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## 200.1R1 ORGANIZATIONAL MEETING PROCEDURES

The board will hold its organizational meeting in odd-numbered years at or before the first regular meeting following the canvass of votes. Notice of the meeting's place and time will be given by the board secretary to each member, member-elect and the public.

The purpose of the meeting is to transfer material and responsibility from the outgoing board to the new board. At the meeting, the board will elect a president and a vice president who will hold office for one year. Once elected, the president and vice president will be entitled to vote on all matters before the board.

### Meeting Procedure

The organizational meeting of the board will be held in two parts: the final meeting of the outgoing board and the organizational meeting of the new board.

#### 1. Final Meeting of the Retiring Board

- (1) Call to order.
- (2) Roll call.
- (3) Approval of minutes of previous meeting(s).
- (4) Visitors.
- (5) Unfinished business.
  - (a) Current claims and accounts (for the retiring board to authorize).
- (6) Examine and settle the books for the previous year.
- (7) Review of election results. The board secretary will present the county auditor's official report on the latest elections. Official results are recorded in the minutes.
- (8) Adjournment of the retiring board.

#### 2. Organizational Meeting of the New Board

- (1) The board secretary, as president pro-tem, will preside over the meeting until a new board president is elected.
- (2) Call to order.
- (3) Roll call.
- (4) Oath of office. The board secretary will administer the oath to new members.
- (5) Election of a president of the board. The president pro-tem calls for nominations; nominations need not be seconded. The board will then vote on the nominations. The board secretary will announce the result of the vote, and will administer the oath of office to the newly elected president and the newly elected president will assume the chair.
- (6) Election of the vice-president. The president of the board will call for nominations; the nominations need not be seconded. The board will then vote on the nominations. The president will announce the results and administer the oath of office to the vice-president.

Other items of business at the organizational meeting may include:

- (7) Board resolution of appreciation recognizing the public service rendered by retiring board members.
- (8) Determination of dates, times, and places for regular meetings of the board.
- (9) Board resolution to define the operating rules and practices that will be followed by the new board.
- (10) Board resolution to authorize the interim payment of bills pursuant to policy 705.3.
- (11) Visitors.
- (12) Superintendent's report.
- (13) Adjournment.

## 202.4 VACANCIES

A vacancy occurs as provided by law, which includes but is not limited to when a board member dies, resigns or leaves office, or fails to reside in the school district or director district.

If a vacancy occurs prior to the expiration of a term of office, the vacancy will be filled by board appointment within 30 days of the vacancy. The board shall publish notice stating that the board intends to fill the vacancy by appointment, but the electors of the school district have the right to file a petition within 14 days of the publication of the notice requiring the vacancy be filled by a special election.

A person appointed to fill a vacancy shall hold office until a successor is elected and qualified at the next regular school election, unless there is an intervening special election for the school district, in which event a successor shall be elected at the intervening special election.

If the board is unable to fill a vacancy by appointment within 30 days after the vacancy occurs or if a valid petition is submitted, the board secretary will call a special election to be held no sooner than 60 days and not later than 70 days after the vacancy occurred. A board member elected at the special election will serve the remaining portion of the unexpired term.

Legal Reference: Iowa Code §§ 69; 277.29; 279  
Good v. Crouch, 397 N.W.2d 757 (Iowa 1986).  
Board of Directors of Grimes Independent School Dist. v. County Board of Public Instruction of Polk Co., 257 Iowa 106, 131 N.W.2d 802 (1965).  
Board of Directors of Menlo Consol. School Dist. v. Blakesburg, 240 Iowa 910, 36 N.W.2d 751 (1949).  
1944 Op. Att'y Gen. 39.

Cross Reference: 201 Board of Directors' Elections  
202 Board of Directors Members  
202.3 Term of Office

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## 203 BOARD OF DIRECTORS' CONFLICT OF INTEREST

Board members must be able to make decisions objectively. It is a conflict of interest for a board member to receive direct compensation from the school district, unless exempted in law or policy, for anything other than reimbursement of actual and necessary expenses, including travel, incurred in the performance of official duties. A board member will not act as an agent for school textbooks or school supplies including sports apparel or equipment, in any transaction with a director, officer, or other staff member of the school district during the board member's term of office. It will not be a conflict of interest for board members to receive compensation from the school district for contracts for the purchase of goods or services which benefits a board member, or to compensation for part-time or temporary employment which benefits a board member, if the benefit to the board member does not exceed \$6,000 in a fiscal year or if the contracts are made by the board, upon competitive bid in writing, publicly invited and opened.

