjudicated for the act(s);
 - Inappropriate or offensive conduct such as fighting, insubordination, hazing or harassment of others.

Students shall be suspended for a period of up to 20% of all activities in which a student is participating at the time of the violation.

This number shall be determined by multiplying the total number of events in each activity for a period up to 20%. In the case of a fractional number, the total events that a student shall be withheld from will be determined by rounding to the nearest whole number. A student will be suspended for a minimum of one extracurricular event. If there is not a sufficient number for contests or performances remaining in the scheduled season to fulfill the terms of a suspension, or if the student is not currently participating in an extra-curricular activity, the suspension balance will be carried over to the tournament series and/or to the next season in which the student participates. A season is defined as commencing with the first day of practice, concluding with the last contest or performance. Any additional infraction will result in the student being suspended from extracurricular activities for the remainder of the school year. The penalty shall be immediate. To resume eligibility, it is mandatory that the student obtain and follow the recommendations of the school approved evaluation procedures.

Voluntary admission of an infraction of the rules involving alcoholic beverages, tobacco or controlled substance will not result in a suspension for a period of up to twenty percent (20%) of all activities in which a student is participating if the coach/sponsor/administrator is notified within seventy-two hours of the violation. This provision may be used one time throughout the student's junior high school (7-8) and one time throughout the student's high school (9-12) career by any student. This voluntary admission may not be used by a student if the infraction is already known to the school or law enforcement agencies. In addition, it is mandatory that the student obtain and follow recommendations of the school approved evaluation procedures. The purpose of this provision is to allow a student to seek help.

- Item 2: A student must be present for three consecutive periods of a school day in order to perform at an activity that day, unless otherwise determined by the activity director or the building administrator.
- Item 3: Students must follow IHSAA and IGHS AU academic requirements.
- Item 4: The activity director will establish and make known rules of conduct and regulations for the students participating in the activity. Those rules of conduct shall be approved by the activities director or building principal. Said rules shall be in writing and delivered to each student and parent in the particular activity at the beginning of the season. Additional rules of conduct may be established and will be made known at the beginning of the season.

Policy Title: *Activities Council* **Code No. 503.7**

The primary functions of the Activities Council include policy development and review of contemplated changes in all of the secondary school extracurricular activities for the Cedar Falls Community Schools.

The Council shall be advisory to the superintendent and shall include but not be limited to the following members:

Director of Secondary Education
Senior High School Principal
Senior High School Activities Director
Each Junior High School Principal
Each Junior High School Activities Coordinators
Title IX Advisor
Representatives-at-large: Music, Drama and Speech,
Athletics, Clubs and Organizations

Representatives-at-large shall be appointed by the director of secondary education for a two-year term and to be designated on an alternate-year basis. The director of secondary education will serve as chairperson of the Council and will schedule and plan for the meetings.

Policy Title: *Conduct Code for Transfer Students* **Code No. 503.6**

Any student declared ineligible under the prior school district's Good Conduct Rule, and then without having completed the full period of ineligibility at that school transfers to Cedar Falls Community Schools, will not be eligible for interscholastic competition at Cedar Falls Community Schools, until the full period of ineligibility has been completed. Once that time period of ineligibility has been completed, the student is then immediately eligible for interscholastic competition at Cedar Falls Community Schools as far as any Good Conduct Rule is concerned.

Policy Title: *Ninth Grade Participation* **Code No. 503.5**

Junior high school students will not be permitted to participate in high school activities with the exceptions of: (a) ninth grade students will be permitted to take part in those sports not offered at the ninth grade in the junior high schools and (b) ninth grade students will be permitted to participate in state solo and ensemble music contests. Further exceptions to this policy must have the approval of the ninth grade student's coach/supervisor, building athletic/activities director, and building principal.

If a request is made and denied and the coach/supervisor would desire a reconsideration, it will be the responsibility of the director of secondary education to establish a time and location for the meeting. The meeting will include the personnel listed in the above paragraph.

Policy Title: *Dress* **Code No. 504.1**

As determined by the principal, students must dress in a responsible manner. Health and safety factors are considerations in acceptable attire. No attire will be permitted that disrupts the learning process in school. Additional, specific guidelines may be imposed at the building level.

Policy Title: *Communicable Diseases – Students* **Code No. 504.2**

Students with a communicable disease will be allowed to attend school provided their presence does not create a substantial risk of illness or transmission to other students or employees. The term "communicable disease" will mean an infectious or contagious disease spread from person to person, or animal to person, or as defined by law.

Prevention and control of communicable diseases is included in the school district's blood borne pathogens exposure control plan. The procedures will include scope and application, definitions, exposure control, methods of compliance, universal precautions, vaccination, post-exposure evaluation, follow-up, communication of hazards to employees and record keeping. This plan is reviewed annually by the superintendent and school nurse.

The health risk to immune-depressed students is determined by their personal physician. The health risk to others in the school district environment from the presence of a student with a communicable disease is determined on a case-by-case basis by the student's personal physician, a physician chosen by the school district or public health officials.

