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Policy 400: Role of and Guiding Principles for Employees

Status: ADOPTED

Original Adopted Date: 9/6/2013 **Review Date:** 4/23/2025 **Revised:** 4/23/2025

This series of the board policy manual is devoted to the board's goals and objectives for employees in the performance of their jobs. Employees provide a variety of important services for the children of the school district community. They may be teaching or assisting in the classroom, working in the office, maintaining the facilities, driving or repairing the school buses, or cooking lunches. Each employee plays a vital role in providing an equal opportunity for a quality education for students commensurate with the students' individual needs. While the teachers have the most direct impact on the formal instruction of students, all employees have an impact on the school environment by their dedication to their work and their actions. As role models for the students, employees shall promote a cooperative, enthusiastic, and supportive learning environment for the students.

In striving to achieve a quality education program, the board's goal is to obtain and retain qualified and effective employees. The board shall have complete discretion to determine the number, the qualifications, and the duties of the positions and the school district's standards of acceptable performance. It shall be the responsibility of the superintendent to make recommendations to the board in these areas prior to board action. The board recognizes its duty to bargain collectively with duly certified collective bargaining units. To the extent a group of employees has a recognized collective bargaining unit, the provisions of the master contract regarding such topics shall prevail.

Board policies in this series relating to general employees will apply to employees regardless of their position as a licensed employee, classified employee, substitute or administrator. Board policies relating to licensed employees will apply to positions that require a teaching license or administrator's certificate or other professional license, certificate or endorsement, unless administrative positions are specifically excluded from the policy or a more specific policy is in the 300 series, Administration. Classified employees' policies included in this series will apply to positions that do not fall within the definition of licensed employee.

Policy 401.01: Equal Employment Opportunity

Status: ADOPTED

Original Adopted Date: 9/6/2013 Review Date: 4/23/2025 Revised: 4/23/2025

The Essex Community School District will provide equal opportunity to employees and applicants for employment in accordance with applicable equal employment opportunity and affirmative action laws, directives and regulations of federal, state and local governing bodies. Opportunity to all employees and applicants for employment includes hiring, placement, promotion, transfer or demotion, recruitment, advertising or solicitation for employment, treatment during employment, rates of pay or other forms of compensation, and layoff or termination. The school district will take affirmative action in major job categories where women, men, minorities and persons with disabilities are underrepresented. Employees will support and comply with the district's established equal employment opportunity and affirmative action policies. Employees will be given notice of this policy annually.

The board will appoint an affirmative action coordinator. The affirmative action coordinator will have the responsibility for drafting the affirmative action plan. The affirmative action plan will be reviewed by the board at least every two years.

Individuals who file an application with the school district will be given consideration for employment if they meet or exceed the qualifications set by the board, administration, and Iowa Department of Education for the position for which they apply. In employing individuals, the board will consider the qualifications, credentials, and records of the applicants without regard to race, color, creed, sex, national origin, religion, age, sexual orientation, gender identity or disability. In keeping with the law, the board will consider the veteran status of applicants.

Advertisements and notices for vacancies within the district will contain the following statement: "The Essex Community School District is an EEO/AA employer." The statement will also appear on application forms.

Inquiries by employees or applicants for employment regarding compliance with equal employment opportunity and affirmative action laws and policies, including but not limited to complaints of discrimination, will be directed to the Affirmative Action Coordinator by writing to the Affirmative Action Coordinator, Essex Community School District, 111 Forbes Street, Essex, Iowa.

Inquiries by employees or applicants for employment regarding compliance with equal employment opportunity and affirmative action laws and policies, including but not limited to complaints of discrimination, may also be directed in writing to the Equal Employment Opportunity Commissions, Milwaukee Area Office, Reuss Federal Plaza, 310 West Wisconsin Ave., Suite 800, Milwaukee, WI., 53203-2292, (800) 669-4000 or TTY (800) 669-6820.
<http://www.eeoc.gov/field/milwaukee/index.cfm> or the Iowa Civil Rights Commission, 400 E. 14th Street, Des Moines, Iowa, 50319-1004, (515) 281-4121 or 1-800-457-4416,
<http://www.state.ia.us/government/crc/index.html>. This inquiry or complaint to the federal 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.

Legal Reference: 29 U.S.C. §§ 621-634.
42 U.S.C. §§ 2000e *et seq.*
42 U.S.C. §§ 12101 *et seq.*
Iowa Code §§ 19B; 20; 35C; 73; 216; 279.8.
281 I.A.C. 12.4; 95.

I.C. Iowa Code

Iowa Code § 19B

Description

Equal Opportunity and Affirmative Action

Iowa Code § 20

Collective Bargaining

Iowa Code § 216

Civil Rights Commission

Iowa Code § 279.8

Directors - General Rules - Bonds of Employees

Iowa Code § 35C

Veterans Preference

Iowa Code § 73

Preferences

I.A.C. Iowa Administrative Code

281 I.A.C. 12.4

Description

School Personnel

281 I.A.C. 95

EEO/AA

U.S.C - United States Code

29 U.S.C. §§ 621

Description

Labor - Age Discrimination

42 U.S.C. § 12101

Public Health - Equal Opportunity - Disabilities

42 U.S.C. § 2000e

Public Health - EEO Civil Rights - Definitions

Cross References**Code**

102

Description

Equal Educational Opportunity

102-R(1)

Equal Educational Opportunity - Grievance Procedure

102-EH(1)

Equal Educational Opportunity - Annual Notice of
Nondiscrimination

102-EH(2)

Equal Educational Opportunity - Continuous Notice of
Nondiscrimination

102-EH(3)	<u>Equal Educational Opportunity - Notice of Section 504 Student and Parental Rights</u>
102-E(4)	<u>Equal Educational Opportunity - Discrimination Complaint Form</u>
102-E(5)	<u>Equal Educational Opportunity - Witness Disclosure Form</u>
102-E(6)	<u>Equal Educational Opportunity - Disposition of Complaint Form</u>
104	<u>Anti-Bullying/Harassment Policy</u>
104-R(1)	<u>Anti-Bullying/Harassment Policy - Investigation Procedures</u>
104-E(1)	<u>Anti-Bullying/Harassment Policy - Complaint Form</u>
104-E(2)	<u>Anti-Bullying/Harassment Policy - Witness Disclosure Form</u>
104-E(3)	<u>Anti-Bullying/Harassment Policy - Disposition of Complaint Form</u>
405.02	<u>Licensed Employee Qualifications, Recruitment, Selection</u>
411.02	<u>Classified Employee Qualifications, Recruitment, Selection</u>

Policy 401.02: Employee Conflict of Interest

Status: ADOPTED

Original Adopted Date: 9/6/2013 **Review Date:** 4/23/2025 **Revised:** 4/23/2025

Employees' use of their position with the school district for financial gain is considered a conflict of interest with their position as employees and may subject employees to disciplinary action.

Employees have access to information and a captive audience that could award the employee personal or financial gain. No employee may solicit other employees or students for personal or financial gain to the employee without the approval of the superintendent. If the approval of the superintendent is given, the employee must conduct the solicitations within the conditions set by the superintendent. Further, the superintendent may, upon five days notice, require the employee to cease such solicitations as a condition of continued employment.

Employees will not act as an agent or dealer for the sale of textbooks or other school supply companies doing business with the school district. Employees will not participate for personal financial remuneration in outside activities wherein their position on the staff is used to sell goods or services to students or to parents. Employees will not engage in outside work or activities where the source of information concerning the customer, client or employer originates from information obtained because of the employee's position in the school district.

It will also be a conflict of interest for an employee to engage in any outside employment or activity which is in conflict with the employee's official duties and responsibilities. In determining whether outside employment or activity of an employee creates a conflict of interest, situations in which an unacceptable conflict of interest is deemed to exist will include, but not be 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's badge, uniform, business card or other evidences of office to give the employee or the employee'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 an employee who is employed by the school district.
2. The outside employment or activity involves the receipt of, promise of, or acceptance of more or other consideration by the employee or a member of the employee's immediate family from anyone other than the school district for the performance of any act that the employee would be required or expected to perform as part of the employee's regular duties or during the hours during which the employee 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 employee during the performance of the employee's duties.

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

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

When procurement is supported by Federal Child Nutrition funds, employees 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 employee, employee'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 employee to be aware of and take the necessary action to eliminate a potential conflict of interest should it arise.

Legal Reference: 7 C.F.R. 3016.36(3).
Iowa Code §§ 20.7; 68B; 279.8; 301.28.

I.C. Iowa Code

Iowa Code § 20.7

Iowa Code § 279.8

Iowa Code § 301.28

Iowa Code § 68B

Description

Collective Bargaining - Public Employer Rights

Directors - General Rules - Bonds of Employees

Textbooks - Officers and Teachers as Agents

Government Ethics and Lobbying

C.F.R. - Code of Federal Regulations

7 C.F.R. 3016.36

Description

Procurement

Cross References**Code**

203

402.04

402.06

Description

Board of Directors' Conflict of Interest

Gifts to Employees

Employee Outside Employment

404	<u>Employee Conduct and Appearance</u>
404-R(1)	<u>Employee Conduct and Appearance - Code of Professional Conduct and Ethics Regulation</u>
404-R(2)	<u>Employee Conduct and Appearance - Code of Rights and Responsibilities Regulation</u>
408.02	<u>Licensed Employee Publication or Creation of Materials</u>
408.03	<u>Licensed Employee Tutoring</u>

Policy 401.03: Nepotism**Status:** ADOPTED**Original Adopted Date:** 9/6/2013 **Review Date:** 4/23/2025 **Revised:** 4/23/2025

More than one family member may be an employee of the school district. It is within the discretion of the superintendent to allow one family member employed by the school district to supervise another family member employed by the school district.

The employment of more than one individual in a family is on the basis of their qualifications, credentials and records.

Legal Reference: Iowa Code §§ 20; 71; 277.27; 279.8 (2013).

I.C. Iowa Code

Iowa Code § 20

Iowa Code § 277.27

Iowa Code § 279.8

Iowa Code § 71

DescriptionCollective BargainingSchool Elections - QualificationsDirectors - General Rules - Bonds of EmployeesNepotism**Cross References****Code**

203

405.02

411.02

DescriptionBoard of Directors' Conflict of InterestLicensed Employee Qualifications, Recruitment, SelectionClassified Employee Qualifications, Recruitment, Selection

Policy 401.04: Employee Complaints**Status:** ADOPTED**Original Adopted Date:** 9/6/2013 **Review Date:** 4/23/2025 **Revised:** 4/23/2025

Complaints of employees against fellow employees should be discussed directly between employees as appropriate for the nature of the complaint. Complaints should be made in a constructive and professional manner. Complaints should generally not be made in the presence of other employees, students or outside persons. persons.

If the complaint cannot be resolved, the employee may discuss the matter with their immediate supervisor. If the matter cannot be resolved within 7 days of speaking with the immediate supervisor, the employee may discuss it with the principal within 3 days of the supervisor's decision. If the matter cannot be resolved by the principal, the employee may discuss it with the superintendent within 3 days after speaking with the principal.

If the matter is not satisfactorily resolved by the superintendent, the employee may ask to have the matter placed on the board agenda of a regularly scheduled board meeting in compliance with board policy. The board retains discretion as to whether to consider or take action on any complaint.

This policy is designed to create an appropriate process for pursuing general employee complaints. However, employees wishing to address a complaint on a topic with a more specialized procedure such as master contract grievances, or bullying or harassment claims should follow the appropriate process set forth in the master contract, employee handbook or other board policies specific to that topic.