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

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

1. The outside employment or activity involves the use of the school district's time, facilities, equipment and supplies or the use of the school district badge, uniform, business card or other evidence of office to give the board member or member of the board member's immediate family an advantage or pecuniary benefit that is not available to other similarly situated members or classes of members of the general public. For purposes of this section, a person is not "similarly situated" merely by being related to a board member.
2. The outside employment or activity involves the receipt of, promise of, or acceptance of money- or other consideration by the board member or a member of the board member's immediate family from anyone other than the state or the school district for the performance of any act that the board member would be required or expected to perform as part of the board member's regular duties or during the hours in which the board member performs service or work for the school district.
3. The outside employment or activity is subject to the official control, inspection, review, audit, or enforcement authority of the board member, during the performance of the board member's duties of office or employment.

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

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

When procurement is supported by Federal Child Nutrition funds, board members will not participate in the selection, award, or administration of a contract if there is a real or apparent conflict of interest in the contract. Contract, for purposes of this paragraph, includes a contract where the board member,

***Continued on next page***

board member's immediate family, partner, or a non-school district employer of these individuals is a party to the contract.

It is the responsibility of each board member to be aware of and take the action necessary to eliminate a potential conflict of interest should it arise.

Legal Reference: 22 C.F.R. § 518.42.  
Iowa Code §§ 68B; 71.1; 277.27; 279.7A; 301.28.

Cross Reference: 201 Board of Directors' Elections  
202.1 Qualifications  
204 Code of Ethics  
216.3 Board of Directors' Member Compensation and Expenses  
217 Gifts to Board of Directors  
401.3 Nepotism

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## 206.2 VICE-PRESIDENT

The vice-president of the board is elected by a majority vote at the organizational meeting in odd-numbered years, or at the annual meeting in even-numbered years, to serve a one-year term of office.

By this election, if the board president is unable or unwilling to carry out the duties required, it is the responsibility of the Vice-President of the board to carry out the duties of the president. If the president is unable or unwilling to complete the term of office, the vice-president will serve as president for the balance of the president's term of office, and a new vice-president will be elected.

The vice-president will accept control of the meeting from the president when the president wishes to make or second a motion. The vice-president will take an active role in board decisions by discussing and voting on matters before the board in the same manner as other board members.

Legal Reference: Iowa Code § 279.5

Cross Reference: 200.1 Organization of the Board of Directors  
202.2 Oath of Office  
206.1 President

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## 210.5 MEETING NOTICE

Public notice will be given for meetings and work sessions held by the board. Public notice will indicate the time, place, date and tentative agenda of board meetings. The public notice will be posted on the bulletin board or another prominent place clearly designated for posting agendas in the central administration office at least two (2) days before it is scheduled, but, at the minimum, twenty-four (24) hours notice needs to be given.

A copy of the public notice will be provided to those who have filed a request for notice with the secretary. A copy of the public notice will also be accessible to employees and students.

In the case of special meetings, public notice will be given in the same manner as for a regular meeting unless it is an emergency meeting. In that case, public notice of the meeting will be given as soon as practical and possible in light of the situation. The media and others who have requested notice will be notified of the emergency meeting. Attendance at a special meeting or emergency meeting by the media or board members will constitute a waiver of notice.

It is the responsibility of the board secretary to give public notice of board meetings and work sessions.

Legal Reference: *Dobrovolny v. Reinhardt*, 173 N.W.2d 837 (Iowa 1970).  
Iowa Code §§ 21.2-.4; 279.1, .2.  
1952 Op. Att'y Gen. 133.

Cross Reference: 210 Board of Directors' Meetings  
210.8 Board of Directors' Meeting Agenda

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## 210.6 QUORUM

Action by the board regarding the affairs of the school district may be taken only when a quorum, a majority of the board members, is in attendance at the board meeting. While in person participation is encouraged, board members may attend meetings either in person or electronically provided each member can hear and be heard in real time by all members present and the public.

While board members are encouraged to attend board meetings, three (3) members will constitute a quorum and are a sufficient number to transact business of the school corporation. The adjournment of a meeting may be executed without a quorum.

An affirmative vote of a majority of the votes cast is sufficient to pass a motion or take action unless law or board policy requires a vote of a greater number.

It is the responsibility of each board member to attend board meetings.

Legal Reference: Iowa Code §§ 21.5(1); 279.4.

Cross Reference: 210 Board of Directors' Meetings

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## 211 OPEN MEETINGS

A gathering of a majority of board members either in person or electronically in which deliberation of an issue within the scope of the board's policy-making duties takes place is a board meeting. A gathering for the purpose of social or ministerial action will not constitute a board meeting when there is no discussion of policy or no intent to avoid the purpose of the open meetings law. Meetings of the board will be conducted in an open meeting unless a closed session is authorized by law or the meeting is exempt from the open meetings law.

Legal Reference: Iowa Code §§ 21, 279.1-.2 (2013).  
1982 Op. Att'y Gen. 162.  
1980 Op. Att'y Gen. 167.