It is the responsibility of the superintendent, in conjunction with the provider of nursing services, to develop administrative regulations stating the procedures for dealing with students with a communicable disease.

Policy Title: *Acquired Immune Deficiency Syndrome (AIDS) — Student Attendance Guidelines* **Code No. 504.3**

The Board of Education of the Cedar Falls Community School District is responsible for providing an education to all students of the district pursuant to the requirements of the Code of Iowa and Federal law in the best possible educational setting for all concerned. Therefore, it shall be the policy of the Cedar Falls Community School District that:

1. Parents are to notify the Superintendent of a communicable disease (i.e., Hepatitis B, HIV, AIDS) which creates a substantial risk to other students, employees or others at school.
2. Students diagnosed as having AIDS, or with laboratory evidence of infection with the AIDS associated virus (HIV), and receiving medical attention shall be allowed to attend classes in an unrestricted educational setting.
3. An appropriate alternative educational plan, which may include a more restricted environment, be provided for the student diagnosed as having AIDS or laboratory evidence of infection with the HIV virus if:
 - a. Cutaneous (skin) eruptions or weeping lesions that cannot be covered are present.
 - b. Inappropriate behavior which increases the likelihood of transmission (i.e. biting or incontinence) is exhibited.
 - c. The student is too ill to attend school.
4. Siblings of infected students shall be allowed to attend school in an unrestricted educational setting.

Decisions as to the educational management of these students will be shared utilizing expertise of the student's physician, parent or guardian, public health personnel and district staff.

The final decision in these cases remains with the Board of Education of the Cedar Falls Community School District. The Board reserves the right to make such decisions as may be necessary to protect the health and safety of all students and staff.

Policy Title: *Physical and Sexual Abuse of Students by Employees* **Code No. 504.4**

It is the policy of the Cedar Falls Community School District that all forms of physical abuse and sexual abuse of students by employees are prohibited. Each employee, regular or temporary, is covered by this policy.

Physical abuse is defined as any nonaccidental physical injury to the student. An employee may, however, make physical contact with the body of a student if it is reasonable and necessary under the circumstances and is not designed or intended to cause pain; or if the employee uses reasonable force, as defined by Iowa law, for the protection of the employee, the student, or other students; or to obtain the possession of a weapon or other dangerous object within the student's control; or for the protection of property.

Sexual abuse of students is defined as any improper contact, action (including, but not limited to spoken threats, intimidation, solicitation) or attempted abuse of a sexual nature.

Each report or complaint alleging or indicating the possibility of abuse of a student or students by an employee or employees will be investigated immediately. The primary investigators (level one investigators) will be the director of elementary education (in the case of elementary students) or the director of secondary education (in the case of secondary students) and the director of human resources. An official or officials of the Cedar Falls Police Department or other trained, experienced professional(s) shall be utilized as the alternate (level two) investigator(s).

All results of an investigation of reported physical or sexual abuse will be forwarded to the superintendent of schools as soon as is possible. It is the responsibility of the superintendent of schools to cause such actions as may be appropriate to remedy any proven abuse.

Policy Title:

Anti-Bullying/Harassment: Students

Code No. 504.5

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

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

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

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

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

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

"Electronic" includes, but is not limited to, communication via electronic mail, internet-based communications, cell phones, electronic text messaging or similar technologies.

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

- Verbal, nonverbal, physical or written harassment, bullying, hazing, or other victimization that have the purpose or effect of causing injury, discomfort, fear, or suffering to the target
- Implied or explicit threats concerning one's grades, achievements, property, etc. that have the purpose or effect of causing injury, discomfort, fear, or suffering to the target
- Demeaning jokes, stories, or activities directed at the student that have the purpose or effect of causing injury, discomfort, fear, or suffering to the target
- Repeated remarks of a demeaning nature that have the purpose or effect of causing injury discomfort, fear, or suffering to the target
- Unreasonable interference with a person's performance or creation of an intimidating, offensive, or hostile environment

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

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

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

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

School employees, volunteers, parents or guardians, and students will assist with the enforcement of this policy, including, but not limited to; to assisting with educational and preventative measures, reporting, and investigations of harassment or bullying. Any person who promptly, reasonably, and in good faith reports an incident of bullying or harassment under this policy to a school official or supervisor shall be immune from civil or criminal liability relating to such report and to the person's participation in any administrative,

judicial, or other proceeding relating to the report. Individuals who knowingly file a false complaint or give false statements in an investigation may be subject to appropriate disciplinary action.

Retaliation against any person filing a bullying or harassment complaint or assisted or participated in a harassment investigation or proceeding is also prohibited. Any student found to have retaliated in violation of this policy shall be subject to measures including, but not limited to, suspension, exclusion and expulsion.

The school or school district will promptly and reasonably investigate allegations of bullying or harassment. The Director of Secondary Education and/or Director of Elementary Education or designee will be responsible for handling all complaints by students alleging bullying or harassment. Investigators will consider the totality of circumstances presented in determining whether conduct objectively constitutes harassment or bullying.

