

Emmetsburg CSD
Policy Committee Meeting
November 3, 2023
7:00 a.m.
Superintendents Conference Room



Policy Committee Meeting

- I. Call to order
 - A. Attendance (members present)
Cory Jenness, Superintendent
Bill Huberty, Board Member
Lori Riley, Board Member
- II. Policy Review
 - A. Policy 210.1: Annual Meeting
 - B. Policy 210.2: Regular Meeting
 - C. Policy 210.3: Special Meeting
 - D. Policy 210.4: Work Sessions
 - E. Policy 210.5: Meetings Notice
 - F. Policy 210.6: Quorum
 - G. Policy 210.7: Rules of Order
 - H. Regulation 210.7-R(1): Rules of Order
 - I. Policy 210.8: Agenda
 - J. Regulation 210.8-R(1): Order of Regular Business
 - K. Policy 210.9: Organization Meeting
 - L. Policy 503.1: Student Conduct
 - M. Regulation 503.1: Student Conduct Regulation
 - N. Policy 503.2: Expulsion
 - O. Regulation 508.3-R(1): Discipline of Students Who Make Threats of Violence
- III. Adjournment

210 BOARD OF DIRECTORS' MEETINGS

210.1 ANNUAL MEETING

Each year after August 31 and prior to the organizational meeting of the board in odd-numbered years, the board shall hold its annual meeting.

At the annual meeting, the board shall examine the financial books and settle the secretary's and treasurer's statements for the fiscal year ending the preceding June 30. As part of the annual reports, the treasurer shall present affidavits from depository banks.

The board, at this meeting, shall also appoint a board secretary and a treasurer. At the board's discretion, one individual may serve as both the secretary and treasurer. The board may also appoint the board's legal counsel.

Legal Reference: Iowa Code §§ 279.3, .33 (2013).

Cross Reference: 206.3 Secretary

206.4 Treasurer

701.1 Depository of Funds

707 Fiscal Reports

Approved 12/12/83

Reviewed 1-15-20

Revised 12/20/93

Jen@iowaschool... Sat, 07/13/2019 - 15:42

210.2 REGULAR MEETING

The regular meeting time and date will be set by the board at the organizational meeting in odd-numbered years, or at the annual meeting in even-numbered years.

The regular meetings of the board will be held monthly. The board will set the date and time at the annual organizational meeting. The board will adhere to this meeting date and time unless the board requires additional meetings or, due to circumstances beyond the board's control, the meeting cannot be held on the regular meeting date, and the meeting will be rescheduled in accordance with law and policy. Public notice of the meetings will be given.

Legal Reference: Iowa Code §§ 21.3, .4; 279.1

Cross Reference: 200.1 Organization of the Board of Directors

210 Board of Directors' Meetings

Approved 11/5/84

Reviewed 7-17-19

Revised 11/21/11

Jen@iowaschool... Sat, 07/13/2019 - 15:43

210.3 SPECIAL MEETING

It may be necessary for the board to conduct a special meeting in addition to the regularly scheduled board meeting. Special meetings may be called by the president of the board or by the board secretary at the request of a majority of the board. Should a special meeting be called, public notice shall be given.

If the special meeting called is an emergency meeting and the board cannot give public notice in its usual manner, the board shall give public notice of the meeting as soon as practical and possible in light of the situation. Emergency meetings will only be held when an issue cannot wait twenty-four hours necessary for a special meeting. The reason for the emergency meeting and why notice in its usual manner could not be given shall be stated in the minutes.

Only the purpose or issue for which the special meeting was called may be discussed and decided in the special meeting. The board shall strictly adhere to the agenda for the special meeting and action on other issues shall be reserved for the next regular or special board meeting.

Legal Reference: Iowa Code §§ 21.3, .4; 279.2 (2013).

