

Policy Title:

Board of Directors' Elections

Code No. 201.2

The school election takes place on the first Tuesday after the first Monday in November of odd-numbered years. Each school election is used to elect citizens to the board to maintain a seven member board and to address questions that are submitted to the voters.

Citizens of the school district community seeking a seat on the board must file their nomination papers with the ~~board secretary, or the board secretary's designee~~ county commissioner of elections in accordance with the timelines established by law.

If a vacancy occurs on the board it shall be filled in accordance with law and board policy.

It is the responsibility of the county commissioner of elections to conduct school elections.

Date of Adoption: July 11, 1977

Dates of Revision: January 9, 1989
August 9, 1993
September 16, 1996
September 23, 2002
November 13, 2006
November 14, 2011
August 9, 2021

Date of Review: May 11, 2015
June 8, 2026

Board members must be able to make decisions objectively. It is a conflict of interest for a board member to receive direct compensation from the school district, unless exempted in law or this policy, for anything other than reimbursement of actual and necessary expenses, including travel, incurred in the performance of official duties. A board member will not act as an agent for a school textbook or school supply company during the board member's term of office. It will not be a conflict of interest for board members to receive compensation from the school district for contracts for the purchase goods or services which benefits a board member, or to compensation for part-time or temporary employment which benefits a board member, if the benefit to the board member does not exceed \$20,000 in a fiscal year or if the contracts are made by the board, upon competitive bid in writing, publicly invited and opened.

The conflict of interest provisions do not apply to a contract that is a bond, note or other obligation of a school corporation if the contract is not acquired directly from the school corporation, but is acquired in a transaction with a third party, who may or may not be the original underwriter, purchaser, or obligee of the contract, or to a contract in which a director has an interest solely by reason of employment if the contract was made by competitive bid, in writing, publicly invited and opened, or if the remuneration for employment will not be directly affected as a result of the contract and duties of employment do not involve any of the preparation or procurement of any part of the contract. The competitive bid section of the conflict of interest provision does not apply to a contract for professional services not customarily competitively bid.

It will also be a conflict of interest for a board member to engage in any outside employment or activity which is in conflict with the board member's official duties and responsibilities. In determining whether outside employment or activity of a board member creates a conflict of interest, situations in which an unacceptable conflict of interest is deemed to exist includes, but are not limited to, any of the following:

- (1) The outside employment or activity involves the use of the school district's time, facilities, equipment and supplies or the use of the school district badge, uniform, business card or other evidence of office to give the board member or member of the board member's immediate family an advantage or pecuniary benefit that is not available to other similarly situated members or classes of members of the general public. For purposes of this section, a person is not "similarly situated" merely by being related to a board member.
- (2) The outside employment or activity involves the receipt of, promise of, or acceptance of more or other consideration by the board member or a member of the board member's immediate family (or partner for purposes of contracts funded by federal awards) from anyone other than the state or the school district for the performance of any act that the board member would be required or expected to perform as part of the

board member's regular duties or during the hours in which the board member performs service or work for the school district.

- (3) The outside employment or activity is subject to the official control, inspection, review, audit, or enforcement authority of the board member, during the performance of the board member's duties of office or employment.

If the outside employment or activity is employment or activity in (1) or (2) above, the board member must cease the employment **of** or activity. If employment falls under (3), then the board member must:

- Cease the outside employment or activity; or
- Publicly disclose the existence of the conflict and refrain from taking any official action or performing any official duty that would detrimentally affect or create a benefit for the outside employment or activity. Official action or official duty includes, but is not limited to, participating in any vote, taking affirmative action to influence any vote, or providing any other official service or thing that is not available generally to members of the public in order to further the interests of the outside employment or activity.

When procurement is supported by federal awards, board members will no participate in the selection, award, or administration of a contract if there is a real or apparent conflict of interest in the contract. Contract, for purpose of this paragraph, includes a contract where the board member, board member's immediate family, partner, or a non-school district employer of these individuals is a party to the contract.

It is the responsibility of each board member to be aware of an actual or potential conflict of interest. It is also the responsibility of each board member to take the action necessary to eliminate such a conflict of interest. Should a conflict of interest arise, a board member should not participate in any action relating to the issue from which the conflict arose.

Date of Adoption: November 27, 2006

Date of Revision: November 14, 2011
September 28, 2020
August 9, 2021

Date of Review: May 11, 2015

1. **President** — The president of the Board of Directors presides at all of its meetings, signs all warrants and drafts, respectively, drawn upon the treasurer for money apportioned and taxes collected and belonging to the school corporation, and all orders on the treasurer drawn as provided by law, signs all contracts made by the board, and appears on behalf of the school corporation in all actions brought by or against it. The president shall be entitled to vote as a member.
2. **Vice President** — In the absence of the president, the vice president shall serve, and, in so doing, shall exercise all the powers and bear all the responsibilities of the president.
3. **Treasurer** — It is the responsibility of the board to appoint a treasurer. The board may appoint a treasurer from its employees, other than a position requiring a teaching certificate, or from the public. To finalize the appointment, the Treasurer, will take the oath office during the meeting at which the individual was appointed or no later than ten days thereafter.

The treasurer shall receive all monies belonging to the school corporation, pay the same out only upon the order of the president, countersigned by the secretary, keeping an accurate account of all receipts and expenditures. The treasurer shall register all orders drawn and reported to the treasurer by the secretary, showing the number, date, to whom drawn, the fund upon which drawn, the purpose and the amount.

At a regular or special meeting held on or after August 31 of each year, and prior to the organizational meeting held after the regular school election, the board of each school corporation shall meet, examine the books of and settle with the secretary and treasurer for the year ending on the preceding June 30, and transact other business as necessary. The treasurer at the time of settlement shall furnish the board with a statement from each depository showing the balance then on deposit in the depository. If the secretary or treasurer fails to make proper reports for the settlement, the board shall take action to obtain the balance information.

The Treasurer will give bond or be covered by an insurance policy in an amount set by the board. The cost of the bond or insurance policy will be paid by the school district.

4. **Secretary** — A board secretary may be appointed from employees, other than a position requiring a teaching certificate, or from the public. To finalize the appointment, the board secretary will take the oath of office during the meeting at which the individual was appointed or no later than ten days thereafter.

It is the responsibility of the board secretary, as custodian of school district records, to preserve and maintain the records and documents pertaining to the business of the Bboard; to keep complete minutes of special and

regular board meetings, including closed sessions; to keep a record of the results of regular and special elections; to keep an accurate account of school funds; **publish Board proceedings and the schedule of bills allowed (including a list of claims allowed)**; to sign warrants drawn on the school funds after board approval; and collect data on truant students. **The Board Secretary may designate an individual(s) to assist with responding to and processing requests for records of the district.** The **B**oard **S**ecretary will also be responsible for filing the required reports with the **Board of Directors, the Iowa Department of Education, and all other entities, as required.** The Secretary shall coordinate with the treasurer regarding financial records, reporting and cash flow needs as of the school district.

In the event the board secretary is unable to fulfill the responsibilities set out by the board and the law, the **Executive Director of Human Resources** will assume those duties until the board secretary is able to resume the responsibility or a new board secretary is appointed. The board secretary will give bond **or be covered by an insurance policy** in an amount set by the board. The cost of the bond **or insurance policy** will be paid by the school district.

