

# STUDENTS

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## OBJECTIVES FOR EQUAL EDUCATIONAL OPPORTUNITIES FOR STUDENTS

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

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

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

In the delivery of the education program, students will treat the employees with respect and students will receive the same in return. Employees have the best interests of the students in mind and will assist them in school-related or personal matters if they are able to do so. Students should feel free to discuss problems, whether school-related or personal, with the guidance counselor or other employees.

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

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

Inquiries by students regarding compliance with equal educational opportunity and affirmative action laws and policies, including but not limited to complaints of discrimination, are directed to the Affirmative Action Coordinator by writing to the Affirmative Action Coordinator, Martensdale-St. Marys Community School District, Martensdale, Iowa 50160; or by telephoning (641)764-2466.

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

Approved 11/10/2008 Reviewed \_\_\_\_\_ Revised \_\_\_\_\_

OBJECTIVES FOR EQUAL EDUCATIONAL OPPORTUNITIES FOR STUDENTS

Further information and copies of the procedures for filing a complaint are available in the school district's central administrative office and the administrative office in each attendance center.

Approved \_\_\_\_\_ Reviewed \_\_\_\_\_ Revised \_\_\_\_\_

## RESIDENT STUDENTS

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

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

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

Legal Reference:     Lakota Con. Ind. School v. Buffalo Center-Rake Comm. School, 334 N.W. 2d  
704 (Iowa 1983).  
                          Mt. Hope School Dist. V. Hendrickson, 197 N.W. 47 (Iowa 1924).  
                          Oshel V. Creston Comm. School Dist., DPI Admin. Doc. 570 (1981).  
33 D.P.I. Dec. Rule 80 (1984).  
Iowa Code §§ 257.6; 282.2, 6, .7; 285.4 (2007).  
1956 Op. Att’y Gen. 185  
1946 Op. Att’y Gen. 197.  
1938 Op. Att’y Gen. 69  
1930 Op. Att’y. Gen. 147.

Cross Reference:     100     Legal Status of the School District  
                          501     Student Attendance

NON-RESIDENT STUDENTS

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

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

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

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

Legal Reference:        Lakota Cons. Ind. School v. Buffalo Center-Rake Comm. School, 334 N.W. 2d 704 (Iowa 1983).  
                              Mt. Hope School Dist. V. Hendrickson, 197 N.W. 47 (Iowa 1924).  
                              Oshel V. Creston Comm. School Dist., DPI Admin. Doc. 570 (1981).  
                              Iowa Code §§ 257.6; 282.1, .2, .6, .7, .24 (2007).

Cross Reference:        501     Student Attendance

Approved 11/10/2008                      Reviewed \_\_\_\_\_                      Revised \_\_\_\_\_

COMPULSORY ATTENDANCE

Parents within the school district who have children over age six and under age sixteen by September 15, in proper physical and mental condition to attend school, will have the children attend the school district at the attendance center designated by the board. Students will attend school the number of days school is in session in accordance with the school calendar. Students of compulsory attendance age will attend school a minimum of 148 days. Students not attending the minimum days must be exempted by this policy as listed below or, referred to the county attorney. Exceptions to this policy include children who:

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

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

The principal will investigate the cause for a student’s truancy. If the principal is unable to secure the truant student’s attendance, the principal should discuss the next step with the school board. If after school board action, the student is still truant, the principal will refer the matter over to the county attorney.

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

Legal Reference: Iowa Code §§ 259A; 279.10-.11; ch. 299; 299A (2007).  
441 I.A.C. 41.25(8).  
1978 Op. Att’y. Gen. 379.

Cross Reference: 501 Student Attendance  
601.1 School Calendar  
604.1 Competent Private Instruction

Approved 11/10/2008 Reviewed \_\_\_\_\_ Revised \_\_\_\_\_

ENTRANCE – ADMISSIONS

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

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

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

Legal Reference: Iowa Code §§ 139A.8; 282.1, .3, .6 (2007).  
1980 Op. Att'y Gen. 258

Cross Reference: 501 Student Attendance  
507.1 Student Health and Immunization Certificates

Approved 11/10/2008 Reviewed \_\_\_\_\_ Revised \_\_\_\_\_

ATTENDANCE CENTER ASSIGNMENT

The board will have complete discretion to determine the boundaries for each attendance center, to assign students to the attendance centers, and to assign students to the classrooms within the attendance center.

It is the responsibility of the superintendent to make a recommendation to the board annually regarding the assigned attendance center for each student. In making the recommendation, the superintendent will consider the geographical layout of the school district, the condition and location of the school district facilities, the location of student population, possible transportation difficulties, financial condition of the school district and other factors deemed relevant by the superintendent or the board.

Legal Reference: Iowa Code §§ 279.11; 282.7-8 (2007).

Cross Reference: 501 Student Attendance

Approved 11/10/2008 Reviewed \_\_\_\_\_ Revised \_\_\_\_\_

STUDENT TRANSFERS IN

Students who transfer into the school district must meet the immunization and age requirements set out for students who initially enroll in the school district.

The school district will request the student's cumulative records from the previous school district. If the student cannot offer proof of grade level, the superintendent will make the grade level determination. The superintendent may require testing or other information to determine the grade level. Students expelled or suspended from their previous school district will only be enrolled after approval of the board.

The superintendent will determine the amount of credits to be transferred. If the student has not previously attended an accredited school, it is within the superintendent's discretion to accept or reject credits or grades.

The board may deny admission if the student is not willing to provide the board with the necessary information.

Legal Reference: 20 U.S.C. § 1232g (2004).  
Iowa Code §§ 139A.8; 282.1, .3, .4; 299A (2007).

Cross Reference: 501 Student Attendance  
505.3 Student Honors and Award  
507 Student Health and Well-Being  
604.1 Competent Private Instruction

Approved 11/10/2008 Reviewed \_\_\_\_\_ Revised \_\_\_\_\_

## STUDENT TRANSFERS OUT OR WITHDRAWALS

If the student's parents wish to withdraw or transfer the student from school prior to completing and graduating from the education program, they should notify the superintendent in writing as soon as possible of the decision to withdraw or transfer the student from the education program. The student or parent should present this written notice at the office and receive instructions regarding the return of textbooks, library books, locker equipment, hot lunch tickets, etc.

The notice should state the student's final day of attendance. If the student is not enrolling in another school district, the school district will maintain the student's records in the same manner as the records of students who have graduated from the school district.

If the parents wish to have the student's cumulative record sent to the new school district, the parents must notify the superintendent in writing. This notice will include the name of the school district and the person at the new school district to whom the student's cumulative records should be sent. If the new school district requests the student's cumulative records, the school district will forward the cumulative records and notify and parents the records have been sent. The notice will inform the parents of their right to review the records sent.

If the student is of compulsory education age and not transferring to another public school district or an accredited nonpublic school, the parents will notify the superintendent that the student is receiving competent private instruction and file the necessary competent private instruction reports.

Legal Reference: 20 U.S.C. § 1232g (2004).  
Iowa Code §§ 274.1; 299.1-.1A (2007)

Cross Reference: 501 Student Attendance  
506 Student Records  
604.1 Competent Private Instruction

Approved 11/10/2008 Reviewed \_\_\_\_\_ Revised \_\_\_\_\_

STUDENT ATTENDANCE RECORDS

As part of the school district's records, the daily attendance of each student is recorded and maintained on file with the permanent records of the board secretary.

It is the responsibility of the principals to ensure that such reports are filed with the board secretary, the custodian of school records.

Legal Reference: Iowa Code §§ 294.4; 299 (2007).  
281 I.A.C. 12.2(4).

Cross Reference: 501 Student Attendance  
506 Student Records

Approved 11/10/2008 Reviewed \_\_\_\_\_ Revised \_\_\_\_\_

STUDENT ABSENCES – EXCUSED

Regular attendance by students is essential for students to obtain the maximum opportunities from the education program. Parents and students alike are encouraged to ensure an absence from school is a necessary absence. Students will attend school unless excused by the principal of their attendance center.

Student absences approved by the principal are excused absences. Excused absences will count as days in attendance for purposes of the truancy law. These absences include, but are not limited to, illness, family emergencies, recognized religious observances, appointments that cannot be scheduled outside the school day, school-sponsored or approved activities, family business and family vacation.

Students whose absences are approved will make up the work missed and receive full credit for the missed school work. It is the responsibility of the student to initiate a procedure with the student's teacher to complete the work missed.

Students who wish to participate in school-sponsored activities must attend school one-half day the day of the activity unless permission has been given by the principal for the student to be absent.

It is the responsibility of the parent to notify the student's attendance center as soon as the parent knows the student will not be attending school on that day. The principal may request evidence or written verification of the student's reason for absence.

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

Legal Reference: Iowa Code §§ 294.4; 299 (2007).  
281 I.A.C. 12.2(4).

Cross Reference: 501 Student Attendance  
503 Student Discipline  
504 Student Activities  
506 Student Records

Approved 11/10/2008 Reviewed \_\_\_\_\_ Revised \_\_\_\_\_

TRUANCY – UNEXCUSED ABSENCES

Regular attendance by the students at school is essential for students to obtain the maximum opportunities from the education program. Parents and students alike are encouraged to ensure an absence from school is a necessary absence. Students will attend school unless excused by the principal of their attendance center.

Truancy is the failure to attend school for the minimum number of days established in the school calendar by the board. Truancy is the act of being absent without a reasonable excuse. These absences will include, but not be limited to, [*tardiness, shopping, hunting, concerts, preparation or participation in parties and other celebrations and employment*]. Truancy will not be tolerated by the board.

Students are subject to disciplinary action for truancy including suspension and expulsion. It is within the discretion of the principal to determine, in light of the circumstances, whether a student may make up work missed because of truancy. Students receiving special education services will not be assigned to [*supervised study hall, in-school suspension*] unless the goals and objectives of the student’s Individualized Education Program are capable of being met.

It is the responsibility of the superintendent, in conjunction with the principal, to develop administrative regulations regarding the policy. The administrative regulations will indicate the disciplinary action to be taken for truancy.

Legal Reference: Iowa Code §§ 294.4; 299 (2007).  
281 I.A.C. 12.2(4)

Cross Reference: 206.3 Secretary  
410.3 Truancy Officer  
501 Student Attendance  
503 Student Discipline  
504 Student Activities  
506 Student Records

Approved 11/10/2008 Reviewed \_\_\_\_\_ Revised \_\_\_\_\_

## TRUANCY – UNEXCUSED ABSENCES REGULATION

## I. Regulations

## A. Absences

1. Parents are expected to notify the school prior to 8:30 a.m. regarding a student's absence on the day of the absence. All absences must be reported within one day of the absence to be considered excused.

Students absent from school for any reason may be required by the school to submit a written explanation or specific reason for their absence, the specific days or times they were absent, verification by the doctor or dentist where appropriate, and a signature of the parent.

2. Acceptable reasons for a student's absence from school are limited to the following:
  - a. religious observances;
  - b. extended illness, hospitalization or doctor's care; illness
  - c. death in the family or family emergency; and
  - d. court appearance or other legal situation beyond the control of the family.
  - e. family vacation
  - f. administration approved absences.
3. Classes missed because of attendance at a school-sponsored trip or activity will not be considered an absence. However, the student will be required to make up work missed.
4. Suspensions from class [*either in-school suspensions or out-of-school suspension*] will be treated as school-initiated student absences and will not count toward the days absent. However, the student will be required to make up work missed.
5. School work missed because of absences must be made up within the number of days absent plus one additional day. The time allowed for make-up work may be extended at the discretion of the classroom teacher.

## B. Tardiness

1. A student is tardy when the student initially appears in the assigned area any time after the designated starting time.
2. All incidents of class tardiness will be the responsibility of the teacher. Teachers will emphasize the importance of being on time and explain the classroom rules and procedures for tardies. The tardy sanctions should be consistently applied and sequential. Sanctions may include, but are not limited to, warning, assigned detention, parent contact and referral to the principal.

## C. Truancy

1. A student is truant when the student is absent from school or an assigned class or classes without school permission.
2. Work missed because of truancy must be made up the same as work for all other absences.

3. Incidents of truancy will be recorded as part of a student's attendance record and will count toward the absences per semester. The principal will also determine what, if any, disciplinary action is appropriate including, but not limited to, warning, detention, in-school suspension or administrative referral.

## II. Excessive Absenteeism

Excessive absenteeism is any absence beyond five (5) days or individual class meetings per semester.

- A. When a student has been absent from school or a class five times during a given semester, the student's parent will be contacted via telephone or mail regarding the student's attendance. The classroom teacher or building administrator will initiate the notification process and appropriate sanctions.

## III. Application of Sanctions

- A. Excessive absences will result in the following:
  1. If a student is absent and is unexcused for seven (7) days from any given class, the student will be dropped from that class. The student will receive no credit for the class.
  2. If a student is absent and unexcused seven (7) days in two (2) or more individual classes, the student will be dropped from the regular school program and referred to the Building Assistance Team (BAT) pursuant to the district's plan for at-risk students.
  3. If a student is of compulsory age and accumulates 7 unexcused absences, he or she will be turned over to the county attorney's office.

## IV. Appeals

- A. First level of appeal
  1. When notified that the student has missed five (5) days or class periods, the parent should contact the teacher and principal to discuss the student's attendance and prevent any further absences.
  2. When notified that the student has exceeded 7 unexcused absences and that the student will be dropped from a class or school, the student and parent may file a written appeal with the principal within 5 school days of the notification. Sanctions imposed under this policy will be final unless a written appeal is submitted to the principal.
  3. Written appeals will be referred to the principal.
  4. The student will remain in the class or in school pending completion of the appeals process.

5. The informal appeals hearing will be scheduled within 5 school days after the appeal is filed. The principal will consider the following in reaching a decision:
  - a. attendance history of the student;
  - b. extenuating circumstances particular to the student;
  - c. Educational alternatives to removal from class or school; or
  - d. the total educational program for the individual student.
6. The decision of the principal will be reached within one day of the hearing. The parent will be notified of the decision in writing.

B. Second Level of Appeal

Students and parents seeking a review of the principal's decision regarding sanctions rendered under this attendance policy may do so by filing a written request for review with the superintendent within five days after the principal's decision. The superintendent will determine an agreeable time, place and date for the review and notify the student and parent. At the conclusion of the review, the superintendent will affirm, reverse or modify the principal's decision.

C. Appeal to Board of Directors

Students and parents may appeal the superintendent's decision by filing a written request for review by the board within five days with the board secretary. It is within the discretion of the board to determine whether to hear the appeal. If the appeal is accepted, the board secretary will determine an agreeable time, place and date for the review and notify the interested persons. At the conclusion of the review, the board may affirm, reverse or modify the superintendent's decision.

STUDENT RELEASE DURING SCHOOL HOURS

Students will be allowed to leave the school district facilities during school hours only with prior authorization from their parents, unless the parent appears personally at the student's attendance center to arrange for the release of the student during school hours, or with the permission of the principal.

Approved reasons for release of a student during the school day will include, but not be limited to, illness, family emergencies, medical appointments, religious instruction, classes outside the student's attendance center, employment for which the student has been issued a work permit, and other reasons determined appropriate by the principal.

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

Legal Reference: Iowa Code § 294.4 (2007).  
281 I.A.C. 12.2(4).

Cross Reference: 501 Student Attendance  
503 Student Discipline  
504 Student Activities  
506 Student Records

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STUDENTS OF LEGAL AGE

Students who have attained legal age may continue the education program without payment of tuition as long as they are eligible to attend an Iowa public school and are residents of the school district.

Parents will be allowed to access and view the student's records without written permission from the student if the student is still a dependent for tax purposes. In most cases, with the discretion of the principal or the superintendent, the student will be able to make decisions and sign documents rather than requiring parental permission or signature.

Legal Reference: 20 U.S.C. § 1232g (2004).  
Iowa Code §§ 22; 282.2, .6, .7; 285.4; 599.1; 622.10 (2007).  
281 I.A.C. 12.3(6).

Cross Reference: 501 Student Attendance  
506 Student Records

Approved 12/8/2008 Reviewed \_\_\_\_\_ Revised \_\_\_\_\_

OPEN ENROLLMENT TRANSFERS – PROCEDURES AS A SENDING DISTRICT

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

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

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

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

The board may approve a student’s request to allow the receiving district to enter the school district for the purposes of transportation.

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

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

Legal Reference: Iowa Code §§ 139A.8; 274.1; 279.11; 282.1, .3, .8, .18; 299.1 (2007).  
281 I.A.C. 17.  
1990 Op. Att’y Gen. 75.

Cross Reference: 501 Student Attendance  
506 Student Records

Approved 12/8/2008 Reviewed \_\_\_\_\_ Revised \_\_\_\_\_

OPEN ENROLLMENT TRANSFERS – PROCEDURES AS A RECEIVING DISTRICT

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 will have complete discretion to determine the attendance center of the students attending the school district under open enrollment.

The superintendent will approve all timely filed applications by June 1; incoming kindergarten applications; good cause application; or continuation of an educational program application filed by September 1.