Cross Reference: 208 Ad Hoc Committees  
210 Board of Directors' Meetings  
210.8 Board Meeting Agenda  
212 Closed Sessions

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**CHAPTER 25**

**282—25.1(272) Scope of standards.** This code of professional conduct and ethics constitutes mandatory minimum standards of practice for all licensed practitioners as defined in Iowa Code chapter 272. The adherence to certain professional and ethical standards is essential to maintaining the integrity of the education profession.

**282—25.2(272) Definitions.** Except where otherwise specifically defined by law:

*“Administrative and supervisory personnel”* means any licensed employee such as superintendent, associate superintendent, assistant superintendent, principal, associate principal, assistant principal, or other person who does not have as a primary duty the instruction of pupils in the schools.

*“Board”* means the Iowa board of educational examiners.

*“Discipline”* means the process of sanctioning a license, certificate or authorization issued by the board.

*“Ethics”* means a set of principles governing the conduct of all persons governed by these rules.

*“Fraud”* means knowingly providing false information or representations on an application for licensure or employment, or knowingly providing false information or representations made in connection with the discharge of duties.

*“License”* means any license, certificate, or authorization granted by the board.

*“Licensee”* means any person holding a license, certificate, or authorization granted by the board.

*“Practitioner”* means an administrator, teacher, or other licensed professional, including an individual who holds a statement of professional recognition, who provides educational assistance to students.

*“Responsibility”* means a duty for which a person is accountable by virtue of licensure.

*“Right”* means a power, privilege, or immunity secured to a person by law.

*“Student”* means a person, regardless of age, enrolled in a prekindergarten through grade 12 school, who is receiving direct or indirect assistance from a person licensed by the board.

*“Teacher”* means any person engaged in the instructional program for prekindergarten through grade 12 children, including a person engaged in teaching, administration, and supervision, and who is required by law to be licensed for the position held.

[ARC 7979B, IAB 7/29/09, effective 9/2/09]

**282—25.3(272) Standards of professional conduct and ethics.** Licensees are required to abide by all federal, state, and local laws applicable to the fulfillment of professional obligations. Violation of federal, state, or local laws in the fulfillment of professional obligations constitutes unprofessional and unethical conduct which can result in disciplinary action by the board. In addition, it is hereby deemed unprofessional and unethical for any licensee to violate any of the following standards of professional conduct and ethics:

**25.3(1) Standard I—conviction of crimes, sexual or other immoral conduct with or toward a student, and child and dependent adult abuse.** Violation of this standard includes:

a. *Fraud.* Fraud means the same as defined in rule 282—25.2(272).

(1) *Criminal convictions.* The commission of or conviction for a criminal offense as defined by Iowa law provided that the offense is relevant to or affects teaching or administrative performance. Disqualifying criminal convictions. The board shall deny an application for licensure and shall revoke a previously issued license if the applicant or licensee has, on or after July 1, 2002, been convicted of, has pled guilty to, or has been found guilty of the following criminal offenses, regardless of whether the judgment of conviction or sentence was deferred:

1. Any of the following forcible felonies included in Iowa Code section 702.11: child endangerment, assault, murder, sexual abuse, or kidnapping;

2. Any of the following criminal sexual offenses, as provided in Iowa Code chapter 709, involving a child:

- o First-, second- or third-degree sexual abuse committed on or with a person who is under the age of 18;
- o Lascivious acts with a child;
- o Assault with intent to commit sexual abuse;
- o Indecent contact with a child;
- o Sexual exploitation by a counselor;
- o Lascivious conduct with a minor;

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- Sexual exploitation by a school employee;
  - Enticing a minor under Iowa Code section 710.10; or
  - Human trafficking under Iowa Code section 710A.2;
3. Incest involving a child as prohibited by Iowa Code section 726.2;
  4. Dissemination and exhibition of obscene material to minors as prohibited by Iowa Code section 728.2;
  5. Telephone dissemination of obscene material to minors as prohibited by Iowa Code section 728.15;
  6. Any offense specified in the laws of another jurisdiction, or any offense that may be prosecuted in a federal, military, or foreign court, that is comparable to an offense listed in subparagraph 25.3(1)“b”(1); or
  7. Any offense under prior laws of this state or another jurisdiction, or any offense under prior law that was prosecuted in a federal, military, or foreign court, that is comparable to an offense listed in subparagraph 25.3(1)“b”(1).

(2) Other criminal convictions and founded child abuse. In determining whether a person should be denied a license or whether a licensee should be disciplined based upon any other criminal conviction, including a conviction for an offense listed in 25.3(1)“b”(1) which occurred before July 1, 2002, or a founded report of abuse of a child, the board shall consider:

1. The nature and seriousness of the crime or founded abuse in relation to the position sought;
2. The time elapsed since the crime or founded abuse was committed;
3. The degree of rehabilitation which has taken place since the crime or founded abuse was committed;
4. The likelihood that the person will commit the same crime or abuse again;
5. The number of criminal convictions or founded abuses committed; and
6. Such additional factors as may in a particular case demonstrate mitigating circumstances or

heightened risk to public safety.