Date of Adoption: July 11, 1977

Date of Revision: January 9, 1989
September 16, 1996
September 23, 2002
November 13, 2006
November 28, 2011
August 9, 2021

Date of Review: May 11, 2015

1. **Meeting** — A meeting is a gathering in person or by electronic means, formal or informal, of a majority of the members of the Board or a Board-appointed committee where there is deliberation or action upon any matter within the scope of the Board's or a Board-appointed committee's policy-making duties.
2. **Regular Meetings** — Unless otherwise stated and advertised, the regular meetings of the Board of Directors shall be held in the Board of Education Office at 1002 West First Street on the second and fourth Mondays of each month, commencing at 7:00 P.M. If the regular meeting is still in session at 11:00 P.M. and it can be seen that the suggested agenda will require more than fifteen additional minutes, the board may vote for adjournment. The material not covered will form the agenda for the next regular meeting unless a special meeting is called.
3. **Special Meetings** — Special meetings may be held as determined by the Board, or called by the president, or by the secretary upon the written request of a majority of the members of the Board, upon notice specifying time and place, delivered to each member in person, or by registered letter, but attendance shall be a waiver of notice.
4. **Work Sessions** — The Board, as a decision making body, is confronted with a continuing flow of problems, issues and needs which require action. While the Board is determined to expedite its business, it is also mindful of the importance of planning, brainstorming and thoughtful discussion without action. Therefore, the Board may schedule work sessions in order to provide its members and the administration with such opportunities. The Board has the authority to hire an outside facilitator to assist them in work sessions.

Topics for discussion and study will be announced publicly, and work sessions will be conducted in open session. No board action will take place at the work session.
5. **Public Meetings** — Regular meetings, special meetings, and ad hoc committee meetings are open to the public. Citizens should have the right to be present at any such meeting. However, any public agency may make and enforce reasonable rules for the conduct of its meetings to assure those meetings are orderly, and free from interference or interruption by spectators.
6. **Notice of Meetings** — The notice shall state the time, date, and place of the meeting and its tentative agenda. The notice shall be given to the media who have filed a request with the board secretary. **The agenda will be posted in a prominent and conspicuous place that is annually designated for that purpose and always visible to the public. Public notice will also be posted on the primary internet site owned or maintained by the district,** and the notice shall be posted on the bulletin board at the central administration office. Usually such notice shall be at least 24 hours prior to the meeting unless otherwise provided by law. **If the district amends the tentative agenda after posting and it is within 24 hours of the meeting, the amended agenda will be clearly marked as "amended" and the specific amended portions identified. Public notice of the amended agenda must be given in the same manner as notice of the original tentative agenda. If a meeting is held on shorter notice, as much notice as is reasonably possible shall be given, and the nature of the good cause justifying departure from normal requirements shall be stated in the minutes.** Notice of regular and special Board of Education meetings shall be given by the board secretary. Notice of all committee meetings shall be given by the officially appointed board designee.
7. **Minutes** — The Board and the duly appointed committees shall keep minutes of all of their meetings showing the date, time and place, and members present, and the action taken at each meeting. The minutes at a minimum, should contain the motion, the second, and the vote by individual members on each issue. The minutes of open meetings will be kept on file as the permanent official records of school legislation. The secretary will act as custodian of the minutes and will make them available to any citizen to examine during the district's office hours.

8. **Closed Session** — The Board or a committee may hold a closed session only by affirmative public vote of either (a) two-thirds of board or committee membership or (b) all the members present at the meeting. The Board or committee may hold a closed session only to the extent a closed session is necessary for any of the following reasons:
- a. To review or discuss records which are required or authorized by state or federal law to be kept confidential, or be kept confidential as a condition for continuation of federal funds;
 - b. To conduct hearings to suspend or expel a student, or to discuss whether to conduct such a hearing, unless an open session is requested by the student or a parent or guardian of the student if the student is a minor; if an open session is held, consent shall be obtained from the individual to discuss the individual's confidential records.
 - c. To evaluate the professional competency of an individual whose appointment, hiring, performance, or discharge is being considered when necessary to prevent needless and irreparable injury to that individual's reputation and that individual requests a closed session;
 - (1) If an open session is held, consent shall be obtained from the individual to discuss the individual's confidential records.
 - (2) A teacher termination hearing per Chapter 279.15(2), a meeting to hear the superintendent's recommendation on teacher termination per Chapter 279.16, and a private hearing upon the question of the termination of an administrator's contract per Chapter 279.24 are not subject to Chapter 21, the open meetings law.
 - d. To discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation;
 - e. To discuss the purchase of particular real estate only where premature disclosure could be reasonably expected to increase the price the governmental body would have to pay for that property;
 - f. Other exceptions in the Iowa Code relate to letters patent, law enforcement, licensing examinations, and state agency administrative hearings.

The vote of each member on the question of holding the closed session and the reason for the closed session, as listed in the law, shall be announced publicly at the open session and entered in the minutes. No other business may be discussed in the closed session which does not directly relate to the specific reason announced as justification for the closed session. Final action on any matter shall be taken in an open session unless some other provision of the Code expressly permits such actions to be taken in closed session.

The detailed minutes and tape recording of a closed session shall be sealed and shall not be public records open to public inspection. Access to these documents will be available only to board members, appropriate administrative personnel and/or judicial review. The sealed records are to be kept for a period of at least one year from the date of the closed session. The board secretary is authorized to destroy the minutes and erase the tape recording after one year from the date of the closed meeting. Minutes and records of a closed session involving real estate purchase are open to the public when the transaction is completed.

9. Collective Bargaining Session — The first two negotiation sessions are open to the public and subject to all provisions regarding giving notice, public access, and minutes. The employee organization shall present its initial bargaining position to the employer at the first session and the employer shall present its initial bargaining position to the employee organization at the second session. All other negotiating sessions, strategy meetings of public employers or employee organizations, mediation, and the deliberative process of arbitrators shall be exempt from the provisions of Chapter 21. Hearings conducted by arbitrators shall be open to the public

Legal Reference: Iowa Code §§ 21; 279.8 (2005).
 Iowa Code §§ 20.17; 21; 22.7; 279.145, .16, .24 (2005)
 1982 Op. Att'y Gen. 162.
 1980 Op. Att'y Gen. 167.
 1976 Op. Att'y Gen. 384, 514, 765.
 1972 Op. Att'y Gen. 158.
 1970 Op. Att'y Gen. 287.

Date of Adoption: July 11, 1977

Dates of Revision: January 8, 1979
 January 9, 1989
 September 16, 1996
 September 23, 2002
 November 13, 2006

Selection for Employment and Assignments

The Cedar Falls Community School District will select for employment qualified applicants for each position without improper discrimination on the basis of race, color, creed, religion, sex, sexual orientation, gender identity, national origin, ethnic background, age, pregnancy or related condition or disability. Persons with disabilities who can perform the essential functions of an assignment with or without reasonable accommodations shall be considered qualified applicants. The District shall take affirmative action in the recruitment, appointment, assignment and advancement of personnel to accomplish the goals of equal employment opportunity. In keeping with the law, the District shall consider the veteran status of applicants.

Employment Conditions

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

Complaints of Discrimination

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

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

Compliance Officer

The director of human resources shall be designated as the District's compliance officer to insure that applicants and employees are treated in accordance with this policy. In the event the director of human resources is the alleged perpetrator, the director of secondary education shall be the alternate compliance officer. The compliance officer shall also be responsible for coordinating the preparation, implementation, evaluation, and updating of written equal

employment opportunity and affirmative action plans, with systematic input from diverse racial/ethnic groups, women, men and persons with disabilities.