Legal Reference: Iowa Code §§ 20; 279.8

I.C. Iowa Code

Iowa Code § 20

Iowa Code § 279.8

DescriptionCollective BargainingDirectors - General Rules - Bonds of Employees**Cross References****Code**

210.08

210.08-EH(1)

210.08-EH(2)

213

DescriptionBoard Meeting AgendaBoard Meeting Agenda - ExampleBoard Meeting Agenda - Example (with closed session)Public Participation in Board Meetings

Policy 401.05: Employee Records**Status: ADOPTED****Original Adopted Date: 9/6/2013 Review Date: 4/23/2025 Revised: 4/23/2025**

The school district will maintain personnel records on employees. The records are important for the daily administration of the educational program, for implementing board policy, for budget and financial planning, and for meeting state and federal requirements.

The records will include, but not be limited to, records necessary for the daily administration of the school district, salary records, evaluations, application for employment, references, and other items needed to carry out board policy. Employee personnel files are school district records and are considered confidential records and therefore are not generally open to public inspection or accessibility. Only in certain limited instances, when the employee has given a signed consent, will employee personnel records be accessible to individuals other than the employee or authorized school officials.

Employees may have access to their personnel files, with the exception of letters of reference, and copy items from their personnel files at a time mutually agreed upon between the superintendent and the employee. The school district may charge a reasonable fee for each copy made. Employees, however, will not be allowed access to the employment references written on behalf of the employee. Board members will generally only have access to an employee's file when it is necessary because of an employee related matter before the board.

It is the responsibility of the superintendent to keep employees' personnel files current. The board secretary is the custodian of employee records.

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

Legal Reference: Iowa Code chs. 20; 21; 22; 91B.

I.C. Iowa Code

Iowa Code § 20

Iowa Code § 21

Iowa Code § 22

Iowa Code § 91B

DescriptionCollective BargainingOpen MeetingsOpen RecordsPersonnel Information**Cross References**

Code	Description
401.06	<u>Limitations to Employment References</u>
402.01	<u>Release of Credit Information</u>
403.03	<u>Communicable Diseases - Employees</u>
403.03-R(1)	<u>Communicable Diseases - Employees - Regulation</u>
403.03-E(1)	<u>Communicable Diseases - Employees - Hepatitis B Vaccine Information and Record</u>
708	<u>Care, Maintenance and Disposal of School District Records</u>
901	<u>Public Examination of School District Records</u>

Policy 401.06: Limitations to Employment References**Status:** ADOPTED**Original Adopted Date:** 9/6/2013 **Review Date:** 4/23/2025 **Revised:** 4/23/2025

The district believes in taking appropriate measures to promote the health and welfare of all students. Any school employee, contractor, or agent shall not assist another school employee, contractor, or agent in obtaining a new job, apart from the routine transmission of administrative personnel files, if the individual or agency knows, or has probable cause to believe, that such school employee, contractor, or agent engaged in sexual misconduct regarding a minor or student in violation of the law.

This limitation does not apply if the matter has been properly reported to law enforcement and any other regulatory authorities required by law, and either:

- the matter has been officially closed by the law enforcement agency;
- the individual is acquitted or otherwise exonerated of the alleged misconduct; or
- more than four years has passed since the case was opened, and no charges or indictment have been filed.

Legal Reference: 20 U.S.C. §7926
281 I.A.C. 12.3(14)

I.A.C. Iowa Administrative Code

281 I.A.C. 12.3

DescriptionAdministration**U.S.C - United States Code**

20 U.S.C. §7926

DescriptionEducation - Sexual Abuse-Aiding and Abetting**Cross References****Code**

401.05

401.05-R(1)

402.02

402.03

405.02

411.02

DescriptionEmployee RecordsEmployee Records - RegulationChild Abuse ReportingAbuse of Students by School District EmployeesLicensed Employee Qualifications, Recruitment, SelectionClassified Employee Qualifications, Recruitment, Selection

Policy 401.07: Employee Travel Compensation

Status: ADOPTED

Original Adopted Date: 9/6/2013 Review Date: 4/23/2025 Revised: 4/23/2025

Employees traveling on behalf of the school district and performing approved school district business will be reimbursed for their actual and necessary expenses. Actual and necessary travel expenses will include, but not be limited to, transportation and/or mileage costs, lodging expenses, meal expenses and registration costs.

Travel Outside the School District

Travel outside of the school district must be pre-approved. Pre-approval will include an evaluation of the necessity of the travel, the reason for the travel and an estimate of the cost of the travel to qualify as approved school district business. Travel outside the school district by employees, other than the superintendent, is pre-approved by the superintendent or an immediate supervisor. Travel outside the district by the superintendent will be approved by the board president.

Reimbursement for actual and necessary expenses may be allowed for travel outside the school district if the employee received pre-approval for the travel. Prior to reimbursement of actual and necessary expenses, the employee must provide the school district with a detailed, itemized receipt, indicating the date, purpose and nature of the expense for each claim item. In exceptional circumstances, the superintendent may allow a claim without proper receipt. Written documentation explaining the exceptional circumstances is maintained as part of the school district's record of the claim.

Failure to have a detailed, itemized receipt will make the expense a personal expense. Personal expenses, including mileage, in excess of that required for the trip are reimbursed by the employee to the school district no later than 10 working days following the date of the expense.

Reimbursement for actual and necessary expenses for travel outside the school district will be limited to the pre-approved expenses. Pre-approved expenses for registration are limited to the actual cost of the registration.

Pre-approved expenses for transportation within three-hundred miles of the school district administrative office will be by automobile. If a school district vehicle is not available, the employee will be reimbursed mileage at the Internal Revenue Service standard mileage rate. Travel to/from home and work is never a reimbursable travel expense. Travel costs for a spouse or anyone other than the district employee shall be a personal expense not reimbursed by the district.

Travel Within the School District

Employees required to travel in their personal vehicle between school district buildings to carry out the duties of their position may be reimbursed at the Internal Revenue Service standard mileage rate. It is the responsibility of the superintendent to approve travel within the school district by employees. It is the responsibility of the board to review the travel within the school district by the superintendent through the board's audit and approval process.

Travel allowances within the district will be provided only after board approval. Employees who are allowed a within district travel allowance will have the amount of the allowance actually received during each calendar year included on the employee's W-2 form as taxable income according to the Internal Revenue Code.

Use of District-Owned Vehicles

Certain district employment positions may require regular and extensive travel. Due to the required duties of these positions, the district may provide certain positions with use of district-owned vehicles. Employees who utilize district-owned vehicles during the course of their job duties are fulfilling the public purpose of meeting the needs of the educational community in an efficient, and time-sensitive manner. District-owned vehicles are purchased and maintained with public money and must be used strictly in accordance with fulfilling a public purpose. These vehicles represent the district in carrying out its educational mission. Therefore, district-owned vehicles will be clearly marked at all times to identify the district.

The superintendent is responsible for developing administrative regulations regarding actual and necessary expenses, in-school district travel allowances and assignment and proper use of school district vehicles. The administrative regulations will include the appropriate forms to be filed for reimbursement to the employee from the school district and the procedures for obtaining approval for travel outside of and within the school district.

Legal Reference: Iowa Constitution, Art. III, § 31.
Iowa Code §§ 70A.9-.11.

I.C. Iowa Code

Iowa Code § 70A

Description

Financial Provisions for Public Officers, Employees

Iowa Constitution

Iowa Constitution

Description

Art. III, § 31

Cross References**Code**

216.03

Description

Board of Directors' Member Compensation and Expenses (I, II)

302.06

Superintendent Professional Development

303.07

Administrator Professional Development

401.10

Credit and Procurement Cards

705.04

Expenditures for a Public Purpose

705.04-R(1)

Expenditures for a Public Purpose - Use of Public Funds Regulation

904.01

Transporting Students in Private Vehicles

Policy 401.08: Recognition for Service of Employees

Status: ADOPTED

Original Adopted Date: 9/6/2013 **Review Date:** 4/23/2025 **Revised:** 4/23/2025

The board recognizes and appreciates the service of its employees. Employees who retire or resign may be honored by the board, administration and staff in an appropriate manner.

If the form of honor thought appropriate by the administration and employees involves unusual expense to the school district, the superintendent will seek prior approval from the board.

Legal Reference: Iowa Const. Art. III, § 31.
Iowa Code § 279.8

I.C. Iowa Code

Iowa Code § 279.8

Iowa Constitution

Iowa Constitution

Iowa Constitution

Description

Directors - General Rules - Bonds of Employees

Iowa Constitution

Description

Art. III, § 31

Policy 401.09: Employee Political Activity**Status:** ADOPTED**Original Adopted Date:** 9/6/2013 **Review Date:** 4/23/2025 **Revised:** 4/23/2025

Employees will not engage in political activity upon property under the jurisdiction of the board including the use of school district e-mail accounts. Activities including, but not limited to, posting of political circulars or petitions, the distribution of political circulars or petitions, the collection of or solicitation for campaign funds, solicitation for campaign workers, general information regarding elections or ballot issues and the use of students for writing or addressing political materials, or the distribution of such materials to or by students are specifically prohibited.

Violation of this policy may be grounds for disciplinary action.

Legal Reference: Iowa Code §§ 55; 279.8.

I.C. Iowa Code

Iowa Code § 279.8

DescriptionDirectors - General Rules - Bonds of Employees

Iowa Code § 55

Leaves for Public Service**Cross References****Code**

409.02

DescriptionEmployee Leaves of Absence

Policy 401.10: Credit and Procurement Cards

Status: ADOPTED

Original Adopted Date: 9/6/2013 Review Date: 4/23/2025 Revised: 4/23/2025

Employees may use school district credit cards and/or procurement cards (p-cards) for the actual and necessary expenses incurred in the performance of work-related duties. Actual and necessary expenses incurred in the performance of work-related duties include, but are not limited to travel expenses related to professional development or fulfillment of required job duties, fuel for school district transportation vehicles used for transporting students to and from school and for school-sponsored events, payment of claims related to professional development of the board and employees, and other expenses required by employees and the board in the performance of their duties.

Employees and officers using a school district credit or procurement card must submit a detailed, itemized receipt in addition to a credit or procurement card receipt indicating the date, purpose and nature of the expense for each claim item. Failure to provide a proper receipt will make the employee responsible for expenses incurred. Those expenses are reimbursed to the school district no later than ten working days following use of the school district's credit or procurement card. In exceptional circumstances, the superintendent or board may allow a claim without proper receipt. Written documentation explaining the exceptional circumstances is maintained as part of the school district's record of the claim.

The school district may maintain a school district credit or procurement card for actual and necessary expenses incurred by employees and officers in the performance of their duties. The superintendent may maintain a school district credit or procurement card for actual and necessary expenses incurred in the performance of the superintendent's duties. The transportation director may maintain a school district credit or procurement card for fueling school district transportation vehicles in accordance with board policy.

It is the responsibility of the superintendent to determine whether the school district credit or procurement card use is for appropriate school business. It is the responsibility of the board to determine through the audit and approval process of the board whether the school district credit or procurement card used by the superintendent and the board is for appropriate school business.

The superintendent is responsible for developing administrative regulations regarding actual and necessary expenses and use of a school district credit or procurement card. The administrative regulations will include the appropriate forms to be filed for obtaining a credit or procurement card.

Legal Reference: Iowa Constitution, Art. III, § 31.
Iowa Code §§ 279.8, .29, .30.
281 I.A.C. 12.3(1).