1980 Op. Att'y Gen. 148.

Cross Reference: 200.1 Organization of the Board of Directors

210 Board of Directors' Meetings

Approved 7/11/83 Reviewed 12/20/93, 7/17/19 Revised

Approved Reviewed 10/16/00; 3/21/05; 3/21/11 Revised 11/20/00

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210.4 WORK SESSIONS

The board, as a decision making body, is confronted with a continuing flow of problems, issues and needs which require action. While the board is determined to expedite its business, it is also mindful of the importance of planning, brainstorming and thoughtful discussion without action. Therefore, the board may schedule work sessions and retreats in order to provide its members and the administration with such opportunities. The board has the authority to hire an outside facilitator to assist them in work sessions.

Topics for discussion and study will be announced publicly, and work sessions and retreats will be conducted in open session. However, no board action will take place at the work session.

Legal Reference: Iowa Code §§ 21; 279.8 (2013).

1982 Op. Att'y Gen. 162.

1980 Op. Att'y Gen. 167.

1976 Op. Att'y Gen. 384, 514, 765.

1972 Op. Att'y Gen. 158.

1970 Op. Att'y Gen. 287.

Cross Reference: 210 Board of Directors' Meetings

211 Open Meetings

Approved 11/20/00 Reviewed 3/21/05; 3/21/11, 7/17/19 Revised

Jen@iowaschool... Sat, 07/13/2019 - 15:44

210.5 MEETING NOTICE

Public notice shall be given for meetings and work sessions held by the board. Public notice shall indicate the time, place, date and tentative agenda of board meetings. The public notice shall be posted on the bulletin board outside the central administration office at least two days before it is scheduled, but, at the minimum, twenty-four hours notice needs to be given.

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

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

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

Legal Reference: Dobrovolny v. Reinhardt, 173 N.W.2d 837 (Iowa 1970).

Iowa Code §§ 21.2-.4; 279.1, .2 (1999).

1952 Op. Att'y Gen. 133.

Cross Reference: 210 Board of Directors' Meetings

210.8 Board of Directors' Meeting Agenda

Approved 12/12/83 Reviewed 1-15-20 Revised 1-15-20

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210.6 QUORUM

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

While board members are encouraged to attend board meetings, 4 members shall constitute a quorum and are a sufficient number to transact business of the school corporation. The adjournment of a meeting may be executed without a quorum.

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

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

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

Approved 10/26/70 Reviewed 1-15-20 Revised 1-15-20

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210.7 RULES OF ORDER

An orderly board meeting allows the board members to participate in the discussion and decision process on an issue confronting the school district. Rules of order for board meetings allow school district business and the relative information concerning the business to be brought to the attention of the board. They also allow the board to discuss, act upon and make a clear record of school district business in a regular, ordered, reasonable and consistent manner.

It shall be the responsibility of each board member to follow the rules of order stated in this policy at each meeting, and it shall be the responsibility of the presiding officer to conduct the board meeting within these rules.

The board shall follow Robert's Rule of Order, Revised, latest edition as modified by this policy and subsequent rule.

The purpose of modified rules adopted by the board are:

- To establish guidelines by which the business of the governing board can be conducted in a regular and internally consistent manner;
- To organize the meetings so all necessary matters can be brought to the board and decisions of the board can be made in an orderly and reasonable manner;
- To ensure members of the board, concentrating on the substantive issues at hand, have the necessary information to make decisions, and to ensure adequate discussion of decisions to be made; and,
- To ensure meetings and actions of the board are conducted so as to be informative to the staff and the public, and to produce a clear record of actions taken and decisions made.

Legal Reference: Iowa Code §§ 21.2, .7; 279.8 (2013).