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. 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 in the school district from which the student was suspended or expelled. Once the student is reinstated, the student's open enrollment request will be considered in the same manner as other open enrollment requests provided the required timelines are met.

Open enrollment requests into the school district that, if denied, would result in students from the same nuclear family being enrolled in different school districts, will be given highest priority. The board, in its discretion, may waive the insufficient classroom space reason for denial for students of the same nuclear family to prevent the division of a nuclear family between two school districts. Other open enrollment requests into the school district are 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 will 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 superintendent are responsible for providing transportation to and from the receiving school district without reimbursement. The board will not approve transportation into the sending district.

Approved 12/8/2008

Reviewed \_\_\_\_\_

Revised \_\_\_\_\_

## OPEN ENROLLMENT TRANSFERS – PROCEDURES AS A RECEIVING 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 will determine whether the program is appropriate. The special education student will remain in the sending district until the final determination is made.

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

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

Legal Reference: Iowa Code §§ 139A.8; 274.1; 279.11; 282.1, .3, .8, .18; 299.1 (2007).  
281 I.A.C. 17.  
1990 Op. Att'y Gen. 75.

Cross Reference: 501.6 Student Transfers In  
501.7 Student Transfers Out or Withdrawals  
501.14 Open Enrollment Transfers – Procedures as a Sending District  
506 Student Records  
507 Student Health and Well-Being  
606.6 Insufficient Classroom Space

HOMELESS CHILDREN AND YOUTH

The board will make reasonable efforts to identify homeless children and youth of school age within the district, encourage their enrollment and eliminate existing barriers to their receiving an education which may exist in district policies or practices. The designated coordinators for identification of homeless children and for tracking and monitoring programs and activities for these children are the district's counselors.

Legal Reference: No Child Left Behind, Title X, Sec. 722, P.L. 107-110 (2002).  
42 U.S.C. §§ 11431 *et seq.* (2004).  
281 I.A.C. 33 (2007).

Cross Reference: 501 Student Attendance  
503.3 Fines – Fees – Charges  
506 Student Records  
507.1 Student Health and Immunization Certificates  
603.3 Special Education  
711.1 Student school Transportation Eligibility

Approved 12/8/2008 Reviewed \_\_\_\_\_ Revised \_\_\_\_\_

## STUDENT APPEARANCE

The board believes inappropriate student appearance causes material and substantial disruption to the school environment or presents a threat to the health and safety of students, employees and visitors.

Students are expected to adhere to standards of cleanliness and dress that are compatible with the requirement of a good learning environment. The standards will be those generally acceptable to the community as appropriate in a school setting.

The board expects students to be clean and well-groomed and wear clothes in good repair and appropriate for the time, place and occasion. Clothing or other apparel promoting products illegal for use by minors and clothing displaying obscene material, profanity, or reference to prohibited conduct are disallowed. While the primary responsibility for appearance lies with the students and their parents, appearance disruptive to the education program will not be tolerated. When, in the judgment of a principal, a student's appearance or mode of dress disrupts the educational process or constitutes a threat to health or safety, the student may be required to make modifications.

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

Legal Reference:        Hazelwood School District v. Kuhlmeier, 484 U.S. 260 (1988).  
                              Bethal School District v. Fraser, 478 U.S. 675 (1986).  
                              Tinker v. Des Moines Ind. Comm. Sch. Dist., 393 U.S. 503 (1969).  
                              Bystrom v. Fridley High School, 822 F.2d 747 (8<sup>th</sup> Cir. 1987).  
                              Torvik v. Decorah Community School, 453 F.2d 779 (8<sup>th</sup> Cir. 1972)  
                              Turley v. Adel Community School District, 322 F.Supp. 402 (S.D. Iowa (1971)).  
                              Sims v. Colfax Comm. School Dist., 307 F.Supp. 485 (Iowa 1970).  
                              Iowa Code § 279.8 (2007).

Cross Reference:        500     Objectives for Equal Educational Opportunities for Students  
                              502     Student Rights and Responsibilities

Approved 12/8/2008                      Reviewed \_\_\_\_\_                      Revised \_\_\_\_\_

CARE OF SCHOOL PROPERTY/VANDALISM

Students will treat school district property with the care and the respect they would treat their own property. Students found to have destroyed or otherwise harmed school district property may be required to reimburse the school district. They may be subject to discipline under board policy and the school district rules and regulations. They may also be referred to local law enforcement authorities.

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

Legal Reference: Iowa Code §§ 279.8; 282.4, .5; 613.16 (2007).

Cross Reference: 502 Student Rights and Responsibilities  
802.1 Maintenance Schedule

Approved 12/8/2008 Reviewed \_\_\_\_\_ Revised \_\_\_\_\_

FREEDOM OF EXPRESSION

Student expression, other than student expression in student-produced official school publications, made on the school district 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 that the students learn and meet the goals of the school activity and that the potential audience is not exposed to material that may be harmful or inappropriate for their level of maturity.

Student expression will not, in the judgment of the administration, encourage the breaking of laws, defame others, be obscene or indecent, or cause a material and substantial disruption to the education program. The administration, when making this judgment, will consider whether the activity in which the expression was made is school-sponsored and whether review or prohibition of the students' speech furthers an educational purpose. Further, the expression must be done in a reasonable time, place, and manner that is not disruptive to the orderly and efficient operation of the school district.

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

Legal Reference: U.S. Const. amend. I.  
Hazelwood School District v Kuhlmeier, 484 U.S. 260 (1988).  
Bethel School District v. Fraser, 478 U.S. 675 (1986).  
New Jersey v. T.L.O., 469 U.S. 325 (1985).  
Tinker v. Des Moines Ind. Comm. Sch. Dist., 393 U.S. 503 (1969).  
Bystrom v. Fridley High School, 822 F.2d 747 (8<sup>th</sup> Cir. 1987).  
Iowa Code §§ 279.8; 280.22 (2007).

Cross Reference: 502 Student Rights and Responsibilities  
504 Student Activities  
603.9 Academic Freedom  
903.5 Distribution of Materials

Approved 12/8/2008 Reviewed \_\_\_\_\_ Revised \_\_\_\_\_

## STUDENT COMPLAINTS AND GRIEVANCES

Student complaints and grievances regarding board policy or administrative regulations and other matters should be addressed to the student's teacher or another licensed employee, other than the administration, for resolution of the complaint. It is the goal of the board to resolve student complaints at the lowest organizational level.

If the complaint cannot be resolved by a licensed employee, the student may discuss the matter with the principal within five (5) days of the employee's decision. If the matter cannot be resolved by the principal, the student may discuss it with the superintendent within five (5) days after speaking with the principal.

If the matter is not satisfactorily resolved by the superintendent, the student may ask to have the matter placed on the board agenda of a regularly scheduled board meeting in compliance with board policy.

Legal Reference: Iowa Code § 279.8 (2007).

Cross Reference: 210.8 Board Meeting Agenda  
215 Public Participation in Board Meetings  
307 Communication Channels  
502 Student Rights and Responsibilities  
504.3 Student Publications

Approved 12/8/2008

Reviewed \_\_\_\_\_

Revised \_\_\_\_\_

## STUDENT LOCKERS

Student lockers are the property of the school district. Students will use the lockers assigned to them by the school district for storing their school materials and personal belongings necessary for attendance at school. It is the responsibility of students to keep their assigned lockers clean and undamaged.

To ensure students are properly maintaining their assigned lockers, the principal of the building may periodically inspect all or a random selection of lockers. Either students or another individual will be present during the inspection of lockers. Student lockers may also be searched, at any time and without advance notice, in compliance with board policy regulating search and seizure.

Legal Reference: Iowa Code §§ 279.8; 280.14; 808A (2007).

Cross Reference: 502 Student Rights and Responsibilities

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Reviewed \_\_\_\_\_

Revised \_\_\_\_\_

WEAPONS

The board believes weapons, other dangerous objects and look-a-likes in school district facilities cause material and substantial disruption to the school environment or present a threat to the health and safety of students, employees and visitors on the school district premises or property within the jurisdiction of the school district.

School district facilities are not an appropriate place for weapons, dangerous objects and look-a-likes. Weapons and other dangerous objects and look-a-likes will be taken from students and others who bring them onto the school district property or onto property within the jurisdiction of the school district or from students who are within the control of the school district.

Parents of students found to possess weapons, dangerous objects or look-a-likes on school property are notified of the incident. Possession or confiscation of weapons or dangerous objects will be reported to law enforcement officials, and students will be subject to disciplinary action including suspension or expulsion.

Students bringing firearms to school or knowingly possessing firearms at school will be expelled for not less than one year. The superintendent has the authority to recommend this expulsion requirement be modified for students on a case-by-case basis. For purposes of this portion of this policy, the term "firearm" includes, but is not limited to, any weapon which is designed to expel a projectile by the action of an explosive, the frame or receiver of any such weapon, a muffler or silencer for such a weapon, or any explosive, incendiary or poison gas.

Weapons under the control of law enforcement officials are exempt from this policy. The principal may allow authorized persons to display weapons, other dangerous object or look-a-likes for educational purposes. Such a display will also be exempt from this policy. It is the responsibility of the superintendent, in conjunction with the principal, to develop administrative regulations regarding this policy.

Legal Reference: No Child Left Behind, Title IV, Sec. 4141, P.L. 107-110 (2002).  
Improving America's Schools Act of 1994, P.L. 103-382.  
18 U.S.C. § 921 (2004).  
McCain v. Lafayette County Bd. Of Education, 673 F.2d 106 (5<sup>th</sup> Cir. 1982).  
Iowa Code §§ 279.8; 280.21B; 724 (2007).  
281 I.A.C. 12.3(6)

Cross Reference: 502 Student Rights and Responsibilities  
503 Student Discipline  
507 Student Health and Well-Being

Approved 12/8/2008 Reviewed \_\_\_\_\_ Revised \_\_\_\_\_

## SMOKING – DRINKING – DRUGS

The board prohibits the distribution, dispensing, manufacture, possession, use, or being under the influence of beer, wine, alcohol, tobacco, other controlled substances, or “look alike” substances that appear to be tobacco, beer, wine, alcohol or controlled substances by students while on school district property or on property within the jurisdiction of the school district; while on school owned and/or operated school or chartered vehicles; while attending or engaged in school activities; and while away from school grounds if the misconduct will directly affect the good order, efficient management and welfare of the school district.

The board believes such illegal, unauthorized or contraband materials generally cause material and substantial disruption to the school environment or present a threat to the health and safety of students, employees, or visitors.

Violation of this policy by students will result in disciplinary action including suspension or expulsion. Use, purchase or being in possession of cigarettes, tobacco or tobacco products for those under the age of eighteen will be reported to the local law enforcement authorities. Possession, use or being under the influence of beer, wine, alcohol and/or of a controlled substance will also be reported to the local law enforcement authorities.

Students who violate the terms of this policy may be required to satisfactorily complete a substance abuse assistance or rehabilitation program approved by the school board. If such student fails to satisfactorily complete such a program, the student may be subject to discipline including suspension or expulsion.

The board believes the substance abuse prevention program will include:

- Age-appropriate, developmentally-based drug and alcohol curriculum for students in grades kindergarten through twelve, which address the legal, social, and health consequences of tobacco, drug and alcohol use and which provide information about effective techniques for resisting peer pressure to use tobacco, drugs or alcohol;
- A statement to students that the use of illicit drugs and the unlawful possession and use of alcohol is wrong and harmful;
- Standards of conduct for students that clearly prohibit, at a minimum, the unlawful possession, use, being under the influence of or distribution of illicit drugs and alcohol by students on school premises or as part of any of its activities;
- A clear statement that disciplinary sanctions, up to and including suspension or expulsion and referral for prosecution, will be imposed on students who violate the policy and a description of those sanctions;
- A statement that students may be required to successfully complete an appropriate rehabilitation program;
- Information about drug and alcohol counseling and rehabilitation and re-entry programs available to students;

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Reviewed \_\_\_\_\_

Revised \_\_\_\_\_

## SMOKING – DRINKING – DRUGS

- A requirement that parents and students be given a copy of the standards of conduct and the statement of disciplinary sanctions required; and,
- Notification to parents and students that compliance with the standards of conduct is mandatory.

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

Legal Reference: 34 C.R.F. Pt. 86 (2004).  
Iowa Code §§ 123.46; 124; 279.8, .9; 453A (2007).  
281 I.A.C. 12.3(9); .5(3)(e), .5(4)(e), .5(21).

Cross Reference: 502 Student Rights and Responsibilities  
503 Student Discipline  
507 Student Health and Well-Being

SEARCH AND SEIZURE

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

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

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

Legal Reference: U.S. Const. amend. IV.  
New Jersey v. T.L.O., 469 U.S. 325 (1985).  
Cason v. Cook, 810 F.2d 188 (8<sup>th</sup> Cir. 1987), cert. den., 482 U.S. 930 (1987).  
Iowa Code ch. 808A (2007).  
281 I.A.C. 12.3(6).

Cross Reference: 502 Student Rights and Responsibilities  
503 Student Discipline

Approved 12/8/2008 Reviewed \_\_\_\_\_ Revised \_\_\_\_\_

SEARCH AND SEIZURE CHECKLIST

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

A. Eyewitness account.

- 1. By whom: \_\_\_\_\_
- 2. Date/Time: \_\_\_\_\_
- 3. Place:: \_\_\_\_\_
- 4. What was seen: \_\_\_\_\_

B. Information from a reliable source.

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

C. Suspicious behavior? Explain.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

D. Student's past history? Explain.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

E. Time of search: \_\_\_\_\_

F. Location of search: \_\_\_\_\_

G. Student told purpose of search: \_\_\_\_\_

H. Consent of student requested: \_\_\_\_\_

SEARCH AND SEIZURE CHECKLIST

II. Was the search you conducted reasonable in terms of scope and intrusiveness?

- A. What were you searching for: \_\_\_\_\_
- B. Where did you search: \_\_\_\_\_
- C. Sex of the student: \_\_\_\_\_
- D. Age of the student: \_\_\_\_\_
- E. Exigency of the situation: \_\_\_\_\_
- F. What type of search was being conducted: \_\_\_\_\_
- G. Who conducted the search: \_\_\_\_\_  
Position: \_\_\_\_\_ Sex: \_\_\_\_\_
- H. Witness(s):  
\_\_\_\_\_

III. Explanation of search.

- A. Describe the time and location of the search:  
\_\_\_\_\_
- B. Describe exactly what was searched:  
\_\_\_\_\_
- C. What did the search yield: \_\_\_\_\_
- D. What was seized: \_\_\_\_\_
- E. Were any materials turned over to law enforcement officials?  
\_\_\_\_\_
- F. Were parents notified of the search including the reason for it and the scope:  
\_\_\_\_\_

## SEARCH AND SEIZURE REGULATION

## I. Searches, in general.

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

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

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

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

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

## II. Type of Searches

A. Personal Searches

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

## SEARCH AND SEIZURE REGULATION

B. Locker and Desk Inspections

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

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

C. Automobile Searches

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

INTERVIEWS OF STUDENTS BY NON-SCHOOL PERSONNEL

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

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

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

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

Legal Reference: Iowa Code §§ 232; 280.17 (2007).  
281 I.A.C. 102.  
441 I.A.C. 9.2; 155; 175  
1980 Op. Att'y Gen. 275.

Cross Reference: 402.2 Child Abuse Reporting  
502.10 Search and Seizure  
503 Student Discipline  
902.2 News Conferences and Interviews

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Reviewed \_\_\_\_\_

Revised \_\_\_\_\_

## USE OF MOTOR VEHICLES

The board recognizes the convenience to families and students of having students drive to and park at their school attendance center. Driving a motor vehicle to and parking it at the student's attendance center is a privilege.

Students who drive to and park at their school attendance center shall only drive to and park at their designated attendance center. Students may not loiter around or be in their vehicle during the school day without permission from the principal. Students shall leave their attendance center when there is no longer a legitimate reason for them to be at their attendance center. Students who drive shall enter and leave the parking lot by the routes designed by the principal.

Students who live within one mile of school, and would not otherwise be eligible for a student driving permit, may be eligible for a student driving permit, for driving to and from school and school activities and practices, if the student participates in activities and practices.

Students who wish to drive to and park at their school attendance center shall comply with the rules and regulations established by the building principal. Failure to comply with this policy or the school district rules shall be reason for revocation of school driving and parking privileges as well as other disciplinary action including suspension and expulsion.

Legal Reference: Iowa code §§ 279.8; 321 (2007).

Cross Reference: 502 Student Rights and Responsibilities

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Revised \_\_\_\_\_

## STUDENT CONDUCT

The board believes inappropriate student conduct causes material and substantial disruption to the school environment, interferes with the rights of others, or presents a threat to the health and safety of students, employees, and visitors on school premises. Appropriate classroom behavior allows teachers to communicate more effectively with students.

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

Students who fail to abide by this policy, and the administrative regulations supporting it, may be disciplined for conduct which disrupts or interferes with the education program; conduct which disrupts the orderly and efficient operation of the school district or school activity; conduct which disrupts the rights of other students to participate in or obtain their education; conduct that is violent or destructive; or conduct which interrupts the maintenance of a disciplined atmosphere. Disciplinary measures include, but are not limited to, removal from the classroom, detention, suspension, probation, and expulsion.