I.C. Iowa Code

Iowa Code § 279.8

Iowa Code § 279.29

Iowa Code § 279.30

Iowa Constitution

I.A.C. Iowa Administrative Code

281 I.A.C. 12.3

Iowa Constitution

Iowa Constitution

Description

Directors - General Rules - Bonds of Employees

Claims - Investments

Directors - Powers and Duties - Payments-exceptions

Iowa Constitution

Description

Administration

Description

Art. III, § 31

Cross References**Code**

216.03

401.07

Description

Board of Directors' Member Compensation and Expenses (I,
II)

Employee Travel Compensation

Policy 401.11: Employee Orientation**Status:** ADOPTED**Original Adopted Date:** 9/6/2013 **Review Date:** 4/23/2025 **Revised:** 4/23/2025

Employees must know their role and duties. New employees may be required to participate in an orientation program for new employees. The employee's immediate supervisor should provide the new employee with a review of the employee's responsibilities and duties. Payroll procedures and employee benefit programs and accompanying forms will be explained to the employee by the August 31st. Regular employees ineligible for the school district's group health plan will be given information regarding where they can obtain health care or health care insurance.

Legal Reference: Iowa Code §§ 20; 279.8.
191 I.A.C. 74.

I.C. Iowa Code

Iowa Code § 20

Iowa Code § 279.8

DescriptionCollective BargainingDirectors - General Rules - Bonds of Employees**I.A.C. Iowa Administrative Code**

191 I.A.C. 74

DescriptionInsurance Division - Health Care Access**Cross References****Code**

401.13

401.13-R(1)

404

404-R(1)

404-R(2)

DescriptionStaff Technology Use/Social NetworkingStaff Technology Use/Social Networking - RegulationEmployee Conduct and AppearanceEmployee Conduct and Appearance - Code of Professional
Conduct and Ethics RegulationEmployee Conduct and Appearance - Code of Rights and
Responsibilities Regulation

Policy 401.12: Employee Use of Cell Phones**Status:** ADOPTED**Original Adopted Date:** 9/6/2013 **Review Date:** 4/23/2025 **Revised:** 4/23/2025

The use of cell phones and other communication devices may be appropriate to provide for the effective and efficient operation of the school district and to help ensure safety and security of people and property while on school district property or engaged in school sponsored activities.

Employees may possess and use cell phones during the school day as outlined in this policy and as provided in the administrative regulation developed by the superintendent. Employees should not use cell phones for personal business while on-duty, including staff development times, parent-teacher conferences, etc., except in the case of an emergency or during prep time or break/lunch times. Employees, except for bus drivers, see below, are prohibited from using cell phones while driving except in the case of an emergency and any such use must comply with applicable state and federal law and district policies and regulations.

Cell phones are not to be used for conversations involving confidential student or employee information.

School bus drivers are prohibited from using any communication device while operating the bus except in the case of an emergency, or to call for assistance, after the vehicle has been stopped. Any such use must comply with applicable state and federal law and district policies and regulations.

Employees violating the policy will be subject to discipline, up to and including, discharge. It is the responsibility of the superintendent to develop administrative regulations regarding this policy.

Legal Reference: Internal Revenue Comment Notice, 2009-46,
http://www.irs.gov/irb/2009-23_IRB/ar07.html
 Iowa Code §§ 279.8; 321.276.

I.C. Iowa Code

Iowa Code § 279.8

Iowa Code § 321.276

DescriptionDirectors - General Rules - Bonds of EmployeesMotor Vehicles - Electronic Devices/Driving**Cross References****Code**

707.05

707.05-R(1)

DescriptionInternal ControlsInternal Controls - Procedures

Regulation 401.12-R(1): Employee Use of Cell Phones - Regulation

Status: ADOPTED

Original Adopted Date: 9/6/2013 **Review Date:** 4/23/2025 **Revised:** 4/23/2025

Cell phone Usage

1. Cell phones shall be used in a manner that does not disrupt instruction and should not be used during school-sponsored programs, meetings, in-services, or other events where there exists a reasonable expectation of quiet attentiveness unless there is a reason of personal health or safety involved.
2. Cell phones should not be used to transmit confidential student or personal information either verbally or written.
3. Employees are prohibited from using a cell phone while driving as part of their work duties, unless in the case of an emergency, unless the vehicle has come to a complete stop and the gear is in park.

Cell Phone Business Procedures

School district employees may be reimbursed for use of privately owned cell phones to conduct school district business in accordance with board policy and this regulation, with prior approval of the superintendent.

1. Requests for reimbursement for authorized use of employee owned cell phones are to be submitted on school district provided forms accompanied by a copy of the billing statement with the school district business related calls highlighted. A notation for each highlighted entry, indicating the nature of the call is required. The employee's immediate supervisor must sign-off on the billing statement verifying the calls were school district business related. School district reimbursement for authorized use of employee owned cell phones will be made in conformance with school district payment procedures. Requests for reimbursement, including the highlighted billing statement must be submitted within thirty (30) days of the end of the time period for which reimbursement is requested. Requests submitted after the reimbursement deadline has passed will be denied.

I.C. Iowa Code

Iowa Code § 279.8

Iowa Code § 321.276

Description

Directors - General Rules - Bonds of Employees

Motor Vehicles - Electronic Devices/Driving

Cross References

Code

707.05

707.05-R(1)

Description

Internal Controls

Internal Controls - Procedures

Policy 401.13: Staff Technology Use/Social Networking

Status: ADOPTED

Original Adopted Date: 9/6/2013 Review Date: 4/23/2025 Revised: 4/23/2025

Computers, electronic devices and other technology are powerful and valuable education and research tools and, as such, are an important part of the instructional program. In addition, the school district depends upon technology as an integral part of administering and managing the schools' resources, including the compilation of data and recordkeeping for personnel, students, finances, supplies and materials. This policy outlines the board's expectations in regard to these different aspects of the school district's computer resources. Employees must conduct themselves in a manner that does not disrupt from or disrupt the educational process and failure to do so will result in discipline, up to and including, discharge.

General Provisions

The superintendent is responsible for designating a computer network coordinator who will oversee the use of school district technology resources. The computer network coordinator will prepare in-service programs for the training and development of school district staff in technology skills, appropriate use of district technology and for the incorporation of technology use in subject areas.

The superintendent, working with appropriate staff, shall establish regulations governing the use and security of the school district's technology resources. The school district will make every reasonable effort to maintain the security of the district networks and devices. All users of the school district's technology resources, including students, staff and volunteers, shall comply with this policy and regulation, as well as others impacting the use of school equipment and facilities. Failure to comply may result in disciplinary action, up to and including discharge, as well as suspension and/or revocation of technology access privileges.

Usage of the school district's technology resources is a privilege, not a right, and that use entails responsibility. District-owned technology and district maintained social media and e-mail accounts are the property of the school district. Therefore, users of the school district's network must not expect, nor does the school district guarantee, privacy for e-mail or use of the school district's network including web sites visited. The school district reserves the right to access and view any material stored on school district equipment or any material used in conjunction with the school district's network.

The superintendent, working with the appropriate staff, shall establish procedures governing management of technology records in order to exercise appropriate control over technology records, including financial, personnel and student information. The procedures will address at a minimum:

- passwords,
- system administration,
- separation of duties,
- remote access,

- data back-up (including archiving of e-mail),
- record retention, and
- disaster recovery plans.

Social Networking or Other External Web Sites

For purposes of this policy any web site, other than the school district web site or school-school district sanctioned web sites, are considered external web sites. Employees shall not post confidential or proprietary information, including photographic images, about the school district, its employees, students, agents or others on any external web site without consent of the superintendent. The employee shall adhere to all applicable privacy and confidentiality policies adopted by the school district when on external web sites. Employees shall not use the school district logos, images, iconography, etc. on external web sites. Employees shall not use school district time or property on external sites that are not in direct relation to the employee's job. Employees, students and volunteers need to realize that the internet is not a closed system and anything posted on an external site may be viewed by others, all over the world. Employees, students and volunteers who don't want school administrators to know their personal information, should refrain from exposing it on the internet. Employees, who would like to start a social media site for school district sanctioned activities, should contact the superintendent.

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

Legal Reference: Iowa Code § 279.8.
282 I.A.C. 25, 26.

I.C. Iowa Code
Iowa Code § 279.8

Description

Directors - General Rules - Bonds of Employees

I.A.C. Iowa Administrative Code
282 I.A.C. 25

Description

Educational Examiners - Code of Professional Conduct

282 I.A.C. 26

Educational Examiners - Code of Rights and Responsibilities

Cross References

Code
104

Description

Anti-Bullying/Harassment Policy

104-R(1)

Anti-Bullying/Harassment Policy - Investigation Procedures

104-E(1)

Anti-Bullying/Harassment Policy - Complaint Form

104-E(2)

Anti-Bullying/Harassment Policy - Witness Disclosure Form

104-E(3)

Anti-Bullying/Harassment Policy - Disposition of Complaint Form

305	<u>Administrator Code of Ethics</u>
401.11	<u>Employee Orientation</u>
401.14	<u>Employee Expression</u>
604.11	<u>Appropriate Use of Online Learning Platforms</u>
712	<u>Technology and Data Security</u>
712-R(1)	<u>Technology and Data Security - Security Requirements of Third-Party Vendors Regulation</u>

**Regulation 401.13-R(1): Staff Technology Use/Social Networking -
Regulation**

Status: ADOPTED

Original Adopted Date: 9/6/2013 **Review Date:** 4/23/2025 **Revised:** 4/23/2025

General

The following rules and regulations govern the use of the school district's network systems, employee access to the internet, and management of digital records:

- Employees will be issued a school district e-mail account. Passwords must be changed periodically.
- Each individual in whose name an access account is issued is responsible at all times for its proper use.
- Employees are expected to review their e-mail regularly throughout the day, and shall reply promptly to inquiries with information that the employee can reasonably be expected to provide.
- Communications with parents and/or students must be made on a school district computer, unless in the case of an emergency.
- Employees may access the internet for education-related and/or work-related activities.
- Employees shall refrain from using technology resources for personal use, including access to social networking sites.
- Use of the school district technology and school e-mail address is a public record. Employees cannot have an expectation of privacy in the use of the school district's computers.
- Use of technology resources in ways that violate the acceptable use and conduct regulation, outlined below, will be subject to discipline, up to and including discharge.
- Use of the school district's network is a privilege, not a right. Inappropriate use may result in the suspension or revocation of that privilege.
- Off-site access to the school district network will be determined by the superintendent in conjunction with appropriate personnel.
- All network users are expected to abide by the generally accepted rules of network etiquette. This includes being polite and using only appropriate language. Abusive language, vulgarities and swear words are all inappropriate.
- Network users identifying a security problem on the school district's network must notify appropriate staff. Any network user identified as a security risk or having a history of violations of school district computer use guidelines may be denied access to the school district's network.
- Employees are representatives of the district at all times and must model appropriate character, both on and off the worksite. This applies to material posted with personal devices and on personal websites and/or social media accounts. Posted messages or pictures which diminish the professionalism or discredit the capacity to maintain respect of students and parents may result in disciplinary action up to and including termination if the content posted is found to be disruptive to the educational environment and adversely impacts the employee's ability to effectively serve as a role model or perform his/her job duties for the district. The type of material that would affect an employee's ability to serve as an appropriate role model includes, but is not limited to, text or depictions involving hate speech, nudity, obscenity, vulgarity or sexually explicit

content. Employee communications with students should be limited as appropriate. If there is any uncertainty, employees should consult their building administrator.

Prohibited Activity and Uses

The following is a list of prohibited activity for all employees concerning use of the school district's network. Any violation of these prohibitions may result in discipline, up to and including discharge, or other appropriate penalty, including suspension or revocation of a user's access to the network.