Cross Reference: 210 Board of Directors' Meetings

210.8 Board Meeting Agenda

Approved 10/26/70 Reviewed 12/20/93, 7/17/19 Revised

Approved Reviewed 10/16/00; 3/21/05; 3/21/11 Revised 11/20/00

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210.7R RULES OF ORDER

The following rules of procedure have been adopted by the board at the annual organization meeting:

1. Board members need not rise to gain the recognition of the chair.
2. All motions will be made as a positive action.
3. A motion will be adopted or carried if it receives an affirmative vote from more than half of the votes cast. Only "yes" and "no" votes are counted in this calculation. It should be noted that some motions require larger numbers of affirmative votes, such as to move into a closed session.
4. All motions shall receive a second prior to opening the issue for discussion of the board. If a motion does not receive a second, the chair may declare the motion dead for lack of a second.
5. The chair may decide the order in which board members will be recognized to address an issue. An attempt should be made to alternate between pro and con positions.
6. The chair shall rule on all motions that come before the board.
7. The chair may rule on points of order brought before the board.
8. The chair shall have complete authority to recognize any member of the audience regarding a request to participate in the board meeting. Members of the public who wish to participate shall follow the procedures outlined in Policy No. 213.1R1.

9. The chair has the authority to declare a recess at any time for the purpose of restoring decorum to the meeting.
10. The order in which names will be called for roll call votes will be as follows:
 - All board members will be listed in alphabetical order by last name.
 - All roll call votes will be called in alphabetical order, beginning at various positions on the list.
 - The first roll call vote will begin at the top of the list and proceed down. The second roll call vote will begin with the second name and proceed down the list, with the last name called to be the first person called on the previous vote.
 - A person's absence or presence will have not effect on the rotation.
 - The board president's name is placed in the rotation and receives no preferential treatment due to elected position.
 - The board secretary will maintain the record of rotation for roll call votes. The sequence will continue from meeting to meeting.
11. The chair has the same authority and responsibility as each board member to vote on all issues.

LEGAL REFERENCES: Iowa Code Section 21.7.

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210.8 AGENDA

Policy 210.8 BOARD MEETING AGENDA

The tentative agenda for each board meeting will state the topics for discussion and action at the board meeting. The agenda is part of the public notice of the board meeting and will be posted and distributed.

Persons requesting to place an item on the agenda must make a request to the superintendent prior to the drafting of the tentative agenda. The person making the request must state the person's name, address, purpose of the presentation, action desired and pertinent background information. Requests from the public may be added to the tentative agenda at the discretion of the superintendent after consultation with the board president. Requests received after the deadline may only be added to the agenda for good cause.

The tentative agenda and supporting documents will be sent to the board members 4 days prior to the scheduled board meeting. These documents are the private property of the board member. Persons wishing to view the tentative agenda and supporting documents may do so at the central administration office.

The board will take action only on the items listed on the tentative agenda posted with the public notice. Items added to the agenda may be discussed or taken under advisement by the board.

If an added item is acted upon, the minutes of the board meeting will state the reason justifying the immediate action.

It is the responsibility of the board president and superintendent to develop the agenda for each board meeting. Any board member may place an item on the next regular agenda with the consent of a majority of the board. Board members wishing to do so should provide notice to the superintendent and board president 4 days prior to the scheduled meeting.

NOTE: There is no legal requirement for the method used in developing the board agenda. This policy states the common procedure for drafting the board agenda. If a board uses another procedure, it should be reflected in this policy.

Legal Reference:

[Iowa Code §§ 21; 279.8.](#)

Cross Reference:

[210](#) Board of Directors' Meetings

[211](#) Open Meetings

[213](#) Public Participation in Board Meetings

[215](#) Board of Directors' Records

402.5 Public Complaints About Employees

[502.4](#) Student Complaints and Grievances

Approved 11/5/84 Reviewed 3/21/11 Revised 12/15/21

Jen@iowaschool... Sat, 07/13/2019 - 15:48

210.8R ORDER OF REGULAR BUSINESS MEETINGS

The order of business in the Emmetsburg Community School District at all meeting insofar as practicable except as otherwise directed by the Board or by its president when not objected to shall be as follows:

1. Call to order
2. Roll call – quorum
3. Approval of:
 - Agenda
 - Minutes of previous meeting(s)
 - Financial statements

- Claims
- 4. Welcome guests
- 5. ~~Open forum~~
- 6. Old business
- 7. New business
- 8. Superintendent's report
- 9. Future agenda items
- 10. Adjournment

Jen@iowaschool... Sat, 07/13/2019 - 15:49

210.9 ORGANIZATIONAL MEETING

At the organizational meeting of the Emmetsburg Community School District Board of Directors held each year at its regular meeting in November as required by law, the Board shall be called to order by the immediate past-president. In the event that person is no longer a member of the Board, the secretary shall act as temporary chairman.