It is the responsibility of the superintendent, in conjunction with the investigator and principals, to develop procedures regarding this policy. The Board will annually communicate this policy. The policy may be publicized by the following means:

- Inclusion in the student handbook
- Inclusion in the employee handbook
- Inclusion in the registration materials
- Inclusion on the school or district websites
- Readily accessible in the principal and counselor offices
- Other

ANTI-BULLYING/HARASSMENT COMPLAINT FORM

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

Name of complainant: _____

Position of complainant: _____

Name of Target: _____

Date of complaint: _____

Name of person who allegedly harassed or bullied: _____

Date and place of incident or incidents: _____

Description of misconduct: _____

Name of witnesses (if any): _____

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

Any other information: _____

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

Signature: _____

Date: _____ / _____ / _____

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

ANTI-BULLYING/HARASSMENT WITNESS DISCLOSURE FORM

Name of witness: _____

Position of witness: _____

Name of Target: _____

Date of testimony, interview: _____

Description of incident witnessed: _____

Any other information: _____

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

Signature: _____

Date: / / _____

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

Policy Title: *Anti-Bullying/Harassment: Students*

Code No. 504.5R1

ANTI-BULLYING/HARASSMENT INVESTIGATION PROCEDURES

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

- Communicate to the person who allegedly harassed or bullied that the individual expects the behavior to stop, if the individual is comfortable doing so. If the individual wants assistance communicating with the person who allegedly harassed or bullied, the individual should ask a teacher, counselor or principal to help.
- If the bullying or harassment does not stop, or the individual does not feel comfortable confronting the person who allegedly harassed or bullied, the individual should communicate to a teacher, counselor or principal:
 - what, when and where it happened,
 - who was involved,
 - exactly what was said or what was done,
 - witnesses,
 - what the person said or did, either at the time or later,
 - how the person felt, and
 - how the person who allegedly harassed or bullied responded.

INCIDENT INVESTIGATION & RESOLUTION PROCEDURE

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

The person who first received knowledge of the alleged bullying or harassment will either begin the investigation or document the incident for the building principal who then becomes the investigator. The investigator will begin the investigation and intervention reasonably and promptly by completing and documenting all steps in the district's process. As part of this process, the investigator will interview the target and the person doing the alleged harassing or bullying. The investigator may ask for documentation of the behavior, including but not limited to letters, computer printouts, electronic files, or pictures. The investigator may also interview witnesses or ask for written statements as deemed appropriate.

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

POINTS TO REMEMBER IN THE INVESTIGATION

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

**Anti-Bullying/Harassment: Students
Investigation Procedures
Appendix A**

STUDENT HANDBOOK PROVISION

Bullying or Harassment

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

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

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

Harassment or bullying is defined as, but is not limited to:

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

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

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

Harassment or bullying on the basis of age, color, creed, national origin, race, religion, marital status, sex, sexual orientation, gender identity, physical attributes, physical or mental ability or disability, ancestry, political party preference, political belief, socioeconomic status or familial status includes conduct of a verbal or physical nature that is designed to embarrass, distress, agitate, disturb or trouble persons which:

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

Appeal Procedure

Suspension of a student from an extracurricular activity shall be the decision of the activities director within the parameters of this guide, and after the activities director has informally investigated the allegation of misconduct, and has given the student the opportunity to respond. If the activities director determined that a violation of the activity code did occur, said student may be declared ineligible for extracurricular activities.

A student may contest the declaration of ineligibility by the activities director orally or in writing to the building principal. The building principal shall make a ruling within forty-eight hours of receipt of notice of objection.

In the event the ruling of the building principal is adverse to the student, he or she may appeal the ruling in writing to the appropriate building activities council. The appeal shall be no later than three days from receipt of decision of the building principal. The student will not be allowed to participate in any contest or performance during the appeal process, but may be allowed to participate in practice sessions. Said notice shall be delivered to the chairman of the appropriate building activities council. Any member of the building activities council who has been involved in prior matters regarding the ineligibility at issue may be disqualified from serving on the building activities council with regard to that matter. The building activities council shall hold a hearing within seven days of the receipt of notice of appeal and make a ruling within 48 hours of the conclusion of the hearing.

An adverse decision of the building activities council may be appealed in writing to the superintendent of schools. The appeal shall be within seven days of receipt of decision from the building activities council and the Superintendent will make a ruling within 48 hours of the conclusion of the hearing.

In the event of adverse decision by the superintendent, the ineligibility may be appealed to the Board of Education. However, it is with the discretion of the Board to determine whether to hear the appeal. The appeal shall be within seven days of receipt of the decision from the superintendent.

Policy Title: *Interviews of Students by Outside Agencies* **Code No. 505.1**

Generally, students may not be interviewed during the school day by persons other than parents and school district officials and employees.