- Using the network for commercial activity, including advertising, or personal gain.
- Infringing on any copyrights or other intellectual property rights, including copying, installing, receiving, transmitting or making available any copyrighted software on the school district computer network. *See Policy 605.07, Use of Information Resources* for more information.
- Using the network to receive, transmit or make available to others obscene, offensive, or sexually explicit material
- Using the network to receive, transmit or make available to others messages that are racist, sexist, and abusive or harassing to others.
- Use of another's account or password.
- Attempting to read, delete, copy or modify the electronic mail (e-mail) of other system users.
- Forging or attempting to forge e-mail messages.
- Engaging in vandalism. Vandalism is defined as any malicious attempt to harm or destroy school district equipment or materials, data of another user of the school district's network or of any of the entities or other networks that are connected to the Internet. This includes, but is not limited to, creating and/or placing a virus on the network.
- Using the network to send anonymous messages or files.
- Revealing the personal address, telephone number or other personal information of oneself or another person.
- Intentionally disrupting network traffic or crashing the network and connected systems.
- Installing personal software or using personal technology on the school district's technology and/or network without the permission of the Superintendent.
- Using the network in a fashion inconsistent with directions from teachers and other staff and generally accepted network etiquette.

Other Technology Issues

Employees with personal cell phones should avoid using their phones for school district business. Employees should contact students and their parents through school district's technology or phone system unless in the case of an emergency or with prior consent of the principal. Employees should not release their cell phone number, personal e-mail address, etc. to students or their parents. Employees, who are coaches or sponsors of activities, may create a text list of students and parents in order to communicate more effectively as long as the texts go to all students and the principal is included in the text address list.

I.C. Iowa Code

Iowa Code § 279.8

I.A.C. Iowa Administrative Code

282 I.A.C. 25

282 I.A.C. 26

Description

Directors - General Rules - Bonds of Employees

Description

Educational Examiners - Code of Professional Conduct

Educational Examiners - Code of Rights and Responsibilities

Cross References**Code**

104

104-R(1)

104-E(1)

104-E(2)

104-E(3)

305

401.11

401.14

604.11

712

712-R(1)

Description

Anti-Bullying/Harassment Policy

Anti-Bullying/Harassment Policy - Investigation Procedures

Anti-Bullying/Harassment Policy - Complaint Form

Anti-Bullying/Harassment Policy - Witness Disclosure Form

Anti-Bullying/Harassment Policy - Disposition of Complaint Form

Administrator Code of Ethics

Employee Orientation

Employee Expression

Appropriate Use of Online Learning Platforms

Technology and Data Security

Technology and Data Security - Security Requirements of Third-Party Vendors Regulation

Policy 401.14: Employee Expression**Status:** ADOPTED**Original Adopted Date:** 9/6/2013 **Review Date:** 4/23/2025 **Revised:** 4/23/2025

The board believes the district has an interest in maintaining an orderly and effective work environment while balancing employees First Amendment rights to freedom of expression and diverse viewpoints and beliefs. When employees speak within their official capacity, their expression represents the district and may be regulated. The First Amendment protects a public employee's speech when the employee is speaking as an individual citizen on a matter of public concern. Even so, employee expression that has an adverse impact on district operations and/or negatively impacts an employee's ability to perform their job for the district may still result in disciplinary action up to and including termination.

Employees will comply with Iowa law to the extent that compliance does not infringe on employees' free speech rights.

Employees who use social media platforms are encouraged to remember that the school community may not be able to separate employees as private citizens, from their role within the district. Employee expression on social media platforms that interferes with the district's operations or prevents the district from functioning efficiently and effectively may be subject to discipline up to and including termination.

A district employee who acts to protect a student for engaging in free expression or who refuses to infringe on students engaging in free expression; and who is acting within the scope of their professional ethics will not be retaliated against or face any adverse employment action based on their behavior provided that expression is otherwise permitted by law and board policy.

If the board or court finds an employee that is subject to licensure, certification or authorization by the Board of Educational Examiners discriminated against a student or other co-employee, the board will refer the employee to the Board of Educational Examiners for additional proceedings as required by law and which may result in discipline up to and including termination.

Legal Reference: U.S. Const. Amend. I
 Kennedy v. Bremerton School District, 597 U.S. (2022)
 Iowa Code §§ 279.73; 280.22

I.C. Iowa Code

Iowa Code § 279.73

Iowa Code § 280.22

DescriptionDirectors - Powers and Duties - Intellectual FreedomStudent Exercise of Free Expression**U.S. Supreme Court**

597

Description*Kennedy v. Bremerton School District*, 2022

U.S. Constitution

U.S. Constitution

Description

Amend. 1

Cross References**Code**

401.13

401.13-R(1)

502.03

502.03-R(1)

Description

Staff Technology Use/Social Networking

Staff Technology Use/Social Networking - Regulation

Student Expression and Student Publications Code

Student Expression and Student Publications Code -
Regulation

Policy 402.01: Release of Credit Information**Status:** ADOPTED**Original Adopted Date:** 9/6/2013 **Review Date:** 4/23/2025 **Revised:** 4/23/2025

The following information will be released to an entity with whom an employee has applied for credit or has obtained credit: title of position, income, and number of years employed. This information will be released without prior written notice to the employee. Confidential information about the employee will be released to an inquiring creditor with a written authorization from the employee.

It is the responsibility of the board secretary or superintendent to respond to inquiries from creditors.

Legal Reference: Iowa Code §§ 22.7; 279.8.

I.C. Iowa Code

Iowa Code § 22.7

Iowa Code § 279.8

DescriptionConfidential RecordsDirectors - General Rules - Bonds of Employees**Cross References****Code**

401.05

401.05-R(1)

DescriptionEmployee RecordsEmployee Records - Regulation

Policy 402.02: Child Abuse Reporting**Status:** ADOPTED**Original Adopted Date:** 9/6/2013 **Review Date:** 4/23/2025 **Revised:** 4/23/2025

In compliance with state law and to provide protection to victims of child abuse, the board believes incidents of alleged child abuse should be reported to the proper authorities. All licensed school employees, teachers, coaches and paraeducators are mandatory reporters as provided by law and are to report alleged incidents of child abuse they become aware of within the scope of their professional duties.

When a mandatory reporter suspects a student is the victim of child abuse, the mandatory reporter shall make an oral report of the suspected child abuse to the Iowa Department of Human Services within 24 hours of becoming aware of the abusive incident and shall make a written report to the Iowa Department of Human Services within 48 hours following the oral report. If the mandatory reporter believes the child is in immediate danger, the local law enforcement agency will also be notified.

Within six months of their initial employment, mandatory reporters will take a two-hour training course involving the identification and reporting of child abuse and dependent adult abuse, or submit evidence they've taken the course within the previous three years. Once the training course has been taken, the certificate will remain valid for three years. Employees who have taken the two-hour training course will take the one-hour follow-up training course every three years and prior to the expiration of their certificate.

Legal Reference: Iowa Code §§ 232.67-.77; 232A; 235A; 280.17.
441 I.A.C. 9.2; 155; 175.

I.C. Iowa Code

Iowa Code § 232

Iowa Code § 232A

Iowa Code § 235A

Iowa Code § 280.17

DescriptionJuvenile JusticeJuvenile Justice RestitutionChild AbuseUniform School Requirements - Child abuse reporting**I.A.C. Iowa Administrative Code**

441 I.A.C. 155

441 I.A.C. 175

441.I.A.C. 9.2

DescriptionHuman Services - Child Abuse PreventionHuman Services - Abuse of ChildrenHuman Services - Statement of Policy

Cross References

Code	Description
401.06	<u>Limitations to Employment References</u>
402.03	<u>Abuse of Students by School District Employees</u>
502.09	<u>Interviews of Students by Outside Agencies</u>
507.01	<u>Student Health and Immunization Certificates</u>

Policy 402.03: Abuse of Students by School District Employees**Status:** ADOPTED**Original Adopted Date:** 9/6/2013 **Review Date:** 4/23/2025 **Revised:** 4/23/2025

Physical or sexual abuse of students, including inappropriate and intentional sexual behavior, by employees will not be tolerated. The definition of employees for the purpose of this policy includes not only those who work for pay but also those who are volunteers of the school district under the direction and control of the school district. Employees found in violation of this policy will be subject to disciplinary action up to and including discharge.

The school district will respond promptly to allegations of abuse of students by school district employees by investigating or arranging for the investigation of an allegation. The processing of a complaint or allegation will be handled confidentially to the maximum extent possible. Employees are required to assist in the investigation when requested to provide information and to maintain the confidentiality of the reporting and investigation process.

The school district has appointed a Level I investigator and alternate Level I investigator. The school district has also arranged for a trained, experienced professional to serve as the Level II investigator. The Level I investigator and alternate will be provided training in the conducting of an investigation at the expense of the school district. The names of the investigators are listed in the student handbook published annually in the local newspaper and posted in all school facilities.

The superintendent is responsible for drafting administrative regulations to implement this policy.

Legal Reference: Iowa Code §§ 232.67, .70, .73, .75; 235A; 272A; 280.17; 709; 728.12(1).
281 I.A.C. 12.3(6), 102; 103.
441 I.A.C. 155; 175.

I.C. Iowa Code

Iowa Code § 232

DescriptionJuvenile Justice

Iowa Code § 235A

Child Abuse

Iowa Code § 272A

Interstate Agreement of Qualification of Ed Personnel

Iowa Code § 280.17

Uniform School Requirements - Child abuse reporting

Iowa Code § 709

Sexual Abuse

Iowa Code § 728.12

Sexual Exploitation of a Minor**I.A.C. Iowa Administrative Code**

281 I.A.C. 102

DescriptionAbuse of Students by School Employees Investigation Procedures

281 I.A.C. 103

Corporal Punishment, Physical Restraint, Seclusion

281 I.A.C. 12.3

Administration

441 I.A.C. 155

Human Services - Child Abuse Prevention

441 I.A.C. 175

Human Services - Abuse of Children

Cross References

Code

Description

104

Anti-Bullying/Harassment Policy

104-R(1)

Anti-Bullying/Harassment Policy - Investigation Procedures

104-E(1)

Anti-Bullying/Harassment Policy - Complaint Form

104-E(2)

Anti-Bullying/Harassment Policy - Witness Disclosure Form

104-E(3)

Anti-Bullying/Harassment Policy - Disposition of Complaint Form

401.06

Limitations to Employment References

402.02

Child Abuse Reporting

503.05

Corporal Punishment, Mechanical Restraint and Prone Restraint

503.06

Physical Restraint and Seclusion of Students

503.06-R(1)

Physical Restraint and Seclusion of Students - Regulation

503.06-E(1)

Physical Restraint and Seclusion of Students - Documentation Form

503.06-E(2)

Physical Restraint and Seclusion of Students - Debriefing Letter to Guardian of student Involved in an Occurrence Where Physical Restraint or Seclusion was Used

503.06-E(3)

Physical Restraint and Seclusion of Students - Debriefing Meeting Document

Policy 402.04: Gifts to Employees

Status: ADOPTED

Original Adopted Date: 9/6/2013 **Review Date:** 4/23/2025 **Revised:** 4/23/2025

Employees may receive a gift on behalf of the school district. Employees will not, either directly or indirectly, solicit, accept or receive any gift, series of gifts or an honorarium unless the donor does not meet the definition of "restricted donor" stated below or the gift or honorarium does not meet the definition of gift or honorarium stated below.

A "restricted donor" is defined as a person or other entity which:

- Is seeking to be, or is a party to, any one or any combination of sales, purchases, leases or contracts to, from or with the school district;
- Will be directly and substantially affected financially by the performance or nonperformance of the employee's official duty in a way that is greater than the effect on the public generally or on a substantial class of persons to which the person belongs as a member of a profession, occupation, industry or region; or
- Is a lobbyist or a client of a lobbyist with respect to matters within the school district's jurisdiction.