A student who commits an assault against an employee on school district property or on property within the jurisdiction of the school district; while on school-owned or school-operated chartered vehicles; while attending or engaged in school district activities will be suspended by the principal. Notice of suspension is sent to the board president. The board will review the suspension to determine whether to impose further sanctions against the student which may include expulsion. Assault for purposes of this section of this policy is defined as:

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

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

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

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Revised \_\_\_\_\_

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

Suspension means; either an in-school suspension, an out-of-school suspension, a restriction from activities or loss of eligibility. An in-school suspension means the student will attend school but will be temporarily isolated from one or more classes while under supervision. An in-school suspension will not exceed ten consecutive school days. An out-of-school suspension means the student is removed from the school environment, which includes school classes and activities. An out-of-school suspension will not exceed ten days. A restriction from school activities means a student will attend school and classes and practice but will not participate in school activities.

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

Following the suspension of a special education student, an informal evaluation of the student's placement will take place. The Individual Education Program (IEP) is evaluated to determine whether it needs to be changed or modified in response to the behavior that led to the suspension.

If a special education student's suspensions, either in or out of school, equal ten days on a cumulative basis, a staffing team will meet to determine whether the IEP is appropriate.

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

Legal Reference: No Child Left Behind, Title IV, Sec. 4115, P.L. 107-110 (2002).  
Goss v. Lopez, 419 U.S.565 (1975).  
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 Dist. Of Waterloo v. Green, 259 Iowa 1260, 147 N.W.2d 854 (1967).  
Iowa Code §§ 279.8; 282.4, .5; 708.1 (2007).

Cross Reference: 501 Student Attendance  
502 Student Rights and Responsibilities  
504 Student Activities  
603.3 Special Education  
903.5 Distribution of Materials

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Reviewed \_\_\_\_\_

Revised \_\_\_\_\_

## STUDENT SUSPENSION

### Administrative Action

#### A. In-School Suspension

1. In-school suspension is the temporary isolation of a student from one or more classes while under administrative supervision. In-school suspensions may be imposed by the principal for infractions of school rules, which are serious but which do not warrant the necessity of removal from school.
2. The principal will conduct an investigation of the allegations against the student prior to imposition of an in-school suspension. The investigation will include, but not be limited to, written or oral notice to the student of the allegations against the student and an opportunity to respond. In-school suspension will not be imposed for more than ten school days. Written notice and reasons for the in-school suspension will be sent to the student's parents.

#### B. Out-of-School Suspension

1. Out-of-school suspension is the removal of a student from the school environment for periods of short duration. Out-of-school suspension is to be used when other available school resources are unable to constructively remedy student misconduct.
2. A student may be suspended out of school for up to ten school days by a principal for a commission of gross or repeated infractions of school rules, regulations, policy or the law, or when the presence of the student will cause interference with the maintenance of the educational environment or the operation of the school. The principal may suspend students after conducting an investigation of the charges against the student, giving the student:
  - a. Oral or written notice of the allegations against the student and,
  - b. The opportunity to respond to those charges.At the principal's discretion, the student may be allowed to confront witnesses against the student or present witnesses on behalf of the student.
3. Notice of the out-of-school suspension will be mailed no later than the end of the school day following the suspension to the student's parents and the superintendent. A reasonable effort is made to personally notify the student's parents and such effort is documented by the person making or attempting to make the contact. Written notice to the parents will include the circumstances which led to the suspension and a copy of the board policy and rules pertaining to the suspension.

#### C. Suspensions and Special Education Students

1. Students who have been identified as special education students may be referred for a review of the student's Individual Education Program (IEP). The IEP may be revised to include a continuum of intervention strategies and programming to change the behavior.
2. Students who have not been identified as special education students may be referred for evaluation after the student's suspension to determine whether the student has a disability and is in need of special education.

## EXPULSION

Only the board may remove a student from the school environment. The removal of a student from the school environment, which includes, but is not limited to, classes and activities, is an expulsion from school.

Students may be expelled for violations of board policy, school rules or the law. It is within the discretion of the board to discipline a student by using an expulsion for a single offense or for a series of offenses depending on the nature of the offense and the circumstances surrounding the offense.

It is within the discretion of the superintendent to recommend to the board the expulsion of a student for disciplinary purposes. Only the board may take action to expel a student and to readmit the student. The principal will keep records of expulsions in addition to the board's records.

When a student is recommended for expulsion by the board, the student is provided with:

1. Notice of the reasons for the proposed expulsion;
2. The names of the witnesses and an oral or written report on the facts to which each witness testifies unless the witnesses are students whose names may be released at the discretion of the superintendent;
3. An opportunity to present a defense against the charges and provide either oral testimony or written affidavits of witnesses on the student's behalf;
4. The right to be represented by counsel; and,
5. The results and finding of the board in writing open to the student's inspection.

In addition to these procedures, a special education student must be provided with additional procedures. A determination should be made of whether the student is actually guilty of the misconduct. A staffing team should determine whether the student's behavior is caused by the student's disability and whether the conduct is the result of inappropriate placement. Discussions and conclusions of this meeting should be recorded.

If the special education student's conduct is not caused by the disability, the student may be expelled or suspended for a long-term period following written notice to the parent and pursuant to the school district's expulsion hearing procedures. If the misconduct is caused by the disability and a change in placement is recommended, the change must be made pursuant to the placement procedures used by the school district.

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; 282.3, .4, .5 (2007).  
281 I.A.C. 12.3(6).

Cross Reference: 502 Student Rights and Responsibilities  
503 Student Discipline

Approved 12/8/2008 Reviewed \_\_\_\_\_ Revised \_\_\_\_\_

FINES - FEES - CHARGES

The board believes students should respect school district property and assist in its preservation for future use by others. Students may be assessed fines, charges, or fees for the materials needed in a course, for overdue school materials, for participating in activities, or for misuse of school property.

The superintendent will inform the board of the dollar amount to be charged to students or others for fines, charges, or fees annually. Parents of students meeting specific financial eligibility standards will be eligible for a waiver of student fees or a reduction of student fees based upon the request of the parent. It is the responsibility of the superintendent, in conjunction with the principal, to develop administrative regulations regarding this policy.

Legal Reference: Iowa Code §§ 256.7(20); 279.8; 280.10, .11; 282.6; 285.1; 301.1 (2007).  
281 I.A.C. 18.  
1994 Op. Att'y Gen. 23.  
1990 Op. Att'y Gen. 79.  
1982 Op. Att'y Gen. 227.  
1980 Op. Att'y Gen. 532.

Cross Reference: 501.16 Homeless Children & Youth  
502 Student Rights and Responsibilities  
503 Student Discipline

Approved 12/8/2008

Reviewed \_\_\_\_\_

Revised \_\_\_\_\_

STANDARD FEE WAIVER APPLICATION

Date \_\_\_\_\_ School year \_\_\_\_\_

All information provided in connection with this application will be kept confidential.

Name of student: \_\_\_\_\_ Grade in school \_\_\_\_\_

Name of student: \_\_\_\_\_ Grade in school \_\_\_\_\_

Name of student: \_\_\_\_\_ Grade in school \_\_\_\_\_

Attendance Center/School: \_\_\_\_\_

Name of parent, guardian: \_\_\_\_\_  
or legal or actual custodian

Please check type of waiver desired:

Full waiver \_\_\_\_\_ Partial waiver \_\_\_\_\_ Temporary waiver \_\_\_\_\_

Please check if the student or the student's family meets the financial eligibility criteria or is involved in one of the following programs:

Full waiver

- \_\_\_\_\_ Free meals offered under the Children Nutrition Program (CNP)
- \_\_\_\_\_ The Family Investment Program (FIP)
- \_\_\_\_\_ Transportation assistance under open enrollment
- \_\_\_\_\_ Foster care

Partial waiver

\_\_\_\_\_ Reduced priced meals offered under the Children Nutrition Program

Temporary waiver

If none of the above apply, but you wish to apply for a temporary waiver of school fees because of serious financial problems, please state the reason for the request:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signature of parent, guardian: \_\_\_\_\_  
or legal or actual custodian

## STUDENT FEE WAIVER AND REDUCTION PROCEDURES

The board recognizes that while certain fees charged students are appropriate and authorized, certain students and their families are not financially able to pay the fees. The school district will grant either full waivers, partial waivers or temporary waivers depending upon the circumstances and the student or student's parents' ability to meet the financial criteria.

- A. Waivers -
  - 1. Full Waivers - a student will be granted a full waiver of fees charged by the school district if the student or student's parents meet the financial eligibility criteria for free meals under the Child Nutrition program, Family Investment Program, or transportation assistance under open enrollment. Students in foster care are also eligible for full waivers.
  - 2. Partial Waivers - a student will be granted a partial waiver of fees charged by the school district if the student or the student's parents meet the financial eligibility criteria for reduced price meals offered under the Child Nutrition program.
  - 3. Temporary Waivers - a student may be eligible for a temporary waiver of fees charged by the district in the event the student's parents are facing financial difficulty. Temporary waivers may be applied for at any time throughout the school year and will not extend beyond the end of the school year.
- B. Application - Parents or students eligible for a fee waiver will make an application on the form provided by the school district. Applications may be made at any time but must be renewed annually.
- C. Confidentiality - The school district will treat the application and application process as any other student record and student confidentiality and access provisions will be followed.
- D. Appeals - Denials of a waiver may be appealed to the [*school districts need to include their own appeal process*].
- E. Fines or charges assessed for damage or loss to school property are not fees and will not be waived.
- F. Notice - the school district will annually notify parents and students of the waiver. The following information will be included in registration materials.

Students whose families meet the income guidelines for free and reduced price lunch, the Family Investment Program (FIP), or transportation assistance under open enrollment, or who are in foster care are eligible to have their student fees waived or partially waived. Students whose families are experiencing a temporary financial difficulty may be eligible for a temporary waiver of student fees. Parents or students who believe they may qualify for temporary financial hardship should contact the superintendent's secretary for a waiver form. This waiver does not carry over from year to year and must be completed annually.

GOOD CONDUCT RULE

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 lifetimes.

Students who participate in extracurricular activities serve as ambassadors of the school district throughout the calendar year, whether away from school or at school. Students who wish to have the privilege of participating in extracurricular activities must conduct themselves in accordance with board policy and must refrain from activities which are illegal, immoral or unhealthy.

Students who fail to abide by this policy and the administrative regulations supporting it may be subject to disciplinary measures. The principal will keep records of violations of the good conduct rule.

It is the responsibility of the superintendent to develop rules and regulations for school activities. Students wanting to participate in school activities must meet the requirements set out by the school district for participation in the activity.

Legal Reference: Bunger v. Iowa High School Athletic Assn., 197 N.W.2d 555 (Iowa 1972).  
In re Jason Clark, 1 D.P.I. App. Dec. 167 (1978).  
Iowa Code §§ 280.13, .13A (2007).  
281 I.A.C. 12.3(6); 36.15(1).

Cross Reference: 502 Student Rights and Responsibilities  
503 Student Discipline  
504 Student Activities

Approved 12/8/2008 Reviewed \_\_\_\_\_ Revised \_\_\_\_\_

## CORPORAL PUNISHMENT

Corporal punishment is defined as the intentional physical punishment of a student and is prohibited. It includes the use of unreasonable or unnecessary physical force or physical contact made with the intent to harm or cause pain. No employee is prohibited from:

- Using reasonable and necessary force, not designed or intended to cause pain, in order to accomplish any of the following:
  - 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 protect a student from the self-infliction of harm.
  - To protect the safety of others.
- Using incidental, minor, or reasonable physical contact to maintain order and control.

Reasonable physical force should be commensurate with the circumstances of the situation. The following factors should be considered in using reasonable physical force for the reasons stated in this policy:

1. The size and physical, mental, and psychological condition of the student;
2. The nature of the student's behavior or misconduct provoking the use of physical force;
3. The instrumentality used in applying the physical force;
4. The extent and nature of resulting injury to the student, if any;
5. The motivation of the school employee using physical force.

Upon request, the student's parents are given an explanation of the reasons for physical force.

It is the responsibility of the superintendent to develop administrative regulations regarding this policy.

Legal Reference: Ingraham v. Wright, 430 U.S. 651 (1977).  
Goss v. Lopez, 419 U.S. 565 (1975).  
Tinkham v. Kole, 252 Iowa 1303, 110 N.W.2d 258 (1961).  
Lai v. Erickson, PTPC Admin. Doc. 83-12 (1983).  
 Iowa Code §§ 279.8; 280.21 (2007).  
 281 I.A.C. 12.3(6); 103.  
 1980 Op. Att'y Gen. 275.

Cross Reference: 402.3 Abuse of Students by School District Employees  
 502 Student Rights and Responsibilities  
 503 Student Discipline

Approved 12/8/2008

Reviewed \_\_\_\_\_

Revised \_\_\_\_\_

STUDENT GOVERNMENT

The student council provides for student activities, serves as a training experience for student leaders, promotes the common good, gives students a share in the management of the school, develops high ideals of personal conduct, acts as a clearinghouse for student activities, seeks to interest students in school district affairs and helps solve problems that may arise. Members of the council are student representatives who have direct access to the administration.

The principal, in conjunction with the students and licensed employees, will set forth the guidelines for the student government's elections, operations, and other elements of the government.

Legal Reference: Iowa Code § 279.8 (2007).

Cross Reference: 502 Student Rights and Responsibilities  
504 Student Activities

Approved 12/8/2008

Reviewed \_\_\_\_\_

Revised \_\_\_\_\_

## STUDENT ORGANIZATIONS

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

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

### Curriculum-Related Organizations

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

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

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

### Noncurriculum-Related Organizations

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

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

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

Approved 12/8/2008

Reviewed \_\_\_\_\_ Revised \_\_\_\_\_

## STUDENT ORGANIZATIONS

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

Legal Reference: Westside Community Board of Education v Mergens, 496 U.S. 226 (1990).  
Bender v. Williamsport Area Community School District, 741 F.2d 538 (3d Cir. 1984), *vacated and remanded on other grounds*, 475 U.S. 534 (1986).  
20 U.S.C. §§ 4071-4074 (2004).  
Iowa Code §§ 287.1-.3; 297.9 (2007).

Cross Reference: 502 Student Rights and Responsibilities  
504 Student Activities

STUDENT PUBLICATIONS

Students may produce official school publications as part of the curriculum under the supervision of a faculty advisor and the principal. Official school publications include material produced in the journalism, newspaper, yearbook, or writing classes and distributed to the student body either free or for a fee.

Any expression made by students, including student expression in official school publications, is not an expression of official school policy. The school district, the board, and the employees or officials are not liable in any civil or criminal action for any student expression made or published by students unless the employees or officials have interfered with or altered the content of the student speech or expression. The liability, if any, is only to the extent of the interference or alteration of the speech or expression.

Official school publications are free from prior restraint by employees or officials except as provided by law. A faculty advisor will supervise student writers to maintain professional standards of English and journalism and to comply with the law including, but not limited to, the restrictions against unlawful speech. The production of official school publications is guided by the law and by the ethical standards adopted by professional associations or societies of journalism.

Persons, other than students, who believe they have been aggrieved by student expression in a student-produced official school publication will follow the grievance procedure outlined in board policy 214.1. Students who believe their freedom of expression in a student-produced official school publication has been restricted will follow the grievance procedure outlined in board policy 502.6.

The superintendent is responsible for developing a student publications code. This code will include, but not be limited to, reasonable rules including time, place, and manner of restrictions. The superintendent will also be responsible for distributing this policy and the student publications code to the students and their parents.

Legal Reference: Hazelwood School District v. Kuhlmeier, 484 U.S. 260 (1988).  
Bystrom v. Fridley High School, 822 F.2d 747 (8th Cir. 1987).  
Iowa Code § 280.22 (2007).

Cross Reference: 309 Communication Channels  
502 Student Rights and Responsibilities  
504 Student Activities  
903.5 Distribution of Material

Approved 12/8/2008 Reviewed \_\_\_\_\_ Revised \_\_\_\_\_

## STUDENT PUBLICATIONS CODE

- A. Official school publications defined.  
An "official school publication" is material produced by students in the journalism, newspaper, yearbook, or writing classes and distributed to students either free or for a fee.
- B. Expression in an official school publication.
1. No student will express, publish or distribute in an official school publication material which is:
    - a. obscene;
    - b. libelous;
    - c. slanderous; or
    - d. encourages students to:
      - 1) commit unlawful acts;
      - 2) violate school rules;
      - 3) cause the material and substantial disruption of the orderly and efficient operation of the school or school activity;
      - 4) disrupt or interfere with the education program;
      - 5) interrupt the maintenance of a disciplined atmosphere; or,
      - 6) infringe on the rights of others.
  2. The official school publication is produced under the supervision of a faculty advisor.
- C. Responsibilities of students.
1. Students writing or editing official school publications will assign and edit the news, editorial and feature contents of the official school publications subject to the limitations of the student publications code and the law.
  2. Students will strive to achieve professional standards of accuracy, fairness, objectivity and thoroughness in each and every aspect of official school publications.
  3. Students will strive to achieve professional standards of grammar, usage, punctuation and spelling for clarity and accuracy of official school publications.
- D. Responsibilities of faculty advisors.  
Faculty advisors will supervise student writers to maintain professional standards of English and journalism and to comply with the law including, but not limited to, the restrictions against unlawful speech.
- E. Liability.  
Student expression in an official school publication will not be deemed to be an expression of the school district. The school district, the board, and the employees or officials are not liable in any civil or criminal action for any student expression made or published by students unless the employees or officials have interfered with or altered the content of the student expression. The liability, if any, is only to the extent of interference or alteration of the speech or expression.
- F. Appeal procedure.
1. Students who believe they have been unreasonably restricted in their exercise of expression in an official student publication will seek review of the decision through the student grievance procedure, under board policy 502.4.
  2. Persons who believe they have been aggrieved by a student-produced official student publication will file their complaint through the citizen grievance procedure, under board policy 214.