*b. Sexual involvement or indecent contact with a student.* Sexual involvement includes, but is not limited to, the following acts, whether consensual or nonconsensual: fondling or touching the inner thigh, groin, buttocks, anus or breasts of a student; permitting or causing to fondle or touch the practitioner’s inner thigh, groin, buttocks, anus, or breasts; or the commission of any sex act as defined in Iowa Code section 702.17.

*c. Sexual exploitation of a minor.* The commission of or any conviction for an offense prohibited by Iowa Code section 728.12, Iowa Code chapter 709 or 18 U.S.C. Section 2252A(a)(5)(B).

- (1) *Student abuse.* Licensees shall maintain professional relationships with all students, both inside and outside the classroom. The following acts or behavior constitutes unethical conduct without regard to the existence of a criminal charge or conviction: Committing any act of physical abuse of a student;
- (2) Committing any act of dependent adult abuse on a dependent adult student;
- (3) Committing or soliciting any sexual or otherwise indecent act with a student or any minor;
- (4) Soliciting, encouraging, or consummating a romantic or otherwise inappropriate relationship with a student;
- (5) Furnishing alcohol or illegal or unauthorized drugs or drug paraphernalia to any student or knowingly allowing a student to consume alcohol or illegal or unauthorized drugs in the presence of the licensee;
- (6) Failing to report any suspected act of child or dependent adult abuse as required by state law; or
- (7) Committing or soliciting any sexual conduct as defined in Iowa Code section 709.15(3)“b” or soliciting, encouraging, or consummating a romantic relationship with any person who was a student within 90 days prior to any conduct alleged in the complaint, if that person was taught by the practitioner or was supervised by the practitioner in any school activity when that person was a student.

**25.3(2) Standard II—alcohol or drug abuse.** Violation of this standard includes:

*a.* Being on school premises or at a school-sponsored activity involving students while under the influence of, possessing, using, or consuming illegal or unauthorized drugs or abusing legal drugs.

*b.* Being on school premises or at a school-sponsored activity involving students while under the influence of, possessing, using, or consuming alcohol.

**25.3(3) Standard III—misrepresentation, falsification of information.** Violation of this standard includes:

*a.* Falsifying or deliberately misrepresenting or omitting material information regarding professional qualifications, criminal history, college credit, staff development credit, degrees, academic award, or employment history when applying for employment or licensure.

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b. Falsifying or deliberately misrepresenting or omitting material information regarding compliance reports submitted to federal, state, and other governmental agencies.

c. Falsifying or deliberately misrepresenting or omitting material information submitted in the course of an official inquiry or investigation.

d. Falsifying any records or information submitted to the board in compliance with the license renewal requirements imposed under 282—Chapter 20.

e. Falsifying or deliberately misrepresenting or omitting material information regarding the evaluation of students or personnel, including improper administration of any standardized tests, including, but not limited to, changing test answers, providing test answers, copying or teaching identified test items, or using inappropriate accommodations or modifications for such tests.

**25.3(4) Standard IV—misuse of public funds and property.** Violation of this standard includes:

a. Failing to account properly for funds collected that were entrusted to the practitioner in an educational context.

b. Converting public property or funds to the personal use of the practitioner.

c. Submitting fraudulent requests for reimbursement of expenses or for pay.

d. Combining public or school-related funds with personal funds.

e. Failing to use time or funds granted for the purpose for which they were intended.

**25.3(5) Standard V—violations of contractual obligations.**

a. Violation of this standard includes:

(1) Asking a practitioner to sign a written professional employment contract before the practitioner has been unconditionally released from a current contract, unless the practitioner provided notice to the practitioner's employing board as set forth in subparagraph 25.3(5) "b"(2).

(2) Abandoning a written professional employment contract without prior unconditional release by the employer.

(3) As an employer, executing a written professional employment contract with a practitioner which requires the performance of duties that the practitioner is not legally qualified to perform. As a practitioner, executing a written professional employment contract which requires the performance of duties that the practitioner is not legally qualified to perform.

b. In addressing complaints based upon contractual obligations, the board shall consider factors beyond the practitioner's control. For purposes of enforcement of this standard, a practitioner will not be found to have abandoned an existing contract if:

(1) The practitioner obtained a release from the employing board before discontinuing services under the contract; or

(2) The practitioner provided notice to the employing board no later than the latest of the following dates:

1. The practitioner's last work day of the school year;

2. The date set for return of the contract as specified in statute; or

3. June 30.

**25.3(6) Standard VI—unethical practice toward other members of the profession, parents, students, and the community.** Violation of this standard includes:

a. Denying the student, without just cause, access to varying points of view.

b. Deliberately suppressing or distorting subject matter for which the educator bears responsibility.

c. Failing to make reasonable effort to protect the health and safety of the student or creating conditions harmful to student learning.

d. Conducting professional business in such a way that the practitioner repeatedly exposes students or other practitioners to unnecessary embarrassment or disparagement.

e. Engaging in any act of illegal discrimination, or otherwise denying a student or practitioner participation in the benefits of any program on the grounds of race, creed, color, religion, age, sex, sexual orientation, gender identity, disability, marital status, or national origin.

f. Soliciting students or parents of students to purchase equipment, supplies, or services from the practitioner for the practitioner's personal advantage.

g. Accepting gifts from vendors or potential vendors where there may be the appearance of or an actual conflict of interest.