A "gift" is the giving of anything of value in return for which something of equal or greater value is not given or received. However, "gift" does not include any of the following:

- Contributions to a candidate or a candidate's committee;
- Information material relevant to an employee's official function, such as books, pamphlets, reports, documents, periodicals or other information that is recorded in a written, audio or visual format;
- Anything received from a person related within the fourth degree by kinship or marriage, unless the donor is acting as an agent or intermediary for another person not so related;
- An inheritance;
- Anything available or distributed to the general public free of charge without regard to the official status of the employee;
- Items received from a charitable, professional, educational or business organization to which the employee belongs as a dues paying member if the items are given to all members of the organization without regard to an individual member's status or positions held outside of the organization and if the dues paid are not inconsequential when compared to the items received;
- Actual expenses of an employee for food, beverages, travel and lodging for a meeting, which is given in return for participation in a panel or speaking engagement at the meeting when the expenses relate directly to the day or days on which the employee has participation or presentation responsibilities;
- Plaques or items of negligible resale value given as recognition for public service;
- Nonmonetary items with a value of less than three dollars that are received from any one donor during one calendar day;
- Items or services solicited or given to a state, national or regional organization in which the state of Iowa or a school district is a member for purposes of a business or educational conference, seminar or other meeting or solicited by or given for the same purposes to

- state, national or regional government organizations whose memberships and officers are primarily composed of state or local government officials or employees for purposes of a business or educational conference, seminar or other meeting;
- Funeral flowers or memorials to a church or nonprofit organization;
 - Gifts other than food, beverages, travel and lodging received by an employee which are received from a person who is a citizen of a country other than the United States and is given during a ceremonial presentation or as a result of a custom of the other country and is of personal value only to the employee
 - Gifts which are given to an employee for the employee's wedding or twenty-fifth or fiftieth wedding anniversary;
 - Items or services received by members or representatives of members as part of a regularly scheduled event that is part of a business or educational conference, seminar or other meeting that is sponsored and directed by any state, national or regional government organization in which the state of Iowa or a political subdivision of the state of Iowa is a member or received at such an event by members or representatives of members of state, national or regional government organizations whose memberships and officers are primarily composed of state or local government officials or employees;
 - Payment of salary or expenses by the school district for the cost of attending a meeting of a subunit of an agency when the employee whose expenses are being paid serves on a board, commission, committee, council or other subunit of the agency and the employee is not entitled to receive compensation or reimbursement of expenses from the school district for attending the meeting; or
 - Actual registration costs for informational meetings or sessions which assist a public official or public employee in the performance of the person's official functions. The costs of food, drink, lodging and travel are not "registration costs" under this paragraph. Meetings or sessions which a public official or public employee attends for personal or professional licensing purposes are not "informational meetings or sessions which assist a public official or public employee in the performance of the person's official functions" under this paragraph.

An "honorarium" is anything of value that is accepted by, or on behalf of, an employee as consideration for an appearance, speech or article. An honorarium does not include any of the following:

- Actual expenses of an employee for registration, food, beverages, travel or lodging for a meeting, which is given in return for participation in a panel or speaking engagement at a meeting when the expenses relate directly to the day or days on which the employee has participation or presentation responsibilities;
- A nonmonetary gift or series of nonmonetary gifts donated within thirty days to a public body, an educational or charitable organization or the Iowa department of general services; or
- A payment made to an employee for services rendered as part of a private business, trade or profession in which the employee is engaged if the payment is commensurate with the actual services rendered and is not being made because of the person's status as an employee of the district, but, rather, because of some special expertise or other qualification.

It is the responsibility of each employee to know when it is appropriate to accept or reject gifts or an honorarium.

Legal Reference: Iowa Code ch. 68B

I.C. Iowa Code

Iowa Code § 68B

Description

Government Ethics and Lobbying

Cross References**Code**

217

401.02

704.04

Description

Gifts to Board of Directors

Employee Conflict of Interest

Gifts - Grants - Bequests

Policy 402.06: Employee Outside Employment**Status:** ADOPTED**Original Adopted Date:** 9/6/2013 **Review Date:** 4/23/2025 **Revised:** 4/23/2025

The board believes the primary responsibility of employees is to the duties of their position within the school district as outlined in their job description. The board considers an employee's duties as part of a regular, full-time position as full-time employment. The board expects such employees to give the responsibilities of their positions in the school district precedence over any other employment.

It is the responsibility of the superintendent to counsel employees, whether full-time or part-time, if, in the judgment of the superintendent and the employee's immediate supervisor, the employee's outside employment interferes with the performance of the employee's duties required in the employee's position within the school district.

The board may request the employee to cease the outside employment as a condition of continued employment with the school district.

Legal Reference: Iowa Code §§ 20.7; 279.8.

I.C. Iowa Code

Iowa Code § 20.7

Iowa Code § 279.8

DescriptionCollective Bargaining - Public Employer RightsDirectors - General Rules - Bonds of Employees**Cross References****Code**

401.02

408.03

DescriptionEmployee Conflict of InterestLicensed Employee Tutoring

Policy 403.01: Employee Physical Examinations**Status:** ADOPTED**Original Adopted Date:** 9/6/2013 **Review Date:** 4/23/2025 **Revised:** 4/23/2025

The Essex Community School District believes good health is important to job performance. School bus drivers will present evidence of good health upon initial hire and every other year in the form of a physical examination report, unless otherwise required by law or medical opinion

The cost of the initial examination will be paid by the employer. The form indicating the employee is able to perform the duties, with or without reasonable accommodation, for which the employee was hired, must be returned prior to the performance of duties. The cost of bus driver renewal physicals will be paid by the school district up to a maximum of \$125.00. The school district will provide the standard examination form to be completed by the personal physician of the employee or a certified medical examiner for bus drivers.

Employees whose physical or mental health, in the judgment of the administration, may be in doubt will submit to additional examinations to the extent job-related and consistent with business necessity, when requested to do so, at the expense of the school district.

The district will comply with occupational safety and health requirements as applicable to its employees in accordance with law.

Legal Reference: 29 C.F.R. § 1910.1030.
 49 C.F.R. §§ 391.41 – 391.49.
 Iowa Code §§ 20; 279.8; 321.376.
 281 I.A.C. 43.15; 43.17.

I.C. Iowa Code

Iowa Code § 20

Iowa Code § 279.8

Iowa Code § 321.376

DescriptionCollective BargainingDirectors - General Rules - Bonds of EmployeesMotor Vehicle Laws - License Authorization**I.A.C. Iowa Administrative Code**

281 I.A.C. 43.15

281 I.A.C. 43.17

DescriptionTransportation - Bus Driver Physical FitnessTransportation - Insulin Dependent Diabetics**C.F.R. - Code of Federal Regulations**

29 C.F.R. § 1910.1030

49 C.F.R. 391

DescriptionLabor - Bloodborne PathogensTransportation - Driver Qualifications

Cross References

Code

403.03

403.03-R(1)

403.03-E(1)

Description

Communicable Diseases - Employees

Communicable Diseases - Employees - Regulation

Communicable Diseases - Employees - Hepatitis B Vaccine
Information and Record

Policy 403.02: Employee Injury on the Job**Status:** ADOPTED**Original Adopted Date:** 9/6/2013 **Review Date:** 4/23/2025 **Revised:** 4/23/2025

When an employee becomes seriously injured on the job, the employee's supervisor will attempt to notify a member of the family, or an individual of close relationship, as soon as the employee's supervisor becomes aware of the injury.

If possible, an employee may administer emergency or minor first aid. An injured employee will be turned over to the care of the employee's family or qualified medical employees as quickly as possible. The school district is not responsible for medical treatment of an injured employee.

It is the responsibility of the employee injured on the job to inform the superintendent within twenty-four hours of the occurrence. It is the responsibility of the employee's immediate supervisor to file an accident report within twenty-four hours after the employee reported the injury.

It is the responsibility of the board secretary to file worker's comp claims.

Legal Reference: Iowa Code §§ 85; 279.40; 613.17.

I.C. Iowa Code

Iowa Code § 279.40

Iowa Code § 613.17

Iowa Code § 85

DescriptionDirectors - Powers and Duties-Sick LeaveEmergency Assistance in an AccidentWorkers Comp**Cross References****Code**

409.02

DescriptionEmployee Leaves of Absence

Policy 403.03: Communicable Diseases - Employees**Status:** ADOPTED**Original Adopted Date:** 9/6/2013 **Review Date:** 4/23/2025 **Revised:** 4/23/2025

Employees with a communicable disease will be allowed to perform their customary employment duties provided they are able to perform the essential functions of their position and their presence does not create a substantial risk of illness or transmission to students or other 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 immunodepressed employees is determined by their personal physician. The health risk to others in the school district environment from the presence of an employee with a communicable disease is determined on a case-by-case basis by the employee's personal physician, a physician chosen by the school district or public health officials.

Health data of an employee is confidential and it will not be disclosed to third parties. Employee medical records are kept in a file separate from their personal file.

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

Legal Reference: 29 U.S.C. §§ 794, 1910.
 42 U.S.C. §§ 12101 *et seq.*
 45 C.F.R. Pt. 84.3.
 Iowa Code chs. 139A; 141A.
 641 I.A.C. .1, .2, .7.

I.C. Iowa Code

Iowa Code § 139A

Iowa Code § 141A

I.A.C. Iowa Administrative Code

641 I.A.C.

U.S.C - United States Code**Description**Communicable/Infectious DiseasesAIDS**Description**Public Health Department**Description**

29 U.S.C. §§ 794

Labor - Vocation Rehab Rights

42 U.S.C. § 12101

Public Health - Equal Opportunity - Disabilities

C.F.R. - Code of Federal Regulations

Description

45 C.F.R. Pt. 84.3

Public Welfare - Nondiscrimination on Basis of
Handicap/Programs

Cross References

Code

Description

401.05

Employee Records

401.05-R(1)

Employee Records - Regulation

403.01

Employee Physical Examinations

507.03

Communicable Diseases - Students

907

District Operation During Public Emergencies

907-R(1)

District Operation During Public Emergencies - Regulation

Regulation 403.03-R(1): Communicable Diseases - Employees - Regulation Status: ADOPTED

Original Adopted Date: 9/6/2013 **Review Date:** 4/23/2025 **Revised:** 4/23/2025

Universal precautions (UP) are intended to prevent transmission of infection, as well as decrease the risk of exposure for employees and students. It is not currently possible to identify all infected individuals, thus precautions must be used with every individual. UP pertain to blood and other potentially infectious materials (OPIM) containing blood. These precautions do not apply to other body fluids and wastes (OBFW) such as saliva, sputum, feces, tears, nasal secretions, vomitus and urine unless blood is visible in the material. However, these OBFW can be sources of other infections and should be handled as if they are infectious. The single most important step in preventing exposure to and transmission of any infection is anticipating potential contact with infectious materials in routine as well as emergency situations. Based on the type of possible contact, employees and students should be prepared to use the appropriate precautions prior to the contact. Diligent and proper hand washing, the use of barriers, appropriate disposal of waste products and needles, and proper decontamination of spills are essential techniques of infection control. All individuals should respond to situations practicing UP followed by the activation of the school response team plan. Using common sense in the application of these measures will enhance protection of employees and students.

Hand Washing

Proper hand washing is crucial to preventing the spread of infection. Textured jewelry on the hands or wrists should be removed prior to washing and kept off until completion of the procedure and the hands are rewashed. Use of running water, lathering with soap and using friction to clean all hand surfaces is key. Rinse well with running water and dry hands with paper towels.

- Hands should be washed before physical contact with individuals and after contact is completed.
- Hands should be washed after contact with any used equipment.
- If hands (or other skin) come into contact with blood or body fluids, hands should be washed immediately before touching anything else.
- Hands should be washed whether gloves are worn or not and, if gloves are worn, after the gloves are removed.