- G. Time, place and manner of restrictions on official school publications.
1. Official student publications may be distributed in a reasonable manner on or off school premises.
  2. Distribution in a reasonable manner will not encourage students to:
    - a. commit unlawful acts;
    - b. violate school rules;
    - c. cause the material and substantial disruption of the orderly and efficient operation of the school district or school activity;
    - d. disrupt or interfere with the education program;
    - e. interrupt the maintenance of a disciplined atmosphere; or,
    - f. infringe on the rights of others.

STUDENT PERFORMANCES

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

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

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

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

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

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

Legal Reference: Hazelwood School District v. Kuhlmeier, 484 U.S. 260 (1988).  
Iowa Code §§ 280.13-.14 (2007).  
281 I.A.C. 12.6.

Cross Reference: 502 Student Rights and Responsibilities  
503.4 Good Conduct Rule  
504 Student Activities  
904 Community Activities Involving Students

Approved 12/8/2008 Reviewed \_\_\_\_\_ Revised \_\_\_\_\_

STUDENT FUND RAISING

Students may raise funds for school-sponsored events with the permission of the principal. Fund raising by students for events other than school-sponsored events is not allowed. Collection boxes for school fund raising must have prior approval from the principal before being placed on school property.

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

Legal Reference: Senior Class of Pekin High School v. Tharp, 154 N.W.2d 874 (Iowa 1967).  
Iowa Code § 279.8 (2007).

Cross Reference: 402.9 Solicitations from Outside  
502 Student Rights and Responsibilities  
503 Student Discipline  
504 Student Activities  
704.5 Student Activities Fund  
905.2 Advertising and Promotion

Approved 12/8/2008

Reviewed \_\_\_\_\_

Revised \_\_\_\_\_

# ***Martensdale-St. Marys Community School Administrative Rules and Regulations***

**SUBJECT:** *Fundraising Activities*  
**POLICY REFERENCE:** *504.5*  
**DATE OF ADOPTION:**

Teachers, Activity Sponsors or Coaches contemplating a school fundraising activity must pick up an MStM Fundraising Proposal form from their building principal. This application must be completed and approved by the building principal. Approval for the fundraising activity shall be obtained before involving students or vendors.

Any school recognized student or activity group is eligible to make application. Approval will be based on a “compelling” need, the timeliness of the proposed fund raiser and the number of fundraising activities currently sponsored by the group. **A “compelling” need would include: any items/supplies/materials that would go above the allotted budget amounts for each area/activity or any fundraising for charity/community service projects.**

A summary of the fund raiser is required following the completion of the project. This summary is submitted to the building principal and contains information about the success of the project and the positive and negative aspects to consider when considering similar projects in the future.

# **MStM Fundraising Proposal Form**

**Name of Group:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Sponsor's Name:** \_\_\_\_\_

**Group/Grade Levels Involved:** \_\_\_\_\_

**Projected Amount to Be Collected:** \_\_\_\_\_

**Description and Purpose of Fundraising Activity:**

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**Starting Date:** \_\_\_\_\_ **Ending Date:** \_\_\_\_\_

**Administrator's Signature:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**Summary of Fundraising Activity:**

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**How was the money spent?**

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**Office Use Only**

**Amount Collected:** \_\_\_\_\_

STUDENT ACTIVITY PROGRAM

Participation in school activities is a privilege. School activities provide the benefits of promoting additional interests and ability 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 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 unless they involve unusual travel expense, in which case the board will take action. The events must not disrupt the education program or other school district operations.

A high school student who participates in school sponsored athletics may participate in a non-school sponsored sport during the same season. Such outside participation will not conflict with the school sponsored athletic activity.

It is the responsibility of the superintendent to develop administrative regulations for each school activity. These regulations will 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, academic requirements, and proof of insurance on the student participating in certain activities. Students wanting to participate in school activities must meet the requirements set out by the school district for participation in the activity.

Legal Reference: 20 U.S.C. §§ 1681-1683; 1685-1686 (2004).  
34 C.F.R. Pt. 106.41 (2004).  
Iowa Code §§ 216.9; 280.13-.14 (2007).  
281 I.A.C. 12.6., 36.15(7).

Cross Reference: 501 Student Attendance  
502 Student Rights and Responsibilities  
503 Student Discipline  
504 Student Activities  
507 Student Health and Well-Being

Approved 12/8/2008 Reviewed \_\_\_\_\_ Revised \_\_\_\_\_

STUDENT PROGRESS REPORTS AND CONFERENCES

Students will receive a progress report at the end of each nine-week grading period. Students, who are doing poorly, and their parents, are notified prior to the end of the semester in order to have an opportunity to improve their grade. The board encourages the notification of students who have made marked improvement prior to the end of the semester.

Parent-teacher conferences will be held two times a year at the elementary, middle school, and high school to keep the parents informed. The conferences at the high school are not individually scheduled.

Parents, teachers, or principals may request a conference for students in grades kindergarten through twelve in addition to the scheduled conference time. Parents and students are encouraged to discuss the student's progress or other matters with the student's teacher.

Legal Reference: Iowa Code §§ 256.11, .11A; 256E.1(1)(b)(1), 280 (2007).  
281 I.A.C. 12.3(6), .3(7), .5(16).

Cross Reference: 505 Student Scholastic Achievement  
506 Student Records

Approved 12/8/2008 Reviewed \_\_\_\_\_ Revised \_\_\_\_\_

STUDENT PROMOTION - RETENTION - ACCELERATION

Students will be promoted to the next grade level at the end of each school year based on the student's achievement, age, maturity, emotional stability, and social adjustment.

The retention of a student will be determined based upon the judgment of the licensed employee, the principal, and the parents. When it becomes evident a student in grades kindergarten through eight may be retained in a grade level for an additional year, the parents will be a part of the decision-making process. It is within the sole discretion of the board to retain students in their current grade level.

Students in grades nine through twelve will be informed of the required course work necessary to be promoted each year. When it becomes evident a student in these grades will be unable to meet the minimum credit requirements for the year, the student and parents will be informed. It is within the sole discretion of the board to retain students in their current grade level and to deny promotion to a student.

Students in grades kindergarten through twelve with exceptional talents may, with the permission of the principal and parents, take classes beyond their current grade level. Enrichment opportunities outside the school district may be allowed when they do not conflict with the school district's graduation requirements.

Legal Reference: Iowa Code §§ 256.11, .11A; 279.8; 280.3 (2007).  
281 I.A.C. 12.3(7); 12.5(16).

Cross Reference: 501 Student Attendance  
505 Student Scholastic Achievement

Approved 12/8/2008

Reviewed \_\_\_\_\_

Revised \_\_\_\_\_

STUDENT HONORS AND AWARDS

The school district will provide a program that establishes honors and awards including, but not limited to, academic letters, scholarships and good citizenship awards for students to assist students in setting goals. Students are made aware of honors and awards and the action necessary on the part of the student to achieve them. Students who have not attended an accredited public or private school for their entire high school education, will not be eligible for honors and awards.

It is the responsibility of the superintendent to develop the administrative regulations regarding this policy.

Legal Reference: Iowa Code § 279.8 (2007).

Cross Reference: 504 Student Activities  
505 Student Scholastic Achievement

Approved 12/8/2008

Reviewed \_\_\_\_\_

Revised \_\_\_\_\_

## TESTING PROGRAM

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

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

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

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

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

Legal Reference: No Child Left Behind, Title II, Sec. 1061, P.L. 107-110 (2002).  
Goals 2000: Educate America Act, Pub. L. No. 103-227, 108 Stat. 125 (1994).  
20 U.S.C. § 1232h (2004).  
Iowa Code §§ 280.3; (2007).

Cross Reference: 505 Student Scholastic Achievement  
506 Student Records  
607.2 Student Health Services

Approved 12/8/2008

Reviewed \_\_\_\_\_

Revised \_\_\_\_\_

## GRADUATION REQUIREMENTS

Students must successfully complete the courses required by the board and Iowa Department of Education in order to graduate.

It is the responsibility of the superintendent to ensure that students complete grades one through twelve and that high school students complete 28 credits prior to graduation. The following credits will be required:

Language Arts	<u>4</u> credits	Business Elective	<u>1</u> credit
Science	<u>3</u> credits	Health	<u>.5</u> credits
Mathematics	<u>3</u> credits	Word Processing	<u>.5</u> credits
Social Studies	<u>3</u> credits	Computer Apps.	<u>.5</u> credits
Citizenship	<u>.5</u> credits	Advisor-Advisee	<u>1</u> credits
Physical Education	<u>2</u> credits		
Electives	<u>9.5</u> credits		

The required courses of study will be reviewed by the board annually.

Graduation requirements for special education students will be in accordance with the prescribed course of study as described in their Individualized Education Program (IEP). Each student's IEP will include a statement of the projected date of graduation at least 18 months in advance of the projected date and the criteria to be used in determining whether graduation will occur. Prior to the special education student's graduation, the IEP team will determine whether the graduation criteria have been met.

Legal Reference: Iowa Code §§ 256.11, .11A; 279.8; 280.3, (2007).  
281 I.A.C. 12.2;.5.

Cross Reference: 505 Student Scholastic Achievement  
603.3 Special Education

Approved 12/8/2008 Reviewed \_\_\_\_\_ Revised \_\_\_\_\_

## EARLY GRADUATION

Generally, students will be required to complete the necessary course work and graduate from high school at the end of grade twelve. Students may graduate prior to this time if they meet the minimum graduation requirements stated in board policy.

A student who graduates early will no longer be considered a student and will become an alumnus of the school district. However, the student who graduates early may participate in commencement exercises.

Legal Reference: Iowa Code §§ 279.8; 280.3 (2007).  
281 I.A.C. 12.2; .3(7); .5.

Cross Reference: 505 Student Scholastic Achievement

Approved 12/8/2008

Reviewed \_\_\_\_\_

Revised \_\_\_\_\_

COMMENCEMENT

Students who have met the requirements for graduation will be allowed to participate in the commencement proceedings provided they abide by the proceedings organized by the school district. It is the responsibility of the principal to solicit input from each graduating class regarding the proceedings for their commencement.

Failure of a student to participate in commencement will not be a reason for withholding the student's final progress report or diploma certifying the student's completion of high school.

Legal Reference: Iowa Code §§ 279.8; 280.3 (2007).  
281 I.A.C. 12.5.

Cross Reference: 505 Student Scholastic Achievement

Approved 12/8/2008

Reviewed \_\_\_\_\_

Revised \_\_\_\_\_

## PARENTAL INVOLVEMENT

Parental involvement is an important component in a student's success in school. The board encourages parents to become involved in their child's education to ensure the child's academic success. The board will:

**Title I Parent Involvement Policy**  
**Reviewed and Updated for the 2008-2009 School Year**  
Martensdale-St. Marys Community School District

It is the policy of Martensdale-St. Marys Community Schools that parents of participating children shall have the opportunity to be involved jointly in the development of the district plan and in the district's review process for the purpose of school improvement. Recognizing that parental involvement is the key to academic achievement, we seek to involve parents in an effective home-school partnership that will provide the best possible education for our students. The district provides coordination, technical assistance and other supports necessary to aid in the planning and implementation of parent involvement activities. The district encourages parent involvement and supports this partnership through providing information about standards and assessments; providing training and materials for parents to help their children; educating school personnel about involving parents and the value of parent contributions; and developing roles for community organizations and businesses to work with parents and schools.

1. This jointly agreed upon written policy is distributed to parents of participating title I children and all parents in school-wide buildings at the time of registration.
2. Two annual meetings are held, for all parents of participating children, both public and private. Additional meetings with flexible times shall be held throughout the year and be determined by parent suggestions. The Martensdale-St. Marys Elementary will hold two annual meetings, one in the fall and one in the spring. Notification will be sent in the building newsletter.
3. Parents are given assistance in understanding the Title I requirements, standards, and assessments through the annual meetings and parent-teacher conferences.
4. Parents receive an explanation of the school's performance profile, the forms of academic assessment used to measure student progress, and the expected proficiency levels in the annual progress report distributed to all box holders in the spring of the year, through individual reports given to parents at conference time, and through report cards.
5. In targeted assistance buildings parents are informed of and involved with their child's participation in the Title I program. They also are informed about the curriculum, instructional objectives, and methods used in the program. This information is delivered through newsletters, conferences and the annual meetings.
6. Parent recommendations are encouraged and responded to in a timely manner. Verbal or written responses will be given for all recommendations.
7. Parents will be involved with the planning, review, and improvement of the targeted assistance programs. The vehicle used will be the Quality Support Committee. If the targeted assistance program is not satisfactory to the parents of participating children, they may submit comments to the Quality Support Committee.
8. A jointly developed school/parent compact outlines how parents, the entire school staff, and students all share responsibility for improved student achievement. The compact also describes the means by which the school and parents will build and develop a partnership to help children achieve our local high standards. It is distributed at registration and is reviewed at the annual meeting.

9. The Title I program provides opportunities for parents to become partners with the school in promoting the education of their children both at home and at school. Parents are given help monitoring their student's progress and provided assistance on how to participate in decisions related to their student's education. The school also provides other responsible support for parental involvement activities as requested by parents. Parents are encouraged to participate as volunteers in the school setting. Individual conferences will also be held upon request.
10. The school continues to coordinate and integrate, to the extent feasible and appropriate, the parent involvement policy and other programs and activities within the district.
11. An annual evaluation of this parental involvement policy shall be conducted to determine its effectiveness. Findings will be used to design strategies for school improvement and revision of policies. The annual spring meetings will serve as the site for the discussions of program adjustments.

Providing all Martensdale-St. Marys Community School District's children with equal access to quality education is of primary purpose. It is crucial that all partners (students, parents, educators, and communities) have the opportunity to provide input and offer resources to meet this purpose. As these partnerships are mutually beneficial, developing cooperative efforts will ensure improved academic achievement for all students.

The board will review this policy annually. The superintendent is responsible for notifying parents of this policy annually or within a reasonable time after it has been amended during the school year. It is the responsibility of the superintendent to develop administrative regulations regarding this policy.

Legal References: No Child Left Behind, Title I, Sec. 1118, P.L. 107-110. (2002)

Cross References: 903.2 Community Resource Persons and Volunteers

Approved 2/9/2009

Reviewed \_\_\_\_\_

Revised \_\_\_\_\_

## STUDENT RECORDS ACCESS

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

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

A student record may contain information on more than one student. Parents will have the right to access the information relating to their student or to be informed of the information. Eligible students will also have the right to access the information relating to them selves, or be informed of the information.

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

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

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

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

Approved 1/14/2009

Reviewed \_\_\_\_\_

Revised \_\_\_\_\_

## STUDENT RECORDS ACCESS

If the school district determines that amendment of the student's record is not appropriate, it will inform the parents or the eligible student of their right to a hearing before the hearing officer provided by the school district.

If the parents' and the eligible student's request to amend the student record is further denied following the hearing, the parents or the eligible student are informed that they have a right to place an explanatory letter in the student record commenting on the school district's decision or setting forth the reasoning for disagreeing with the school district. Additions to the student's records will become a part of the student record and be maintained like other student records. If the school district discloses the student records, the explanation by the parents will also be disclosed.

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

- to school officials within the school district and AEA personnel whom the superintendent has determined to have a legitimate educational interest, including, but not limited to, board members, employees, school attorney, auditor, health professionals, and individuals serving on official school committees;
- to officials of another school district in which the student wishes to enroll, provided the other school district notifies the parents the student records are being sent and the parents have an opportunity to receive a copy of the records and challenge the contents of the records unless the annual notification includes a provision that records will automatically be transferred to new school districts;
- to the U.S. Comptroller General, the U.S. Attorney General, the U.S. Secretary of Education or state and local educational authorities;
- in connection with financial aid for which the student has applied or which the student has received if the information is necessary to receive the financial aid;
- to organizations conducting educational studies and the study does not release personally identifiable information;
- to accrediting organizations;
- to parents of a dependent student as defined in the Internal Revenue Code;
- to comply with a court order or judicially issued subpoena;
- *[consistent with an interagency agreement between the school district and juvenile justice agencies]*
- in connection with a health or safety emergency; or,
- as directory information.