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*h.* Intentionally disclosing confidential information including, but not limited to, unauthorized sharing of information concerning student academic or disciplinary records, health and medical information, assessment or testing results, or family income. Licensees shall comply with state and federal laws and local school board policies relating to the confidentiality of student records, unless disclosure is required or permitted by law.

*i.* Refusing to participate in a professional inquiry when requested by the board.

*j.* Aiding, assisting, or abetting an unlicensed person in the completion of acts for which licensure is required.

*k.* Failing to self-report to the board within 60 days any founded child abuse report, or any conviction for a criminal offense listed in 25.3(1) “*b*”(1) which requires revocation of the practitioner’s license.

*l.* Delegating tasks to unqualified personnel.

*m.* Failing to comply with federal, state, and local laws applicable to the fulfillment of professional obligations.

*n.* Allowing another person to use one’s practitioner license for any purpose.

*o.* Performing services beyond the authorized scope of practice for which the individual is licensed or prepared or performing services without holding a valid license.

*p.* Falsifying, forging, or altering a license issued by the board.

*q.* Failure of the practitioner holding a contract under Iowa Code section 279.13 to disclose to the school official responsible for determining assignments a teaching assignment for which the practitioner is not properly licensed.

*r.* Failure of a school official responsible for assigning licensed practitioners holding contracts under Iowa Code section 279.13 to adjust an assignment if the practitioner discloses to the official that the practitioner is not properly licensed for an assignment.**25.3(7) Standard VII—compliance with state law governing obligations to state or local governments, child support obligations, and board orders.** Violation of this standard includes:

*a.* Failing to comply with 282—Chapter 8 concerning payment of debts to state or local governments.

*b.* Failing to comply with 282—Chapter 10 concerning child support obligations.

*c.* Failing to comply with a board order.

**25.3(8) Standard VIII—incompetence.** Violation of this standard includes, but is not limited to:

*a.* Willfully or repeatedly departing from or failing to conform to the minimum standards of acceptable and prevailing educational practice in the state of Iowa.

*b.* Willfully or repeatedly failing to practice with reasonable skill and safety.

## **POLICY 500 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, socioeconomic status, national origin, creed, 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, Central Lyon Community School District, Rock Rapids, Iowa; or by telephoning (712) 472-2664.

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 Citigroup Center, 500 W. Madison St., Ste. 1475, Chicago, IL, (312) 730-1560, <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.

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.

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**POLICY 501 STUDENT ATTENDANCE**

**501.1 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 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).  
33 D.P.I. Dec. Rule 80 (1984).  
Iowa Code §§ 257.6; 282.2, .6, .7; 285.4 (2013).  
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

Approved 7/17/95

Reviewed 11/18/19

Revised 7/17/95



## 501.2 NONRESIDENT 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 have applied 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 (11) and twelve (12), must have the recommendation of the principal.

Students in grades eleven (11) or twelve (12) 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 October 1 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 (2013).

Cross Reference: 501 Student Attendance

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Revised 11/18/19



### 501.3 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 180 days or 1,080 hours. 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;
- are receiving independent private instruction; 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, 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 (2013).  
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 7/17/95 Reviewed 11/18/19 Revised 11/18/19

#### 501.4 ENTRANCE - ADMISSIONS

Children in the Central Lyon School District community will be allowed to enroll in the school district's regular education program beginning at age five (5). The child must be age five (5) on or prior to September 15 to participate in the school district's kindergarten program. The child must be age six (6) on or prior to September 15 to begin the first (1st) 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 or an immunization waiver due to qualifying exemptions such as religious beliefs or documented health reasons. 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 (2013).  
1980 Op. Att'y Gen. 258.

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

Approved 7/17/95

Reviewed 11/18/19

Revised 11/18/19

## 501.5 ATTENDANCE CENTER ASSIGNMENT

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

Parents or guardians of siblings in the same grade level academically in grades kindergarten through grade five may request the siblings be placed in the same or different classrooms. In order to be valid, the request must be made in writing and submitted to the school principal at the time of registration for classes, or within fourteen days after the children's first day of attendance during the school year. If a valid request is received by the school principal, the request must be honored. While a parent or guardian may make a placement request that siblings be placed together or apart, the district administration retains complete discretion to select the classroom teacher(s) to which siblings are assigned. If after the initial grading period following the placement of siblings in the same or different classrooms the school principal determines the placement is disruptive to the class; the principal may assign one or more of the siblings to different classrooms.