Confidentiality

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

No Retaliation

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

Corrective Action

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

Notice

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

Date of Adoption: June 23, 1975

Dates of Revision: December 13, 1976 August 14, 2006
March 11, 1985 September 8, 2008
May 8, 1989
June 11, 1990
December 10, 1990
August 9, 1993
September 12, 1994
April 24, 1995
November 11, 1996
October 12, 1998
July 12, 1999
September 27, 1999
November 25, 2002
July 19, 2004

DISCRIMINATION/HARASSMENT COMPLAINT FORM

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

Date of Complaint: _____

Name of Complainant: _____

Position and Building of Complainant: _____

Home Address: _____

Home Telephone: () _____ Email: _____

Name and Position of Alleged Perpetrator: _____

Discrimination Alleged:

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

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

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

Signature: _____

Name Printed: _____

Date: _____

Date: _____

SUMMARY OF DISPOSITION OF DISCRIMINATION/HARASSMENT COMPLAINT

Name of Complainant: _____

Position and Building of Complainant: _____

Name and Position of Alleged Perpetrator/Respondent: _____

Date of Initial Complaint _____

Nature of Harassment Alleged:

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

Summary of Investigation:

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

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

 _____ Inconclusive

Signature

Typed or Printed Name

Position

Address

Date

Copies to:

_____ Complainant

_____ Alleged Perpetrator/Respondent

_____ Superintendent

Selection of staff personnel shall be based upon the following qualifications:

- a. All professional employees shall be properly certificated, authorized or licensed as required by statute, the Iowa Department of Education and the Iowa Board of Educational Examiners and as required by the District's job descriptions.
- b. All classified employees shall be properly licensed by the State if a license is required by law or by the District's job description.
- c. Educational and other training where such training is necessary or appropriate for the position.
- d. Needs of the District.
- e. Demonstrated ability to fulfill all aspects and essential duties of the position.
- f. Demonstrated rapport with children, fellow workers, and others.
- g. Ability to exercise discretion and good judgment.
- h. Diligence and dependability.
- i. Honesty and integrity.
- j. Ability to follow instructions and suggestions of supervisors.
- k. Degree of being well-informed on all essentials relating to the position.
- l. Compatibility with the District's philosophy and programs.
- m. Adherence to professional ethics.
- n. Personal qualities advantageous to the position.
- o. History of past successful job experiences.
- p. Other qualities as may be determined from time to time by the administrative staff.

The District shall carefully consider the facts relating to any applicant who has a known history of a criminal conviction or of a conviction or judicial or administrative finding of child, dependent adult, or sexual abuse. The District shall perform criminal and abuse background checks as required by law or as deemed necessary by the administration. **Background checks and employment eligibility checks for candidates selected for hire will be performed in accordance with applicable laws.**

Date of Adoption: September 8, 2008

Date of Revision:

Date of Review:

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

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

Sick Leave

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

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

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

Temporary employees shall not be granted paid sick leave.

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

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

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

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

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

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

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

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

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

Workers’ Compensation

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

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

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

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

Extended Disability Leaves of Absence

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

Family and Medical Leave Act

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

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

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

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

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

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

FMLA leave begins. Leave to care for a newly-born, adopted or foster child must conclude within 12 months of the birth or placement of the child. Spouses, both of whom are employed by the District, may take a combined 12-week allotment for the birth or placement of a child and/or spouses may take a combined 26-week allotment to care for a covered service member with a serious illness or injury incurred or aggravated in the line of duty. The District may require an employee to provide written certification from a health care provider when an employee requests family and medical leave for the employee's own serious health condition or to care for the employee's parent, spouse, or child with a serious health condition, or to care for a covered service member with a serious illness or injury.

Bereavement Leave

Immediate Family

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

Extended Family or Close Friend

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

Extended Family or Close Friend: Illness or Injury

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

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

Death of a Student or Employee

In the event of death of a student or employee of the Cedar Falls Community School District, the principal of the building or supervisor of the effected department may, after consultation with Director of Human Resources, grant to an appropriate number of designated employees sufficient time to attend the funeral as representatives of the District; such time shall not be debited from employee leave balances. Other colleagues who wish to attend the funeral shall request applicable leave.

Personal Leave

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

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

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

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

Military Leave

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

Jury Duty and Subpoena Leave

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

Conference Leave

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

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

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

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

Public Office Leave

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

Other Absences

Leaves of absence for reasons other than those listed above, or in excess of the number of days allowed, may be granted by the superintendent or designee. The employee shall have deducted from his/her salary an amount equal to one day's pay for each day of absence. The District shall not continue fringe benefits, but the employee may continue the fringe benefits for the duration of the leave at his/her own expense, except that the District shall provide benefits in accordance with the Family and Medical Leave Act.

Leave for physical recovery to teachers injured due to a student's violent disruption occurring in the performance of the teacher's work duties will be allowed in coordination with the building principal and Director of Human Resources.

~~Waiting Period~~

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

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

Discipline

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

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

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

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, financial condition of the school district and projected to be available, 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. **If an open enrollment request into the district is denied, the reasoning behind a denial of a request and information related to the denial will be documented and submitted to the Iowa Department of Education in a manner prescribed by the Department.**

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.

Date of Adoption: September 11, 1989

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October 14, 1991
January 11, 1993
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July 10, 2000
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June 8, 2009

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 unnecessary disruption by others.

The Cedar Falls Community School Board of Directors 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, 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 Directors of the school district.

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" means:

- 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" means 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.

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

- A. Physical contact with the body of a student. 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, or 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.

VI. 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 directors 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 Directors, 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 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 school board 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.

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 school board and the school district may also be advised by legal counsel.
4. The Board, 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 a tape 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.

e. The Decision:

1. The Board 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 school board 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 school board, stating the reasons therefore. The school board may, in its discretion, deny such request 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.

VII. 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 school 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.

VIII. 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.

IX. 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 call 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.
- c. 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.
- d. It shall be the responsibility of the person who suffers the assault or injury to file any charges for prosecution.

X. 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.

Legal Reference: Goss v. Lopez, 419 U.S. 565 (1975).
Wood v. Strickland, 420 U.S. 308 (1975).
Southeast Warren Comm. School District v. Dept. of Public Instruction, 285 N.W. 2d 173 (Iowa 1979).
Iowa Code §§ 21.5, 280.13, 13A, 282.3, .4, .5 (2007).
No Child Left Behind, Title IV, Sec. 4141, P.L. 107-110 (2004).
Improving America's Schools Act of 1994, P.L. 103-382.
McClain v. Lafayette County Bd. Of Education. 673 F.2d 106 (5th Cir. 1982).
Iowa Code §§ 279.8, 280.21B, 274 (2007).
281 I.A.C. 12.3(6) (8), 34 C.F.R. Pt. 86, 18 U.S.C. § 921 (2004).
Iowa code §§ 123.46, 124, 279.8, .9, 453A (2007).
281 I.A.C. 12.3 (8), 12.3(9), .5(3)(e), .5(4)(e), .5(5)(e), .5(21), 36.15 (1).
No Child Left Behind, Title IV, Sec. 4115, P.L. 107-110 (2004).
Brands v. Sheldon Community School District, 671 F. Supp. 627 (N.D. Iowa 1987).
Sims v Colfax Comm. School Dist., 307 F. Supp. 485 (Iowa 1970).
Bunger v Iowa High School Athletic Assn., 197 N.W. 2d 555 (Iowa 1972).
Board of Directors of Ind. School District of Waterloo v. Green, 259 Iowa 1260, 147 N.W. 2d 854 (1967.)
Iowa Code §§ 279.5, 282.4, .5, 708.1 (2007).
In re Jason Clark, 1 D.P.I. App. Dec. 167 (1978).

Date of Adoption: August 13, 2007

Date of Revision: October 27, 2008

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.

I. 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 the classroom is when a student is taken out of their regular learning environment and sent to an alternative location. Removal of students from the classroom for violent or nonviolent disruptions shall occur in accordance with the districts "Disruptive Behavior" policy. Removal of students from the classroom for reasons other than violent or nonviolent disruption shall occur at the discretion of the licensed staff member in charge of the classroom. ~~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.

Administrative Action

- J. 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.

- K. 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.

- L. 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.

- M. 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.

- N. 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.
- O. 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.
- P. 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.

II. 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.

III. 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.

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.

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.

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.

