

Legal Reference:

20 U.S.C§ 6301

42 U.S.C. § 11302

42 U.S.C. §§ 11431 *et seq.*

281 I.A.C.33

Cross Reference:

501 Student Attendance

503.3 Fines - Fees - Charges

506 Student Records

507.1 Student Health and Immunization Certificates

603.3 Special Education

711.1 Student School Transportation Eligibility

Approved 11/14/2011

Reviewed 2/6/2023

Revised 2/6/2023

STUDENT APPEARANCE

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

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

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

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

Legal Reference:

Hazelwood School District v. Kuhlmeier, 484 U.S. 260 (1988).
Bethal School District v. Fraser, 478 U.S. 675 (1986).
Tinker v. Pes Moines Ind. Comm. Sch. Dist., 393 U.S. 503 (1969).
Bvstrom v. Fridlev High School, 822 F.2d 747 (8th Cir. 1987).
Torvik v. Decorah Community School, 453 F.2d 779 (8th Cir. 1972).
Turlev v. Adel Community School District 322 F.Supp. 402 (S.D. Iowa 1971).
Sims v. Colfax Comm. School Dist., 307 F.Supp. 485 (Iowa 1970).
Iowa Code §279.8 (2003).

Cross Reference:

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

Approved 11/14/2011

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CARE OF SCHOOL PROPERTY/VANDALISM

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

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

Legal Reference: Iowa Code §§ 279.8; 282.4, .5; 613.16 (2005).

Cross Reference: 502 Student Rights and Responsibilities
802.1 Maintenance Schedule

Approved 11/14/2011

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STUDENT EXPRESSION AND STUDENT PUBLICATIONS

Student Expression

It is the goal of the district to protect the educational environment for all students to help ensure it is free from substantial disruption or infringement upon their rights. Student expression should be appropriate to help ensure that the students learn and meet the goals of the school activity and that the potential audience is not exposed to material that may be harmful or inappropriate for their level of maturity.

While students will generally be allowed to express their viewpoints and opinions, in certain qualifying circumstances, student speech may require administrative regulation to help ensure the safety and welfare of the school community. The district may regulate speech that: causes or is reasonably anticipated to cause a material and substantial disruption to the education environment; infringes upon the rights of others; is obscene or lewd; is school sponsored; and/or promotes illegal activity. The administration, when making this judgment, will consider whether the activity in which the expression was made is school-sponsored and whether review or prohibition of the students' speech furthers an educational purpose. The expression must be done in a reasonable time, place, and manner that is not disruptive to the orderly and efficient operation of the school district.

The superintendent may develop procedures for safely addressing qualifying types of mass protests by students, including walk-ins and walk-outs. Walk-ins occur when students leave their learning environments during school hours and gather in a group or groups with the purpose of promoting a belief or beliefs. Walk-outs occur when students leave their learning environments during school hours and gather in a group or groups off district property with the purpose of promoting a belief or beliefs.

The superintendent is encouraged to obtain feedback from community stakeholders in the development of these procedures. The goal of the procedures shall be to address student safety, maintain the education environment and promote communication during demonstrations while remaining viewpoint neutral.

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

Student Publications

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

Any expression made by students, including student expression in official school publications, is not an expression of official school policy. The school district, the board, and the employees or officials are

not liable in any civil or criminal action for any student expression made or published by students unless the employees or officials have interfered with or altered the content of the student speech or expression. The liability, if any, is only to the extent of the interference or alteration of the speech or expression.

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

Persons, other than students, who believe they have been aggrieved by student expression in a student-produced official school publication will follow the grievance procedure outlined in board policy 213.1. Students who believe their freedom of expression in a student-produced official school publication has been restricted will follow the grievance procedure outlined in board policy 502.4.

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

Legal Reference:

U.S. Const. amend. I.

Iowa Const. art. I (sec. 7)

Morse v. Frederick, 551 U.S. 393 (2007)

Hazelwood School District v. Kuhlmeier, 484 U.S. 260 (1988).

Bethel School District v. Fraser, 478 U.S. 675 (1986).

New Jersey v. T.L.O., 469 U.S. 325 (1985).

Tinker v. Des Moines Ind. Comm. Sch. Dist., 393 U.S. 503 (1969).