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 challenges, 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.

Cross Reference: 501 Student Attendance

Approved 11/18/19

Reviewed 11/18/19

Revised 11/18/19

## 501.6 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 reserves the right to deny admission to any nonresident student unless the student is complying with open enrollment procedures.

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 after discussion with the appropriate building principal and guidance counselor. 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 (2012).  
Iowa Code §§ 139A.8; 282.1, .3, .4; 299A (2013).

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

Approved 7/17/95

Reviewed 11/18/19

Revised 11/18/19

#### 501.6.1 TRANSFER STUDENT ELIGIBILITY – GOOD CONDUCT RULE

The Central Lyon Community Schools will accept a student who transfers into the district within the transfer policies of the district and in compliance with State Statutes. However, any student who has been declared ineligible under the Good Conduct Rule of the prior school district and who transfers to Central Lyon Community School District, and without having completed the full period of ineligibility at that school will not be eligible for interscholastic competition at Central Lyon High School until the full period of ineligibility from the prior school has been completed. Once the specified time period of ineligibility has been completed, the student will be immediately eligible for interscholastic competition at Central Lyon High School, subject to all other rules of eligibility.

The Board may deny admission to participation in interscholastic competition if the student is not willing to provide the Board or Administration with the necessary information.

Approved 5/13/96

Reviewed 11/18/19

Revised 11/18/19

## 501.7 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 building principal 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 building principal 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 the 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 building principal that the student is receiving competent private instruction and file the necessary competent private instruction reports.

The building principal will provide the superintendent with a written notice of all transfers and/or withdrawals on a monthly basis.

Legal Reference: 20 U.S.C. § 1232g (2012).  
Iowa Code §§ 274.1; 299.1-.1A (2013).

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

Approved 7/17/95

Reviewed 11/18/19

Revised 11/18/19

## 501.8 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 (2013).  
281 I.A.C. 12.3(4).

Cross Reference: 501 Student Attendance  
506 Student Records

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## 501.9 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 and school-sponsored or approved activities.

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 at least one-half ( $\frac{1}{2}$ ) of 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 (2013).  
281 I.A.C. 12.3(4).

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

Approved 7/17/95

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501.10 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 or 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 this policy. The administrative regulations will indicate the disciplinary action to be taken for truancy.

Legal Reference: Iowa Code §§ 294.4; 299 (2013).  
281 I.A.C. 12.3(4).

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

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Revised 11/18/19

## 501.10R1 TRUANCY - UNEXCUSED ABSENCES REGULATION

### I. General Attendance Policy

#### A. Absences

1. Parents are expected to notify the school prior to 9:00 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 of 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;
  - c. death in the family or family emergency; and
  - d. court appearance or other legal situation beyond the control of the family.
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 two times the number of days absent, not to exceed 10 days. The time allowed for make-up work may be extended at the discretion of the principal.

#### 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 nine (9) days or individual class meetings per semester.

- A. When a student has been absent from school or a class five (5) 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 five-day (5) notification process.

*Continued on next page*

- B. When a student has been absent from school/class eight (8) or more times during a year, the teacher or the principal will inform the parent/guardian of the student's status. The principal will notify the student and parent of the excessive absences and initiate appropriate sanctions.

### **III. Application of Sanctions**

Excessive absences will result in the following:

- A. If a student is absent 12 days from any given class, the student may be dropped from that class. The student will receive no credit for the class.
- B. If a student is absent 12 days in five (5) or more individual classes, the student may be dropped from the regular school program, referred to the principal pursuant to the district's plan for at-risk students, and the case may be referred to the county attorney.

### **IV. Appeals**

#### **A. First level of appeal**

- 1. When notified that the student has missed eight (8 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 12 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 two (2) school days of the notification. Sanctions imposed under this policy will be final unless a written appeal is submitted to the principal within two (2) school days.
- 3. The student will remain in the class or in school pending completion of the appeals process.
- 4. The informal appeals hearing will be scheduled within two (2) school days after the appeal is filed. The principal will consider the following in reaching a decision:
  - a. absences caused by religious holidays, documented chronic or extended illness, hospitalization, family death or emergency, emergency medical or dental care, court appearances or other legal situations beyond the control of the family, school-related class or program activities;
  - b. attendance history of the student;
  - c. extenuating circumstances particular to the student;
  - d. educational alternatives to removal from class or school; or
  - e. the total educational program for the individual student.
- 5. The decision of the principal will be reached within one (1) school 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 (5) school 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.