Barriers

Barriers anticipated to be used at school include disposable gloves, absorbent materials and resuscitation devices. Their use is intended to reduce the risk of contact with blood and body fluids as well as to control the spread of infectious agents from individual to individual. Gloves should be worn when in contact with blood, OPIM or OBFW. Gloves should be removed without touching the outside and disposed of after each use.

Disposal of Waste

Blood, OPIM, OBFW, used gloves, barriers and absorbent materials should be placed in a plastic bag and disposed of in the usual procedure. When the blood or OPIM is liquid, semi-liquid or caked with dried blood, it is not absorbed in materials, and is capable of releasing the substance if compressed, special disposal as regulated waste is required. A band aid, towel, sanitary napkin or other absorbed waste that does not have the potential of releasing the waste if compressed would not be considered regulated waste. It is anticipated schools would only have regulated waste in the case of a severe incident. Needles, syringes and other sharp disposable objects should be placed in special puncture-proof containers and disposed of as regulated waste. Bodily wastes such as urine, vomitus or feces should be disposed of in the sanitary sewer system.

Clean up

Spills of blood and OPIM should be cleaned up immediately. The employee should:

- Wear gloves.
- Clean up the spill with paper towels or other absorbent material.
- Use a solution of one part household bleach to one hundred parts of water (1:100) or other EPA-approved disinfectant and use it to wash the area well.
- Dispose of gloves, soiled towels and other waste in a plastic bag.
- Clean and disinfect reusable supplies and equipment.

Laundry

Laundry with blood or OPIM should be handled as little as possible with a minimum of agitation. It should be bagged at the location. If it has the potential of releasing the substance when compacted, regulated waste guidelines should be followed. Employees who have contact with this laundry should wear protective barriers.

Exposure

An exposure to blood or OPIM through contact with broken skin, mucous membrane or by needle or sharp stick requires immediate washing, reporting and follow-up.

- Always wash the exposed area immediately with soap and water.
- If a mucous membrane splash (eye or mouth) or exposure of broken skin occurs, irrigate or wash the area thoroughly.
- If a cut or needle stick injury occurs, wash the area thoroughly with soap and water.

The exposure should be reported immediately, the parent or guardian is notified, and the person exposed contacts a physician for further health care.

I.C. Iowa Code

Iowa Code § 139A

Iowa Code § 141A

Description

Communicable/Infectious Diseases

AIDS

I.A.C. Iowa Administrative Code

641 I.A.C.

DescriptionPublic Health Department**U.S.C - United States Code**

29 U.S.C. §§ 794

DescriptionLabor - Vocation Rehab Rights

42 U.S.C. § 12101

Public Health - Equal Opportunity - Disabilities**C.F.R. - Code of Federal Regulations**

45 C.F.R. Pt. 84.3

DescriptionPublic Welfare - Nondiscrimination on Basis of
Handicap/Programs**Cross References****Code**

401.05

DescriptionEmployee Records

401.05-R(1)

Employee Records - Regulation

403.01

Employee Physical Examinations

507.03

Communicable Diseases - Students

907

District Operation During Public Emergencies

907-R(1)

District Operation During Public Emergencies - Regulation

HEPATITIS B VACCINE INFORMATION AND RECORD

The Disease

Hepatitis B is a viral infection caused by the Hepatitis B virus (HBV) which causes death in 1-2% of those infected. Most people with HBV recover completely, but approximately 5-10% become chronic carriers of the virus. Most of these people have no symptoms, but can continue to transmit the disease to others. Some may develop chronic active hepatitis and cirrhosis. HBV may be a causative factor in the development of liver cancer. Immunization against HBV can prevent acute hepatitis and its complications.

The Vaccine

The HBV vaccine is produced from yeast cells. It has been extensively tested for safety and effectiveness in large scale clinical trials.

Approximately 90 percent of healthy people who receive two doses of the vaccine and a third dose as a booster achieve high levels of surface antibody (anti-HBs) and protection against the virus. The HBV vaccine is recommended for workers with potential for contact with blood or body fluids. Full immunization requires three doses of the vaccine over a six-month period, although some persons may not develop immunity even after three doses.

There is no evidence that the vaccine has ever caused Hepatitis B. However, persons who have been infected with HBV prior to receiving the vaccine may go on to develop clinical hepatitis in spite of immunization.

Dosage and Administration

The vaccine is given in three intramuscular doses in the deltoid muscle. Two initial doses are given one month apart and the third dose is given six months after the first.

Possible Vaccine Side Effects

The incidence of side effects is very low. No serious side effects have been reported with the vaccine. Ten to 20 percent of persons experience tenderness and redness at the site of injection and low grade fever. Rash, nausea, joint pain, and mild fatigue have also been reported. The possibility exists that other side effects may be identified with more extensive use.

HEPATITIS B VACCINE INFORMATION AND RECORD

CONSENT FORM OF HEPATITIS B VACCINATION

I have knowledge of Hepatitis B and the Hepatitis B vaccination. I have had an opportunity to ask questions of a qualified nurse or physician and understand the benefits and risks of Hepatitis B vaccination. I understand that I must have three doses of the vaccine to obtain immunity. However, as with all medical treatment, there is no guarantee that I will become immune or that I will not experience side effects from the vaccine. I give my consent to be vaccinated for Hepatitis B.

Signature of Employee (consent for Hepatitis B vaccination)

Date

Signature of Witness

Date

REFUSAL FORM OF HEPATITIS B VACCINATION

I understand that due to my occupational exposure to blood or other potentially infectious materials I may be at risk of acquiring the Hepatitis B virus infection. I have been given the opportunity to be vaccinated with Hepatitis B vaccine at no charge to myself. However, I decline the Hepatitis B vaccination at this time. I understand that by declining this vaccine, I continue to be at risk of acquiring Hepatitis B, a serious disease. If in the future I continue to have occupational exposure to blood or other potentially infectious materials and I want to be vaccinated with the Hepatitis B vaccine, I can receive the vaccination series at no charge to me.

Signature of Employee (refusal for Hepatitis B vaccination)

Date

Signature of Witness

Date

I refuse because I believe I have (check one)

_____ started the series

_____ completed the series

HEPATITIS B VACCINE INFORMATION AND RECORD

RELEASE FORM FOR HEPATITIS B MEDICAL INFORMATION

I hereby authorize _____ (individual or organization holding Hepatitis B records and address) to release to the _____ Community School District, my Hepatitis B vaccination records for required employee records.

I hereby authorize release of my Hepatitis B status to a health care provider, in the event of an exposure incident.

Signature of Employee

Date

Signature of Witness

Date

HEPATITIS B VACCINE INFORMATION AND RECORD

CONFIDENTIAL RECORD

Employee Name (last, first, middle) _____ Social Security No. _____

Job Title: _____

	Hepatitis B Vaccination Date	Lot Number	Site	Administered by
1	_____	_____	_____	_____
2	_____	_____	_____	_____
3	_____	_____	_____	_____

Additional Hepatitis B status information:

Post-exposure incident: (Date, time, circumstances, route under which exposure occurred)

Identification and documentation of source individual:

Source blood testing consent:

Description of employee's duties as related to the exposure incident:

Copy of information provided to health care professional evaluating an employee after an exposure incident:

Attach a copy of all results of examinations, medical testing, follow-up procedures, and health care professional's written opinion.

Training Record: (date, time, instructor, location of training summary)

SUBSTANCE-FREE WORKPLACE NOTICE TO EMPLOYEES

EMPLOYEES ARE HEREBY NOTIFIED it is a violation of the Substance-Free Workplace policy for an employee to unlawfully manufacture, distribute, dispense, possess, use, or be under the influence of in the workplace any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana or any other controlled substance or alcohol, as defined in Schedules I through V of section 202 of the Controlled Substances Act (21 U.S.C. 812) and as further defined by regulation at 21 C.F.R. 1300.11 through 1300.15 and IOWA CODE Chapter 124.

"Workplace" is defined as the site for the performance of work done in the capacity as an employee. This includes school district facilities, other school premises or school district vehicles. Workplace also includes nonschool property if the employee is at any school-sponsored, school-approved or school-related activity, event or function, such as field trips or athletic events where students are under the control of the school district or where the employee is engaged in school business.

[Employees who violate the terms of the Substance-Free Workplace policy may be required to successfully participate in a substance abuse treatment program approved by the board.] The superintendent retains the discretion to discipline an employee for violation of the Substance-Free Workplace policy. If the employee fails to successfully participate in such a program the employee is subject to discipline up to and including termination.

EMPLOYEES ARE FURTHER NOTIFIED it is a condition of their continued employment that they comply with the above policy of the school district and will notify their supervisor of their conviction of any criminal drug statute for a violation committed in the workplace, no later than five days after the conviction.

SUBSTANCE-FREE WORKPLACE ACKNOWLEDGMENT FORM

I, _____, have read and understand the Substance-Free Workplace policy. I understand that if I violate the Substance-Free Workplace policy, I may be subject to discipline up to and including termination *[or I may be required to participate in a substance abuse treatment program]*. If I fail to successfully participate in a substance abuse treatment program, I understand I may be subject to discipline up to and including termination. I understand that if I am required to participate in a substance abuse treatment program and I refuse to participate, I may be subject to discipline up to and including termination. I also understand that if I am convicted of a criminal drug offense committed in the workplace, I must report that conviction to my supervisor within five days of the conviction.

(Signature of Employee)

(Date)

DRUG AND ALCOHOL TESTING PROGRAM NOTICE TO EMPLOYEES

EMPLOYEES GOVERNED BY THE DRUG AND ALCOHOL TESTING POLICY ARE HEREBY NOTIFIED they are subject to the school district's drug and alcohol testing program for pre-employment drug testing and random, reasonable suspicion and post-accident drug and alcohol testing as outlined in the Drug and Alcohol Testing Program policy, its supporting documents and the law.

Employees who operate school vehicles are subject to drug and alcohol testing if a commercial driver's license is required to operate the school vehicle and the school vehicle transports sixteen or more persons including the driver or the school vehicle weighs twenty-six thousand, one pounds or more. For purposes of the drug and alcohol testing program, "employees" also includes applicants who have been offered a position to operate a school vehicle. The employees operating a school vehicle are subject to the drug and alcohol testing program beginning the first day they operate or are offered a position to operate a school vehicle and continue to be subject to the drug and alcohol testing program.

It is the responsibility of the superintendent to inform employees of the drug and alcohol testing program requirements. Employees with questions regarding the drug and alcohol testing requirements will contact the school district contact person.

EMPLOYEES GOVERNED BY THE DRUG AND ALCOHOL TESTING POLICY ARE FURTHER NOTIFIED that employees violating this policy, its supporting documents or the law may be subject to discipline up to and including termination.

EMPLOYEES GOVERNED BY THE DRUG AND ALCOHOL TESTING POLICY ARE FURTHER NOTIFIED that information related to drug or alcohol violations will be reported to the Federal Motor Carrier Safety Administration (FMCSA) Clearinghouse.

EMPLOYEES GOVERNED BY THE DRUG AND ALCOHOL TESTING POLICY ARE FURTHER NOTIFIED it is a condition of their continued employment to comply with the Drug and Alcohol Testing Program policy, its supporting documents and the law. It is a condition of continued employment for employees operating a school vehicle to notify their supervisor of any prescription medication they are using. Drug and alcohol testing records about a driver are confidential and are released in accordance with this policy, its supporting documents or the law.

NOTE: This form also assumes the school district will terminate the driver upon violation of this policy and its supporting documents. Should a school district, after careful consideration, choose to retain the option not to terminate for violation of this policy, consideration should be given to changing the first and third paragraph to read:

EMPLOYEES GOVERNED BY THE DRUG AND ALCOHOL TESTING POLICY ARE HEREBY NOTIFIED they are subject to the school district's drug and alcohol testing program for pre-employment drug testing and random, reasonable suspicion, post-accident, return-to-duty, and follow-up drug and alcohol testing as outlined in the Drug and Alcohol Testing Program policy, its supporting documents and the law.