Requests from law enforcement officers and from persons other than parents, school district officials, and employees to interview students are made through the principal's office. Upon receiving a request, it is the responsibility of the principal to determine whether the request will be granted. Generally, prior to granting a request, the principal will attempt to contact the parents to inform them of the request and to ask them to be present.

If a child abuse investigator wishes to interview a student, the principal will defer to the investigator's judgment as to whether the student should be interviewed independently from the student's parents, whether the school is the most appropriate setting for the interview, and who will be present during the interview.

Students will not be taken from school without the consent of the principal and without proper warrant.

Policy Title: *Student Organizations* **Code No. 505.2**

Secondary school student-initiated, noncurriculum-related groups and student curriculum-related groups, upon receiving permission from the principal, may use school facilities for group meetings during non-instructional time.

Non-instructional time will mean any time before the first period of the day and after the last period of the day in which any student attends class. Meetings will not interfere with the orderly conduct of the education program or other school district operations. It is within the discretion of the principal to determine whether the meetings will interfere with the orderly conduct of the education program or other school district operations. Activities relating to and part of the education program will have priority over the activities of another organization.

Curriculum-Related Organizations

It will also be the responsibility of the principal to determine whether a student group is curriculum-related. One or more of the following questions will be answered affirmatively if the group is curriculum-related:

- Is the subject matter of the group actually taught in a regularly offered course?
- Will the subject matter of the group soon be taught in a regularly offered course?
- Does the subject matter of the group concern the body of courses as a whole?
- Is participation in the group required for a particular course?
- Does participation in the group result in academic credit?

Secondary school curriculum-related student organizations may use the school district facilities for meetings and other purposes before and after the instructional school day. Employees are assigned to monitor approved meetings and may interact with curriculum-related organizations.

Noncurriculum-Related Organizations

Student-initiated, noncurriculum-related organizations are provided access to meeting space and school district facilities.

Only students may attend and participate in meetings of noncurriculum-related groups. Such attendance is strictly voluntary and student-initiated. As a means of determining whether a student's attendance is voluntary, the principal may require parental consent for the student to attend the meetings.

Employees will be assigned to monitor approved meetings. Employees will not participate in the meeting or assist in planning, criticizing, or encouraging attendance. Only students may be involved in and attend the noncurriculum group's meetings.

It is the responsibility of the superintendent, in conjunction with the principal, to develop administrative regulations regarding this policy.

Policy Title:

Student Performances

Code No. 505.4

Students, as part of the education program, may participate in contests or other public and private events approved by the superintendent or designee that will be of benefit to the student and the education program. Performance at such events is a privilege.

Students, who perform at such events, serve as ambassadors of the school district and must conduct themselves in the same manner as required in the regular school day. Students who fail to abide by this policy and the administrative regulations supporting it may be subject to disciplinary measures.

Students will be allowed to perform in these events only with proper permission and supervision and when the events do not disrupt the education program or other school district operations. The events must be approved by the superintendent or designee, unless it involves unusual travel and expense, in which case the board must approve of the performance.

It is the responsibility of the superintendent, in conjunction with the principal, to develop administrative regulations regarding this policy. In developing the administrative regulations, these guidelines should be followed:

- Performances by student groups below the high school level should be allowed on a very limited basis.
- All groups of students should have an opportunity to participate.
- Extensive travel by one group of students should be discouraged.

It is within the discretion of the superintendent to determine whether the event will benefit the education program and the participating students. Contests or other performances by students unapproved by the superintendent are the responsibility of the parent and the student.

Policy Title: *Testing and Evaluation Program*

Code No. 505.5

A comprehensive testing program is established and maintained to evaluate the education program of the school district and to assist in providing guidance or counseling services to students and their families.

No student is required, as part of any applicable program, to submit to a survey, analysis or evaluation that reveals information concerning:

- political affiliations or beliefs of the student or student's parent or guardian;
- mental or psychological problems of the student or the student's family;
- sex behavior or attitudes;
- illegal, anti-social, self-incriminating or demeaning behavior;
- critical appraisals of other individuals with whom respondents have close family relationships;
- legally recognized, privileged and analogous relationships, such as those of lawyers, physicians and ministers;
- religious practices, affiliations or beliefs of the student or student's parent/guardian; or
- income, (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).

It is the responsibility of the superintendent, in conjunction with the principal, to develop administrative regulations regarding this policy.

It is the responsibility of the board to review and approve the evaluation and testing program.

Policy Title: *Administration of Medication to Students*

Code No. 506.1

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 or, in the nurse's absence, by a person who has successfully completed the Iowa School Medication Management course. A medication administration course and periodic update shall be conducted by a registered nurse, and a record of course completion shall be kept on file at the agency.

Medication shall not be administered without written authorization from the parent or legal guardian. Written 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. 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

Students may administer the following emergency medications: Insulin, Epi-pen injection, or airway constrictive medication with a written statement by the student's parent or legal guardian and physician. The statement will be on file in the nurse's office and renewed annually. 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 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 by the student as established by Iowa Code 280.16.