Legal Reference: Goss v. Lopez, 419 U.S. 565 (1975).
Wood v. Strickland, 420 U.S. 308 (1975).
Southeast Warren Comm. School District v. Dept. of Public Instruction, 285 N.W. 2d 173 (Iowa 1979).
Iowa Code §§ 21.5, 280.13, 13A, 282.3, .4, .5 (2007).
No Child Left Behind, Title IV, Sec. 4141, P.L. 107-110 (2004).
Improving America's Schools Act of 1994, P.L. 103-382.
18 U.S.C. § 921 (2004).
McClain v. Lafayette County Bd. Of Education. 673 F.2d 106 (5th Cir. 1982).
Iowa Code §§ 279.8, 280.21B, 274 (2007).
281 I.A.C. 12.3(6) (8), 34 C.F.R. Pt. 86 (2004).
Iowa code §§ 123.46, 124, 279.8, .9, 453A (2007).
281 I.A.C. 12.3 (8), 12.3(9), .5(3)(e), .5(4)(e), .5(5)(e), .5(21), 36.15 (1).
No Child Left Behind, Title IV, Sec. 4115, P.L. 107-110 (2004).
Brands v. Sheldon Community School District, 671 F. Supp. 627 (N.D. Iowa 1987).
Sims v Colfax Comm. School Dist., 307 F. Supp. 485 (Iowa 1970).
Bunger v Iowa High School Athletic Assn., 197 N.W. 2d 555 (Iowa 1972).
Board of Directors of Ind. School District of Waterloo v. Green, 259 Iowa 1260, 147 N.W. 2d 854 (1967.)
Iowa Code §§ 279.5, 282.4, .5, 708.1 (2007).
In re Jason Clark, 1 D.P.I. App. Dec. 167 (1978).

Date of Adoption: August 13, 2007

Date of Revision: October 27, 2008

Policy Title:

Disruptive Behavior

Code No. *502.1.3*

The District supports creating an orderly educational environment for students. Classroom teachers have authority to remove students from the classroom who cause violent or nonviolent disruptions to instruction, however this authority is not absolute. Students who are removed from the classroom must be afforded due process that is consistent with applicable laws and board policy.

Discipline will be administered consistent with law and board policy and accompanying regulations. Removal and discipline of students with disabilities will comply with the provisions of applicable federal and state laws. Each teacher providing instruction to a student with a plan under Section 504 of the Federal Rehabilitation Act shall review the plan and provide written confirmation of that review to the student's special education teacher. The district will also ensure that at least one paraeducator or other employee who assists a teacher in providing classroom instruction to the student attends meetings related to the student's IEP or Section 504 plan. All members of a student's IEP team will be provided training on the least restrictive environment requirements under the Individuals with Disabilities in Education Act.

Teachers who become injured due to a student's violent disruption occurring in the performance of the teacher's work duties shall be granted a leave of absence for physical recovery no more than three (3) days with full pay. If the teacher requests additional physical recovery time, the school board will consider the request if accompanied by a note from a physician indicating a need for longer absence. It is within the discretion of the school board to grant or deny such requests.

Upon the request of a teacher as defined by Iowa Code 256.145, the principal will ensure that a mental health professional, guidance counselor, or behavioral interventionist is made available to students, teachers, and other school employees to address immediate trauma arising from a violent or nonviolent disruption. Students less than the age of 18 must have consent from a parent or guardian in order to receive mental health services unless they are an emancipated minor.

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

Legal Reference: 20 U.S.C. §1232g

20 U.S.C. § 1400

42 U.S.C. § 12101

Iowa Code §§ 279.8, 279.65B, 279.89, 279.90

Date of Adoption:

Nonviolent Disruption

A nonviolent disruption is defined as a disruption to classroom instruction that results from disorderly conduct, abusive or profane language, bullying as defined by *Iowa Code* 280.28, or repeatedly disruptive behavior. If the disruption is a nonviolent disruption, a teacher may remove the student from the classroom and place the student under the supervision of the principal or the principal's designee for at least 30 minutes. A teacher may appeal to the school board a principal's decision not to remove a student for nonviolent disruptive behavior, as well as a decision to return the student to the classroom too soon.

A student enrolled in kindergarten through grade five cannot be readmitted into the teacher's classroom until the principal or principal designee and the teacher meet to discuss the readmission of the student.

A student enrolled in grades six through twelve cannot be readmitted into the teacher's classroom until the principal or the principal designee and the teacher meet to discuss readmission. Even so, the student is not allowed to be re-admitted to the teacher's classroom until the immediate subsequent school day at the earliest.

[School districts may insert other re-admittance considerations per recommendations identified by the district's oversight and review committee].

Should there be disciplinary action taken against the student, the principal or the principal's designee will inform the teacher of the actions taken as soon as reasonably possible after the student's removal.

Students who have been removed from class will be provided alternative learning arrangements and must make up any work that the student missed while under alternative supervision.

Multiple Nonviolent Disruption Removals

Should a student be removed from a teacher's classroom more than once, the teacher(s) who removed the student, the principal, the guidance counselor, the student's parent/legal guardian (if the student is not an emancipated minor), and the student must participate in a meeting to discuss the student's nonviolent disruptions, establish a behavior plan, and a course of discipline. Considerations may include relocating the student to an alternative learning environment, including a therapeutic classroom when appropriate.

Violent Disruption

A violent disruption is defined as a disruption to classroom instruction that results from a threat of violence or an incident of violence resulting in injury, property damage, or assault as defined in *Iowa Code* 708.1. If the disruption is a violent disruption, the teacher must remove the student from the classroom and place the student under the supervision of the principal or the principal's designee.

A student enrolled in kindergarten through grade five cannot be re-admitted into the teacher's classroom until the principal or principal designee and the teacher meet to discuss the readmission of the student.

A student enrolled in grades six through twelve cannot be readmitted into the teacher's classroom until the principal or the principal designee and the teacher meet to discuss readmission. The student is not allowed to be re-admitted to the teacher's classroom until the immediate subsequent school day at the earliest.

A student cannot be re-admitted to a teacher's classroom if all the following criteria are met:

- The student was removed due to an assault on the teacher, and
- The teacher does not consent to allowing the student to return to the teacher's classroom.

Should there be a determination of disciplinary action, the principal will take the disciplinary action and notify the parent or guardian of the student in writing, and if possible, through electronic notice.

The principal must impose the maximum disciplinary action allowed under district policy when a student's conduct, statements, or other actions:

- are severe or pervasive; and
- result in a request from the teacher for maximum disciplinary consequences.

Multiple Violent Disruption Removals

If a student is removed from a teacher's classroom two or more times in a trimester (elementary) or semester(secondary) then the principal will discipline the student in any of the following manners:

- Assigning the student to either in-school or out-of-school suspension; or
- Recommend to the superintendent the student be relocated in an alternative learning environment that has been approved by the superintendent.
- Removal and discipline of students with disabilities under any of these categories must comply with the provisions of applicable federal and state law.

NOTE: In-school suspension can at times still be considered a "removal" to trigger the ten cumulative days for manifestation determination reviews.

Date of Adoption:

Policy Title: *Disruptive Behavior - Removal Procedures for Nonviolent Behavior for Students with an IEP* Code No:502.1.5

Should a student with an Individualized Education Program (IEP) be removed from the classroom due to nonviolent disruptive behavior, an IEP team meeting will take place immediately subsequent to the removal of the student from the classroom. The meeting participants should additionally include the following individuals if practicable:

- Teacher who removed the student from the classroom;
- Any teacher who provides classroom instruction to the student;
- Any other employee of the school district who was directly involved in the student's conduct.

If a teacher or district employee listed above cannot attend the IEP meeting, they must review the IEP team's minutes or summary of the meeting and provide written confirmation to the team that they have done so.

The IEP Team must discuss the following during the meeting:

- The appropriateness of the student's current educational programming.
- Whether adjustments need to be made to the student's IEP to address the student's behaviors.
- The student's current placement and whether an alternative learning environment would best provide the student with a free appropriate public education.
- The accommodations, modifications, and adaptations required to allow the student's success in a general education setting; the supports needed by teachers and other school employees to provide the above-listed services; and whether the school district has the capacity to provide such supports and services.
- Whether and to what extent the provision of special education services and activities in the general education environment will impact the student and the other students in the classroom.