Bystrom v. Fridley High School, 822 F.2d 747 (8th Cir. 1987).

Iowa Code §§ 279.8, .73; 280.22

Cross Reference:

102 Equal Educational Opportunity

502 Student Rights and Responsibilities

504 Student Activities

603.9 Academic Freedom

903.5 Distribution of Materials

STUDENT EXPRESSION AND STUDENT PUBLICATIONS REGULATION

A. Student Expression defined: Student Expression is speech, action or other forms of expression which convey a student's beliefs, views or opinions.

B. Official school publications defined: An "official school publication" is material produced by students in journalism, newspaper, yearbook, or writing classes and distributed to students either free or for a fee.

C. Limitations to Student Expression

1. No student will express, publish or distribute publication material which is:

- a. obscene;
- b. libelous;
- c. slanderous; or
- d. encourages students to:

1) commit unlawful acts;

2) violate lawful school regulations;

3) cause the material and substantial disruption of the orderly and efficient operation of the school or school activity;

4) disrupt or interfere with the education program;

5) interrupt the maintenance of a disciplined atmosphere; or

6) infringe on the rights of others.

D. Responsibilities of students for official school publications.

1. Students writing or editing official school publications will assign and edit the news, editorial and feature contents of the official school publications subject to the limitations of the student publications code and the law.
2. Students will strive to achieve professional standards of accuracy, fairness, objectivity and thoroughness in each and every aspect of official school publications.
3. Students will strive to achieve professional standards of grammar, usage, punctuation and spelling for clarity and accuracy of official school publications.

E. Responsibilities of faculty advisors for official school publications.

Faculty advisors will supervise student writers to maintain professional standards of English and journalism and to comply with the law including, but not limited to, the restrictions against unlawful speech. Official

school publications are produced under the supervision of a faculty advisor. Faculty advisors to students producing official school publications shall supervise the production of the student staff in order to maintain professional standards of English journalism. District employees acting within the scope of their professional ethics will not suffer adverse employment action or retaliation against for acting to protect a student for engaging in authorized student expression or for refusing to infringe on protected student expression.

F. District employee rights

Any District employee or official, acting within the scope of that person's professional ethics, if any, shall not be dismissed, suspended, disciplined, reassigned, transferred, subject to termination or nonrenewal of a teaching contract or extracurricular contract, or otherwise retaliated against for acting to protect a student for engaging in expression protected by law, or refusing to infringe upon student expression that is protected by law.

G. Liability

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

H. Appeal procedure

1. Students who believe they have been unreasonably restricted in their exercise of expression in an official student publication will seek review of the decision through the student grievance procedure, under board policy 502.4.
2. Persons who believe they have been aggrieved by a student-produced official student publication will file their complaint through the citizen grievance procedure, under board policy 213.1.

I. Time, place and manner of restrictions on student expression.

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

STUDENT COMPLAINTS AND GRIEVANCES

Creating an environment where students feel comfortable addressing their concerns in a meaningful manner is vital to the learning process. It is the goal of the board to resolve student complaints at the lowest organizational level. Student complaints and grievances regarding board policy or administrative regulations, or other matters should be first addressed to the student's teacher or another licensed employee, other than the administration, for resolution of the complaint.

If the complaint cannot be resolved by a licensed employee, the student may discuss the matter with the principal within 2 days of the employee's decision. If the matter cannot be resolved by the principal, the student may discuss it with the superintendent within 2 days after speaking with the principal.

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

LEGAL REFERENCE: Iowa Code 279.8 (2005).

CROSS REFERENCE:	210.8	Board Meeting Agenda
	213	Public Participation in Board Meetings
	502	Student Rights and Responsibilities
	504.3	Student Publications

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STUDENT LOCKERS

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

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

Legal Reference: Iowa Code 279.8; 280.14; 808A (2005)

Cross Reference: 502 Student Rights and Responsibilities

WEAPONS

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

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

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

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

Weapons under the control of law enforcement officials or other individuals specifically authorized by the board are exempt from this policy. Students and individuals approved in writing by the Superintendent who are actively engaging in a school district approved firearms safety course, hunter education course or shooting sports activity are exempt from this policy. The superintendent may develop an administrative process or procedures to implement the policy and communicate with law enforcement relevant exemptions to this policy as appropriate.