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 except as provided to the Family Educational Rights and Privacy Act (FERPA).

The superintendent, or the superintendent's 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.

Policy Title: *Student Special Health Services* **Code No. 506.2**

The board recognizes that some special education students need special health services during the school day. These students will receive special health services in conjunction with their individualized education program.

The superintendent, in conjunction with licensed health personnel, will establish administrative regulations for the implementation of this policy.

Policy Title: *Student Records Access* **Code No. 506.3**

The board recognizes the importance of maintaining student records and preserving their confidentiality. Student records containing personally identifiable information are kept confidential at collection, storage, disclosure and destruction stages. The board secretary is the custodian of student records. Student records may be maintained in the central administration office or administrative office of the student's attendance center.

Parents/legal guardian and eligible students will have access to the student's records during the regular business hours of the school district. An eligible student is a student who has reached eighteen years of age or is attending an institution of post-secondary education at the post high school level. Parents/legal guardian of an eligible student is provided access to the student records only with the written permission of the eligible student unless the eligible student is defined as a dependent by the Internal Revenue Code. In that case, the parents/legal guardian may be provided access without the written permission of the student. A representative of the parent/legal guardian or eligible student, who has received written permission from the parents/legal guardian or eligible student, may inspect and review a special education student's records. Parents/legal guardian, other than parents of an eligible student, may be denied access to a student's records if the school district has a court order stating such or when the district has been advised under the appropriate laws that the parents/legal guardian may not access the student records.

A student record may contain information on more than one student. Parents/legal guardian will have the right to access the information relating to their student or to be informed of the information. Eligible students will also have the right to access the information relating to themselves or be informed of the information.

Parents/legal guardians and eligible students will have a right to access the student's records upon request without unnecessary delay and in no instance more than forty-five calendar days after the request is made. Parents/legal guardian, an eligible student or an authorized representative of the parents will have the right to access the student's records prior to an Individualized Education Program (IEP) meeting or hearing.

Copies of student records will be provided if failure to do so would effectively prevent the parents/legal guardian or student from exercising the right to access the student records. Fees for copies of the records are waived if it would prevent the parents or student from accessing the records. A fee may not be charged to search or retrieve information from student records.

Upon the request of parents/legal guardian or an eligible student, the school district will provide an explanation and interpretation of the student records and a list of the types and locations of education records collected, maintained or used by the school district.

If the parents/legal guardian or an eligible student believes the information in the student records is inaccurate, misleading or violates the privacy or other rights of the student, the parents/legal guardian or an eligible student may request that the school district amend the student records. The school district will decide whether to amend the student records within a reasonable time after receipt of the request. If the school district determines an amendment is made to the student record, the school district will make the amendment and inform the parents/legal guardian or the eligible student of the decision in writing.

If the school district determines that amendment of the student's record is not appropriate, it will inform the parents/legal guardian or the eligible student of their right to a hearing before the hearing officer provided by the school district. If the parents/legal guardian and the eligible student's request to amend the student record is further denied following the hearing, the parents/legal guardian or the eligible student are informed that they have a right to place an explanatory letter in the student record commenting on the school district's decision or setting forth the reasoning for disagreeing with the school district. Additions to the student's records will become a part of the student record and be maintained like other student records. If the school district discloses the student records, the explanation by the parents/legal guardian will also be disclosed.

Student records may be disclosed in limited circumstances without parental/legal guardian or eligible student's written permission. This disclosure is made on the condition that the student record will not be disclosed to a third party without the written permission of the parents/legal guardian or the eligible student. This disclosure may be made to the following individuals or under the following circumstances:

- to school officials within the school district and AEA personnel whom the superintendent has determined to have a legitimate educational interest, including, but not limited to, board members, employees, school attorney, auditor, health professionals, and individuals serving on official school committees;
- to officials of another school district in which the student wishes to enroll, provided the other school district notifies the parents/legal guardian the student records are being sent and the parents/legal guardian have an opportunity to receive a copy of the records and challenge the contents of the records unless the annual notification includes a provision that records will automatically be transferred to new school districts;
- to the U.S. Comptroller General, the U.S. Attorney General, the U.S. Secretary of Education or state and local educational authorities;
- in connection with financial aid for which the student has applied or which the student has received if the information is necessary to receive the financial aid;
- to organizations conducting educational studies and the study does not release personally identifiable information;

Policy Title:

Student Library Circulation Records

Code No. 506.4

Student library circulation records are designed to be used internally to assist in the orderly administration of the school district libraries. As a general rule, student library circulation records are considered confidential records and will not be released without parental/legal guardian consent. Individuals who may access such records include a student's parents/legal guardian, the student, authorized licensed employees, authorized government officials from the U.S. Comptroller General, the Secretary of Education, the Commissioner and Director of the National Institute of Education, and the Assistant Secretary for Education and State Education Department. Appropriate authorities in a health or safety emergency may access the student's library circulation records without the approval or the notification of the student's parents/legal guardian. Parents/legal guardian may not access records, without the student's permission, of a student who has reached the age of majority or who is attending a post-secondary educational institution unless the student is considered a dependent for tax purposes.