The superintendent will keep a list of the individuals and their positions who are authorized to view a special education student's records without the permission of the parents or the eligible student. Individuals not listed are not allowed access without parental or an eligible student's written permission. This list must be current and available for public inspection and updated as changes occur.

## STUDENT RECORDS ACCESS

The superintendent will also keep a list of individuals, agencies and organizations which have requested or obtained access to a student's records, the date access was given and their legitimate educational interest or purpose for which they were authorized to view the records. The superintendent, however, does not need to keep a list of the parents, authorized educational employees, officers and agencies of the school district who have accessed the student's records. This list for a student record may be accessed by the parents, the eligible student and the custodian of student records.

Permanent student records, including a student's name, address, phone number, grades, attendance record, classes attended, grade level completed and year completed may be maintained without time limitation. Permanent student records will be kept in a fire-safe vault.

When personally identifiable information, other than permanent student records, no longer needs to be maintained by the school district to provide educational services to a special education student, the parents or eligible student are notified. This notice is normally given after a student graduates or otherwise leaves the school district. If the parents or eligible student request that the personally identifiable information be destroyed, the school district will destroy the records. Prior to the destruction of the records, the school district must inform the parents or eligible student the records may be needed by the parents or eligible student for social security benefits or other purposes.

*[The school district will cooperate with the juvenile justice system in sharing information contained in permanent student records regarding students who have become involved with the juvenile justice system. The school district will enter into an interagency agreement with the juvenile justice agencies (agencies) involved.*

*The purpose of the agreement is to allow for the sharing of information prior to a student's adjudication in order to promote and collaborate between the school district and the agencies to improve school safety, reduce alcohol and illegal drug use, reduce truancy, reduce in-school and out-of-school suspensions, and to support alternatives to in-school and out-of-school suspensions and expulsions which provide structured and well supervised educational programs supplemented by coordinated and appropriate services designed to correct behaviors that lead to truancy, suspension, and expulsions and to support students in successfully completing their education.*

*The school district may share any information with the agencies contained in a student's permanent record, which is directly related to the juvenile justice system's ability to effectively serve the student. Prior to adjudication information contained in the permanent record may be disclosed by the school district to the parties without parental consent or court order. Information contained in a student's permanent record may be disclosed by the school district to the agencies after adjudication only with parental consent or a court order. Information shared pursuant to the agreement is used solely for determining the programs and services appropriate to the needs of the student or student's family or coordinating the delivery of programs and services to the student or student's family.*

*Information shared under the agreement is not admissible in any court proceedings, which take place prior to a disposition hearing, unless written consent is obtained from a student's parent, guardian, or legal or actual custodian.*

*Confidential information shared between the school district and the agencies will remain confidential and will not be shared with any other person, unless otherwise provided by law.*

## STUDENT RECORDS ACCESS

*Information shared under the agreement is not admissible in any court proceedings, which take place prior to a disposition hearing, unless written consent is obtained from a student's parent, guardian, or legal or actual custodian. The school district may discontinue information sharing with an agency if the school district determines that the agency has violated the intent or letter of the agreement.*

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

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

It is the responsibility of the superintendent to annually notify parents and eligible students of their right to inspect and review the student's records. The notice is given in a parents' or eligible student's native language. Should the school district collect personal information from students for the purposes of marketing or selling that information, the school district will annually notify parents of such activity.

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

Legal Reference: No Child Left Behind, Title IX, Sec. 9528, P.L.107-110 (2002).  
 USA Patriot Act, Sec. 507, P.L. 107-56. (2001).  
 20 U.S.C. § 1232g, 1415 (2004).  
 34 C.F.R. Pt. 99, 300, .610 *et seq.* (2004).  
 Iowa Code §§ 22; 279.9B, 280.24, .25, 622.10 (2007).  
 281 I.A.C. 12.3(4); 41; .610 *et seq.*  
 1980 Op. Att'y Gen. 720, 825.

Cross Reference: 501 Student Attendance  
 505 Student Scholastic Achievement  
 506 Student Records  
 507 Student Health and Well-Being  
 603.3 Special Education  
 708 Care, Maintenance and Disposal of School District Records  
 901 Public Examination of School District Records

## STUDENT RECORDS CHECKLIST

	Copy to Parent Upon Request	Parent Signature Required**	User Must Submit. Written Request*	No Parent Signature Required	Parent Notified in Advance	Parent Notified of Release	Request Made Part of Student Record	Schedule Hearing Following Decision with Parent	
Subpoena or Judicial Order				•	•				Lawfully Issued
Student Financial Aid				•					Written Request
School or Staff in Same School System				•					No Written Request Necessary
Other School System Where Student Plans to Enroll	•		•	•		•	•		506.1E2
United States Comptroller General			•	•			•		506.1E2
Dept. of Health, Education and Welfare Secretary			•	•			•		506.1E2
National Institute of Education			•	•			•		506.1E2
Iowa Dept. of Education Official			•	•			•		506.1E2
Parent Inspection of Student Educational Records	•	•							506.1E5
Parent Request for Hearing to Challenge Record		•						•	506.1E4
Parent Authorization for School to Release Information	•	•							506.1E3
Notification of Transfer of Student Records	•			•					506.1E6

\*Such written request is available for inspection by the parent or student and the school official responsible for record maintenance.

\*\*When a student has attained the age of 18 years or is attending an institution of post-secondary education, the permission or consent required of the rights accorded the parent of the student will thereafter be required of and accorded only to the student.

REQUEST OF NONPARENT FOR EXAMINATION OR COPIES OF STUDENT RECORDS

The undersigned hereby requests permission to examine the Martensdale-St. Marys Community School District's official student records of:

\_\_\_\_\_  
(Legal Name of Student) (Date of Birth)

-----  
The undersigned requests copies of the following official student records of the above student:  
-----

The undersigned certifies that they are (check one):

- (a) An official of another school system in which the student intends to enroll. ( )
- (b) An authorized representative of the Comptroller General of the United States. ( )
- (c) An authorized representative of the Secretary of the U.S. Department of Education or U.S. Attorney General ( )
- (d) An administrative head of an education agency as defined in Section 408 of the Education Amendments of 1974. ( )
- (e) An official of the Iowa Department of Education. ( )
- (f) A person connected with the student's application for, or receipt of, financial aid (SPECIFY DETAILS ABOVE.) ( )
- [(g) A representative of a juvenile justice agency with which the school district has an interagency agreement. ] ( )

The undersigned agrees that the information obtained will only be redisclosed consistent with state or federal law without the written permission of the parents of the student, or the student if the student is of majority age.

\_\_\_\_\_  
(Signature)  
\_\_\_\_\_  
(Title)  
\_\_\_\_\_  
(Agency)

APPROVED:  
Signature: \_\_\_\_\_  
Title: \_\_\_\_\_  
Dated: \_\_\_\_\_

Date: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_  
State: \_\_\_\_\_ ZIP: \_\_\_\_\_  
Phone Number: \_\_\_\_\_

AUTHORIZATION FOR RELEASE OF STUDENT RECORDS

The undersigned hereby authorizes \_\_\_\_\_

School District to release copies of the following official student records:

\_\_\_\_\_  
\_\_\_\_\_

concerning \_\_\_\_\_ (Full Legal Name of Student) \_\_\_\_\_ (Date of Birth)

\_\_\_\_\_ from 20 \_\_\_\_ to 20 \_\_\_\_  
(Name of Last School Attended) (Year(s) of Attend.)

The reason for this request is: \_\_\_\_\_

My relationship to the child is: \_\_\_\_\_

Copies of the records to be released are to be furnished to:

- ( ) the undersigned
- ( ) the student
- ( ) other (please specify) \_\_\_\_\_

\_\_\_\_\_  
(Signature)

Date: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_  
State: \_\_\_\_\_ ZIP \_\_\_\_\_  
Phone Number: \_\_\_\_\_

REQUEST FOR HEARING ON CORRECTION OF STUDENT RECORDS

To: \_\_\_\_\_ Address: \_\_\_\_\_  
Board Secretary (Custodian)

I believe certain official student records of my child, \_\_\_\_\_, (full legal name of student), \_\_\_\_\_ (school name), are inaccurate, misleading or in violation of privacy rights of my child.

The official education records which I believe are inaccurate, misleading or in violation of the privacy or other rights of my child are:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The reason I believe such records are inaccurate, misleading or in violation of the privacy or other rights of my child is:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

My relationship to the child is: \_\_\_\_\_

I understand that I will be notified in writing of the time and place of the hearing; that I will be notified in writing of the decision; and I have the right to appeal the decision by so notifying the hearing officer in writing within ten days after my receipt of the decision or a right to place a statement in my child's record stating I disagree with the decision and why.

\_\_\_\_\_  
(Signature)

Date: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_

State: \_\_\_\_\_ ZIP \_\_\_\_\_

Phone Number: \_\_\_\_\_

REQUEST FOR EXAMINATION OF STUDENT RECORDS

To: \_\_\_\_\_ Address: \_\_\_\_\_  
Board Secretary (Custodian)

The undersigned desires to examine the following official education records.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

of \_\_\_\_\_ , \_\_\_\_\_  
(Full Legal Name of Student) (Date of Birth) (Grade)

\_\_\_\_\_  
(Name of School)

My relationship to the student is: \_\_\_\_\_

(check one)

I do  
 I do not

desire a copy of such records. I understand that a reasonable charge may be made for the copies.

\_\_\_\_\_  
(Parent's Signature)

APPROVED:

Signature: \_\_\_\_\_  
Title: \_\_\_\_\_  
Dated: \_\_\_\_\_

Date: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_  
State: \_\_\_\_\_ ZIP \_\_\_\_\_  
Phone Number: \_\_\_\_\_

NOTIFICATION OF TRANSFER OF STUDENT RECORDS

To: \_\_\_\_\_ Date: \_\_\_\_\_  
Parent/or Guardian

Street Address: \_\_\_\_\_  
City/State \_\_\_\_\_ ZIP: \_\_\_\_\_

Please be notified that copies of the \_\_\_\_\_Community School District's official student records concerning \_\_\_\_\_, (full legal name of student) have been transferred to:

\_\_\_\_\_  
School District Name Address

upon the written statement that the student intends to enroll in said school system.

If you desire a copy of such records furnished, please check here \_\_\_\_\_ and return this form to the undersigned. A reasonable charge will be made for the copies.

If you believe such records transferred are inaccurate, misleading or otherwise in violation of the privacy or other rights of the student, you have the right to a hearing to challenge the contents of such records.

\_\_\_\_\_  
(Name)

\_\_\_\_\_  
(Title)

LETTER TO PARENT REGARDING RECEIPT OF A SUBPOENA

Date

Dear (Parent):

This letter is to notify you that the Martensdale-St. Marys Community School District has received a (subpoena or court order) requesting copies of your child's permanent records. The specific records requested are \_\_\_\_\_.

The school district has until (date on subpoena or court order) to deliver the documents to (requesting party on subpoena or court order). If you have any questions, please do not hesitate to contact me at (phone #).

Sincerely,

(Principal or Superintendent)

## JUVENILE JUSTICE AGENCY INFORMATION SHARING AGREEMENT

**Statement of Purpose:** The purpose of this Agreement is to allow for the sharing of information among the School District and the Agencies prior to a student's adjudication in order to promote and collaborate to improve school safety, reduce alcohol and illegal drug use, reduce truancy, reduce in-school and out-of-school suspensions, and to support alternatives to in-school and out-of-school suspensions and expulsions which provide structured and well supervised educational programs supplemented by coordinated and appropriate services designed to correct behaviors that lead to truancy, suspension, and expulsions and to support students in successfully completing their education.

**Identification of Agencies:** This agreement is between the Martensdale-St. Marys Community School District (hereinafter "School District") and (agencies listed) (hereinafter "Agencies").

**Statutory Authority:** This agreement implements Iowa Code § 280.25 and is consistent with 34 C.F.R. 99.38 (2004).

### Parameters of Information Exchange:

1. The School District may share any information with the Agencies contained in a student's permanent record which is directly related to the juvenile justice system's ability to effectively serve the student.
2. Prior to adjudication information contained in the permanent record may be disclosed by the school district to the Agencies without parental consent or court order.
3. Information contained in a student's permanent record may be disclosed by the School District to the Agencies after adjudication only with parental consent or a court order.
4. Information shared pursuant to the agreement is used solely for determining the programs and services appropriate to the needs of the student or student's family or coordinating the delivery of programs and services to the student or student's family.
5. Information shared under the agreement is not admissible in any court proceedings which take place prior to a disposition hearing, unless written consent is obtained from a student's parent, guardian, or legal or actual custodian.
6. Information obtained by the school from other juvenile justice agencies may not be used as the basis for disciplinary action of the student.
7. This agreement only governs a school district's ability to share information and the purposes for which that information can be used. Other agencies are bound by their own respective confidentiality policies.

**Records' Transmission:** The individual requesting the information should contact the principal of the building in which the student is currently enrolled or was enrolled. The principal will forward the records within 10 business days of the request.

**Confidentiality:** Confidential information shared between the Agencies and the school district will remain confidential and will not be shared with any other person, unless otherwise provided by law. Information shared under the agreement is not admissible in any court proceedings which take place prior to a disposition hearing, unless written consent is obtained from a student's parent. Agencies or individuals violating the terms of this agreement subject their entity represented and themselves personally to legal action pursuant to federal and state law.

JUVENILE JUSTICE AGENCY INFORMATION SHARING AGREEMENT

Amendments: This agreement constitutes the entire agreement among the agencies with respect to information sharing. Agencies may be added to this agreement at the discretion of the school district.

Term: This agreement is effective from (September 1, 20 or other date).

Termination: The School District may discontinue information sharing with an Agency if the School District determines that the Agency has violated the intent or letter of this Agreement.

APPROVED:

Signature: \_\_\_\_\_ Address: \_\_\_\_\_  
Title: \_\_\_\_\_ City: \_\_\_\_\_  
Agency: \_\_\_\_\_ State: \_\_\_\_\_ ZIP \_\_\_\_\_  
Dated: \_\_\_\_\_ Phone Number: \_\_\_\_\_

Signature: \_\_\_\_\_ Address: \_\_\_\_\_  
Title: \_\_\_\_\_ City: \_\_\_\_\_  
Agency: \_\_\_\_\_ State: \_\_\_\_\_ ZIP \_\_\_\_\_  
Dated: \_\_\_\_\_ Phone Number: \_\_\_\_\_

Signature: \_\_\_\_\_ Address: \_\_\_\_\_  
Title: \_\_\_\_\_ City: \_\_\_\_\_  
Agency: \_\_\_\_\_ State: \_\_\_\_\_ ZIP \_\_\_\_\_  
Dated: \_\_\_\_\_ Phone Number: \_\_\_\_\_

Signature: \_\_\_\_\_ Address: \_\_\_\_\_  
Title: \_\_\_\_\_ City: \_\_\_\_\_  
Agency: \_\_\_\_\_ State: \_\_\_\_\_ ZIP \_\_\_\_\_  
Dated: \_\_\_\_\_ Phone Number: \_\_\_\_\_

## ANNUAL NOTICE

The Family Educational Rights and Privacy Act (FERPA) affords parents and students over 18 years of age ("eligible students") certain rights with respect to the student's education records. They are:

- (1) The right to inspect and review the student's education records within 45 days of the day the district receives a request for access.

Parents or eligible students should submit to the school principal (or appropriate school official) a written request that identifies the record(s) they wish to inspect. The principal will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.

- (2) The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate or misleading or in violation of the student's privacy rights.

Parents or eligible students may ask the school district to amend a record that they believe is inaccurate or misleading. They should write the school principal, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading.

If the district decides not to amend the record as requested by the parent or eligible student, the district will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

- (3) The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent.

One exception, which permits disclosure without consent is disclosure to school officials with legitimate educational interests. A school official is a person employed by the district as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the school board; a person or company with whom the district has contracted to perform a special task (such as an attorney, auditor, AEA employees, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee or student assistance team, or assisting another school official in performing his or her tasks.

A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

*[Upon request, the district discloses education records without consent to officials of another school district in which a student seeks or intends to enroll. (Note: FERPA requires a school district to make a reasonable attempt to notify the parent or eligible student of the records request unless it states in its annual notification that it intends to forward records on request.)]*

- (4) The right to inform the school district that the parent does not want directory information, as defined below, to be released. Directory information can be released without prior parental consent. *(School districts that anticipate marketing or selling directory information for marketing purposes need the following statement in this notice. "The school district will not market or sell directory information without prior consent of the parent.")*

## ANNUAL NOTICE

Any student over the age of eighteen or parent not wanting this information released to the public must make objection in writing by September 30 to the principal. The objection needs to be renewed annually.