For school districts choosing to pay for the substance abuse evaluation and rehabilitation, if any:

EMPLOYEES GOVERNED BY THE DRUG AND ALCOHOL TESTING POLICY ARE FURTHER NOTIFIED that employees violating this policy, its supporting documents or the law may be subject to discipline up to and including termination at the discretion of the school district. As a condition of continued employment, employees violating this policy, its supporting documents or the law will be required to successfully participate in a substance abuse evaluation and a substance abuse treatment program recommended by a substance abuse

DRUG AND ALCOHOL TESTING PROGRAM NOTICE TO EMPLOYEES

professional. Employees required to participate in and who fail to or refuse to successfully participate in a substance abuse evaluation or recommended substance abuse treatment program may be subject to discipline up to and including termination.

For school districts choosing to make the driver bear the personal and financial responsibility for the substance abuse evaluation and rehabilitation, if any:

EMPLOYEES GOVERNED BY THE DRUG AND ALCOHOL TESTING POLICY ARE FURTHER NOTIFIED that employees violating this policy, its supporting documents or the law may be subject to discipline up to and including termination. As a condition of continued employment, employees violating this policy, its supporting documents or the law bear the personal and financial responsibility, as a condition of continued employment, to successfully participate in a substance abuse evaluation and, a substance abuse treatment program recommended by the substance abuse professional. Employees required to participate in and who fail to or refuse to successfully participate in a substance abuse evaluation or recommended substance abuse treatment program may be subject to discipline up to and including termination.

The format of this notice is not specifically required by the federal regulations. It is designed to provide a starting point for school districts to develop their own form. However, the federal regulations do require the drivers have notice of the drug and alcohol testing program. Under the federal regulations, school districts may require their drivers to notify them of any prescription medications they are using. School districts which do not want to be informed may delete this language from this notice.

Policy 403.04: Hazardous Chemical Disclosure**Status:** ADOPTED**Original Adopted Date:** 9/6/2013 **Review Date:** 4/23/2025 **Revised:** 4/23/2025

The board authorizes the development of a comprehensive hazardous chemical communication program for the school district to disseminate information about hazardous chemicals in the workplace.

Each employee will annually review information about hazardous substances in the workplace. When a new employee is hired or transferred to a new position or work site, the information and training, if necessary, is included in the employee's orientation. When an additional hazardous substance enters the workplace, information about it is distributed to all employees, and training is conducted for the appropriate employees. The superintendent will maintain a file indicating which hazardous substances are present in the workplace and when training and information sessions take place.

Employees who will be instructing or otherwise working with students will disseminate information about the hazardous chemicals with which they will be working as part of the instructional program.

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

Legal Reference: 29 C.F.R. Pt. 1910; 1200 *et seq.*
 Iowa Code chs. 88; 89B.

I.C. Iowa Code	Description
Iowa Code § 88	<u>OSHA</u>
Iowa Code § 89B	<u>Hazardous Chemicals - Right to Know</u>
C.F.R. - Code of Federal Regulations	Description
29 C.F.R. Pt. 1910	<u>Labor - OSHA</u>
29 C.F.R. Pt. 1910.1200	<u>Labor - Hazard Communication</u>
Cross References	
Code	Description
804.04	<u>Asbestos Containing Material</u>

Policy 403.05: Substance-Free Workplace

Status: ADOPTED

Original Adopted Date: 9/6/2013 **Review Date:** 4/23/2025 **Revised:** 4/23/2025

The board expects the school district and its employees to remain substance free. No employee will unlawfully manufacture, distribute, dispense, possess, use, or be under the influence of, in the workplace, any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana or any other controlled substance or alcoholic beverage as defined by federal or state law. "Workplace" includes school district facilities, school district premises or school district vehicle, also includes nonschool property if the employee is at any school-sponsored, school-approved or school-related activity, event or function, such as field trips or athletic events where students are under the control of the school district or where the employee is engaged in school business.

If an employee is convicted of a violation of any criminal drug offense committed in the workplace, the employee will notify the employee's supervisor of the conviction within five days of the conviction.

The superintendent will make the determination whether to require the employee to undergo substance abuse treatment or to discipline the employee. An employee who violates the terms of this policy may be subject to discipline up to and including termination. An employee who violates this policy may be required to successfully participate in a substance abuse treatment program approved by the board. If the employee fails to successfully participate in a program, the employee may be subject to discipline up to and including termination.

The superintendent is responsible for publication and dissemination of this policy to each employee. In addition, the superintendent will oversee the establishment of a substance-free awareness program to educate employees about the dangers of substance abuse and notify them of available substance abuse treatment programs.

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

Legal Reference: 41 U.S.C. §§ 81
 42 U.S.C. §§ 12101 *et seq.*
 34 C.F.R. Pt. 85
 Iowa Code §§ 123.46; 124; 279.8.

I.C. Iowa Code

Iowa Code § 123.46

Description

Consumption/Intoxication in Public

Iowa Code § 124

Iowa Code § 279.8

U.S.C - United States Code

41 U.S.C. §§ 81

42 U.S.C. § 12101

Cross References

Code

403.06

403.06-E(1)

403.06-E(2)

403.06-E(3)

404

404-R(1)

404-R(2)

Controlled Substances

Directors - General Rules - Bonds of Employees

Description

Public Contracts - Drug-Free Workplace

Public Health - Equal Opportunity - Disabilities

Description

Drug and Alcohol Testing Program

Drug and Alcohol Testing Program - Notice to Employees

Drug and Alcohol Testing Program - Pre-Employment
Testing Acknowledgment Form

Drug and Alcohol Testing Program - Written Consent to
Share Information

Employee Conduct and Appearance

Employee Conduct and Appearance - Code of Professional
Conduct and Ethics Regulation

Employee Conduct and Appearance - Code of Rights and
Responsibilities Regulation

Regulation 403.05-R(1): Substance-Free Workplace - Regulation**Status:** ADOPTED**Original Adopted Date:** 9/6/2013 **Review Date:** 4/23/2025 **Revised:** 4/23/2025

A superintendent who suspects an employee has a substance abuse problem will follow these procedures:

1. **Identification** - the superintendent will document the evidence the superintendent has which leads the superintendent to conclude the employee has violated the Substance-Free Workplace policy. After the superintendent has determined there has been a violation of the Substance-Free Workplace policy, the superintendent will discuss the problem with the employee.
2. **Discipline** - if, after the discussion with the employee, the superintendent determines there has been a violation of the Substance-Free Workplace policy, the superintendent may recommend discipline up to and including termination [or may recommend the employee seek substance abuse treatment]. Participation in a substance abuse treatment program is voluntary.
3. **Failure to participate in referral**-if an employee refuses to participate in a substance abuse treatment program or if the employee does not successfully complete a substance abuse treatment program, the employee may be subject to discipline up to and including termination.
4. **Conviction** - if an employee is convicted of a criminal drug offense committed in or out of the workplace, the employee must notify the employer of the conviction within five days of the conviction.

I.C. Iowa Code

Iowa Code § 123.46

Iowa Code § 124

Iowa Code § 279.8

DescriptionConsumption/Intoxication in PublicControlled SubstancesDirectors - General Rules - Bonds of Employees**U.S.C - United States Code**

41 U.S.C. §§ 81

42 U.S.C. § 12101

DescriptionPublic Contracts - Drug-Free WorkplacePublic Health - Equal Opportunity - Disabilities**Cross References****Code**

403.06

403.06-E(1)

DescriptionDrug and Alcohol Testing ProgramDrug and Alcohol Testing Program - Notice to Employees

403.06-E(2)	<u>Drug and Alcohol Testing Program - Pre-Employment Testing Acknowledgment Form</u>
403.06-E(3)	<u>Drug and Alcohol Testing Program - Written Consent to Share Information</u>
404	<u>Employee Conduct and Appearance</u>
404-R(1)	<u>Employee Conduct and Appearance - Code of Professional Conduct and Ethics Regulation</u>
404-R(2)	<u>Employee Conduct and Appearance - Code of Rights and Responsibilities Regulation</u>

Policy 403.06: Drug and Alcohol Testing Program

Status: ADOPTED

Original Adopted Date: 9/6/2013 **Review Date:** 4/23/2025 **Revised:** 4/23/2025

Employees who operate school vehicles are subject to drug and alcohol testing if a commercial driver's license is required to operate the school vehicle and the school vehicle transports sixteen or more persons including the driver or the school vehicle weighs twenty-six thousand one pounds or more. For purposes of the drug and alcohol testing program, the term "employees" includes applicants who have been offered a position to operate a school vehicle.

The employees operating a school vehicle as described above are subject to pre-employment drug testing and random, reasonable suspicion and post-accident drug and alcohol testing. Employees operating school vehicles will not perform a safety-sensitive function within four hours of using alcohol. Employees governed by this policy are subject to the drug and alcohol testing program beginning the first day they operate or are offered a position to operate school vehicles and continue to be subject to the drug and alcohol testing program as long as they may be required to perform a safety-sensitive function as it is defined in the administrative regulations. Employees with questions about the drug and alcohol testing program may contact the school district contact person, Superintendent at 309 S Street, Hamburg, Iowa 51640 (712) 382-2017.

Employees who violate the terms of this policy are subject to discipline, up to and, including termination. The district is required to keep a record of all drug or alcohol violations by employees for a minimum of five years. Employees are put on notice that information related to drug or alcohol violations will be reported to the Federal Motor Carrier Safety Administration (FMCSA) Clearinghouse. Additionally, the district will conduct FMCSA Clearinghouse queries for employees annually. Employees must provide written consent for the district to conduct FMCSA Clearinghouse queries; however, employees who choose to withhold consent will be prohibited from performing any safety sensitive functions

It is the responsibility of the superintendent to develop administrative regulations to implement this policy in compliance with the law. The superintendent will inform applicants of the requirement for drug and alcohol testing in notices or advertisements for employment.

The superintendent will also be responsible for publication and dissemination of this policy and supporting administrative regulations and forms to employees operating school vehicles. The superintendent will also oversee a substance-free awareness program to educate employees about the dangers of substance abuse and notify them of available substance abuse treatment resources and programs.

IASB Drug and Alcohol Testing Program (IDATP) Web site:
https://www.ia-sb.org/Main/Affiliated_Programs/Iowa_Drug_Alcohol_Testing_Program.aspx.

Legal Reference: American Trucking Association, Inc., v. Federal Highway Administration, 51 Fed. 3rd 405 Cir. (4th 1995).
49 U.S.C. §§ 5331 *et seq.*
42 U.S.C. §§ 12101.
41 U.S.C. §§ 81.
49 C.F.R. Pt. 40; 382; 39.
34 C.F.R. Pt. 85.
Local 301, Internat'l Assoc. of Fire Fighters, AFL-CIO, and City of Burlington, PERB No. 3876 (3-26-91).
Iowa Code §§ 124; 279.8; 321.375(2); 730.5.

