

JESUP COMMUNITY SCHOOL DISTRICT POLICY MANUAL

INTRODUCTION

How To Find A Policy

There are two ways to find a policy. The first is to review the nine Series and determine which section the policy may be in. By turning to that Series, you can review the table of contents to determine whether the policy is included. If the policy is included, you can turn to the policy by finding the correct code number in the upper right hand corner of the policy.

The second way to find a policy is to look up the policy in the alphabetical index found under the tab entitled "Index" at the end of the manual. It will direct you to the Series and the policy code number. Again, you can turn to the policy by finding the correct code number in the upper right hand corner of the policy.

How To Read The Signs And Symbols

A variety of signs and symbols are used in concert with the numeric codification system. These are explained below:

- | | |
|-----------------|--|
| -R | This symbol following a policy code number indicates the statement is an administrative regulation rather than a board policy. These statements appear on yellow paper. |
| -E | This symbol following a policy code number indicates the statement is an exhibit rather than a board policy. These statements appear on green paper. |
| Legal Reference | This sign indicates the legal references. They tell the user where the user may find the statutes, case law, attorney general opinions, or administrative rules that give authority to a policy. |
| Cross Reference | Many policies in the manual relate to other policies in the manual. Cross references are provided to assist the user in finding all of the related policies. |

Inquiries about the policies included in this manual may be directed to the board members or to the superintendent by telephone at (319) 827-1700 or by writing the school district at 531 Prospect, P O Box 287, Jesup, IA 50648.

SCHOOL DISTRICT

Series 100

- 100 Legal Status of the School District
- 101 Educational Philosophy of the School District
- 102 Equal Educational Opportunity
- 103 Educational and Operational Planning
 - 103.R1 Long-Range Needs Assessment
- 104 Anti-Bullying/Harassment Policy
 - 104.E1 Anti-Harassment/Bullying Complaint Form
 - 104.E2 Anti-Harassment/Bullying Witness Disclosure Form
 - 104.R1 Anti-Harassment/Bullying Harassment Investigation Procedures
- 105 Assistance Animals

LEGAL STATUS OF THE SCHOOL DISTRICT

Iowa law authorizes the creation of a Common Schools System. As part of this Common Schools System, this school district is a school corporation created and organized under Iowa law. This school district shall be known as the Jesup Community School District.

This school corporation is located in Buchanan County, and its affairs are conducted by elected school officials, the Jesup Community School District Board of Directors. This school corporation has exclusive jurisdiction over school matters in the territory of the school district.

Legal Reference: Iowa Code §§ 274.1, .2, .6, .7; 278.1(9); 279.8; 594A (1995).

Cross Reference: 200 Legal Status of the Board of Directors

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JESUP COMMUNITY SCHOOL DISTRICT

EDUCATIONAL PHILOSOPHY OF THE SCHOOL DISTRICT

As a school corporation of Iowa, the Jesup Community School District, acting through its board of directors, is dedicated to promoting an equal opportunity for a quality public education to its students within the limitations of the school district's ability and willingness to furnish financial support to provide for students in cooperation with their parents and the school district community, the opportunity to develop a healthy social, intellectual, emotional, and physical self-concept in a learning environment that provides guidance to and encourages critical thinking in the students for a lifetime.

The board endeavors through the dedication of the school district's resources, to encourage students, who come to the school district from a variety of backgrounds, to look forward to the time when they will have jobs, homes, families, places in the school district community, and attain recognition as individuals. In order to achieve this goal, the board will seek qualified employees dedicated to development of their professional skills for the betterment of the education program and for the expertise for educational productivity.

Instruction and curriculum are the key elements of a public education. Critical thinking and problem solving skills that will assist the students' preparation for life shall be instructed as part of a sequentially coordinated curriculum. The school district strives to prepare students for employment, to discover and nurture creative talent and to prepare them to meet and cope with social change in an atmosphere conducive to learning.

The support and involvement of the home and the school district community are essential to achieve educational excellence in the school district. The school district strives to maintain an active relationship with the home and the school district community to create within the students an awareness of dignity and worth of the individual, civic responsibility and respect for authority.

Legal Reference: Iowa Code §§ 256.11, .11A; 275.1 (1995).