*(The following is the suggested list in the federal law but boards can add or subtract from the list.)*

NAME, ADDRESS, TELEPHONE LISTING, DATE AND PLACE OF BIRTH, E-MAIL ADDRESS, GRADE LEVEL, ENROLLMENT STATUS, MAJOR FIELD OF STUDY, PARTICIPATION IN OFFICIALLY RECOGNIZED ACTIVITIES AND SPORTS, WEIGHT AND HEIGHT OF MEMBERS OF ATHLETIC TEAMS, DATES OF ATTENDANCE, DEGREES AND AWARDS RECEIVED, THE MOST RECENT PREVIOUS SCHOOL OR INSTITUTION ATTENDED BY THE STUDENT, PHOTOGRAPH AND LIKENESS AND OTHER SIMILAR INFORMATION.

*Note - If boards eliminate name, address or telephone listing from their directory information, military recruiters and postsecondary institutions still have the right, under federal law, to access the three items. Those boards that eliminate name, address or telephone listing, need to give parents a second notice allowing them to withhold this information from military recruiters or postsecondary institutions. The following additional notice is suggested:*

*Even though (choose the applicable words - names, student addresses and telephone numbers) are not considered directory information, military recruiters and postsecondary educational institutions may legally access this information without prior parental consent. Parents not wanting military recruiters or postsecondary institutions to access the information must ask the school district to withhold the information. Also, school districts that provide postsecondary institutions and potential employers access to students must provide the same right of access to military recruiters. Parents not wanting military recruiters to contact their children, have the right to deny permission for this activity.*

- (5) The right to file a complaint with the U.S. Department of Education concerning alleged failures by the district to comply with the requirements of FERPA. The name and address of the office that administers FERPA is:

Family Policy Compliance Office, U.S. Department of Education,  
400 Maryland Ave., SW, Washington, DC, 20202-4605.

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

## ANNUAL NOTICE

La FERPA (Family Educational Rights and Privacy Act), la ley que trata sobre el derecho a la privacidad y los derechos educativos de la familia, le depara a los padres y a los estudiantes mayores de dieciocho años (estudiantes emancipados) ciertos derechos con respecto a los expedientes académicos del estudiante. Estos derechos están a continuación:

- (1) El derecho a inspeccionar y a revisar los expedientes académicos del estudiante dentro de un plazo de 45 días a partir de la fecha en que el distrito reciba una solicitud para obtener acceso a los expedientes.

Los padres o los estudiantes emancipados deben someter una solicitud por escrito al director de la escuela (o al oficial escolar apropiado) identificando el expediente o los expedientes que ellos desean inspeccionar. El director hará arreglos para el acceso a los mismos y le notificará al padre o a la madre o al estudiante emancipado de la hora y el lugar en donde se pueden inspeccionar los expedientes.

- (2) El derecho a solicitar una enmienda de los expedientes académicos del estudiante, los cuales piensan los padres o el estudiante emancipado que están incorrectos, que son engañosos o que quebrantan los derechos del estudiante a su privacidad.

Si los padres o los estudiantes emancipados creen que un expediente está incorrecto o es engañoso, pueden pedirle al distrito escolar que enmiende el expediente. Ellos deben escribirle al director de la escuela, identificando claramente la parte del expediente que ellos desean cambiar y especificando por qué el expediente está incorrecto o es engañoso.

Si el distrito escolar decide no enmendar el expediente, según la solicitud de los padres o de los estudiantes emancipados; el distrito notificará a los padres o al estudiante emancipado de esta decisión y les informará de su derecho a tener una audiencia con relación a la solicitud de enmienda. Cuando se le notifique del derecho a tener una audiencia, el padre, la madre o el estudiante emancipado también recibirá información adicional sobre los procedimientos de la audiencia.

- (3) El derecho al consentimiento de la divulgación de información contenida en el expediente académico del estudiante y que lo identifica personalmente, a la excepción de lo que autoriza FERPA divulgar sin consentimiento.

Una excepción que permite la divulgación de información sin consentimiento es la divulgación de información a los oficiales escolares que tienen intereses educativos legítimos. Un oficial escolar es una persona que es empleado del distrito ya sea como administrador, supervisor, instructor, personal auxiliar (incluyendo el personal médico o de servicios de salud y el personal policial), una persona miembro de la junta escolar, una persona o compañía con quien el distrito ha contratado para realizar una tarea especial (tal como un abogado, interventor de cuentas, empleados del AEA (Agencias de Educación Regionales), asesor médico o terapeuta), o como un padre o estudiante que participa en un comité oficial, tal como un comité disciplinario o de quejas, o un equipo auxiliar de estudiantes, o como una persona que ayuda a otro oficial escolar a realizar sus tareas.

## ANNUAL NOTICE

Un oficial escolar tiene un interés escolar legítimo si el oficial necesita revisar un expediente académico a fin de cumplir con su obligación profesional.

*[Previa solicitud, el distrito divulgará sin consentimiento los expedientes académicos a los oficiales de otro distrito escolar en el cual el estudiante tiene la intención de matricularse. (Nota: A menos que en su notificación anual haya una declaración indicando que tienen la intención de enviar los expedientes al solicitante cuando éste los solicite. FERPA exige que un distrito escolar haga un intento razonable para notificar al padre o al estudiante emancipado de que han recibido una solicitud para la obtención de los expedientes académicos).*

- (4) El derecho de informarle al distrito escolar de que el padre o la madre no quieren que se comunique al público la información contenida en el directorio, tal como se define abajo. Cualquier estudiante mayor de dieciocho años de edad o padre o madre que no quiera que se comunique al público esta información puede hacer una objeción de los escribiéndole al director a más tardar el (date) de (month) de (year). La objeción tiene que ser renovada anualmente.

Nombre, dirección, número de teléfono, fecha y lugar de nacimiento, materia de estudio principal, participación en deportes y en actividades reconocidas oficialmente, peso y estatura de los miembros de los equipos atléticos, fechas de asistencia a la escuela, diplomas y premios recibidos, la escuela o institución docente más reciente a la que asistió el estudiante, fotografía o imagen u otra información parecida.

- (5) El derecho a presentar una queja al U.S. Department of Education (Ministerio de Educación de los Estados Unidos) con respecto a las faltas supuestas del distrito en cumplir con los requisitos de FERPA. A continuación encontrará el nombre y la dirección de la oficina que maneja FERPA:

Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Ave., S.W.,  
Washington, D.C., 20202-4605.

*[El Distrito Escolar puede intercambiar con cualquiera de las Partes cualquier información contenida en el expediente académico permanente del estudiante. Esta información debe estar relacionada directamente con la capacidad del sistema de justicia de menores para servir efectivamente al estudiante. Antes de la adjudicación, la información contenida en el expediente permanente puede ser divulgado por parte del Distrito Escolar a las Partes sin consentimiento de los padres y sin una orden judicial. Después de la adjudicación, la información contenida en el expediente permanente del estudiante solamente podrá ser divulgada con consentimiento de los padres o por medio de una orden judicial. La información que se intercambie conforme con un acuerdo, será utilizado únicamente para determinar los programas y los servicios apropiados para las necesidades del estudiante o de la familia del estudiante. También se podrá utilizar para coordinar la entrega de los programas y los servicios al*

## ANNUAL NOTICE

*estudiante o a la familia del estudiante. A menos que se obtenga un consentimiento por escrito de parte de los padres de un estudiante, del guardián o del custodio legal o real del estudiante, la información que se intercambie en virtud de un acuerdo, no será admisible en ningún procedimiento judicial que tenga lugar antes de una audiencia de disposición. Este acuerdo solamente rige la capacidad de un distrito escolar para intercambiar información y rige los propósitos para los cuales se puede utilizar esa información.*

*El propósito para el cual se intercambia la información antes de la adjudicación del estudiante es para mejorar la seguridad del colegio, reducir el uso ilícito de drogas y de alcohol, reducir las inasistencias a clase, reducir las suspensiones en el colegio y fuera del colegio, y para apoyar las alternativas a las suspensiones y expulsiones en el colegio y fuera del colegio. Estas alternativas proporcionan programas educativos estructurados y bien supervisados, suplidos por servicios adecuados y coordinados que están diseñados para corregir comportamientos que causan inasistencias a clase, suspensiones y expulsiones. Estos programas apoyan a los estudiantes en completar exitosamente su educación.*

*El individuo que solicite la información debe ponerse en contacto con el director del edificio en el cual el estudiante está actualmente matriculado o en el que estuvo matriculado. El director entonces enviará los expedientes dentro de los diez días laborables que le siguen a la fecha en que se recibió la solicitud.*

*La información confidencial que se intercambie entre las Partes y el distrito escolar permanecerá en confianza y no se intercambiará con ninguna otra persona salvo que esté dispuesto por ley. A menos que se obtenga el consentimiento por escrito de parte del padre o la madre del estudiante del guardián o del custodio real o legal del estudiante, ninguna información intercambiada según el acuerdo será admisible en ningún procedimiento judicial que tenga lugar antes de la audiencia.]*

## USE OF STUDENT RECORDS REGULATION

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

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

### A. Access to Records

1. The parent or legal guardian of a student will have access to these records upon written request to the board secretary.

The parent or legal guardian will, upon written request to the board secretary, have the opportunity to receive an interpretation of the records, have the right to question the data, and, if a difference of opinion is noted, is permitted to file a letter in the cumulative folder stating the dissenting person's position. If further challenge is made to the record, the normal appeal procedures established by school policy will be followed.

A student, eighteen years or older, has the right to determine who, outside the school system, has access to the records. Parents of students who are 18 years or older but still dependents for income tax purposes may access the student's records without prior permission of the student.

2. School officials having access to student records are defined as having a legitimate educational interest. A school official is a person employed by the school district as an administrator, supervisor, instructor or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the school board; a person or company with whom the school district has contracted to perform a special task (such as an attorney, auditor, AEA employee, medical consultant, or therapist); or a parent or student serving on an official committee, such as disciplinary or grievance committee or student assistance team, or assisting another school official in performing his or her tasks.

### B. Release of Information Outside the School

1. To release student records to other school(s) in which the student intends to enroll, the parents, legal guardian, or eligible student must be notified of the transfer and the kinds of information being released unless the school district annually notifies parents that the records will be sent automatically.

## USE OF STUDENT RECORDS REGULATION

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

Hearing Procedures

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

STUDENT DIRECTORY INFORMATION

Student directory information is designed to be used internally within the school district. Directory information is defined in the annual notice. It may include the student's name, address, telephone number, date and place of birth, e-mail address, grade level, enrollment status, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, the most recent previous educational agency or institution attended by the student, photograph and other likeness, and other similar information.

Prior to developing a student directory or to giving general information to the public, parents will be given notice annually of the intent to develop a directory or to give out general information and have the opportunity to deny the inclusion of their child's information in the directory or in the general information about the students.

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

Legal Reference: 20 U.S.C. § 1232g (2004).  
34 C.F.R. Pt. 99, 300.560 - .574 (2004).  
Iowa Code § 22; 622.10 (2007).  
281 I.A.C. 12.3(4); 41.123.  
1980 Op. Att'y Gen. 720.

Cross Reference: 504 Student Activities  
506 Student Records  
901 Public Examination of School District Records  
902.4 Live Broadcast or videotaping

Approved 1/14/2009 Reviewed \_\_\_\_\_ Revised \_\_\_\_\_

AUTHORIZATION FOR RELEASING STUDENT DIRECTORY INFORMATION

The Martensdale-St. Marys Community School District has adopted a policy designed to assure parents and students the full implementation, protection and enjoyment of their rights under the Family Educational Rights and Privacy Act of 1974. A copy of the school district's policy is available for review in the office of the principal of all of our schools.

This law requires the school district to designate as "directory information" any personally identifiable information taken from a student's educational records prior to making such information available to the public.

Even though student addresses and telephone numbers are not considered directory information, military recruiters and post-secondary educational institutions may legally access this information without prior parental consent. Parents not wanting military recruiters and post-secondary institutions to access the information must ask the school district to withhold the information.

The school district has designated the following information as directory information: (The only items left out of this list are address and telephone numbers. Boards need to amend the form to reflect their practice.) student's name; date and place of birth; email address, grade level, enrollment status, major field of study; participation in officially recognized activities and sports; weight and height of members of athletic teams; dates of attendance; degrees and awards received; and the most recent previous educational institution attended by the student; photograph and other likeness and other similar information. You have the right to refuse the designation of any or all of the categories of personally identifiable information as directory information with respect to your student provided that you notify the school district in writing not later than \_\_\_\_\_, 20\_\_ of this school year. If you desire to make such a refusal, please complete and return the slip attached to this notice.

If you have no objection to the use of student information, you do not need to take any action.

RETURN THIS FORM

\_\_\_\_\_ Community School District Parental Directions to

Withhold Student/Directory Information, for 20\_\_ - 20\_\_ school year.

Student Name: \_\_\_\_\_

Date of Birth \_\_\_\_\_

School: \_\_\_\_\_

Grade: \_\_\_\_\_

\_\_\_\_\_  
(Signature of Parent/Legal Guardian/Custodian of Child)

\_\_\_\_\_  
(Date)

This form must be returned to your child's school no later than \_\_\_\_\_, 20\_\_.

Additional forms are available at your child's school.

AUTHORIZATION FOR RELEASING STUDENT DIRECTORY INFORMATION

-----  
*RETURN THIS FORM*

\_\_\_\_\_ Community School District Parental Directions to Withhold

Student Names, Addresses and Phone Numbers from Military Recruiters and Post-Secondary Educational Institutions, for 20\_\_ - 20\_\_ school year.

Student Name: \_\_\_\_\_ Date of Birth \_\_\_\_\_

School: \_\_\_\_\_ Grade: \_\_\_\_\_

\_\_\_\_\_  
(Signature of Parent/Legal Guardian/Custodian of Child)

\_\_\_\_\_  
(Date)

This form must be returned to your child's school no later than \_\_\_\_\_, 20\_\_\_\_. Additional forms are available at your child's school.

USE OF DIRECTORY INFORMATION

The student handbook or similar publication given to each student which contains general information about the school will contain the following statement which is published at least annually in a prominent place or in a newspaper of general circulation in the school district:

The following information may be released to the public in regard to any individual student of the school district as needed. Any student over the age of eighteen or parent not wanting this information released to the public must make objection in writing by \_\_\_\_\_ to the principal. The objection needs to be renewed annually.

NAME, ADDRESS, TELEPHONE LISTING, EMAIL ADDRESS, DATE AND PLACE OF BIRTH, MAJOR FIELD OF STUDY, PARTICIPATION IN OFFICIALLY RECOGNIZED ACTIVITIES AND SPORTS, WEIGHT AND HEIGHT OF MEMBERS OF ATHLETIC TEAMS, DATES OF ATTENDANCE, DEGREES AND AWARDS RECEIVED, THE MOST RECENT PREVIOUS SCHOOL OR INSTITUTION ATTENDED BY THE STUDENT, PHOTOGRAPH AND LIKENESS AND OTHER SIMILAR INFORMATION.

DATED \_\_\_\_\_, 20 \_\_\_\_.

STUDENT PHOTOGRAPHS

The board will permit student "portrait" photographs to be taken on school premises by a commercial photographer as a service to the students and their families.

Parents will be notified prior to the taking of pictures by a commercial photographer for student "portraits." In no case will students be required to have their picture taken or be pressured to purchase pictures.

Students or commercial photographers may take pictures of students upon consent for such things as the yearbook or student newspaper.

It is the responsibility of the superintendent, in conjunction with the principal, to develop administrative rules regarding student photographs.

Legal Reference: Iowa Code § 279.8 (2007).  
1980 Op. Att'y Gen. 114.

Cross Reference: 506 Student Records

Approved 1/14/2009 Reviewed \_\_\_\_\_ Revised \_\_\_\_\_

STUDENT LIBRARY CIRCULATION RECORDS

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

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

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

Legal Reference: 20 U.S.C. § 1232g (2004).  
34 C.F.R. Pt. 99 (2004).  
Iowa Code §§ 22 (2007).  
281 I.A.C. 12.3(4), (12).  
1980 Op. Att'y Gen. 720, 825.

Cross Reference: 506 Student Records

Approved 1/14/2009 Reviewed \_\_\_\_\_ Revised \_\_\_\_\_

STUDENT HEALTH AND IMMUNIZATION CERTIFICATES

Students desiring to participate in athletic activities or enrolling in kindergarten or first grade in the school district will have a physical examination by a licensed physician and provide proof of such an examination to the school district. A physical examination and proof of such an examination may be required by the administration for students in other grades enrolling for the first time in the school district.

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

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

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

Legal Reference: Iowa Code §§ 13A.8; 280.13 (2007).  
281 I.A.C. 33.5.  
641 I.A.C. 7.

Cross Reference: 402.2 Child Abuse Reporting  
501 Student Attendance  
507 Student Health and Well-Being

Approved 1/14/2009 Reviewed \_\_\_\_\_ Revised \_\_\_\_\_

## ADMINISTRATION OF MEDICATION TO STUDENTS

Some students may need prescription and nonprescription medication to participate in their educational program.

Medication shall be administered when the student's parent or guardian (hereafter "parent") provides a signed and dated written statement requesting medication administration and the medication is in the original, labeled container, either as dispensed or in the manufacturer's container.