Legal Reference: 18 U.S.C. § 921
Iowa Code §§ 279.8; 280.21B; 483A.27(11), 724 (2013).
281 I.A.C. 12.3(6)

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

Approved 02/06/2023

Reviewed 09/09/2024

Revised 09/09/2024

STUDENT SUBSTANCE USE

The board believes it is imperative to promote the health and well-being of all students in the district. The district will provide a substance use prevention program and set restrictions on substance use by students in accordance with applicable law.

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

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

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

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

The board believes the substance abuse prevention program will include:

- Age-appropriate, developmentally-based drug and alcohol curriculum for students in grades kindergarten through twelve, which address the legal, social, and health consequences of tobacco, drug and alcohol use and which provide information about effective techniques for resisting peer pressure to use tobacco, drugs or alcohol;

- A statement to students that the use of illicit drugs and the unlawful possession and use of alcohol is wrong and harmful;

- Standards of conduct for students that clearly prohibit, at a minimum, the unlawful possession, use, being under the influence of or distribution of illicit drugs and alcohol by students on school premises or as part of any of its activities;

- A clear statement that disciplinary sanctions, up to and including suspension or expulsion and referral for prosecution, will be imposed on students who violate the policy and a description of those sanctions;

- A statement that students may be required to successfully complete an appropriate rehabilitation program;

- Information about drug and alcohol counseling and rehabilitation and re-entry programs available to students;

STUDENT SUBSTANCE USE

A requirement that parents and students be given a copy of the standards of conduct and the statement of disciplinary sanctions required; and,

Notification to parents and students that compliance with the standards of conduct is mandatory.

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

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

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

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Reviewed 01/08/24

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SEARCH AND SEIZURE

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

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

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

Legal Reference: U.S. Const. Amend. IV.

New Jersey v. T.L.O., 469 U.S. 325(1985).

Cason v. Cook, 810 F.2d 188 (8th Cir. 1987), cert. den.; 482 U.S. 930 (1987)

Iowa Code ch. 808A (Supp. 2005)

281 I.A.C. 12.3(6)

Cross References: 502 Student Rights and Responsibilities

503 Student Discipline

905.2 Tobacco/Nicotine-Free Environment

Approved 11/14/2011

Reviewed 02/06/2023

Revised 2/6/2023

SEARCH AND SEIZURE CHECKLIST

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

A. Eyewitness account.

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

B. Information from a reliable source.

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

C. Suspicious behavior? Explain.

D. Time of search:

E. Location of search:

F. Student told purpose of search:

G. Consent of student requested:

SEARCH AND SEIZURE CHECKLIST

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

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

III. Explanation of Search.

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

SEARCH AND SEIZURE REGULATION

I. Searches, in general.

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

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

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

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

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

II. Types of Searches

A. Personal Searches

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

B. Locker and Desk Inspections

1. Although school lockers and desks are temporarily assigned to individual students, they remain the property of the school district at all times. The school district has a reasonable and valid interest in ensuring the lockers and desks are properly maintained. For this reason, lockers and desks are subject to unannounced inspections and students have no legitimate expectations of privacy in the locker or desk. Periodic inspections of all or a random selection of lockers or desks may be conducted by school officials in the presence of the student or another individual. Any contraband discovered during such searches shall be confiscated by school officials and may be turned over to law enforcement officials.
2. The contents of a student's locker or desk (coat, backpack, purse, etc) may be searched when a school official has reasonable and articulable suspicion that the locker contents contain illegal or contraband items or evidence of a violation of law or school policy or rule. Such searches should be conducted in the presence of another adult witness when feasible.

C. Automobile Searches

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

INTERVIEWS OF STUDENTS BY OUTSIDE AGENCIES

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

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

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

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

Legal Reference:

Iowa Code §§ 232; 280.17 (2005).
281 I.A.C. 102.
441I.A.C.9.2;155;175. 1980 Op. Atfy Gen. 275.