The first order of business shall be to swear into office any new members unless they have been so sworn previously. The Board shall then elect from its membership a President and Vice-President. The elections shall be conducted by first obtaining written nominations. The two members whose names appear most frequently as nominees shall be declared the candidates and the election to office shall be by written ballot.

LEGAL REFERENCES: Iowa Code Sections 274.2; 277.28; 277.31; 279.1; 279.5; 279.7.

Approved 10/26/70 Reviewed 12/20/93, 7/17/19 Revised

Approved Reviewed 10/16/00; 3/21/05; 3/21/11 Revised 11/20/00

Jen@iowaschool... Sat, 07/13/2019 - 15:50

503.1: STUDENT CONDUCT

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

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

the school district. Consequences for the misconduct will be fair and developmentally appropriate in light of the circumstances.

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

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

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

In-school suspension means the student will attend school but will be temporarily isolated from one or more classes while under supervision. An in-school suspension will not exceed ten consecutive school days.

Out-of-school suspension means the student is removed from the school environment, which includes school classes and activities. An out-of-school suspension will not exceed ten consecutive school days unless due process is provided as required by federal and state law. A restriction from school activities means a student will attend school and classes and practice but will not participate in school activities.

Probation means a student is given a conditional suspension of a penalty for a definite period of time in addition to being reprimanded. The conditional suspension will mean the student must meet the conditions and terms for the suspension of the penalty. Failure of the student to meet these conditions and terms will result in immediate reinstatement of the penalty.

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

This policy is not intended to address the use of therapeutic classrooms or seclusion rooms for students.

Discipline of special education students, including suspensions and expulsions, will comply with the provisions of applicable federal and state laws.

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

NOTE: This is a mandatory policy and outlines the school district's basic student conduct. Details of how this policy will be implemented should be included in the student handbook.

Legal Reference: *Goss v. Lopez*, 419 U.S. 565 (1975).
Brands v. Sheldon Community School District, 671 F. Supp. 627 (N.D. Iowa 1987).
Sims v. Colfax Comm. School Dist., 307 F. Supp. 485 (Iowa 1970).
Bunger v. Iowa High School Athletic Assn., 197 N.W.2d 555 (Iowa 1972).
Board of Directors of Ind. School Dist. of Waterloo v. Green, 259 Iowa 1260, 147 N.W.2d 854 (1967).
Iowa Code §§ 279.8; 282.3, 282.4, 282.5; 708.1.
281 I.A.C. 12.3(6)

I.C. Iowa Code	Description
Iowa Code § 279.8	<u>Directors - General Rules - Bonds of Employees</u>
Iowa Code § 282.3	<u>Attendance and Tuition - Admission and Exclusion</u>
Iowa Code § 282.4	<u>Attendance and Tuition - Suspension-Expulsion</u>
Iowa Code § 282.5	<u>Attendance and Tuition - Readmission</u>
Iowa Code § 708.1	<u>Assault - Defined</u>

I.A.C. Iowa Administrative Code	Description
281 I.A.C. 12.3	<u>Administration</u>

U.S. Supreme Court	Description
419 U.S. 565	<u>Goss v Lopez (1975)</u>

Case Law	Description
Brands v. Sheldon CSD	671 F. Supp. 627 (N.D. Iowa 1987)
Bunger v. Iowa HS Athletic Assoc.	197 N.W.2d 555 (Iowa 1972)

Goss v. Lopez 419 U.S. 565 (1975)
Sims v. Colfax CSD 307 F.Supp. 485 (Iowa 1970)
Waterloo ISD Board v. Green 259 Iowa 1260, 147 N.W.2d 854 (1967).