It is the teacher-librarian's responsibility, as the person maintaining the student library circulation records, to approve requests for access to student library circulation records. Students' library circulation records may be accessed during the regular business hours of the school district. If copies of documents are requested, a fee for such copying may be charged.

It is the responsibility of the superintendent, in conjunction with the teacher or teacher-librarian, to develop administrative regulations regarding this policy.

- to accrediting organizations;
- to parents of a dependent student as defined in the Internal Revenue Code;
- to comply with a court order or judicially issued subpoena;
- consistent with an interagency agreement between the school district and juvenile justice agencies;
- in connection with a health or safety emergency; or,
- as directory information.

STUDENT RECORDS ACCESS

The school district may share any information with the agencies contained in a student's permanent record, which is directly related to the juvenile justice system's ability to effectively serve the student. Prior to adjudication, information contained in the permanent record may be disclosed by the school district to the parties without parental/legal guardian consent or court order. Information contained in a student's permanent record may be disclosed by the school district to the agencies after adjudication only with parental/legal guardian consent or a court order. Information shared pursuant to the agreement is used solely for determining the programs and services appropriate to the needs of the student or student's family or coordinating the delivery of programs and services to the student or student's family. Information shared under the agreement is not admissible in any court proceedings, which take place prior to a disposition hearing, unless written consent is obtained from a student's parent, guardian, or legal or actual custodian.

Confidential information shared between the school district and the agencies will remain confidential and will not be shared with any other person, unless otherwise provided by law. Information shared under the agreement is not admissible in any court proceedings, which take place prior to a disposition hearing, unless written consent is obtained from a student's parent, guardian, or legal or actual custodian. The school district may discontinue information sharing with an agency if the school district determines that the agency has violated the intent or letter of the agreement.

Agencies will contact the principal of the attendance center where the student is currently or was enrolled. The principal will then forward copies of the records within 10 business days of the request.

The school district will provide training or instruction to employees about parents/legal guardian and eligible students' rights under this policy. Employees will also be informed about the procedures for carrying out this policy.

It is the responsibility of the superintendent to annually notify parents/legal guardian and eligible students of their right to inspect and review the student's records. The notice is given in a parents/legal guardian or eligible student's native language.

The notice will include a statement that the parents have a right to file a complaint alleging the school district failed to comply with this policy. Complaints are forwarded to Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, Washington, DC. 20202-4605

USE OF STUDENT RECORDS REGULATION

Student records are all official records, files, and data directly related to students, including all material incorporated into each student's cumulative record folder and intended for school use or to be available to parties outside the school or school system specifically including, but not necessarily limited to: dates of attendance; academic work completed; level of achievement (grades, standardized test scores); attendance data; scores on standardized intelligence, aptitude, and psychological tests; interest inventory results; health data; family background information; teacher or counselor ratings and observations; and verified reports of serious or recurrent behavior patterns.

The intent of this regulation is to establish procedures for granting requests from parents for access to their child's records, use of the data, and procedures for its transmittal within forty-five calendar days.

A. Access to Records

1. The parent or legal guardian of a student will have access to these records upon written request to the board secretary.
The parent or legal guardian will, upon written request to the board secretary, have the opportunity to receive an interpretation of the records, have the right to question the data, and, if a difference of opinion is noted, is permitted to file a letter in the cumulative folder stating the dissenting person's position. If further challenge is made to the record, the normal appeal procedures established by school policy will be followed.
A student, eighteen years or older, has the right to determine who, outside the school system, has access to the records. Parents/legal guardian of students who are 18 years or older but still dependents for income tax purposes may access the student's records without prior permission of the student.
2. School officials having access to student records are defined as having a legitimate educational interest. A school official is a person employed by the school district as an administrator, supervisor, instructor or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the school board; a person or company with whom the school district has contracted to perform a special task (such as an attorney, auditor, AEA employee, medical consultant, or therapist); or a parent or student serving on an official committee, such as disciplinary or grievance committee or student assistance team, or assisting another school official in performing his or her tasks.

B. Release of Information Outside the School

1. To release student records to other school(s) in which the student intends to enroll, the parents, legal guardian, or eligible student must be notified of the transfer and the kinds of information being released unless the school district annually notifies parents that the records will be sent automatically.
2. Student records may be released to official education and other government agencies only if allowed by state or federal law.
3. To release student records to other persons or agencies, written consent is given by the parent, legal guardian, or a student of majority age. This consent form will state which records are released, to whom they are released, and the reason for the release. A copy of the specific records being released will be made available to the person signing the release form if requested.
4. Before furnishing student records in compliance with judicial orders or pursuant to any lawfully issued subpoena, the school district will make a reasonable attempt to notify the parents, legal guardian, or eligible student are notified in advance.
5. Student records may be shared with juvenile justice agencies with which the school district has an interagency agreement. This information is shared without prior parental consent. The agreement is a public document available for inspection.