If a student is removed from the classroom five (5) or more times within a fifteen (15) consecutive school day period, then the students' IEP team will meet to discuss the student's behavior.

A teacher has the authority to request a meeting of the student's IEP team at any time by submitting an electronic or written request to Director of Student Services. The request may be denied, in writing, with a description of why applicable laws do not require the meeting of the student's IEP team.

Date of Adoption:

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.

Decisions will be made consistent with applicable laws.

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.

Date of Adoption: September 19, 1994

Date of Revision: January 13, 2003
October 27, 2008

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 building activities council 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.

With permission from a parent or guardian, an eighth-grade student may participate in interscholastic athletic contests or competitions at the high school level. An eighth-grade student who participates at the high school level cannot also participate on an eighth-grade team in the same sport during the same season. Students may not compete in both programs during the same sport season. Any eighth-grade student participating in high school athletics must meet the annual athletic physical examination requirements applicable to all student athletes. The superintendent, in collaboration with the athletic director, will develop administrative regulations and procedures necessary to administer this policy.

Date of Adoption: June 12, 1989

Date of Revision: December 9, 1996
September 15, 1997
February 23, 1998
October 30, 1998
January 13, 2003
October 27, 2008

Policy Title:

Special Education Programs

Code No. 602.7

The Cedar Falls Community Schools will provide programs and services to meet the educational needs of all students. The board recognizes that some students have different educational needs than other students. The board shall provide a free, appropriate public education program and related services to students identified in need of special education. The special education services will be provided from birth until the appropriate education is completed, age 21 or to maximum age allowable in accordance with the law. Students requiring special education shall attend general education classes, participate in nonacademic and extracurricular services and activities and receive services in a general education setting to the maximum extent appropriate to the needs of each individual student. The appropriate education for each student shall be written in the student's Individualized Education Program (IEP).

The district will ensure that each student's IEP is accessible to all employees responsible for its implementation and that such employees are informed of their specific responsibilities and the accommodations, modifications and supports required under the IEP. Each responsible employee must review updates to the IEP and provide written confirmation of the review.

Special education students are required to meet the requirements stated in board policy or in their IEP's for graduation. It is the responsibility of the superintendent and the area education agency director of special education to provide or make provisions for appropriate special education and related services.

Children from birth through age 2 and children age 3 through age 5 are provided comprehensive special education services within the public education system. The school district will work in conjunction with the area education agency to provide services, at the earliest appropriate time, to children with disabilities from birth through age 2. This shall be done to ensure a smooth transition of children entitled to early childhood special education services.

Date of Adoption: February 28, 1972

Dates of Revision: January 24, 1983
December 11, 1989
January 13, 1997
April 14, 2003
April 13, 2009

Policy Title:

Talented and Gifted Program

Code No. 602.8

The board recognizes some students require qualitative differentiated programming beyond the regular education program. The board shall identify students with special abilities and provide educational programming.

It shall be the responsibility of the superintendent to develop a talented and gifted program.

It shall also be the responsibility of the superintendent to develop administrative regulations for identifying students, for program evaluation, and for training of school district personnel.

Systematic and uniform procedures are used for screening, identifying, and serving gifted and talented students. The board will review the progress of gifted and talented students at least annually for the purposes of ensuring the district-provided services meet the academic needs of gifted and talented students.

Date of Adoption: May 8, 1989

Dates of Revision: March 10, 2003
April 13, 2009

Policy Title: *Program for Talented and Gifted Students-Regulation* Code: 602.8.1R

The district shall use systematic and uniform procedures for screening, referral, identification and serving gifted and talented students enrolled in kindergarten through grade twelve.

Screening, Referral and Identification

A reasonable effort (which may include outreach, data review, and multiple identification pathways) will be made to identify gifted and talented students among all student populations, including special education and English language learners. Identification of gifted and talented students is based on evidence from multiple data sources (objective and subjective), including local comparisons within the school district and, when appropriate, within individual attendance centers. This may include, but is not limited to: [The district may choose all that apply from the list below].

- Standardized testing
- Student achievement
- Cognitive ability
- Creative ability
- Qualitative and quantitative data
- Teacher and parent input
- Observation of gifted characteristics and behaviors

No single criterion prohibits a student from participating in the district's programming for gifted and talented students.

Serving Programming

The educational services provided to gifted and talented students must include but are not limited to:

1. Addressing cognitive needs of the gifted and talented student;
2. Addressing character development or common challenges of gifted and talented children and promoting skills to support personal growth and academic success;
3. Be in alignment with the gifted and talented child's identification data;
4. Correspond to the academic strengths and interests of the gifted and talented child;

Acceleration options, including subject acceleration and whole grade acceleration, will be implemented in accordance with district policy and applicable laws.

Iowa Code § 257 Financing School Programs

I.A.C. Iowa Administrative Code 281 I.A.C. 12.5 General Accreditation Standards-Education Program

I.A.C. Iowa Administrative Code 281 I.A.C. 59 Education –Gifted and Talented

Cross References: Code 604.06 Instruction at a Post-Secondary Educational Institution

Date of Adoption:

Parents who wish to have their child excluded from a school program because of religious beliefs must inform the superintendent. The board authorizes the administration to allow the exclusion if it is not disruptive to the educational process and it does not infringe on a compelling state or educational interest. Further, the exclusion must not interfere with other school district operations. Students who are allowed to be excluded from a program or activity which violates their religious beliefs are required to do an alternate supervised activity or study. The superintendent shall determine alternate activity or study for the student.

In notifying the superintendent or designee, the parents shall abide by the following:

- the notice shall be in writing;
- the objection shall be based on religious beliefs;
- the objection shall state which activities or studies violate their religious beliefs;
- the objection will state why these activities or studies violate their religious beliefs;
- the objection shall state a proposed alternate activity or study.

The superintendent or designee shall have discretion to make this determination. The factors considered when a student requests to be excluded from a program or activity because of religious beliefs include, but are not limited to:

- availability of staff to supervise a student who wishes to be excluded;
- availability of alternative course of study or activity;
- the number of students who wish to be excluded;
- concern that allowing the exclusion places the school in the position of supporting a particular religion,
- whether the program or activity is required for promotion to the next grade level or for graduation.

Decisions will be made consistent with applicable laws.

Date of Adoption: May 8, 1989

Dates of Revision: January 13, 1997
March 10, 2003
April 13, 2009

Policy Title:

Physical Education

Code No. 602.16

Students in grades one through twelve shall be required to participate in physical education courses unless they are excused by the principal.

Students who are physically able will be assessed using the presidential physical fitness test. Otherwise, students may be excused from physical education courses if the student presents a written statement from a doctor stating that such activities could be injurious to the health of the student or the student has been exempted because of a conflict with the student's religious beliefs.

Students in grades 10 – 12 may also be excused from physical education courses if the student is enrolled in a full schedule of academic courses not otherwise available or obtains a waiver.

Date of Adoption: May 8, 1989

Dates of Revision: March 10, 2003
April 13, 2009

In the event a child of compulsory attendance age, over age six and under age sixteen, does not attend public school or an accredited nonpublic school the child must receive competent private instruction.

A parent choosing competent private instruction for a student must notify the school district prior to the first day of school on forms provided by the school district. The forms are available in the central administration office. One copy of the completed forms will be kept by the school district and another copy will be forwarded to the area education agency.

The superintendent will determine whether the completed form is in compliance with the law. Specifically, the superintendent will determine whether the individual providing the instruction is either the student's parent, guardian, legal custodian or an Iowa licensed practitioner; whether the licensed practitioner's license is appropriate for the age and grade level of the student; that the student is being instructed a minimum of one hundred and forty-eight days per year; that immunization evidence is provided for students placed under competent private instruction for the first time and that the report is timely filed.

The school district will report noncompliance with the reporting, immunization, attendance, instructor qualifications, and assessment requirements of the compulsory attendance law to the county attorney of the county of residence of the student's parent, guardian or custodian.