503.1 R(1): STUDENT CONDUCT REGULATION

Administrative Action

A. Probation

1. Probation is conditional suspension of a penalty for a set period of time. Probation may be imposed by the principal for infractions of school rules which do not warrant the necessity of removal from school.
2. The principal will conduct an investigation of the allegations against the student prior to imposition of probation. The investigation will include, but not be limited to, written or oral notice to the student of the allegations against the student and an opportunity to respond. Written notice and reasons for the probation will be sent to the parents.

B. In-School Suspension

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

C. Out-of-School Suspension

1. Out-of-school suspension is to be used when other available school resources are unable to constructively remedy student misconduct.
2. A student may be suspended out of school for up to ten school days by a principal for a commission of gross or repeated infractions of school rules, regulations, policy or the law, or when the presence of the student will cause interference with the maintenance of the educational environment or the

operation of the school. The principal may suspend students after conducting an investigation of the charges against the student, giving the student:

- a. Oral or written notice of the allegations against the student, and
 - b. The opportunity to respond to those charges.
3. At the principal's discretion, the student may be allowed to confront witnesses against the student or present witnesses on behalf of the student.
4. Notice of the out-of-school suspension will be mailed no later than the end of the school day following the suspension to the student's parents and the superintendent. A reasonable effort is made to personally notify the student's parents and such effort is documented by the person making or attempting to make the contact. Written notice to the parents will include the circumstances which led to the suspension and a copy of the board policy and rules pertaining to the suspension.

D. Suspensions and Special Education Students

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

I.C. Iowa Code	Description
Iowa Code § 279.8	<u>Directors - General Rules - Bonds of Employees</u>
Iowa Code § 282.3	<u>Attendance and Tuition - Admission and Exclusion</u>
Iowa Code § 282.4	<u>Attendance and Tuition - Suspension-Expulsion</u>
Iowa Code § 282.5	<u>Attendance and Tuition - Readmission</u>
Iowa Code § 708.1	<u>Assault - Defined</u>

I.A.C. Iowa Administrative Code	Description
281 I.A.C. 12.3	<u>Administration</u>

U.S. Supreme Court	Description
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419 U.S. 565

Goss v Lopez (1975)

Case Law	Description
Brands v. Sheldon CSD	671 F. Supp. 627 (N.D. Iowa 1987)
Bunger v. Iowa HS Athletic Assoc.	197 N.W.2d 555 (Iowa 1972)
Goss v. Lopez	419 U.S. 565 (1975)
Sims v. Colfax CSD	307 F.Supp. 485 (Iowa 1970)
Waterloo ISD Board v. Green	259 Iowa 1260, 147 N.W.2d 854 (1967).

Cross References

Code	Description
506.03	<u>Student Photographs</u>
603.03	<u>Special Education</u>
606.05	<u>Student Field Trips and Excursions</u>
903.05	<u>Distribution of Materials</u>
903.05-R(1)	<u>Distribution of Materials - Regulation</u>

503.2: EXPULSION

Only the board may remove a student from the school environment for more than ten (10) consecutive school days..

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

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

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

1. Notice of the reasons for the proposed expulsion;
2. The names of the witnesses and an oral or written report on the facts to which each witness testifies unless the witnesses are students whose names may be released at the discretion of the superintendent;

3. An opportunity to present a defense against the charges and provide either oral testimony or written affidavits of witnesses on the student's behalf;
4. The right to be represented by counsel; and
5. The results and finding of the board in writing open to the student's inspection.

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

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

NOTE: This is a mandatory policy and is a reflection of Iowa law regarding student expulsion. It is consistent with the due process requirements of the 14th amendment to the U.S. Constitution. The last two paragraphs reflect federal special education law.

Legal Reference: Goss v. Lopez, 419 U.S. 565 (1975).
Wood v. Strickland, 420 U.S. 308 (1975).
Southeast Warren Comm. School District v. Dept. of Public Instruction, 285 N.W.2d 173 (Iowa 1979).
Iowa Code §§ 21.5; 282.3, .4, .5.
281 I.A.C. 12.3(6).