## 501.11 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 (2013).  
281 I.A.C. 12.3(4).

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

Approved 7/17/95

Reviewed 11/18/19

Revised 11/18/19

## 501.12 PREGNANT STUDENTS

The board encourages pregnant students to continue to attend the education program as long as they are physically able to do so. The pregnant student should notify the principal or the guidance counselor as soon as she is aware of the pregnancy. The school may require that a pregnant student provide the principal with a written note from her doctor relative to special conditions that might exist and specific suggestions as to how long the student may continue to attend classes. If the student is unable to attend school because of her pregnancy, the student may be excused and arrangements made to continue her studies during her absence. The student will resume classes upon the recommendation of her physician.

Legal Reference: Iowa Code §§ 216; 279.8; 280.3 (2013).

Cross Reference: 501 Student Attendance  
604.2 Individualized Instruction

Approved 7/17/95

Reviewed 11/18/19

Revised 11/18/19

### 501.13 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 (2012).  
Iowa Code §§ 22; 282.2, .6, .7; 285.4; 599.1; 622.10 (2013).  
281 I.A.C. 12.3(6).

Cross Reference: 501 Student Attendance  
506 Student Records

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Revised 11/18/19

## 501.14 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 year preceding the first year desired for open enrollment. The notice is made on forms provided by the Department of Education. The forms are available at the central administration office.

Parents of children who will begin kindergarten in the school district are exempt from the open enrollment March 1 deadline. Parents of children who will begin kindergarten will file in the same manner set forth above by September 1. Parents who have good cause 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 will not approve a student's request to allow the receiving district to enter the school district for the purposes of transportation.

An open enrollment request out of the school district from parents of a special education student 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 (2013).  
281 I.A.C. 17.  
1990 Op. Att'y Gen. 75.

Cross Reference: 501 Student Attendance  
506 Student Records

Approved 8/12/96

Reviewed 11/18/19

Revised 10/12/09

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

Open enrollment requests into the school district that, if denied, would result in students from the same nuclear family being enrolled in different school districts, will be given highest priority. The board, in its discretion, may waive the insufficient classroom space reason for denial for students of the same nuclear family to prevent the division of a nuclear family between two school districts. Other open enrollment requests into the school district 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.

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.

*Continued on next page*



Legal Reference: Iowa Code §§ 139A.8; 274.1; 279.11; 282.1, .3, .8, .18; 299.1 (2013).  
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

Approved 8/12/96

Reviewed 11/18/19

Revised 11/18/19

## 501.16 HOMELESS CHILDREN AND YOUTH

The Central Lyon Community School District believes all students should have access to a free, appropriate public education. The district will ensure that homeless children and youth have equal access to the same free, appropriate public education as other children and youth.

The term “homeless children and youth” means individuals who lack a fixed, regular, and adequate nighttime residence. The term includes:

- Children and youth who are:
  - Sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason (sometimes referred to as “doubled up”);
  - Living in motels, hotels, trailer parks, or camping grounds due to lack of alternative adequate accommodations;
  - Living in emergency or transitional shelters; or
  - Abandoned in hospitals.
- Children and youth who have a primary nighttime residence that is a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings;
- Children and youth who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and
- Migratory children who qualify as homeless because they are living in circumstances described above.

To help ensure that homeless children and youth have a full opportunity to enroll, attend, and succeed at school, the board shall:

- Designate the guidance counselor for each building as the local homeless children and youth liaison;
- Provide training opportunities for staff so staff may help identify and meet the needs of homeless children and youth;
- Remove barriers, including those associated with fees, fines, and absences, to the identification, enrollment, retention, attendance and/or success in school for homeless children and youth;
- Ensure collaboration and coordination with other service providers;
- Ensure transportation is provided in accordance with legal requirements;
- Provide school stability in school assignment according to the child’s best interests;
- Ensure the privacy of student records, as provided by applicable law, including information about a homeless child or youth’s living situation;
- Engage in the dispute resolution process for decisions relating to the educational placement of homeless children and youth as provided by applicable law; and
- Prohibit the segregation of a homeless child or youth from other students enrolled in the district.

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

Legal Reference:       20 U.S.C. § 6301.  
                              42 U.S.C. § 11302.  
                              42 U.S.C. §§ 11431 *et seq.*  
                              281 I.A.C. 33.

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 7/17/95

Reviewed 11/18/19

Revised 1/9/17

## 502.7 SMOKING - DRINKING - DRUGS

The Central Lyon board prohibits the distribution, dispensing, manufacture, possession, use, or being under the influence of beer, wine, alcohol, tobacco, nicotine, e-cigarettes, vaporizers, Electronic Nicotine Delivery Systems, or other controlled substances, or "look alike" substances that appear to be beer, wine, alcohol, tobacco, e-cigarettes, vaporizers, Electronic Nicotine Delivery Systems, or other 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 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, and may be reported to 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 shall include:

- Age-appropriate, developmentally-based drug and alcohol curriculum for students in grades kindergarten (K) through twelve (12), 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;
- 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 shall be the responsibility of the superintendent, in conjunction with the building principal, to develop administrative regulations regarding this policy.