Students receiving competent private instruction are eligible to request open enrollment to another school district. Prior to the request for open enrollment, the student will request dual enrollment in the resident district. The receiving district will not bill the resident district unless the receiving district complies with the reporting requirements. If the parent, guardian or custodian fails to comply with the compulsory attendance requirements, the receiving district will notify the resident district. The resident district will then report the noncompliance to the county attorney of the county of residence of the parent, guardian or custodian.

Students receiving competent private instruction from a parent, guardian or legal custodian must be evaluated annually by May 1 unless such person is properly licensed. The parent, guardian or legal custodian may choose either a standardized test approved by the Iowa Department of Education or a portfolio evaluation. If the parent, guardian or legal custodian chooses standardized testing and the student is dual enrolled, the school district will pay for the cost of the standardized test and the administration of the standardized test. If the student is not dual enrolled, the parent, guardian or legal custodian will reimburse the school district for the cost of the standardized test and the administration of the standardized test. If a parent, guardian or legal custodian of a student receiving

competent private instruction chooses portfolio assessment as the means of annual assessment, the portfolio evaluator must be approved by the superintendent. Portfolio evaluators must hold a valid Iowa practitioner's license or teacher certificate appropriate to the ages and grade levels of the children whose portfolios are being assessed. No annual evaluation is required for students receiving competent private instruction from an appropriately licensed or certified Iowa practitioner.

Upon the request of a parent, guardian or legal custodian of a student receiving competent private instruction or upon referral of a licensed practitioner who provides instruction or instructional supervision of a student under competent private instruction, the school district will refer a student who may require special education to the area education agency, Division of Special Education, for evaluation.

Students in competent private instruction must make adequate progress. Adequate progress includes scoring at the thirtieth percentile on a standardized test or a report by the portfolio evaluator indicating adequate progress. Students who fail to make adequate progress under competent private instruction provided by the student's parent, guardian or legal custodian will attend an accredited public or nonpublic school beginning the next school year. The parent,

guardian or legal custodian of a student who fails to make adequate progress may apply to the director of the Department of Education for approval of continued competent private instruction under a remedial plan.

The remediation plan is for no more than one year. Before the beginning of the school year, the student may be re-tested and if the student achieves adequate progress the student may remain in competent private instruction.

Independent private instruction means private instruction that meets the following criteria; (i) is not accredited, (ii) provides private or religious-based instruction as its primary purpose, (iii) provides students in all grade levels with instruction in mathematics, reading and language arts, science and social studies, (iv) provides, upon written request from the superintendent of the school district in which the independent private instruction is provided, or from the director of the department of education, a report identifying the primary instructor, location, name of the authority responsible for the independent private instruction, and the names of the students receiving the instruction, who need not be related to the primary instructor, (v) is not a nonpublic school and does not provide competent private instruction as defined above, and (vi) is exempt from all state statutes and administrative rules applicable to the school, a school board or a school district, except as otherwise provided by law.

Date of Adoption: October 12, 1992

Dates of Revision: January 13, 1997
March 10, 2003
April 13, 2009

Policy Title:

Guidance Program

Code No. ***604.1***

The Board will provide a student guidance and counseling program. The school counselor will be certified with the Iowa Department of Education and hold the qualifications required by the Board. The guidance and counseling program will serve grades kindergarten through twelve. The program will assist students with their ~~social personal,~~ ~~academic educational,~~ and career development. ~~The program is coordinated with the education program and will involve licensed school counselors working to develop a program in collaboration with parents or guardians, students, teachers, support staff and administrators to support the curricular goals of the school.~~

Date of Adoption: August 24, 1970

Date of Revision: December 11, 1989
March 10, 2003
May 11, 2009

Internet access is available to students and staff of Cedar Falls Community School District, providing the ability to access information that cannot easily be found any other way. The Internet is becoming the main delivery system of basic reference resources. The goal in providing this service is to promote educational excellence by facilitating resource sharing, innovation, and communication.

Because of the breadth, scope, and “free” nature of the Internet, not all materials are appropriate for schools. The constantly evolving nature of the network makes it virtually impossible to predict and control what users may locate. The use of the Internet is a privilege, not a right, and carries with it certain responsibilities. All computer use may be monitored. Users must adhere to the following guidelines:

- The Internet will be available to all students and staff. The amount of time will depend on the number of available terminals and the curricular demands of each terminal.
- Computers may be used to access e-mail. All e-mail use must adhere to this policy.
- Material accessed must be educationally appropriate. Material or language that is threatening, obscene, vulgar, sexually explicit, or otherwise inappropriate for an educational setting is strictly prohibited for all users.
- Real-time conference features such as chat and instant messaging are to be used only as approved by a supervising teacher.
- All users must adhere to current copyright and license agreements when using material found on the Internet.
- Information given over the Internet is *not* confidential. Disclosure of personal information (name, phone number, address) of the user or of other people is prohibited for students.
- Students may not download files without permission of the supervising teacher.
- If a user gains access to any service that has a cost involved, Cedar Falls Community School District is not responsible for that cost. The individual user will be responsible for any costs incurred.
- Cedar Falls Community School District makes no guarantees as to the accuracy of information received over the Internet.
- All illegal activity is prohibited.

Failure to comply with any of the guidelines presented in this policy may result in one or more of the following consequences:

- Loss of Internet privileges for a specified amount of time,
- Loss of credit for the Internet assignment or unit,
- Referral to the building administration for discipline.

For grades kindergarten through five, the district limits digital instruction to no more than *[insert amount of time not to exceed sixty (60) minutes per school day]*. Digital instruction means the use of instructional technology to deliver lessons, assignments, assessments, or instructional activities. A student's parent or guardian may request additional reductions in the student's digital instruction. Students in these grades will not have access to and use digital devices during recess.

The school board will adopt or renew any district one-to-one digital device program for all participating grade levels. Prior to adoption or renewal, the board shall complete a technology adoption checklist in accordance with applicable laws. The checklist must be retained by the district and made available to the Iowa Department of Education for audit purposes.

This policy will not apply in the following circumstances:

The school board will adopt or renew any district one-to-one digital device program for all participating grade levels. Prior to adoption or renewal, the board shall complete a technology adoption checklist in accordance with applicable laws. The checklist must be retained by the district and made available to the Iowa Department of Education for audit purposes.

This policy will not apply in the following circumstances:

- Use required pursuant to an individualized education plan (IEP) or plan developed pursuant to section 504
- Assistive or adaptive technology used to provide a student access to instruction or to accommodate differing student abilities
- Teacher directed demonstrations using a projector, smartboard, or similar display device when students are not individually operating a digital device
- State assessments, screenings, progress mentoring, and local diagnostic assessments that require the use of one-to-one digital devices.
- Dedicated computer science and technology curriculum.
- Students enrolled in an online learning program operating pursuant to Iowa Code 256.43

Date of Adoption: February 26, 1996

Dates of Revision: September 28, 1998
March 19, 2001
March 10, 2003
May 11, 2009

Policy Title:

Technology Adoption Checklist

Code No 605.4.1

ONE-TO-ONE DIGITAL DEVICE PROGRAM TECHNOLOGY ADOPTION CHECKLIST

Prior to adopting or renewing any one-to-one digital device programming, the Board will consider all of the following when making programming decisions:

- The instructional purpose of the device;
- The age appropriateness of the device and associated software;
- Content-filtering limitations and the district's capacity to mitigate those limitations;
- Whether student data is collected, stored, or shared and the nature of such data practices.

The Board delegates to the Superintendent or its designees the responsibility to bring forth a recommendation on the use of one-to-one instructional technology. The district maintains this checklist in its records for the purpose of compliance with Iowa Department of Education audit requests.