Cross Reference: 102 Equal Educational Opportunity
103 Educational and Operational Planning
209 Board of Directors' Management Procedures
600 Goals and Objectives of the Education Program
602 Curriculum Development

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JESUP COMMUNITY SCHOOL DISTRICT

EQUAL EDUCATIONAL OPPORTUNITY

The board will not discriminate in its educational activities on the basis of: race, color, national origin, religion, sex, socioeconomic status, disability, age, creed, sexual orientation, gender identity, or marital status.

The board requires all persons, agencies, vendors, contractors and other persons and organizations doing business with or performing services for the district to subscribe to all applicable federal and state laws, executive orders, rules and regulations pertaining to contract compliance and equal opportunity.

The board is committed to the policy that no otherwise qualified person will be excluded from employment on the basis of race, religion, sex, socioeconomic status, national origin, age, creed, sexual orientation, gender identity, or disability. Further, the board affirms the right of all students and staff to be treated with respect and to be protected from intimidation, discrimination, physical harm and harassment.

Harassment or discriminatory behavior that denies civil rights or access to equal educational opportunities includes comments, name-calling, physical conduct or other expressive behavior directed at an individual or group that intentionally demeans the race, color, religion, national origin, sex, socioeconomic status, age, creed, sexual orientation, gender identity, or disability of the individual or individuals or creates an intimidating, hostile or demeaning environment for education.

Legal Reference: 20 U.S.C. §§ 1221 et seq. (1988).
 20 U.S.C. §§ 1681 et seq. (1988).
 20 U.S.C. §§ 1701 et seq. (1988).
 42 U.S.C. §§ 12101 et seq. (Supp. 1990).
 34 C.F.R. Pt. 100 (1993).
 Iowa Code §§ 216.9; 256.11, .11A; 280.3 (1995).
 281 I.A.C. 12.

Cross Reference: 101 Educational Philosophy of the School District
 401.1 Equal Employment Opportunity
 500 Objectives for Equal Educational Opportunities
 for Students

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JESUP COMMUNITY SCHOOL DISTRICT

LONG-RANGE NEEDS ASSESSMENT

Long-range needs assessments enable the school district to analyze assessment data, get feedback from the community about its expectations of students and determines how well students are meeting student-learning goals. The board shall conduct ongoing and in-depth needs assessments and solicit information from business, labor, industry, higher education and community members regarding their expectations for adequate student preparation as responsible citizens and successful wage earners. The assessment is also to be used to assist the board in developing a statement of philosophy for the school district. The statement of philosophy shall describe the board's beliefs about topics that shall include the purpose of the school district, the scope of educational experiences that the school district should provide and a description of a desirable learning atmosphere.

In conjunction with the in-depth needs assessments of the school district, the board shall authorize the appointment of a committee (school improvement advisory), representing administrators, employees, parents, students and community members, to make recommendations and assist the board in determining the priorities of the school district in addition to the basic skills areas of the education program.

The school improvement advisory committee will work with subcommittees in order to develop and meet the short-range, medium-range and long-range goal of the district. The committee meetings will be open to all members of the community in order to provide a forum for continual feedback on an ongoing basis.

It shall be the responsibility of the superintendent to ensure the school district community is informed of students' progress on state and locally determined indicators. The superintendent shall report annually to the board about the means used to keep the community informed.

As a result of the board and committee's work, the board shall determine major educational needs and rank them in priority order. These needs will be in the form of long-range, intermediate-range and short-range plans and goals. These plans and goals are intended to meet the desired levels of student performance. The board will also evaluate progress toward meeting the goals and maintain a record of progress that includes reports of student performance and results of school improvement projects in an annual report of the school district's progress to the committee, community and Iowa Department of Education.

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Legal Reference: Iowa Code §§ 21; 256.7(4); 280.12, .18 (1995).
281 I.A.C. 12.3(3).

Cross Reference: 101 Educational Philosophy of the School District
200 Legal Status of the Board of Directors
208 Ad Hoc Committees
603.1 Basic Instruction Program
801.1 Buildings and Sites Long-Range Planning
801.2 Buildings and Sites Surveys

LONG-RANGE NEEDS ASSESSMENT

School Districts also need to develop a process for long-range needs assessment. The process needs to include three items:

- provisions for collecting, analyzing and reporting information derived from local, state and national sources;
- provisions for reviewing information acquired on the following:
 - state indicators and other locally determined indicators,
 - locally established student learning goals,
 - specific data collection required by state and federal programs:
- provisions for collecting and analyzing assessment data on the following:
 - state indicators,
 - locally determined indicators,
 - locally established student learning goals.