I.C. Iowa Code		Description
Iowa Code § 21.5		<u>Closed Session</u>
Iowa Code § 282.3		<u>Attendance and Tuition - Admission and Exclusion</u>
Iowa Code § 282.4		<u>Attendance and Tuition - Suspension-Expulsion</u>
Iowa Code § 282.5		<u>Attendance and Tuition - Readmission</u>
I.A.C. Iowa Administrative Code		Description
281 I.A.C. 12.3		<u>Administration</u>
U.S. Supreme Court		Description

419 U.S. 565	<u>Goss v Lopez (1975)</u>
420 U.S. 308	<u>Wood v Strickland (1975)</u>

Case Law	Description
Goss v. Lopez	419 U.S. 565 (1975)
SE Warren CSD v. Dept. of Public Instruction	285 N.W.2d 173 (Iowa 1979)
Wood v. Strickland	420 U.S. 308 (1975).

503.8 R(1): DISCIPLINE OF STUDENTS WHO MAKE THREATS OF VIOLENCE

Effective student discipline policies serve the needs of the District in maintaining the order of the education environment while safeguarding the education interests of all students. For this reason, it is crucial to engage many perspectives in crafting sound policies related to discipline. The board, in conjunction with teachers and administrators in the District, have assigned further meaning to concepts listed in this policy.

Incident Levels Defined

Incident levels must escalate, with Level 1 being less severe than Level 3 incidents. However, the District maintains discretion in applying the level of discipline appropriate for an incident. In making this determination, the administration will consider the following definitions of incident levels. Because no definition could encompass all possible threats or incidents, the administration has discretion in determining which level to assign the incident after looking at the nature of the incident as well as the age, grade level, and maturity of the student.

Level 1 Defined:

Level 2 Defined:

Level 3 Defined:

Timeframe for Determining Repeated Incidents

The District will consider all incidents occurring within _____ [the school year] as sufficiently close in proximity between incidents to establish that a repeated incident has occurred. The rationale for establishing this timeframe is

_____.

The administration will have discretion to alter this timeframe when appropriate under the circumstances, depending on the nature of the incident as well as the age, grade level and maturity of the student.

Considerations for Determining the Maturity of the Student

The District believes that gauging the maturity of a student is subject to interpretation and best left to the licensed employees who interact most closely with the student on a regular basis. Assessing a student's maturity level is based on individual characteristics unique to each student. Therefore, in making a determination about the maturity of a student, the administration may consult with the student's classroom teacher and other relevant licensed staff. The administration will consider the following factors in determining the maturity of the student:

- _____
- _____
- _____

Considerations for Determining Whether the Off-Campus Threat of Violence or Incident of Violence Will Directly Affect the Good Order, Efficient Management and Welfare of the School District

The District recognizes that students maintain First Amendment rights to free expression both within school and outside. However, free speech protections are not absolute and do not extend to true threats of violence toward an individual or a group of individuals. In considering whether a threat or incident of violence will directly affect the good order, efficient management and welfare of the school district necessitating the need for investigation, the administration will consider, among other things, the following factors:

- The specificity of the threat for time, location or individual(s) targeted
- The reasonable likelihood of the student's ability to carry out the threat
- The reasonable likelihood that the threat will interfere with the operation of the educational environment

In addition to the notification requirements in policy, the administration will apprise the parents or guardians of any student who suffered violence or a threat of violence, of the rights to file complaints under any other relevant board policies including but not limited to anti-bullying/anti-harassment and Title IX.

NOTE: Iowa law requires school boards to collaborate with teachers and administrators in adopting a policy related to threats of violence and incidents of violence. This accompanying regulation is designed to supplement the framework provided by the Department of Education in policy 503.8 and be edited and completed by boards through a collaborative process involving relevant stakeholders for the district.

Legal Reference: Iowa Code §279.79