When administration of the medication requires ongoing professional health judgment, an individual health plan shall be developed by an authorized practitioner with the student and the student's parent. Students who have demonstrated competence in administering their own medications may self-administer their medication. A written statement by the student's parent shall be on file requesting co-administration of medication, when competence has been demonstrated. By law, students with asthma or other airway constricting diseases may self-administer their medication upon approval of their parents and prescribing physician regardless of competency.

Persons administering medication shall include the licensed registered nurse, physician, persons who have successfully completed a medication administration course, or to be an authorized practitioner, including parents. A medication administration course and periodic update shall be conducted by a registered nurse or licensed pharmacist, and a record of course completion kept on file at the agency.

A written medication administration record shall be on file including:

- date;
- student's name;
- prescriber or person authorizing administration;
- medication;
- medication dosage;
- administration time;
- administration method;
- signature and title of the person administering medication; and
- any unusual circumstances, actions, or omissions.

Medication shall be stored in a secured area unless an alternate provision is documented. Emergency protocols for medication-related reactions shall be posted. Medication information shall be confidential information.

Approved 1/14/2009

Reviewed \_\_\_\_\_

Revised \_\_\_\_\_

ADMINISTRATION OF MEDICATION TO STUDENTS

Legal Reference: Iowa Code §§124.101(1), 147.107, 152.1, 155A.4(2), 280.16, 280.23 (2007)  
Education [281] IAC §41.404(3)  
Pharmacy [657] IAC §8.32(124, 155A)  
Nursing Board [655] IAC §6.2(152)

Cross Reference: 506 Student Records  
507 Student Health and Well-Being  
603.3 Special Education  
607.2 Student Health Services

AUTHORIZATION ASTHMA OR AIRWAY CONSTRICTING MEDICATION  
SELF-ADMINISTRATION CONSENT FORM

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  
Student's Name (Last), (First) (Middle)    Birthday    School    Date

In order for a student to self-administer medication for asthma or any airway constricting disease:

- Parent/guardian provides signed, dated authorization for student medication self-administration.
- Physician (person licensed under chapter 148, 150, or 150A, physician, physician's assistant, advanced registered nurse practitioner, or other person licensed or registered to distribute or dispense a prescription drug or device in the course of professional practice in Iowa in accordance with section 147.107, or a person licensed by another state in a health field in which, under Iowa law, licensees in this state may legally prescribe drugs) provides written authorization containing:
  - purpose of the medication,
  - prescribed dosage,
  - times or;
  - special circumstances under which the medication is to be administered.
- The medication is in the original, labeled container as dispensed or the manufacturer's labeled container containing the student name, name of the medication, directions for use, and date.
- Authorization is renewed annually. If any changes occur in the medication, dosage or time of administration, the parent is to notify school officials immediately. The authorization shall be reviewed as soon as practical.

Provided the above requirements are fulfilled, a student with asthma or other airway constricting disease may possess and use the student's medication while in school, at school-sponsored activities, under the supervision of school personnel, and before or after normal school activities, such as while in before-school or after-school care on school-operated property. If the student abuses the self-administration policy, the ability to self-administer may be withdrawn by the school or discipline may be imposed.

Pursuant to state law, the school district or accredited nonpublic school and its employees are to incur no liability, except for gross negligence, as a result of any injury arising from self-administration of medication by the student. The parent or guardian of the student shall sign a statement acknowledging that the school district or nonpublic school is to incur no liability, except for gross negligence, as a result of self-administration of medication by the student as established by Iowa Code § 280.16.

\_\_\_\_\_  
Medication                      Dosage                      Route                      Time

\_\_\_\_\_  
Purpose of Medication & Administration /Instructions

AUTHORIZATION-ASTHMA OR AIRWAY CONSTRICTING MEDICATION  
SELF-ADMINISTRATION CONSENT FORM

\_\_\_\_\_  
Special Circumstances

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  
Discontinue/Re-Evaluate/  
Follow-up Date

\_\_\_\_\_  
Prescriber's Signature

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  
Date

\_\_\_\_\_  
Prescriber's Address

\_\_\_\_\_  
Emergency Phone

- I request the above named student possess and self-administer asthma or other airway constricting disease medication(s) at school and in school activities according to the authorization and instructions.
- I understand the school district and its employees acting reasonably and in good faith shall incur no liability for any improper use of medication or for supervising, monitoring, or interfering with a student's self-administration of medication
- I agree to coordinate and work with school personnel and notify them when questions arise or relevant conditions change.
- I agree to provide safe delivery of medication and equipment to and from school and to pick up remaining medication and equipment.
- I agree the information is shared with school personnel in accordance with the Family Education Rights and Privacy Act (FERPA).
- I agree to provide the school with back-up medication approved in this form.
- *(Student maintains self-administration record.) (Note: This bullet is recommended but not required.)*

\_\_\_\_\_  
Parent/Guardian Signature  
(agreed to above statement)

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  
Date

\_\_\_\_\_  
Parent/Guardian Address

\_\_\_\_\_  
Home Phone

\_\_\_\_\_  
Business Phone

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Self-Administration Authorization Additional Information

PARENTAL AUTHORIZATION AND RELEASE FORM FOR THE ADMINISTRATION OF PRESCRIPTION MEDICATION TO STUDENTS

Student's Name (Last), (First), (Middle) Birthday School Date

School medications and health services are administered following these guidelines:

- Parent has provided a signed, dated authorization to administer medication and/or provide the health service.
• The medication is in the original, labeled container as dispensed or the manufacturer's labeled container.
• The medication label contains the student's name, name of the medication, directions for use, and date.
• Authorization is renewed annually and immediately when the parent notifies the school that changes are necessary.

Medication/Health Care Dosage Route Time at School

Administration instructions

Special Directives, Signs to Observe and Side Effects

Discontinue/Re-Evaluate/Follow-up Date

Prescriber's Signature Date

Prescriber's Address Emergency Phone

I request the above named student carry medication at school and school activities, according to the prescription, instructions, and a written record kept. Special considerations are noted above. The information is confidential except as provided to the Family Education Rights and Privacy Act (FERPA). I agree to coordinate and work with school personnel and prescriber when questions arise. I agree to provide safe delivery of medication and equipment to and from school and to pick up remaining medication and equipment.

PARENTAL AUTHORIZATION AND RELEASE FORM FOR THE ADMINISTRATION  
OF PRESCRIPTION MEDICATION TO STUDENTS

\_\_\_\_\_  
Parent's Signature

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  
Date

\_\_\_\_\_  
Parent's Address

\_\_\_\_\_  
Home Phone

\_\_\_\_\_  
Additional Information

\_\_\_\_\_  
Business Phone

\_\_\_\_\_  
Authorization Form

COMMUNICABLE DISEASES - STUDENTS

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

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

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

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

Legal Reference:        School Board of Nassau County v. Arline, 480 U.S. 273 (1987).  
29 U.S.C. §§ 701 *et seq.* (2004).  
45 C.F.R. Pt. 84.3 (2004).  
Iowa Code ch. 139A.8 (2007).  
641 I.A.C. 1.2-.5, 7.

Cross Reference:        403.3    Communicable Diseases - Employees  
                                  506        Student Records  
                                  507        Student Health and Well-Being

Approved 1/14/2009

Reviewed \_\_\_\_\_

Revised \_\_\_\_\_

## COMMUNICABLE DISEASE CHART

CONCISE DESCRIPTIONS AND RECOMMENDATIONS FOR EXCLUSION  
OF CASES FROM SCHOOL

DISEASE <i>*Immunization is available</i>	Usual Interval Between Exposure and First Symptoms of Disease	MAIN SYMPTOMS	Minimum Exclusion From School
CHICKENPOX	13 to 17 days	Mild symptoms and fever. Pocks are "blistery." Develop scabs, most on covered parts of body.	7 days from onset of pocks or until pocks become dry
CONJUNCTIVITIS (PINK EYE)	24 to 72 hours	Tearing, redness and puffy lids, eye discharge.	Until treatment begins or physician approves readmission.
ERYTHEMIA INFECTIOSUM (5 <sup>TH</sup> DISEASE)	4 to 20 days	Usual age 5 to 14 years – unusual in adults. Brief prodrome of low-grade fever followed by Erythema (slapped cheek) appearance on cheeks, lace-like rash on extremities lasting a few days to 3 weeks. Rash seems to recur.	After diagnosis no exclusion from school.
GERMAN MEASLES* (RUBELLA)	14 to 23 days	Usually mild. Enlarged glands in neck and behind ears. Brief red rash.	7 days from onset of rash. Keep away from pregnant women.
HAEMOPHILUS MENINGITIS	2 to 4 days	Fever, vomiting, lethargy, stiff neck and back.	Until physician permits return.
HEPATITIS A	Variable – 15 to 50 (average 28 to 30 days)	Abdominal pain, nausea, usually fever. Skin and eyes may or may not turn yellow.	14 days from onset of clinical disease and at least 7 days from onset of jaundice.
IMPETIGO	1 to 3 days	Inflamed sores, with puss.	48 hours after antibiotic therapy started or until physician permits return.
MEASLES*	10 days to fever, 14 days to rash	Begins with fever, conjunctivitis, runny nose, cough, then blotchy red rash.	4 days from onset of rash.
MENINGOCOCCAL MENINGITIS	2 to 10 days (commonly 3 to 4 days)	Headache, nausea, stiff neck, fever.	Until physician permits return.
MUMPS*	12 to 25 (commonly 18) days	Fever, swelling and tenderness of glands at angle of jaw.	9 days after onset of swollen glands or until swelling disappears.
PEDICULOSIS (HEAD/BODY LICE)	7 days for eggs to hatch	Lice and nits (eggs) in hair.	24 hours after adequate treatment to kill lice and nits.
RINGWORM OF SCALP	10 to 14 days	Scaly patch, usually ring shaped, on scalp.	No exclusion from school. Exclude from gymnasium, swimming pools, contact sports.
SCABIES	2 to 6 weeks initial exposure; 1 to 4 days reexposure	Tinny burrows in skin caused by mites.	Until 24 hours after treatment.
SCARLET FEVER SCARLATINA STREP THROAT	1 to 3 days	Sudden onset, vomiting, sore throat, fever, later fine rash (not on face). Rash usually with first infection.	24 hours after antibiotics started and no fever.
WHOOPIING COUGH* (PERTUSSIS)	7 to 10 days	Head cold, slight fever, cough, characteristic whoop after 2 weeks.	5 days after start of antibiotic treatment.

Readmission to School – It is advisable that school authorities require written permission from the health officer, school physician or attending physician before any pupil is readmitted to class following any disease which requires exclusion, not mere absence, from school.

## REPORTABLE INFECTIOUS DISEASES

While the school district is not responsible for reporting, the following infectious diseases are required to be reported to the state and local public health offices:

Acquired Immune Deficiency Syndrome (AIDS)	Leprosy	Rubella (German measles)
Amebiasis	Leptospirosis	Rubeola (measles)
Anthrax	Lyme disease	Salmonellosis
Botulism	Malaria	Shigellosis
Brucellosis	Meningitis (bacterial or viral)	Tetanus
Campylobacteriosis	Mumps	Toxic Shock Syndrome
Chlamydia trachomatis	Parvovirus B 19 infection (fifth disease and other complications)	Trichinosis
Cholera	Pertussis (whooping cough)	Tuberculosis
Diphtheria	Plague	Tularemia
E. Coli 0157:h7	Poliomyelitis	Typhoid fever
Encephalitis	Psittacosis	Typhus fever
Giardiasis	Rabies	Venereal disease
Hepatitis, viral (A,B, Non A-Non-B, Unspecified)	Reye's Syndrome	Chancroid
Histoplasmosis	Rheumatic fever	Gonorrhea
Human Immunodeficiency Virus (HIV) infection other than AIDS	Rocky Mountain spotted fever	Granuloma Inguinale
Influenza	Rubella (congenital syndrome)	Lymphogranuloma Venereum
Legionellosis		Syphilis
		Yellow fever

Any other disease which is unusual in incidence, occurs in unusual numbers of circumstances, or appears to be of public health concern, e.g., epidemic diarrhea, food or waterborne outbreaks, acute respiratory illness.

## REPORTING FORM

Source: Iowa Department of Public Health (1997).

REPORT THE FOLLOWING DISEASES IMMEDIATELY BY TELEPHONE (1-800-362-2736)

Botulism  
Cholera  
Diphtheria  
PlaguePoliomyelitis  
Rabies (Human)  
Rubella  
Rubeola (measles)Yellow Fever  
Disease outbreaks of  
any public health concern

WEEK ENDING \_\_\_\_\_

REPORT ALL OTHER DISEASES BELOW.

See 507.3E2 for list of reportable infectious diseases.

DISEASE	PATIENT	COUNTY OR CITY	DOB	SEX
	Name _____ Parent (If applicable)			
	Address _____			
	Attending Physician _____			
	Name _____ Parent (If applicable)			
	Address _____			
	Attending Physician _____			
	Name _____ Parent (If applicable)			
	Address _____			
	Attending Physician _____			
	Name _____ Parent (If applicable)			
	Address _____			
	Attending Physician _____			
	Name _____ Parent (If applicable)			
	Address _____			
	Attending Physician _____			

Reporting Physician, Hospital, or Other Authorized Person

Address \_\_\_\_\_

Remarks: \_\_\_\_\_

FOR SCHOOLS ONLY: Report over 10% absent only. Total enrollment: _____					
	Monday	Tuesday	Wednesday	Thursday	Friday
No. Absent					
% of Enrollment					
REPORT NUMBER OF CASES ONLY					
___	Chickenpox	___	Gastroenteritis	___	Influenza-like illness (URI)
___	Erythema infectiosum (5 <sup>th</sup> Disease)	___		___	

STUDENT ILLNESS OR INJURY AT SCHOOL

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

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

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

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

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

Legal Reference: Iowa Code § 613.17 (2007).

Cross Reference: 507 Student Health and Well-Being

Approved 3/9/2009

Reviewed \_\_\_\_\_

Revised \_\_\_\_\_

## EMERGENCY PLANS AND DRILLS

Students will be informed of the appropriate action to take in an emergency. Emergency drills for fire, weather, and other disasters are conducted each school year. Fire and tornado drills are each conducted regularly during the academic school year with a minimum of two before December 31 and two after January 1.

Each attendance center will develop and maintain a written plan containing emergency and disaster procedures. The plan will be communicated to and reviewed with employees. Employees will participate in emergency drills. Licensed employees are responsible for instructing the proper techniques to be followed in the drill.

Legal Reference: Iowa Code § 100.31 (2007).  
281 I.A.C. 41.25(3).

Cross Reference: 507 Student Health and Well-Being  
711.7 School Bus Safety Instruction  
804 Safety Program

Approved 3/9/2009

Reviewed \_\_\_\_\_

Revised \_\_\_\_\_

STUDENT INSURANCE

Students will have the opportunity to participate in the health and accident insurance plan selected by the school district. The cost of the health and accident insurance program is borne by the student. Participation in the insurance health and accident plan is not a contract with the school district, but rather, a contract between the insurance company and the student.

*[Students participating in intramural or extracurricular athletics are required to have health and accident insurance. The student will bring written proof of insurance or participate in the health and accident insurance program selected by the school district.]*

Legal Reference: Iowa Code § 279.8 (2007).

Cross Reference: 504 Student Activities  
507 Student Health and Well-Being

Approved 3/9/2009

Reviewed \_\_\_\_\_

Revised \_\_\_\_\_

CUSTODY AND PARENTAL RIGHTS

Disagreements between family members are not the responsibility of the school district. The school district will not take the "side" of one family member over another in a disagreement about custody or parental rights. Court orders that have been issued are followed by the school district. It is the responsibility of the person requesting an action by the school district to inform and provide the school district the court order allowing such action.

This policy does not prohibit an employee from listening to a student's problems and concerns.

It is the responsibility of the superintendent to ensure employees remain neutral in a disagreement about custody and parental rights.

Legal Reference: Iowa Code §§ 232.67, .70, .73, .75; 235A; 279.8; 710.6 (2007).  
441 I.A.C. 9.2; 155; 175.

Cross Reference: 506 Student Records  
507 Student Health and Well-Being

Approved 3/9/2009

Reviewed \_\_\_\_\_

Revised \_\_\_\_\_

STUDENT SPECIAL HEALTH SERVICES

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

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

Legal Reference:        Board of Education v. Rowley, 458 U.S. 176 (1982).  
                              Springdale School District #50 v. Grace, 693 F.2d 41 (8th Cir. 1982).  
                              Southeast Warren Comm. School District v. Dept. of Public Instruction, 285  
                              N.W.2d 173 (Iowa 1979).  
                              20 U.S.C. §§ 1400 *et seq.* (2004).  
                              34 C.F.R. Pt. 300 *et seq.* (2004).  
                              Iowa Code §§ 256.11(7); 256B; 273.2, .5, .9(2)-(3); 280.8 (2007).  
                              281 I.A.C. 12.3(7), 41.405

Cross Reference:        502     Student Rights and Responsibilities  
                              506     Student Records  
                              603.3   Special Education

Approved 3/9/2009

Reviewed \_\_\_\_\_

Revised \_\_\_\_\_

## SPECIAL HEALTH SERVICES REGULATION

Some students who require special education need special health services in order to participate in the educational program. These students will receive special health services in accordance with their individualized educational program.