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JESUP COMMUNITY SCHOOL DISTRICT

ANTI-BULLYING/HARASSMENT POLICY

The Jesup Community School District is committed to providing all students, employees, and volunteers with a safe and civil school environment in which all members of the school community are treated with dignity and respect. Bullying and/or harassing behavior can seriously disrupt the ability of school employees to maintain a safe and civil environment, and the ability of students to learn and succeed.

Bullying and/or harassment of or by students, employees, and volunteers is against federal, state, and local policy and is not tolerated by the board.

Accordingly, school employees, volunteers, and students shall not engage in bullying or harassing behavior while on school property, while on school-owned or school-operated vehicles, while attending or participating in school-sponsored or sanctioned activities, and while away from school grounds if the conduct materially interferes with the orderly operation of the educational environment or is likely to do so.

Complaints may be filed with the superintendent or superintendent's designee pursuant to the regulation accompanying this policy. Complaints will be investigated within a reasonable time frame.

A school employee, volunteer, or student, or a student's parent or guardian who promptly, reasonably, and in good faith reports an incident of bullying or harassment, in compliance with the procedures in the regulation, to the appropriate school official designated by the school district, shall be immune from civil or criminal liability relating to such report and to participation in any administrative or judicial proceeding resulting from or relating to the report.

Retaliation Prohibited

Individuals who knowingly file false bullying or harassment complaints and any person who gives false statements in an investigation may be subject to discipline by appropriate measures.

Any student found to have violated or retaliated in violation of this policy shall be subject to measures up to, and including, suspension and expulsion. Any school employee found to have violated or retaliated in violation of this policy shall be subject to measures up to, and including, termination of employment. Any school volunteer found to have violated or retaliated in violation of this policy shall be subject to measures up to, and including, removal from service and exclusion from school grounds.

Definitions

For the purposes of this policy, the defined words shall have the following meaning:

- "Electronic" means any communication involving the transmission of information by wire, radio, optic cable, electromagnetic, or other similar means. "Electronic" includes but is not limited to communication via electronic mail, internet-based communications, pager service, cell phones, and electronic text messaging. "Harassment" and "bullying" mean any repeated or potentially repeated electronic, written, verbal, or physical act or other ongoing conduct toward an individual based on any trait or characteristic of the individual which creates an objectively hostile school environment that meets one or more of the following conditions:

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- Places the individual in reasonable fear of harm to the individual’s person or property.
- Has a substantial detrimental effect on the individual’s physical or mental health.
- Has the effect of substantially interfering with the individual’s academic or career performance. Has the effect of substantially interfering with the individual’s ability to participate in or benefit from the services, activities, or privileges provided by a school.
- “Trait or characteristic of the individual” includes but is not limited to age, color, creed, national origin, race, religion, marital status, sex, sexual orientation, gender identity, physical attributes, physical or mental ability or disability, ancestry, political party preference, political belief, socioeconomic status, or familial status.
- “Volunteer” means an individual who has regular, significant contact with students.

Publication of Policy

The board will annually publish this policy. The policy may be publicized by the following means:

- Inclusion in the student handbook,
- Inclusion in the employee handbook
- Inclusion in the registration materials
- Inclusion on the school or school district’s web site,
- (other)_____

NOTE: This is a mandatory policy. School districts are required to integrate the anti-bullying and anti-harassment policy into the comprehensive school improvement plan and shall collect and report data regarding instances of bullying and harassment as required by law.

NOTE: Some conduct that falls under a school’s anti-bullying/anti-harassment policy also may trigger responsibilities under one or more of the federal and state antidiscrimination laws. By limiting the response to a specific application of its anti-bullying/anti-harassment disciplinary policy and the accompanying procedures, a school may fail to properly consider whether the alleged conduct also results in discriminatory bullying and/or harassment.