Cross Reference:

402.2 Child Abuse Reporting
502.8 Search and Seizure
503 Student Discipline
902.4 Students and the News Media

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USE OF MOTOR VEHICLES

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

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

Students who live within one mile from school, and would not otherwise be eligible for a student driving permit, may be eligible for a permit, for driving to and from school and school activities and practices, if the student has completed driver's education and can justify the need for the permit to the superintendent. A meeting between the student, parent/guardian, and the superintendent is required and the superintendent must be provided with a map indicating the most direct route from the student's home to school. The driver's education requirement can be waived if the student meets one of the hardship requirements printed on the state school permit form. Once the paperwork is completed the actual permit is secured by the student from the drivers license bureau.

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

Legal Reference: Iowa Code §§ 279.8; 321 (2005).

Cross Reference: 502 Student Rights and Responsibilities

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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.

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

STUDENT CONDUCT

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

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. (2013)
281 I.A.C. 12.3(6)

Cross Reference: 501 Student Attendance
502 Student Rights and Responsibilities
504 Student Activities
506.3 Physical Restraint and Seclusion of Students
603.3 Special Education
903.5 Distribution of Materials

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STUDENT SUSPENSION

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.

At the principal's discretion, the student may be allowed to confront witnesses against the student or present witnesses on behalf of the student.

3. Notice of the out-of-school suspension will be mailed no later than the end of the school day following the suspension to the student's parents and the superintendent. A reasonable effort is made to personally notify the student's parents and such effort is documented by the person making or attempting to make the contact. Written notice to the parents will include the circumstances which led to the suspension and a copy of the board policy and rules pertaining to the suspension.

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.

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.

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 (2013).
281 I.A.C. 12.3(6).

Cross Reference: 502 Student Rights and Responsibilities
503 Student Discipline

FINES - FEES - CHARGES

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

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

Legal Reference: Iowa Code §§ 256.7(20); 279.8; 280.10, .11; 282.6; 285.1; 301.1 (2005).
2811.A.C. 18.
19940p.AttyGen.23. 1990 Op.
Att'y Gen. 79. 1982
0p.AttyGen.227. 1980 Op. Att'y
Gen. 532.

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

Approved 11/14/2011

Reviewed 02/06/2023

Revised 02/06/2023

STANDARD FEE WAIVER APPLICATION

Date _____

School year _____

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

Name of student: _____

Grade in school _____

Name of student: _____

Grade in school _____

Name of student: _____

Grade in school _____

Attendance Center/School: _____

Name of parent, guardian or legal or actual custodian _____

Please check type of waiver desired:

Full waiver _____ Partial waiver _____ Temporary waiver _____

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

Full waiver _____ Free meals offered under the Children Nutrition Program (CNP) The Family Investment Program (FTP) Transportation assistance under open enrollment Foster care

Partial waiver _____ Reduced priced meals offered under the Children Nutrition Program

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

Signature of parent, guardian: or legal or actual custodian

STUDENT FEE WAIVER AND REDUCTION PROCEDURES

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

A. Waivers -

Full Waivers - a student will be granted a full waiver of fees charged by the school district if the student or student's parents meet the financial eligibility criteria for free meals under the Child Nutrition program, Family Investment Program, or transportation assistance under open enrollment. Students in foster care are also eligible for full waivers.

Partial Waivers - a student will be granted a partial waiver of fees charged by the school district if the student or the student's parents meet the financial eligibility criteria for reduced price meals offered under the Child Nutrition program. A partial waiver of fees will be a 40% reduction of the full fee.

Temporary Waivers - a student may be eligible for a temporary waiver of fees charged by the district in the event the student's parents are facing financial difficulty. Temporary waivers may be applied for at any time throughout the school year and will not extend beyond the end of the school year.

B. Application - Parents or students eligible for a fee waiver will make an application on the form provided by the school district. Applications may be made at any time but must be renewed annually.

C. Confidentiality - The school district will treat the application and application process as any other student record and student confidentiality and access provisions will be followed.

D. Appeals - Denials of a waiver by a building principal may be appealed to the superintendent.

E. Fines or charges assessed for damage or loss to school property are not fees and will not be waived.

F. Notice - the school district will annually notify parents and students of the waiver. The following information will be included in registration materials.

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

GOOD CONDUCT RULE

Participation in school activities is a privilege. School activities provide the benefits of promoting additional interests and abilities in the students during their school years and for their lifetimes.

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

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

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

Legal Reference: *Bunger v. Iowa High School Athletic Assn.*, 197 N.W.2d 555 (Iowa 1972).