Hearing Procedures

1. Upon parental request, the school district will hold a hearing regarding the content of a student's records, which the parent/legal guardian believes to be inaccurate, misleading, or in violation of the privacy rights of students.
2. The hearing will be held within a reasonable time after receipt of the parent/legal guardian or eligible student's request. The parent/legal guardian or eligible student will receive reasonable advance notice of date, time and place of hearing.
3. The hearing officer may be an employee of the school district so long as the employee does not have a direct interest in the outcome of the hearing.
4. The parents/legal guardian or eligible student will be given a full and fair opportunity to present evidence relevant to the issues. The parent/legal guardian or eligible student may be represented by an individual at their choice at their own expense.
5. The hearing officer will render a written decision within a reasonable period after the hearing. The decision will be based upon evidence presented at the hearing and must include a summary of the evidence and the reasons for the decision.
6. The parents/legal guardian may appeal the hearing officer's decision to the superintendent within 10 days if the superintendent does not have a direct interest in the outcome of the hearing.
7. The parents/legal guardian may appeal the superintendent's decision, or the hearing officer's decision if the superintendent was unable to hear the appeal, to the board within 10 days. It is within the discretion of the board to hear the appeal.

Policy Title:

Student Directory Information

Code No. 506.5

Student directory information is designed to be used internally within the school district. Directory information shall be defined in the annual notice. It may include the student's name, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, address, birth date, course of study, and other similar information regarding individual students.

Prior to giving directory information to the public, parents will be given notice annually of the intent to give out directory information and have the opportunity to deny the inclusion of their child's information in the directory information.

It shall be the responsibility of the superintendent to provide notice and to determine the method that will inform parents.

Policy Title: *Student Physicals and Immunization Certificates*

Code No. 507.1

First time students enrolling in either pre-kindergarten or kindergarten or first grade shall have a physical examination by a licensed physician and provide proof of such an examination to the school district. A physical examination and proof of such an examination may be required by the administration for students in other grades enrolling for the first time in the school district.

A certificate of health stating the results of a physical examination and signed by the physician must be on file at the attendance center. Each student will submit an up-to-date certificate of health upon the request of the superintendent. Failure to provide this information may be grounds for disciplinary action.

Students enrolling for the first time in the school district shall also submit a certificate of immunization against diphtheria, pertussis, tetanus, poliomyelitis, rubeola, rubella, hepatitis B (if born on or after July 1, 1994), and other immunizations required by law. The student may be admitted conditionally to the attendance center if the student has not yet completed the immunization process but is in the process of doing so. Failure to meet the immunization requirement will be grounds for suspension, expulsion or denial of admission. Upon recommendation of the Iowa Department of Education and Iowa Department of Public Health, students entering the district for the first time may be required to pass a TB test prior to admission. The district may conduct TB tests of current students.

Students desiring to participate in interscholastic athletic activities shall have a physical examination by a licensed physician and provide proof of such an examination to the school district.

Exemptions from the immunization requirement in this policy will be allowed only for medical or religious reasons recognized under the law. The student must provide a valid Iowa State Department of Health Certificate of Immunization Exemption to be exempt from this policy.

Policy Title: *Student Illness or Injury at School*

Code No. 507.2

When a student becomes ill or is injured at school, the school district will attempt to notify the student's parents/legal guardian as soon as possible.

The school district, while not responsible for medical treatment of an ill or injured student, will have employees present administer emergency or minor first aid if possible. An ill or injured child will be turned over to the care of the parents/legal guardian or qualified medical employees as quickly as possible.

It is the responsibility of the principal to file an accident report with the superintendent or designee within twenty-four hours after the student is injured.

Annually, parents/legal guardian is required to complete a medical emergency authorization form indicating the procedures to be followed, if possible, in an emergency involving their child. The authorization form will also include the phone numbers of the parents/legal guardian and alternative numbers to call in case of an injury or illness.

Specific requests for emergency interventions that should not be performed will require individual consideration and discussion among parents/legal guardian, physician, school and health care providers as well as the student, if indicated. A written plan specifying alternative procedures to be followed will be developed as a result of this discussion.

The superintendent is responsible, in conjunction with the school nurse, to develop rules and regulations governing the procedure in the event a student should become ill or be injured at school.

Policy Title: *Student Wellness Policy*

Code No. 507.3

While maintaining learning through the support and promotion of good nutrition and physical activities, the Cedar Falls Community Schools contribute to the basic health status of students. Improved health optimizes student performance potential.

The District provides a comprehensive learning environment for developing and practicing life-long wellness behaviors. The entire school environment, not just the classroom, shall be aligned with school district goals to positively influence a student's understanding, beliefs, and habits as they relate to good nutrition and regular physical activity.

All foods available on school grounds and at school sponsored activities during the instructional day shall meet or exceed the school district nutrition standards and be in compliance with state and federal law. Food should be served with consideration toward nutritional integrity, variety of appeal, taste, safety, and packaging to ensure high-quality meals.