I.C. Iowa Code

Iowa Code § 124

Iowa Code § 279.8

Iowa Code § 321.375

Iowa Code § 730.5

U.S.C - United States Code

41 U.S.C. §§ 81

42 U.S.C. § 12101

49 U.S.C. §§ 5331

C.F.R. - Code of Federal Regulations

49 C.F.R. Pt. 382

49 C.F.R. Pt. 390

49 C.F.R. Pt. 40

Description

Controlled Substances

Directors - General Rules - Bonds of Employees

Motor Vehicles - Bus Drivers

Drug-Free Workplaces

Description

Public Contracts - Drug-Free Workplace

Public Health - Equal Opportunity - Disabilities

Transportation - Testing /Controlled Substances

Description

Transportation - Controlled Substances and Alcohol Use/Testing

Transportation - Federal Motor Carrier Safety Regulations

Transportation - Drug and Alcohol Testing Procedures

Cross References**Code**

403.05

403.05-R(1)

403.05-E(1)

409.02

Description

Substance-Free Workplace

Substance-Free Workplace - Regulation

Substance-Free Workplace - Notice to Employees

Employee Leaves of Absence

DRUG & ALCOHOL PROGRAM AND PRE-EMPLOYMENT TESTING
ACKNOWLEDGMENT FORM

I, (_____), have received a copy, read and understand the Drug and Alcohol Testing Program policy of the _____ School District and its supporting documents.

I understand that if I violate the Drug and Alcohol Testing Program policy, its supporting documents or the law, I may be subject to discipline up to and including termination.

I also understand that I must inform my supervisor of any prescription medication I use.

In addition, I have received a copy of the U.S. DOT publication, "What Employees Need to Know about DOT Drug & Alcohol Testing," and have read and understand its contents.

Furthermore, I know and understand that I am required to submit to a controlled substance (drug) test, the results of which must be received by this employer before being employed by the school district and before being allowed to perform a safety-sensitive function. I also understand that if the results of the pre-employment test are positive, that I will not be considered further for employment with the school district.

I further understand that drug and alcohol testing records and information about me are confidential, and may be released at my request or in accordance with the district's drug and alcohol testing program policy, its supporting documents or the law.

(Signature of Employee)

(Date)

POLICY NOTE: Under federal regulations, school districts may require their drivers to notify them of any prescription medications they are using. School districts which do not want to be informed may delete this language from this notice.

This form assumes the school district will terminate the driver upon violation of this policy and its supporting documents. Should a school district, after careful consideration, choose to retain the option not to terminate for violation of this policy, consideration should be given to changing the second paragraph to read:

I understand that if I violate the Drug and Alcohol Testing Program policy, its supporting documents or the law, I may be subject to discipline up to and including termination or I may be required to successfully participate in a substance abuse evaluation and a substance abuse treatment program, if recommended by the substance abuse professional. If I am required to and fail to or refuse to successfully participate in a substance abuse evaluation or recommended substance abuse treatment program, I understand I may be subject to discipline up to and including termination.

DRUG & ALCOHOL PROGRAM AND PRE-EMPLOYMENT TESTING
WRITTEN CONSENT TO SHARE INFORMATION

I, _____, understand that as part of my employment in a position that requires a commercial driver's license in the _____ District, I grant consent for the District to conduct queries of the Federal Motor Carrier Safety Administration ("FMCSA") Commercial Driver's License Drug and Alcohol Clearinghouse to determine whether drug or alcohol violation information about me exists in the Clearinghouse. I further consent to the District sharing information related to my drug and alcohol testing results with prior, current and future employers, as well as the FMCSA Clearinghouse in accordance with state and federal laws.

I understand that the District will check and perform queries of my drug and alcohol testing results prior to my employment in any position which requires the use of a commercial driver's license. I further understand the District will check and perform queries of my testing results annually and is required to report any drug and alcohol violations of this policy to the FMCSA Clearinghouse.

I understand that I am not required to consent to the query of the FMCSA Clearinghouse or the District sharing of drug and alcohol testing information with past, present or future employers or the FMCSA Clearinghouse; but that without my consent I understand I will be prohibited from performing safety sensitive functions, including driving a commercial motor vehicle, as required by FMCSA's drug and alcohol program regulations.

I hereby give my consent to the District to perform queries of the FMCSA Clearinghouse and share my drug and alcohol testing results with past, present and future employers, as well as the FMCSA Clearinghouse.

(Signature of Employee)

(Date)

Policy 404: Employee Conduct and Appearance**Status:** ADOPTED**Original Adopted Date:** 9/6/2013 **Review Date:** 4/23/2025 **Revised:** 4/23/2025

Employees are role models for the students who come in contact with them during and after school hours. The board recognizes the positive effect employees can have on students in this capacity. To this end, the board strongly suggests and encourages employees to dress themselves, groom themselves and conduct themselves in a manner appropriate to the educational environment.

Employees will conduct themselves in a professional manner. Employees will dress in attire appropriate for their position. Clothing should be neat, clean, and in good taste. Discretion and common sense call for an avoidance of extremes which would interfere with or have an effect on the educational process.

Licensed employees of the school district, including administrators, will follow the code of ethics for their profession as established by the Iowa Board of Educational Examiners.

Legal Reference: Iowa Code § 279.8
 282 I.A.C. 13.25, .26.

I.C. Iowa Code

Iowa Code § 279.8

DescriptionDirectors - General Rules - Bonds of Employees**I.A.C. Iowa Administrative Code**

282 I.A.C. 13

DescriptionEducational Examiners - Teacher Licenses/Endorsements**Cross References****Code**

104

DescriptionAnti-Bullying/Harassment Policy

104-R(1)

Anti-Bullying/Harassment Policy - Investigation Procedures

104-E(1)

Anti-Bullying/Harassment Policy - Complaint Form

104-E(2)

Anti-Bullying/Harassment Policy - Witness Disclosure Form

104-E(3)	<u>Anti-Bullying/Harassment Policy - Disposition of Complaint Form</u>
305	<u>Administrator Code of Ethics</u>
401.02	<u>Employee Conflict of Interest</u>
401.11	<u>Employee Orientation</u>
403.05	<u>Substance-Free Workplace</u>
403.05-R(1)	<u>Substance-Free Workplace - Regulation</u>
403.05-E(1)	<u>Substance-Free Workplace - Notice to Employees</u>
407.04	<u>Licensed Employee Suspension</u>
413.03	<u>Classified Employee Suspension</u>
413.04	<u>Classified Employee Dismissal</u>

Regulation 404-R(1): Employee Conduct and Appearance - Code of Professional Conduct and Ethics Regulation

Status: ADOPTED

Original Adopted Date: 9/6/2013 Review Date: 4/23/2025 Revised: 4/23/2025

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).
- b. *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.

(1) 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;
 - o Sexual exploitation by a school employee;
 - o Enticing a minor under Iowa Code section 710.10; or
 - o 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.

c. *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.

d. *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).

e. *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:

- (1) 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.
- 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.

(4) 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.
- 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.

I.C. Iowa Code

Iowa Code § 279.8

Description

Directors - General Rules - Bonds of Employees

I.A.C. Iowa Administrative Code

282 I.A.C. 13

Description

Educational Examiners - Teacher Licenses/Endorsements

Cross References

Code

Description

104	<u>Anti-Bullying/Harassment Policy</u>
104-R(1)	<u>Anti-Bullying/Harassment Policy - Investigation Procedures</u>
104-E(1)	<u>Anti-Bullying/Harassment Policy - Complaint Form</u>
104-E(2)	<u>Anti-Bullying/Harassment Policy - Witness Disclosure Form</u>
104-E(3)	<u>Anti-Bullying/Harassment Policy - Disposition of Complaint Form</u>
305	<u>Administrator Code of Ethics</u>
401.02	<u>Employee Conflict of Interest</u>
401.11	<u>Employee Orientation</u>
403.05	<u>Substance-Free Workplace</u>
403.05-R(1)	<u>Substance-Free Workplace - Regulation</u>
403.05-E(1)	<u>Substance-Free Workplace - Notice to Employees</u>
407.04	<u>Licensed Employee Suspension</u>
413.03	<u>Classified Employee Suspension</u>
413.04	<u>Classified Employee Dismissal</u>

Regulation 404-R(2): Employee Conduct and Appearance - Code of Rights Status: ADOPTED and Responsibilities Regulation

Original Adopted Date: 9/6/2013 **Review Date:** 4/23/2025 **Revised:** 4/23/2025

CHAPTER 26

282—26.1 (272) Purpose. The code of professional conduct and ethics in 282—Chapter 25 defines unprofessional and unethical conduct justifying disciplinary sanction. The board acknowledges that the discharge of professional obligations should occur in recognition of certain fundamental rights and responsibilities. Accordingly, the board recognizes the following rights and responsibilities of all educators licensed under IOWA CODE chapter 272 and agrees that the exercise of these rights and responsibilities may present mitigating facts and circumstances in the board's evaluation of allegations of unprofessional or unethical conduct.

282—26.2 (272) Rights. Educators licensed under IOWA CODE chapter 272 have the following rights:

1. The educator has a right to be licensed and endorsed under professional standards established and enforced by the board.
2. The educator has a right to refuse assignments for which the educator is not legally authorized, in terms of holding a valid Iowa license with the appropriate endorsement(s) or approval(s).
3. The educator has a right, subject to board and administrator authority, to exercise professional judgment in the evaluation, selection, and use of teaching methods and instructional materials appropriate to the needs, abilities, and background of each student.

282—26.3 (272) Responsibilities. Educators licensed under IOWA CODE chapter 272 have the following responsibilities:

1. The educator has a responsibility to maintain and improve the educator's professional competence.
2. The educator has a responsibility to accept only those assignments for which the educator is legally authorized.
3. The educator has a responsibility to provide conditions that are conducive to teaching and student learning.
4. The educator shall protect students from conditions harmful to learning or to health or safety.
5. The educator shall not, without just cause, restrain a student from independent action in the pursuit of learning and shall not, without just cause, deny a student access to varying points of view.
6. The educator shall not use professional relationships with students for personal advantage.
7. The educator shall not discriminate against any student on the grounds of race, color, religion, age, sex, sexual orientation, gender identity, disability, marital status, or national origin.
8. The educator shall accord just and equitable treatment to all members of the profession.

9. The educator shall keep in confidence personally identifiable information regarding a student or the student's family members that has been obtained in the course of professional service, unless disclosure is required by law or is necessary for the personal safety of the student or others.
10. The educator who has reasonable basis to believe that a student has been abused, as defined by law, shall make all reports required by law and the IOWA ADMINISTRATIVE CODE and which are necessary to ensure the safety and well-being of the student.
11. In the administration of discipline, the educator shall treat all students with respect and in compliance with all policies of the school district served by the educator.
12. The educator shall provide accurate, truthful, and complete information to the board and to the local education system concerning all licensure transactions.
13. The educator shall not refuse to participate in a professional inquiry, when requested by the board.
14. The educator shall not require or direct another educator to violate any provisions of the code of professional conduct and ethics or any rights of a student, parent, educator or citizen.
15. The educator shall not delegate assigned tasks to unqualified personnel.

I.C. Iowa Code

Iowa Code § 279.8

Description

Directors - General Rules - Bonds of Employees

I.A.C. Iowa Administrative Code

282 I.A.C. 13

Description

Educational Examiners - Teacher Licenses/Endorsements

Cross References
Code

104

Description

Anti-Bullying/Harassment Policy

104-R(1)

Anti-Bullying/Harassment Policy - Investigation Procedures

104-E(1)

Anti-Bullying/Harassment Policy - Complaint Form

104-E(2)

Anti-Bullying/Harassment Policy - Witness Disclosure Form

104-E(3)

Anti-Bullying/Harassment Policy - Disposition of Complaint Form

305

Administrator Code of Ethics

401.02

Employee Conflict of Interest

401.11

Employee Orientation

403.05

Substance-Free Workplace

403.05-R(1)	<u>Substance-Free Workplace - Regulation</u>
403.05-E(1)	<u>Substance-Free Workplace - Notice to Employees</u>
407.04	<u>Licensed Employee Suspension</u>
413.03	<u>Classified Employee Suspension</u>
413.04	<u>Classified Employee Dismissal</u>