## A. Definitions

"Assignment and delegation" - occurs when licensed health personnel, in collaboration with the education team, determine the special health services to be provided and the qualifications of individuals performing the health services. Primary consideration is given to the recommendation of the licensed health personnel. Each designation considers the student's special health service. The rationale for the designation is documented. If the designation decision of the team differs from the licensed health professional, team members may file a dissenting opinion.

"Co-administration" - the eligible student's participation in the planning, management and implementation of the student's special health service and demonstration of proficiency to licensed health personnel.

"Educational program" - includes all school curricular programs and activities both on and off school grounds.

"Education team" - may include the eligible student, the student's parent, administrator, teacher, licensed health personnel, and others involved in the student's educational program.

"Health assessment" - health data collection, observation, analysis, and interpretation relating to the eligible student's educational program.

"Health instruction" - education by licensed health personnel to prepare qualified designated personnel to deliver and perform special health services contained in the eligible student's health plan. Documentation of education and periodic updates are on file at school.

"Individual health plan" - the confidential, written, preplanned and ongoing special health service in the educational program. It includes assessment, planning, implementation, documentation, evaluation and a plan for emergencies. The plan is updated as needed and at least annually. Licensed health personnel develop this written plan with the education team.

"Licensed health personnel" - includes licensed registered nurse, licensed physician, and other licensed health personnel legally authorized to provide special health services and medications.

"Prescriber" - licensed health personnel legally authorized to prescribe special health services and medications.

"Qualified designated personnel" - persons instructed, supervised and competent in implementing the eligible student's health plan.

"Special health services" - includes, but is not limited to, services for eligible students whose health status (stable or unstable) requires:

- Interpretation or intervention,
- Administration of health procedures and health care, or
- Use of a health device to compensate for the reduction or loss of a body function.

"Supervision" - the assessment, delegation, evaluation and documentation of special health services by licensed health personnel. Levels of supervision include situations in which licensed health personnel are: physically present:

- available at the same site.
- available on call.

## SPECIAL HEALTH SERVICES REGULATION

- B. Licensed health personnel will provide special health services under the auspices of the school. Duties of the licensed personnel include the duty to:
- Participate as a member of the education team.
  - Provide the health assessment.
  - Plan, implement and evaluate the written individual health plan.
  - Plan, implement and evaluate special emergency health services.
  - Serve as liaison and encourage participation and communication with health service agencies and individuals providing health care.
  - Provide health consultation, counseling and instruction with the eligible student, the student's parent and the staff in cooperation and conjunction with the prescriber.
  - Maintain a record of special health services. The documentation includes the eligible student's name, special health service, prescriber or person authorizing, date and time, signature and title of the person providing the special health service and any unusual circumstances in the provision of such services.
  - Report unusual circumstances to the parent, school administration, and prescriber.
  - Assign and delegate to, instruct, provide technical assistance and supervise qualified designated personnel.
  - Update knowledge and skills to meet special health service needs.
- C. Prior to the provision of special health services the following will be on file:
- Written statement by the prescriber detailing the specific method and schedule of the special health service, when indicated.
  - Written statement by the student's parent requesting the provision of the special health service.
  - Written report of the preplanning staffing or meeting of the education team.
  - Written individual health plan available in the health record and integrated into the IEP or IFSP.
- D. Licensed health personnel, in collaboration with the education team, will determine the special health services to be provided and the qualifications of individuals performing the special health services. The documented rationale will include the following:
- Analysis and interpretation of the special health service needs, health status stability, complexity of the service, predictability of the service outcome and risk of improperly performed service.
  - Determination that the special health service, task, procedure or function is part of the person's job description.
  - Determination of the assignment and delegation based on the student's needs.
  - Review of the designated person's competency.
  - Determination of initial and ongoing level of supervision required to ensure quality services.
- E. Licensed health personnel will supervise the special health services, define the level of supervision and document the supervision.
- F. Licensed health personnel will instruct qualified designated personnel to deliver and perform special health services contained in the eligible individual health plan. Documentation of instruction and periodic updates are on file at school.

- G. Parents will provide the usual equipment, supplies and necessary maintenance for such. The equipment is stored in a secure area. The personnel responsible for the equipment are designated in the individual health plan. The individual health plan will designate the role of the school, parents, and others in the provision, supply, storage and maintenance of necessary equipment.

## WELLNESS POLICY

The board promotes healthy students by supporting wellness, good nutrition and regular physical activity as a part of the total learning environment. The school district supports a healthy environment where students learn and participate in positive dietary and lifestyle practices. By facilitating learning through the support and promotion of good nutrition and physical activity, schools contribute to the basic health status of students. Improved health optimizes student performance potential.

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

The school district supports and promotes proper dietary habits contributing to students' health status and academic performance. All foods available on school grounds and at school-sponsored activities during the instructional day should meet or exceed the school district nutrition standards. Foods should be served with consideration toward nutritional integrity, variety, appeal, taste, safety and packaging to ensure high-quality meals.

The school district will make every effort to eliminate any social stigma attached to, and prevent the overt identification of, students who are eligible for free and reduced-price meals. Toward this end, the school district may utilize electronic identification and payment systems; provide meals at no charge to all children, regardless of income; promote the availability of meals to all students; and/or use nontraditional methods for serving meals, such as "grab-and-go" or classroom breakfast.

The school district will develop a local wellness policy committee comprised of representatives of the board, parents, leaders in food/exercise authority and employees. The local wellness policy committee will develop a plan to implement and measure the local wellness policy and monitor the effectiveness of the policy. The committee will designate an individual to monitor implementation and evaluation the implementation of the policy. The committee will report annually to the board regarding the effectiveness of this policy.

Specific Wellness Goals are identified in the Appendix for:

- specific goals for nutrition education, (*see Appendix A*)
- physical activity, (*see Appendix B*)
- other school-based activities that are designed to promote student wellness, (*see Appendix C*)

The nutrition guidelines for all foods available with the objective of promoting student health and reducing childhood obesity. (*see Appendix D*).

Approved 3/9/2009

Reviewed \_\_\_\_\_

Revised \_\_\_\_\_

WELLNESS POLICY

The board will monitor and evaluate this policy described in Appendix E

Legal Reference: Richard B. Russell National School Lunch Act, 42 U.S.C. 1751 *et seq.* (2005)  
Child Nutrition Act of 1966, 42 U.S.C. 1771 *et seq.*,

Cross Reference: 504.6 Student Activity Program  
710 School Food Services

## NUTRITION EDUCATION AND PROMOTION

The school district will provide nutrition education and engage in nutrition promotion that:

- is offered at each grade level as part of a sequential, comprehensive, standards-based program designed to provide students with the knowledge and skills necessary to promote and protect their health;
- is part of not only health education classes, but also classroom instruction in subjects such as math, science, language arts, social sciences and elective subjects;
- includes enjoyable, developmentally appropriate, culturally relevant participatory activities, such as contests, promotions, taste-testing, farm visits and school gardens;
- promotes fruits, vegetables, whole-grain products, low-fat and fat-free dairy products, healthy food preparation methods and health-enhancing nutrition practices;
- emphasizes caloric balance between food intake and physical activity;
- links with meal programs, other foods and nutrition-related community services; and,
- includes training for teachers and other staff.

## PHYSICAL ACTIVITY

### **Daily Physical Education**

The school district will provide physical education that:

- is daily (The Centers for Disease Control and Prevention recommends at least 150 minutes a week for elementary students and 225 minutes a week for middle and high school students);
- is for all students in grades K-12 for the entire school year;
- is taught by a certified physical education teacher;
- includes students with disabilities, students with special health-care needs may be provided in alternative educational settings; and,
- engages students in moderate to vigorous activity during at least 50 percent of physical education class time.

### **Daily Recess**

Elementary schools should provide recess for students that:

- is at least 20 minutes a day;
- is preferably outdoors;
- encourages moderate to vigorous physical activity verbally and through the provision of space and equipment; and,
- discourages extended periods (i.e., periods of two or more hours) of inactivity.

When activities, such as mandatory school-wide testing, make it necessary for students to remain indoors for long periods of time, schools should give students periodic breaks during which they are encouraged to stand and be moderately active.

### **Physical Activity and Punishment**

Employees should not use physical activity (e.g., running laps, pushups) or withhold opportunities for physical activity (e.g., recess, physical education) as punishment.

## OTHER SCHOOL-BASED ACTIVITIES THAT PROMOTE STUDENT WELLNESS

### **Integrating Physical Activity into Classroom Settings**

For students to receive the nationally recommended amount of daily physical activity and for students to fully embrace regular physical activity as a personal behavior, students need opportunities for physical activity beyond the physical education class. Toward that end, the school district will:

- offer classroom health education that complements physical education by reinforcing the knowledge and self-management skills needed to maintain a physically active lifestyle and to reduce time spent on sedentary activities;
- discourage sedentary activities, such as watching television, playing computer games, etc.;
- provide opportunities for physical activity to be incorporated into other subject lessons; and,
- encourage classroom teachers to provide short physical activity breaks between lessons or classes, as appropriate.

### **Staff Wellness**

The school district values the health and well-being of every staff member and will plan and implement activities and policies that support personal efforts by staff to maintain a healthy lifestyle. Each school should:

- establish and maintain a staff wellness committee composed of at least one staff member, local hospital representative, dietitian or other health professional, recreation program representative, union representative and employee benefits specialist;
- develop, promote and oversee a multifaceted plan to promote staff health and wellness developed by the staff wellness committee;
- base the plan on input solicited from employees and outline ways to encourage healthy eating, physical activity and other elements of a healthy lifestyle among employees.

## NUTRITION GUIDELINES FOR ALL FOODS AVAILABLE ON CAMPUS

### **School Meals**

Meals served through the National School Lunch and Breakfast Programs will:

- be appealing and attractive to children;
- be served in clean and pleasant settings;
- meet, at a minimum, nutrition requirements established by local, state and federal law;
- offer a variety of fruits and vegetables;
- serve only low-fat (1%) and fat-free milk and nutritionally equivalent non-dairy alternatives (as defined by the USDA); and,
- ensure that half of the served grains are whole grain.

Schools should:

- engage students and parents, through taste-tests of new entrees and surveys, in selecting foods offered through the meal programs in order to identify new, healthful and appealing food choices; and
- share information about the nutritional content of meals with parents and students. (The information could be made available on menus, a web site, on cafeteria menu boards, placards or other point-of-purchase materials.)

### **Breakfast**

To ensure that all children have breakfast, either at home or at school, in order to meet their nutritional needs and enhance their ability to learn, schools will:

- operate the breakfast program, to the extent possible;
- arrange bus schedules and utilize methods to serve breakfasts that encourage participation, including serving breakfast in the classroom, “grab-and-go” breakfasts or breakfast during morning break or recess, to the extent possible;
- notify parents and students of the availability of the School Breakfast Program, where available; and,
- encourage parents to provide a healthy breakfast for their children through newsletter articles, take-home materials or other means.

### **Free and Reduced-Priced Meals**

The school district will make every effort to eliminate any social stigma attached to, and prevent the overt identification of, students who are eligible for free and reduced-price meals. Toward this end, the school district may:

- utilize electronic identification and payment systems;
- provide meals at no charge to all children, regardless of income; and,
- promote the availability of meals to all students.

## NUTRITION GUIDELINES FOR ALL FOODS AVAILABLE ON CAMPUS

### Qualification of Food Service Staff

Qualified nutrition professionals will administer the meal programs. As part of the school district's responsibility to operate a food service program, the school district will:

- provide continuing professional development for all nutrition professionals; and,
- provide staff development programs that include appropriate certification and/or training programs for child nutrition directors, nutrition managers and cafeteria workers, according to their levels of responsibility.

### Sharing of Foods

The school district discourages students from sharing their foods or beverages with one another during meal or snack times, given concerns about allergies and other restrictions on some children's diets.

### Foods Sold Outside the Meal (e.g. vending, a la carte, sales)

**Elementary schools:** The food service program will approve and provide all food and beverage sales to students in elementary schools. To this end:

- food in elementary schools should be sold as balanced meals, given young children's limited nutrition skills; and,
- foods and beverages sold individually should be limited to low-fat and non-fat milk, fruits and non-fried vegetables.

**Secondary schools:** In middle/junior high and high schools, all foods and beverages sold individually outside the reimbursable meal programs (including those sold through a la carte [snack] lines, vending machines, student stores or fundraising activities) during the school day, or through programs for students after the school day, will meet the following nutrition and portion size standards:

#### Beverages

- **Allowed:** water or seltzer water without added caloric sweeteners; fruit and vegetable juices and fruit-based drinks that contain at least 50 percent fruit juice and that do not contain additional caloric sweeteners; unflavored or flavored low-fat or fat-free milk and nutritionally equivalent nondairy beverages (as defined by the USDA).
- **Not allowed:** soft drinks containing caloric sweeteners; sports drinks; iced teas; fruit-based drinks that contain less than 50 percent real fruit juice or that contain additional caloric sweeteners; beverages containing caffeine, excluding low-fat or fat-free chocolate milk (which contain minimal amounts of caffeine).

#### Foods

A food item sold individually:

- will have no more than 35 percent of its calories from fat (excluding nuts, seeds, peanut butter and other nut butters) and 10 percent of its calories from saturated and trans fat combined;
- will have no more than 35 percent of its weight from added sugars;
- will contain no more than 230 mg of sodium per serving for chips, cereals, crackers, French fries, baked goods and other snack items; will contain no more than 480 mg of sodium per serving for pastas, meats and soups; and will contain no more than 600 mg of sodium for pizza, sandwiches and main dishes; and,
- will include a choice of at least two fruits and/or nonfried vegetables for sale at any location on the school site where foods are sold.

## NUTRITION GUIDELINES FOR ALL FOODS AVAILABLE ON CAMPUS

**Examples:** Food items could include, but are not limited to, fresh fruits and vegetables; 100 percent fruit or vegetable juice; fruit-based drinks that are at least 50 percent fruit juice and that do not contain additional caloric sweeteners; cooked, dried or canned fruits (canned in fruit juice or light syrup); and cooked, dried or canned vegetables (that meet the above fat and sodium guidelines).

### **Food Safety**

All foods made available on campus adhere to food safety and security guidelines.

- All foods made available on campus comply with the state and local food safety and sanitation regulations. Hazard Analysis and Critical Control Points (HACCP) plans and guidelines are implemented to prevent food illness in schools.  
[http://www.fns.usda.gov/tn/Resources/servingsafe\\_chapter6.pdf](http://www.fns.usda.gov/tn/Resources/servingsafe_chapter6.pdf)
- For the safety and security of the food and facility, access to the food service operations are limited to child nutrition staff and authorized personnel.

## PLAN FOR MEASURING IMPLEMENTATION

### **Monitoring**

The superintendent will ensure compliance with established school district-wide nutrition and physical activity wellness policies.

In each school:

- the principal will ensure compliance with those policies in the school and will report on the school's compliance to the superintendent; and,
- food service staff, at the school or school district level, will ensure compliance with nutrition policies within food service areas and will report on this matter to the superintendent or principal.

In the school district:

- the school district will report on the most recent USDA School Meals Initiative (SMI) review findings and any resulting changes. If the school district has not received a SMI review from the state agency within the past five years, the school district will request from the state agency that a SMI review be scheduled as soon as possible;
- the superintendent will develop a summary report every three years on school district-wide compliance with the school district's established nutrition and physical activity wellness policies, based on input from schools within the school district; and,
- the report will be provided to the school board and also distributed to all school wellness committees, parent/teacher organizations, principals and health services personnel in the school district.

### **Policy Review**

To help with the initial development of the school district's wellness policies, each school in the school district will conduct a baseline assessment of the school's existing nutrition and physical activity environments and practices. The results of those school-by-school assessments will be compiled at the school district level to identify and prioritize needs.

Assessments will be repeated every three (3) years to help review policy compliance, assess progress and determine areas in need of improvement. As part of that review, the school district will review the nutrition and physical activity policies and practices and the provision of an environment that supports healthy eating and physical activity. The school district, and individual schools within the school district will, revise the wellness policies and develop work plans to facilitate their implementation.

CLASS OR STUDENT GROUP GIFTS

The board welcomes gifts to the school district from a class or student group. While class gifts to the school district do not require the approval of the superintendent, the board encourages students to consult with the superintendent or other licensed employees prior to selecting a gift for the school district.

Legal Reference: Iowa Code §§ 68B; 722.1, .2 (2007).

Cross Reference: 704.4 Gifts - Grants - Bequests

Approved 3/9/2009

Reviewed \_\_\_\_\_

Revised \_\_\_\_\_

OPEN NIGHT

In keeping with good community relations, student school activities will not be scheduled on Wednesday night beyond 6:00 p.m. whenever possible. It is the responsibility of the principal to oversee the scheduling of school activities for compliance with this policy.

Legal Reference: Iowa Code § 279.8 (2007).

Cross Reference: 900 Principles and Objectives for Community Relations

Approved 3/9/2009

Reviewed \_\_\_\_\_

Revised \_\_\_\_\_