Legal References: 20 U.S.C. §§ 1221-1234i.
 29 U.S.C. § 794.
 42 U.S.C. §§ 2000d-2000d-7.
 42 U.S.C. §§ 12101 *2et. seq.*
 Iowa Code §§ 216.9; 280.28; 280.3.
 281 I.A.C. 12.3(6).
Morse v. Frederick, 551 U.S. 393 (2007)

Cross References: 102 Equal Educational Opportunity
 502 Student Rights and Responsibilities
 503 Student Discipline
 506 Education Records

ANTI-HARASSMENT/BULLYING COMPLAINT FORM

Name of complainant: _____

Position of complainant: _____

Date of complaint: _____

Name of alleged harasser or bully : _____

Date and place of incident or incidents: _____

Description of misconduct: _____

Name of witnesses (if any): _____

Evidence of harassment or bullying, i.e., letters, photos, etc. (attach evidence if possible): _____

Any other information: _____

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

Signature: _____

Date:

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JESUP COMMUNITY SCHOOL DISTRICT

ANTI-HARASSMENT/BULLYING WITNESS DISCLOSURE FORM

Name of witness: _____

Position of witness: _____

Date of testimony, interview: _____

Description of incident witnessed: _____

Any other information: _____

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

Signature: _____

Date: _____

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ANTI-BULLYING/HARASSMENT INVESTIGATION PROCEDURES

Filing a Complaint

An individual who believes that the individual has been harassed or bullied may file a complaint with the superintendent or superintendent's designee. The complaint form is available [*link to form on website or designate location such as building office*]. An alternate investigator will be designated in the event it is claimed that the superintendent or superintendent's designee committed the alleged bullying or harassment or some other conflict of interest exists. Complaints shall be filed within [*state number of days - 180*] of the event giving rise to the complaint or from the date the Complainant could reasonably become aware of such occurrence. The Complainant will state the nature of the complaint and the remedy requested. The Complainant shall receive assistance as needed.

Investigation

The school district will promptly and reasonably investigate allegations of bullying or harassment upon receipt of a written complaint. The [*superintendent or the superintendent's designee or name the position if not the superintendent*] (hereinafter "Investigator") will be responsible for handling all complaints alleging bullying or harassment.

The investigation may include, but is not limited to the following:

- *Interviews with the Complainant and the individual named in the complaint ("Respondent")*
- *A request for the Complainant to provide a written statement regarding the nature of the complaint;*
- *A request for the Respondent to provide a written statement;*
- *Interviews with witnesses identified during the course of the investigation;*
- *A request for witnesses identified during the course of the investigation to provide a written statement; and*
- *Review and collection of documentation or information deemed relevant to the investigation.*

The Investigator shall consider the totality of circumstances presented in determining whether conduct objectively constitutes bullying or harassment as defined in Board policy. Upon completion of the investigation, the Investigator shall issue a report with respect to the findings, and provide a copy of the report to the appropriate building principal or Superintendent if the investigation involved the building principal

The complaint and identity of the Complainant, Respondent, or witnesses will only be disclosed as reasonably necessary in connection with the investigation or as required by law or policy. Similarly, evidence uncovered in the investigation shall be kept confidential to the extent reasonably possible.

Additional suggestions for administrative procedures regarding this policy include:

- *Organizing training programs for students, school employees, and volunteers regarding how to recognize bullying and harassing behavior and what to do if this behavior is witnessed; and*

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- *Developing a process for evaluating the effectiveness of this policy in reducing bullying and harassing behavior.*

Decision

The investigator, building principal or superintendent, depending on the individuals involved, shall inform the Complainant and the accused about the outcome of the investigation. If, after an investigation, a student is found to be in violation of the policy, the student shall be disciplined by appropriate measures, which may include suspension and expulsion. If after an investigation a school employee is found to be in violation of this policy, the employee shall be disciplined by appropriate measures, which may include termination. If after an investigation a school volunteer is found to be in violation of this policy, the volunteer shall be subject to appropriate measures, which may include exclusion from school grounds.

Individuals who knowingly file false bullying and/or harassment complaints and any person who gives false statements in an investigation may be subject to discipline by appropriate measures, as shall any person who is found to have retaliated against another in violation of this policy. Any student found to have retaliated in violation of this policy shall be subject to measures up to, and including, suspension and expulsion. Any school employee found to have retaliated in violation of this policy shall be subject to measures up to, and including, termination of employment. Any school volunteer found to have retaliated in violation of this policy shall be subject to measures up to, and including, exclusion from school grounds.

NOTE: School districts must include a number of requirements in the district anti-bullying/anti-harassment policy. This regulation builds on the requirements addressed in IASB sample policy 104 by more specifically detailing sample investigation procedures. Districts should ensure that the district's practice is reflective of the policy and regulations that the district's leadership team has established. Please remember that the procedures outlined here should be consistent with the policy.