Date of Adoption:

Policy Title:

Transfer of Funds

Code No. 701.02

A school district may transfer funds under the following circumstances:

1. When the necessity for a fund has ceased to exist, the balance may be transferred to another fund or account by board resolution. School district monies received without a designated purpose may be transferred in this manner.
2. School district monies received for a specific purpose or upon vote of the people may only be transferred, by board resolution when the purpose for which the monies were received has been completed. Voter approval is required to transfer monies to the general fund from the capital projects fund and debt service fund.
3. If all requirements for district use of the funds under the Statewide Preschool Program, Professional Development Supplement, Home School Assistance Program, Teacher Leadership Supplement or any discontinued fund have been met and funds remain unexpended and unobligated at the end of the fiscal year, the district may transfer all or a portion of the remaining funds by passage of a board resolution into the district's flexibility account in accordance with law. Before the expenditures of amounts in the flexibility account, the district shall publish notice of the time, date, and place of a public hearing on the proposed resolution approving said expenditures. The board must find and certify that the statutory requirements of each original source of funds have been met before adopting the resolution approving the expenditures. The District will present a copy of the signed board resolution to the Department of Education.
4. The District may transfer by board resolution from the general fund to the student activity fund an amount needed to purchase or refurbish protective and safety equipment required for any extracurricular interscholastic athletic contest or competition sponsored or administered by the Iowa High School Athletic Association of Iowa Girls High School Athletic Union.
5. Unexpended and unobligated dollars that remain at the end of the fiscal year in addition to ongoing revenues may be transferred to the Teacher Salary Supplement (TSS) program from Professional Development Supplement (PDS), Talented and Gifted (TAG), and Teacher Leadership Supplement (TLS) without board action.
6. The District may choose to request approval from the School Budget Review Committee to transfer funds to make a program whole, prior to its elimination.
7. Temporary transfers (loans) of funds are permitted between funds but must be repaid to the originating fund with interest, by Oct. 1 following the end of the fiscal year in which the loan was made.

It is the responsibility of the board secretary in coordination with the Treasurer to make recommendations to the board requesting transfers and to provide the documentation justifying the transfer.

Date of Adoption:

Policy Title:

Financial Records

Code No. ***701.03***

Financial Records of the school district are maintained in accordance with generally accepted accounting principles (GAAP) and as required or modified by law. School district monies are received and expended from the appropriate fund and/or account. The funds and accounts of the school district will include, but not limited to:

Governmental Fund Type

- General Fund – This fund is the chief operating fund of the district. It is used to account for all financial resources except those accounted for and reported in another fund.
- Special Revenue Fund – These funds account for the proceeds of specific revenue sources other than trusts or major capital projects, that are legally restricted or committed to expenditure for specified purposes other than debt service or capital projects.
 - Management Levy Fund
 - Student Activity Fund
- Capital Project Fund – These funds are used to account for financial resources to acquire or construct major capital facilities or other capital assets (other than those of proprietary funds and trust funds) and to account for revenues from SAVE.
 - Physical Plant and Equipment Levy Fund (PPEL)
 - Secure and Advanced Vision for Education (SAVE)
- Debt Service Fund – This fund is used for the accumulation of resources for, and the payment of, general long-term debt principal and interest.

Proprietary Fund Type – These funds are used for business type activities that rely on fees and user charges for services.

- Enterprise Fund
 - School Nutrition Fund
 - Child Care Fund
 - Internal Service Fund
 - Community Education
 - Preschool (nonvoluntary, state)

Fiduciary Funds – These funds are used to account for monies or assets held by the school district on behalf of, or in trust for, another entity.

- Trust
 - Expendable Trust Funds
 - Nonexpendable Trust Funds
 - Pension Trust Funds
- Custodial Funds

Non-Fiduciary Scholarship Fund

Account Groups – The groups are the account records for capital assets and long-term debt

1. General capital assets account group
2. General long-term debt account group

The board may establish other funds in accordance with generally accepted accounting principles and may certify other taxes to be levied for the funds as provided by state law. The status of each fund must be included in the annual report.

It is the responsibility of the Superintendent in conjunction with the Treasurer and School Business Official to implement this policy and bring necessary changes in the maintenance of the school district's financial records to the attention of the board.

Date of Adoption:

Policy Title:

Fiscal Management

Code No. **701.05**

The Board recognizes its fiduciary responsibility to oversee the management of school district funds in keeping with the school district vision, mission and goals. To achieve this purpose, the board may engage in learning about the financial needs, operations and requirements of the school district as appropriate for the board's understanding of the district's financial position. The Board also commits to engaging in annual financial goal setting for the district based upon measurable data and projections for the school district.

Monthly, the Superintendent or designee, in coordination with the Treasurer, will provide the board with accurate reports showing the receipts, disbursements, and balances for each fund, cashflow needs, the investment portfolio, and any other reports showing the financial condition of the school district. After the fiscal year has closed, the Superintendent, or designee, in coordination with the Treasurer will provide the Board concise, timely, well organized financial data for that fiscal year. The Board will exercise its oversight responsibilities by reviewing relevant PK-12 public education sector indicators to understand the financial trends of the district.

The Board will establish and review financial goals and fiscal management performance measures annually and publish in the minutes. The District will measure whether these goals were obtained as of June 30, but only after completion of the Certified Annual Report due September 15th each year.

Providing the best possible educational experience for all students and meeting federal, state, and local academic goals for each student requires maximizing General Fund resources for use in the instructional program. The Board may request from the School Budget Review Committee (SBRC) additional modified spending authority (MSA) where it may be available for items such as:

- Special education deficit balances
- Advances to support increasing student enrollment
- Supports for students identified for English Learners
- At Risk/Dropout prevention programming
- Initial staffing associated with opening new buildings or programs
- Any other lawful purpose

Any award or modified supplement amount will be levied as a cash reserve based on the recommendation of the Superintendent, or designee, in coordination with the Treasurer and approved by the Board of Directors, consistent with its annual financial goals and the fiscal management performance measures.

Date of Adoption:

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

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

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

2 CFR Part 200 Subpart B-General Provisions

200.113 Mandatory Disclosures

An applicant, recipient, or subrecipient of a federal award must promptly disclose whenever, in a connection with the federal awards (including any activities or subawards thereunder), it has credible evidence of the commission of a violation of federal criminal law involving fraud, conflict of interest, bribery, or gratuity violations found under Title 18 of the United States Code of a violation of the civil False Claims Act (31 U.S.C. 3729-3733). The disclosure must be made in writing to the federal agency, the agency's Officer of Inspector General, a pass-through entity (if applicable). Recipients and subrecipients are also required to report matters related to recipient integrity and performance in accordance with Appendix XII of this part. ~~A non-Federal entity or applicant for a Federal award must disclose, in a timely manner, in writing to the Federal awarding agency or pass-through entity all violations of Federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the Federal award. Non-Federal entities that have received a Federal award including the term and condition outlined in Appendix XII—Award Term and Condition for Recipient Integrity and Performance Matters are required to report certain civil, criminal, or administrative proceedings to SAM.~~ Failure to make required disclosures can result in any of the remedies described in §200.3398-Remedies for noncompliance, including suspension or debarment. (See also 2 CFR part 180, 31 U.S.C 3321, and 41 U.S.C. 2313.) It is the responsibility of the Superintendent to timely report to the relevant federal or pass through agency any violations of federal criminal law involving fraud, bribery or gratuity potentially impacting a federal grant.

Date of Adoption: March 19, 2024

Date of Review: July 14, 2025

Date of Revision:

In accordance with federal requirements under 2 CFR Part 200, generally accepted accounting principles (GAAP) and applicable Governmental Account Standards Board (GASB) standards, Cedar Falls Community Schools shall account for and report federal awards in compliance with all applicable federal requirements governing the receipt and expenditure of federal awards. The district shall maintain the following:

Mandatory Disclosures 2 CFR 200.113 The district shall disclose violations of federal criminal law involving fraud, bribery, or gratuity violations potentially affecting a federal award.