The District Safety Committee will conduct periodic assessments to determine the scope of policy compliance and the extent of progress made toward the student wellness goals. As part of this assessment the Committee will review current trends in nutrition and physical policies and practices, and the provisions that support an environment of healthy eating and physical activity.

District Targeted Wellness Goals:

- A. Nutrition Education and Promotion: Emphasizes caloric balance between food intake and physical activity.
- B. Physical Activity: Students in grades K-5 will have thirty (30) minutes of physical activity per day. This requirement can be met through a combination of physical education, recess, classroom, and other activities. Students in grades 6-12 shall have at least one hundred twenty (120) minutes of physical activity per week. This goal can be met with a combination of PE, school, and non-school sponsored athletics, and other activities.
- C. Other School-based Activities that Promote Student Wellness: Classroom health education will compliment physical education by reinforcing the knowledge and self-management skills needed to maintain a physically active lifestyle and to reduce time spent on sedentary activities.
- D. Nutrition Guidelines for all Foods Available during the School Day: The school district nutrition standards shall be in compliance with state and federal law*.

*For the purpose of this policy, the school day is defined as first bell to last bell, Monday through Friday, when students are regularly scheduled for classes.

Policy Title:

Emergency Plans and Drills

Code No. 507.5

Students will be informed of the appropriate action to take in an emergency. Emergency drills for fire, weather, and other emergencies are conducted each school year. Fire and tornado drills are conducted regularly during the academic school year with a minimum of two before December 31 and two after January 1. Other emergency drills such as lock down, shelter in place, and off-site evacuation shall be conducted periodically.

Each attendance center will maintain a copy of the Cedar Falls Community School District Safe Schools Plan. The Plan will be communicated to and reviewed with employees. Employees will participate in emergency drills. Licensed employees are responsible for instructing the proper techniques to be followed in the drill.

Item No. 12 – Approval of Superintendent Applicant’s Confidentiality Agreement

Mr. Nefzger reviewed the confidentiality resolution that was approved during the superintendent search in 2012. It was the recommendation of the District’s legal counsel, as well as the consultant hired to assist the District in the superintendent search to approve the resolution for the upcoming school year. Director Kenyon moved and Director Coil seconded the motion to approve the following resolution. Directors voting in favor of the motion: Lantz, Brown, Coil, Leeper, Williams, Kenyon, and Senchina. Those voting “no” none. Motion carried.

WHEREAS, the Board of Directors of the **Cedar Falls Community School District** will soon advertise to seek applications for the position of Superintendent of Schools; and

WHEREAS, the Board of Directors of the **Cedar Falls Community School District** believes that otherwise qualified applicants may not apply for the position if their applications are made public due to possible negative repercussions regarding their present employment or for other legitimate reasons; and

WHEREAS, the Board of Directors of the **Cedar Falls Community School District** has been advised by its counsel that applications for the superintendency may be kept confidential per Iowa Code section 22.7(18) as interpreted by the Iowa Supreme Court in *City of Sioux City v. Greater Sioux City Press Club*, 421 N.W.2d 895 (Iowa 1988) if “*the government body receiving those communications from such persons outside of government could reasonably believe that those persons would be discouraged from making them to that government body if they were available for general public examination*” unless the individual consents to disclosure.

NOW THEREFORE BE IT RESOLVED that the Board of Directors of the **Cedar Falls Community School District** hereby determines that qualified applicants for the position of Superintendent of Schools may be discouraged from making applications for the position if their applications are available for general public examination.

BE IT FURTHER RESOLVED that the applications for Superintendent are hereby ordered to remain confidential, pursuant to the authority cited above unless the individual applicant consents to disclosure. The Board will authorize its consultant to develop procedures to meet the objectives of this Resolution.

Passed and approved by the Board of Directors of the Cedar Falls Community School District this 8th day of April, 2013.

President

Board Secretary

Item No.13 – Superintendent’s Report

Mr. Wells reported on the following:

1. Commencement is May 26, 2013 and will be at the University of Northern Iowa McLeod Center
2. Retirement reception for Cedar Falls retiring employees is scheduled for May 30, 2013 at 4:00 p.m. at Pheasant Ridge.
3. April 22nd Board meeting will include informational reports on technology and Hawkeye Community College partnerships

Item No. 14 – Student Board Member Report

Student Board member Agatha Fenech reported on student senate activities including the 5k Tiger Trot fund raiser and the upcoming blood drive.

Student Board member Andrew Stensland reported on spring sport activities and Red Hand Day at the High School.

Item No. 15 – Questions, Comments, and Concerns

None

Item No. 16 – Adjournment

Director Kenyon moved and Director Coil seconded the motion to adjourn. Directors voting in favor of the motion: Brown, Williams, Kenyon, Coil, Senchina, Leeper, and Lantz. Those voting “no” none. Motion carried. The meeting was adjourned at 7:35 p.m.

Secretary

President