***Continued on next page***

Legal Reference: 34 C.F.R. Pt. 86 (2012).  
Iowa Code §§ 123.46; 124; 279.8, .9; 453A (2013).  
281 I.A.C. 12.3(6); .5(3)(e), .5(4)(e), .5(5)(e).

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

Approved 7/17/95

Reviewed 11/18/19

Revised 11/18/19

## 604.8 FOREIGN STUDENTS

Foreign students must meet all district entrance requirements including age, place of residence and immunization. Foreign students must be approved by the board. The board reserves the right to limit the number of foreign students accepted. Students who are citizens of a foreign country will be considered residents if they meet one of the following requirements:

- The student resides with his/her parents(s) or legal guardian;
- The student is in the United States with appropriate documentation (Form I-20) from the United States Department of Justice-Immigration and Naturalization Services; or
- The student is a participant in a recognized foreign exchange program; and,
- The student is physically able to attend school and has provided the school district with such proof, including a current TB test.

Legal Reference: Iowa Code § 279.8 (2013).

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

Approved 11/18/19 Reviewed 11/18/19 Revised 11/18/19

## 905.1R1 USE OF SCHOOL DISTRICT FACILITIES REGULATION

There shall be no distribution, dispensing, manufacture, possession, use, or being under the influence of beer, wine, alcohol, tobacco, nicotine, e-cigarettes, vaporizers, Electronic Nicotine Delivery Systems, or other controlled substances, or "look alike" substances that appear to be beer, wine, alcohol, tobacco, nicotine, e-cigarettes, vaporizers, Electronic Nicotine Delivery Systems, or other controlled substances, in school facilities or on school grounds.

A custodian or district employee may be present while the facility is being used.

After a school building has been used by an outside group, cleaning will be done by employees. Fees for such work will be paid by the group in addition to the rental fee charged (if applicable) for the use of the building.

## 905.2 TOBACCO-FREE ENVIRONMENT

School district facilities and grounds, including school vehicles, are off limits to tobacco, nicotine, e-cigarettes, vaporizers, Electronic Nicotine Delivery Systems, or other controlled substances, or "look alike" substances that appear to be tobacco, e-cigarettes, vaporizers, Electronic Nicotine Delivery Systems, or other controlled substances.

This requirement extends to students, employees and visitors. This policy applies at all times, including school-sponsored and non school-sponsored events. Persons failing to abide by this request are required to extinguish their smoking material, dispose of the tobacco, nicotine or other product, or leave the school district premises immediately. It is the responsibility of the administration to enforce this policy.

An individual who violates this policy may be referred to legal authorities at any time in this process.

### EMPLOYEES:

1. The building principal who becomes aware of the fact an employee is not complying with this policy will verbally remind the employee of this policy and ask the employee to abide by the policy in the future. A copy of the policy shall be provided to the employee.
2. After an initial warning, if an employee violates the terms of this policy, the employee shall be given a non-compliance written report advising the employee that they must abide by the terms of the policy or be subject to more serious disciplinary action.

### PUBLIC EVENTS-SPECTATORS:

1. Persons who use tobacco in school buildings, on school grounds, at school-sponsored activities, in school district vehicles, or in school district-provided transportation will be informed of prohibition contained in this policy against the use of tobacco products and will be directed to comply with the policy.
2. Persons who refuse to comply with this policy or who refuse to extinguish or dispose of the tobacco products will be directed to leave the building, grounds, or activity immediately.

### STUDENTS:

1. The first (1st) violation by a student of this policy shall result in a written warning and may also result in a suspension (in or out of school).
2. The second (2nd) violation of this policy by a student shall result in a suspension of not less than one (1) day from school and a recommendation for counseling.
3. The third (3rd) violation of this policy by a student shall result in a suspension of not less than three (3) days from school and a mandatory conference with the building Principal, Superintendent, parent(s) or guardians(s) and student before the student will be re-admitted to school.
4. The fourth (4th) violation of this policy by a student with tobacco shall result in a suspension of not less than three (3) days nor more than ten (10) days from school and an appearance before the Board of Education by the student and his/her parent(s) to determine the final course of action.

The Central Lyon Community School District shall not discriminate in standards or rules of behavior or disciplinary measures, including suspensions and expulsions, on the basis of gender, race, national origin, ancestry, creed, pregnancy, marital or parental status, sexual orientation or physical, mental, emotional learning disability, or handicapping condition, discrimination complaints shall be processed in accordance with established procedures and with Iowa Statutes.

*Continued on next page*

Legal Reference: Goals 2000: Educate America Act, Pub. L. No. 103-227, 108 Stat. 125 (1994).  
House File 2212, Iowa General Assembly (2008)  
Iowa Code §§ 142D; 279.8, .9; 297 (2013).

Cross Reference: 903.4 Public Conduct on School Premises  
905.1 Community Use of School District Buildings & Sites & Equipment

Approved 10/09/95

Reviewed 11/18/19

Revised 11/18/19