NOTE: Some conduct that falls under a school's anti-bullying/anti-harassment policy also may trigger responsibilities under one or more of the federal and state antidiscrimination laws. By limiting the response to a specific application of its anti-bullying/anti-harassment disciplinary policy and the accompanying procedures, a school may fail to properly consider whether the alleged conduct also results in discriminatory bullying and/or harassment.

ASSISTANCE ANIMALS

It is the policy of the Jesup Community School District to foster an equal education environment for all students, employees and community members within the district. The purpose of this policy is to provide guidance to the district on the proper use of assistance animals while on district property. The district shall allow the use of qualified service animals and assistive animals to accompany individuals with disabilities in all areas of district buildings where the public is normally allowed to go. This can include classrooms, cafeteria and school buses. Individuals with disabilities are people who have a physical or mental impairment that substantially limits one or more major life activities. Service animals are dogs and in some instances miniature horses trained to do work or perform tasks for individuals with disabilities. Assistive animals are simians or any other animal specially trained or in the process of being trained to assist a person with a disability.

Service animals and assistive animals must be current on all required vaccinations. Service animals and assistive animals also must be under control while on district grounds. The animal may be under control by either the individual with a disability, or a handler of the service or assistive animal. Under control means harnessed, leashed or tethered, unless these devices interfere with the animal's work, in which case under voice or other directive control.

Establishing the Need for a Service Animal

When no prior notice is given to the district of the use of a service or assistive animal, the Superintendent and/or school administrators are permitted to ask the following questions:

“Do you need/require this animal because of a disability?”

If the animal's trained tasks are not readily apparent, the administrator may ask:

“What work or task has the animal been trained to perform?”

Service and Assistive Animals in training

Assuming the handler and animal are otherwise allowed, individuals who train service and/or assistive animals will also be allowed access with their service animal in training to public areas of district buildings and property. The service or assistive animal in training is expected to abide by the same requirements as a service or assistive animal.

Exclusion of Service and Assistive Animals

In certain limited circumstances, it may be reasonable to exclude the use of a service or assistive animal from district property. The Superintendent is permitted to exclude service and assistive animals from district buildings and property in the following circumstances: The presence of the animal poses a direct threat to the health and safety of others; the owner or handler is unable to control the animal; the animal is not house broken; the presence of the animal significantly disrupts or interferes with the educational process; or the presence of the animal would require a fundamental alteration to the program. If a service animal is properly excluded from district property, the district shall provide the student served by the animal the opportunity to participate in the program, service or activity without having the service animal on district property.

Emotional Support Animals and Therapy Animals [Optional section as these animals are not commonly required to be accommodated]

Emotional support animals are medically prescribed to provide therapeutic benefit through dedicated companionship. Emotional support animals' sole function is to provide emotional support or comfort. Therapy animals are involved in an animal-assisted therapy program involving animals as a form of treatment.

Emotional support animals and therapy animals do not meet the definition of service or assistive animals. However, the district recognizes their value in our community. The superintendent shall evaluate the use of emotional support animals and therapy animals on a case-by-case basis. District employees may use therapy animals in the course of their regular duties only after receiving permission from the superintendent.

Student use of Emotional Support Animals and Therapy Animals

Factors the superintendent should consider in making the determination include but are not limited to:

- a. Whether the animal is housebroken
- b. Whether the animal has a current vaccination certificate
- c. Whether the animal has been recommended through an individual education plan (IEP) or a 504 plan as necessary for the student to receive free access to public education
- d. Whether the facility can accommodate the animal's type size and weight, and
- e. Whether the animal's presence will not compromise legitimate safety requirements necessary for safe operation of the facility

Employee use of Therapy Animals as part of Education Environment

Before permission to use therapy animals is granted, staff members must provide:

1. Proof that the animal is certified to be a therapy animal;
2. An explanation of how the animal will be used, including research supporting the use of therapy animals;
3. A plan for how the staff member will provide for the care and control of the animal;
4. A plan for how the staff member will accommodate students with allergies to the animal; and
5. A current vaccination certificate for the animal.

Legal References: 29 U.S.C. §794
 42 U.S.C. §12132
 28 C.F.R. 35
 Iowa Code §216C

Cross References: 606.3 Animals in the Classroom

NOTE: The use of service and assistive animals is a civil right established by federal and state laws. However, the use of emotional support and therapy animals does not necessarily have the same legal protections. The portion of this policy in italics reflects optional language for your district to consider.

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JESUP COMMUNITY SCHOOL DISTRICT