Financial Management 2 CFR Part 200.302 The district will maintain a financial management system with internal controls and transparency that identifies all federal awards received and expended and the federal programs under which they were received. Federal awards must be accurate and current, recorded in appropriate records complete with reporting and record maintenance sufficiently identifying amount, source, expenditure and application of funds. The district will compare actual expenditures to budgeted amounts regularly with effective control over and accountability of all funds, property, and assets.

Internal Controls 2 CFR Part 200.303 The district will maintain internal controls over federal awards. Internal controls shall be consistent with guidance provided in the U.S. Government Accountability Office Standards for Internal Control in the Federal Government (Green Book) and/or the COSO Internal Control Framework. These controls are designed to ensure compliance with federal statutes and regulations, safeguard funds, property, sensitive data and other assets. Internal controls monitor compliance and evaluate risks, taking prompt action when instances of noncompliance are identified. They include cybersecurity measures for electronic records.

Payment Procedures 2 CFR 200.305 Federal funds used to pay employees in full or in part must be regulated through the district's payment procedures, which include time and effort tracking. The district shall maintain written procedures for payment management in accordance with Uniform Guidance. Federal funds shall be drawn down only as needed to meet immediate cash requirements and in a manner that minimizes the time elapsing between receipt and disbursement. Compensation charged to federal awards shall be supported by records that accurately reflect the work performed.

Allowability of Costs 2 CFR 200 Subpart E 200.403 - 200.405 All costs charged to federal awards must comply with applicable cost principles. Costs shall also be accounted for in accordance with applicable GASB standards and district accounting policies. All allowable costs must be documented and conform to federal, state, and program-specific rules.

Procurement Standards 2 CFR 200.317 – 200.327; 200.318(c)(1) The district must maintain written procurement procedures ensuring full and open competition. The district must use appropriate methods, which include required federal contract provisions and verifying contractors are not suspended or debarred. Procurement procedures shall address conflict of interest standards, methods of procurement, including micro-purchases, small purchases, sealed bids, competitive proposals, and noncompetitive procurements, as applicable under federal regulations. The district will maintain procurement records detailing method, selection and price analysis.

Additionally, the district will maintain standards of conduct governing employees engaged in these procurement activities. This includes prohibiting participation in decisions where personal or financial interests exist, requiring disclosure of potential conflicts and enforcing disciplinary actions for violations.

Reporting 2 CFR 200.328 – 329 The district will submit required financial and performance reports in accordance with federal requirements. The reporting must be accurate, complete and submitted in a timely manner in accordance with the conditions of the federal award. The district shall maintain supporting documentation for all reports submitted.

Record Retention 2 CFR 200.334-337 The district shall retain records related to federal awards for a minimum of 5 years from the date of submission of the final expenditure report, unless a longer retention period is required. Records are available for inspection and audit by authorized entities in accordance with federal requirements.

Date of Adoption:

Date of Revision:

Date of Review:

The Cedar Falls School District shall establish and maintain a system of internal controls and supporting documentation for salaries and benefits charged, in whole or in part, to federal awards in accordance with:

- 2 CFR Part 200 Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (“Uniform Guidance”)
- Applicable grant terms and conditions
- Generally Accepted Accounting Principles (GAAP)
- Governmental Accounting Standards Board (GASB) standards
- Applicable state and federal laws and regulations

The district shall maintain records that accurately reflect the work performed and support the distribution of salaries and wages charged to federal programs.

Personnel costs charged to federal awards must be:

- Reasonable and necessary for the performance of the federal award;
- Consistently treated in accordance with district policies and procedures;
- Supported by records that accurately reflect the actual work performed;
- Properly allocated to the benefiting program or cost objective; and
- Supported by a system of internal controls providing reasonable assurance that the charges are accurate, allowable, and properly documented.

Documentation supporting personnel expenses shall:

- Reflect the total activity for which the employee is compensated;
- Be incorporated into the district’s official records;
- Reasonably reflect the employee’s actual work activity;
- Comply with established district administrative procedures;
- Support allocations among multiple federal and non-federal funding sources, when applicable; and
- Be supported by periodic review and supervisory approval.

Employees working solely on a single federal program or cost objective may be required to complete periodic certifications confirming that the employee worked solely on that program for the applicable reporting period.

Employees working on multiple cost objectives or funding sources shall maintain appropriate time and effort documentation that reasonably reflects actual activity performed and supports salary allocations charged to each funding source.

Budget estimates or predetermined distributions may be used for interim accounting purposes provided that:

- The estimates produce reasonable approximations of actual activity;
- The district performs periodic reconciliations between budget estimates and actual work performed; and
- Any necessary adjustments are made timely.

All documentation shall be retained in accordance with the district's record retention policies and applicable federal record retention requirements, including retention for a minimum of three years following submission of the final expenditure report, unless a longer retention period is required by law, audit resolution, or grant terms.

The Superintendent and/or designated School Business Official shall establish administrative procedures necessary to implement this policy, including:

- Documentation standards;
- Review and approval procedures;
- Internal monitoring procedures;
- Corrective actions for noncompliance; and
- Periodic reconciliation of payroll charges to federal awards

Date of Adoption:

Date of Revision:

Date of Review:

Policy Title:

Public Examination of School District Records

Code No. *1002.1*

The examination and copying of public records should be done under the supervision of the lawful custodian of the records or the custodian's authorized designee. The lawful custodian shall not require the physical presence of a person requesting or receiving a copy of a public record and shall fulfill requests for a copy of a public record received in writing, by telephone, or by electronic means. Fulfillment of a request for a copy of a public record may be contingent upon receipt of payment of expenses to be incurred in fulfilling the request and such estimated expenses shall be communicated to the requester upon receipt of the request. The lawful custodian may adopt and enforce reasonable rules regarding the examination and copying of the records and the protection of the records against damage or disorganization. The lawful custodian shall provide a suitable place for the examination and copying of the records, but if it is impracticable to do the examination and copying of the records in the office of the lawful custodian, the person desiring to examine or copy shall pay any necessary expenses of providing a place for the work.

All expenses of the work shall be paid by the person desiring to examine or copy. The lawful custodian may charge a reasonable fee for the services of the lawful custodian or the custodian's authorized designee in supervising the examination and copying of the records during the work. If copy equipment is available at the office of the lawful custodian of any public records, the lawful custodian shall provide any person reasonable number of copies of any public record in the custody of the office upon the payment of a fee. The fee for the copying service as determined by the lawful custodian shall not exceed the actual cost of providing the service. Actual costs shall include only those expenses directly attributable to supervising the examination of and making and providing copies of public records. Actual costs shall not include charges for ordinary expenses or costs such as employee benefits, depreciation, maintenance, electricity, or insurance associated with the administration of the office of the lawful custodian.

Public records of the school district may be viewed by the public during the regular business hours of the administration offices of the school district. Persons wishing to view the school district's public records will contact the board secretary and make arrangements for the viewing. The board secretary will make arrangements for viewing the records as soon as practicable, depending on the nature of the request.

Persons may request copies of public records in writing, including electronically. The school district may require pre-payment of the costs prior to copy and mailing.

Persons wanting copies may be assessed a fee for the copy. Persons wanting compilation of information may be assessed a fee for the time of the employee to compile the requested information. Printing of materials for the public at the expense of the school district will only occur when the event is sponsored by the school district.

Pursuant to Iowa law, the board has determined certain records need to be confidential as their disclosure could jeopardize the safety of persons or property and include, but are not limited to, the following:

- Security procedures
- Emergency preparedness procedures
- Evacuation procedures
- Security codes and passwords

It is the responsibility of the board secretary to maintain accurate and current records of the school district. It is the responsibility of the board secretary to respond in a timely manner to requests for viewing and receiving public information of the school district.

The District works to make available public records that are requested. However, in rare and unusual circumstances, the district may pursue any available legal remedies, in accordance with applicable laws, to forestall vexatious requestors of records.

Date of Adoption: August 8, 2005

Date of Revision: November 13, 2006
June 8, 2009