In re Jason Clark, 1 D.P.I. App. Dec. 167 (1978).

Iowa Code §§ 280.13, .13A.

281 I.A.C. 12.3(6); 36.15(1).

Cross Reference: 502 Student Rights and Responsibilities

503 Student Discipline

504 Student Activities

Approved _____

Reviewed 02/06/2023

Revised 02/06/2023

STUDENT GOOD CONDUCT RULE DISTRICT REGULATIONS

Academic Eligibility for Extracurricular Activities

The respective state association governs any student who participates in an extracurricular activity.

Students receive mid-term progress reports after the fourth week of each quarter and report cards at the end of each quarter. Following the 1 st quarter mid-term report of each semester, grade reports will be made every week after that report. Students with a failing grade in any class will be ineligible to participate in the activity until the grade, or grades, is a passing grade. The student will have 1 week to make the grade a passing grade before the ineligibility will be in effect. The grade must remain passing for the remainder of the semester for the student to remain eligible to participate in extracurricular activities. Ineligibility for a minimum of 5 school days from the Monday following the day the reports are issued until the weekly reports show that they have met the weekly requirements for passing all subjects. Special Education students who are meeting their Individual Educational Plan (*JEP*) goals, through the recommendation of the Special Education teacher and with the approval of the building principal may be eligible for participation in extracurricular activities. This includes all extra curricular activities in which there is a public performance.

Eligibility at the end of each semester will be determined by the current policy of the IHSAMGHSAA.

Conduct Eligibility for Extracurricular Activities

Because it is a privilege to represent the school district in activities, it follows logically that the school must have the authority to revoke the privilege when the student does not conduct himself/herself in an acceptable manner at all times. This responsibility for good behavior exists not only while the student is actively representing the school, but also at all times and in all places. Students with less than acceptable behavior, in or out of school, will not be allowed to participate in public activities as a school representative.

The following are minimum standards and affect all extra-curricular activities and all activities where the student acts as a representative of the school. If a student pleads guilty to, or is found guilty of; admits to an officer of the law or school personnel; is seen by a coach, sponsor, teacher, or other school personnel in the act of; is placed by the courts on formal or informal probation for:

STUDENT GOOD CONDUCT RULE
DISTRICT REGULATIONS

1. Commission of theft, vandalism, or other serious offenses, including those which would violate the Iowa Criminal Code, as to make the student unworthy to represent the ideals and standard of the school
2. Possession or use of any kind of tobacco or tobacco product as defined by the Code of Iowa
3. Possession, consumption, or being under the influence of alcohol
4. Possession, use, or being under the influence of controlled substances as defined by the Code of Iowa without a legal prescription.

If the administration determines, based on the evidence, that a student engaged in any act that would be grounds for arrest or citation in the criminal or juvenile court system (excluding minor offenses such as traffic or hunting/fishing violations), regardless of whether the student was cited, arrested, convicted, or adjudicated for the acts, the student will be considered in violation of this Code for purpose of administrative action.

Violations of the Good Conduct Rule will be cumulative within the student's high school career. The student is subject to a loss of eligibility as follows:

First Offense: 25% loss of eligibility

The student will not be permitted to dress for, or participate in 25% of consecutive contests or performances of the activities in which he/she participates after the violation.

Second Offense: 50% loss of eligibility

The student will not be permitted to dress for, or participate in 50% of consecutive contests or performances of the activities in which he/she participates after the violation.

Third Offense: 75% loss of eligibility

The student will not be permitted to dress for, or participate in 50% of consecutive contests or performances of the activities in which he/she participates after the violation.

Fourth Offense: 12 month loss of eligibility

The student will not be permitted to dress for, or participate in, activities for a period of 12 months after the violation.

STUDENT GOOD CONDUCT RULE DISTRICT REGULATIONS

During the first conference with the principal concerning eligibility, (first offense) a student who is honest and cooperative and admits to the violation may receive a reduction in penalty when the following conditions are met:

1. A student may receive a reduction in penalty if there is admission prior to determination. If a student comes forward to a coach/director, administrator, or activity sponsor to admit (self-report) a violation of the extracurricular activities code of conduct policy prior to finding of guilt by the administration, the student's penalty may be reduced.
2. A student may receive a reduction in penalty if the student agrees to complete an established number of "school service." The type of "school service" will be determined and agreed upon by the student and administrator of East Mills High School. The number of hours of "school service" are listed below.
3. A student may receive a reduction in penalty if the student agrees to complete an educational component(s). The educational component(s) could include, (but is not limited to any of the following): an evaluation and treatment process (at student's expense), research, reading, viewing of informational video(s) or written testing. The educational component(s) will be determined and agreed upon by the student, parent/guardian, and administrator of the East Mills High School.

First Offense - 1/2 reduction of loss of eligibility (No penalty will be less than on event.)

Second Offense - 1/3 reduction of loss of eligibility for self reporting and satisfactory completion of 10 hours of "school service" and successful completion of the educational components).

Third Offense - 1/3 reduction of loss of eligibility for self-reporting and satisfactory completion of 15 hours of "school service" and successful completion of the educational component(s).

Fourth or More Offense - No reduction of loss of eligibility.

Students who are ineligible will travel to school activities on school transportation and will sit on the bench out of uniform. This rule does include the following; academic music classes and performances: marching band, concert band, instrumental large group contest, vocal concerts, and vocal large group contest. For these public performances the student will be given an alternative assignment.

STUDENT GOOD CONDUCT RULE
DISTRICT REGULATIONS

Ineligibility may occur within 12 months if a violation occurs at the end of a season in which the total ineligibility period cannot be served. The ineligibility period would then carry over into the student's next season of participation. Any season in which an ineligibility period is served must be successfully completed, or the period of ineligibility will be extended to the next season of participation. If the student were not currently engaged in an activity, the ineligibility period would be served in his/her next season of participation. The maximum ineligibility period would cover 12 months. If a student transfers in from another school district and the student had not yet completed a period of ineligibility for a violation of a Good Conduct Rule in the previous school, the student shall be ineligible until the ineligibility has been completed at East Mills High School as determined by the administration.

CORPORAL PUNISHMENT, MECHANICAL RESTRAINT AND PRONE RESTRAINT

The use of corporal punishment, mechanical restraint and/or prone restraint is prohibited in all schools. Corporal punishment is defined as the intentional physical punishment of a student and is prohibited. It includes the use of unreasonable or unnecessary physical force or physical contact made with the intent to harm or cause pain. No employee is prohibited from any of the following which are not considered corporal punishment:

Using reasonable and necessary force, not designed or intended to cause pain, in order to accomplish any of the following:

- To quell a disturbance or prevent an act that threatens physical harm to any person.
- To obtain possession of a weapon or other dangerous object within a student's control.
- For the purposes of self-defense or defense of others as provided for in Iowa Code section 704.3.
- For the protection of property as provided for in Iowa Code section 704.3
- To remove a disruptive pupil from class or any area of school premises or from school-sponsored activities off school premises.
- To protect a student from the self-infliction of harm.
- To protect the safety of others.

Using incidental, minor, or reasonable physical contact to maintain order and control.

Mechanical restraint means the use of a device as a means of restricting a student's freedom of movement. Mechanical restraint does not mean a device used by a trained individual for specific approved therapeutic or safety purposes for which the device was designed and, if applicable, prescribed, including restraints for medical immobilization, adaptive devices or mechanical supports used to allow greater freedom of mobility than would be possible without use of such devices or mechanical supports; and vehicle safety restraints when used as intended during the transport of a student in a moving vehicle.

Prone restraint means any restraint in which the student is held face down on the floor.

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

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

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

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

Legal Reference: Ingraham v. Wright, 430 U.S. 651 (1977).
Goss v. Lopez, 419 U.S. 565 (1975).
Tinkham v. Kole, 252 Iowa 1303, 110 N.W.2d 258 (1961).
Lai v. Erickson, PTPC Admin. Doc. 83-12 (1983).
Iowa Code §§ 279.8; 280.21 (2013).
281 I.A.C. 12.3(6); 103.
1980 Op. Att'y Gen. 275.

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

PHYSICAL RESTRAINT AND SECLUSION OF STUDENTS

It is the goal of the district that all students can learn and grow in a safe and peaceful environment that nurtures the student and models respect for oneself and others. On occasion, trained district employees and others may have to use behavior management interventions, physical restraint and/or seclusion of students. The goal of these interventions is to promote the dignity, care, safety, welfare and security of each child and the school community. With this objective in mind, the district will prioritize the use of the least restrictive behavioral interventions appropriate for the situation.

Physical restraint means a personal restriction that immobilizes or reduces the ability of a student to move the student's arms, legs, body, or head freely. Physical restraint does not mean a technique used by trained school personnel, or used by a student, for the specific and approved therapeutic or safety purposes for which the technique was designed and, if applicable, prescribed. Physical restraint does not include instructional strategies, such as physically guiding a student during an educational task, hand-shaking, hugging, or other non-disciplinary physical contact.

Seclusion means the involuntary confinement of a child in a seclusion room or area from which the child is prevented or prohibited from leaving; however, preventing a child from leaving a classroom or school building are not considered seclusion. Seclusion does not include instances when a school employee is present within the room and providing services to the child, such as crisis intervention or instruction.

Physical restraint or seclusion is reasonable or necessary only:

- To prevent or terminate an imminent threat of bodily injury to the student or others; or
- To prevent serious damage to property of significant monetary value or significant nonmonetary value or importance; or
- When the student's actions seriously disrupt the learning environment or when physical restraint or seclusion is necessary to ensure the safety of the student or others; and
- When less restrictive alternatives to seclusion or physical restraint would not be effective, would not be feasible under the circumstances, or have failed in preventing or terminating the imminent threat or behavior; and
- When the physical restraint or seclusion complies with all applicable laws.

Prior to using physical restraint or seclusion, employees must receive training in accordance with the law. Any individual who is not employed by the district but whose duties could require the individual to use or be present during the use of physical restraint or seclusion on a student will be invited to participate in the same training offered to employees on this topic.

When required by law, the superintendent or the superintendent's designee will ensure a post-occurrence debriefing meeting is held, maintain documentation and fulfill all reporting requirements for each occurrence of physical restraint or seclusion as required by law.

Legal Reference: Iowa Code §§ 279.8; 280.21.
281 I.A.C. 103.

Cross Reference: 402.3
District Employees
Responsibilities 502
503
503.5 Corporal Punishment

Abuse of Students by School
Student Rights and
Student Discipline

Approved 01/13/2021

Reviewed 02/06/2023

Revised 02/06/2023

[illegible]

Describe any less restrictive means attempted as an alternative to physical restraint and seclusion or why those means would not be effective or feasible, or have failed:			
Approval from administrator to continue physical restraint or seclusion past 15 minutes:		Approval obtained from administrator to continue physical restraint or seclusion more than 30 minutes past last approval time:	
Administrator approving:		Administrator approving:	
Time approved:		Time approved:	
Reasons for length of incident:		Reasons for length of incident:	
If Administrator approval was not obtained at 15 minutes or every 30 minutes thereafter, or a student was not provided with breaks for bodily needs in incidents lasting longer than 15 minutes, explain why:			
Parent/Guardian notification: Parents/Guardians will be notified as soon as practicable once the occurrence is under control, but no more than one hour after, or the end of the school day, whichever occurs first. Space below for documenting multiple attempts to notify guardians is listed in case the guardian cannot be reached in the first attempt.			
Employee attempting notification:	Parent/Guardian contacted:	Time and manner of attempted notification:	Was notification successful?
Employee attempting notification:	Parent/Guardian contacted:	Time and manner of attempted notification:	Was notification successful?
Employee attempting notification:	Parent/Guardian contacted:	Time and manner of attempted notification:	Was notification successful?
If Parent/Guardian notification requirements were not complied with, explain why:			
Describe injuries sustained or property damaged by students or employees:			

Describe future approaches to address student behavior including any consequences or disciplinary actions that may be imposed on the student:

This form has been reviewed and completed by the undersigned employee. A written copy of this form has been sent to the student's parent or guardian within three school days of the occurrence. Unless the parent or guardian agrees to receive the report by email, fax, or hand delivery, the report must be sent by mail and postmarked by the third day following the occurrence. Enclosed with a copy of this form is an invitation for the parents or guardians to participate in the debriefing meeting scheduled in accordance with the law.

Employee

Date of form delivered to Parent/Guardian

Method of Transmittal