

## Use of Information Resources

In order for students to experience a diverse curriculum, the board encourages employees to supplement their regular curricular materials with other resources. In so doing, the board recognizes that federal law makes it illegal to duplicate copyrighted materials without authorization of the holder of the copyright, except for certain exempt purposes. Severe penalties may be imposed for plagiarism, unauthorized copying or using of media, including, but not limited to, print, electronic and web-based materials, unless the copying or using conforms to the "fair use" doctrine. Under the "fair use" doctrine, unauthorized reproduction of copyrighted materials is permissible for such purposes as criticism, comment, news reporting, teaching, scholarship or research providing that all fair use guidelines are met.

While the school district encourages employees to enrich the learning programs by making proper use of supplementary materials, it is the responsibility of employees to abide by the school district's copying procedures and obey the requirements of the law. In no circumstances shall it be necessary for school district staff to violate copyright requirements in order to perform their duties properly. The school district will not be responsible for any violations of the copyright law by employees or students. Violation of the copyright law by employees may result in discipline up to, and including, termination. Violation of the copyright law by students may result in discipline, up to and including, suspension or expulsion.

Parents or others who wish to record, by any means, school programs or other activities need to realize that even though the school district received permission to perform a copyrighted work does not mean outsiders can copy it and re-play it. Those who wish to do so should contact the employee in charge of the activity to determine what the process is to ensure the copyright law is followed. The school district is not responsible for outsiders violating the copyright law or this policy.

Any employee or student who is uncertain as to whether reproducing or using copyrighted material complies with the school district's procedures or is permissible under the law should contact the principal or teacher who will also assist employees and students in obtaining proper authorization to copy or use protected material when such authorization is required.

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

***Note: This is a mandatory policy. The policy is based upon federal law. It is strongly recommended the board seek legal counsel prior to making substantive edits to the policy and sample regulation. For more detailed discussion of this issue, see LASB's Policy Primer, Vol. 20 #1-August 31, 2007.***

Legal References:      17 U.S.C. § 101 et al. (2012)  
                                  281 I.A.C. 12.3(12).

Cross References:      605.6    Internet Appropriate Use

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### Use of Information Resources Regulation

Employees and students may make copies of copyrighted materials that fall within the following guidelines. Where there is reason to believe the material to be copied does not fall within these guidelines, prior permission shall be obtained from the publisher or producer with the assistance of the principal, teacher, or teacher-librarian. Employees and students who fail to follow this procedure may be held personally liable for copyright infringement and may be subject to discipline by the board.

Under the "fair use" doctrine, unauthorized reproduction of copyrighted materials is permissible for such purposes as criticism, comment, news reporting, teaching, scholarship or research. Under the fair use doctrine, each of the following four standards must be met in order to use the copyrighted document:

- Purpose and Character of the Use – The use must be for such purposes as teaching or scholarship.
- Nature of the Copyrighted Work – The type of work to be copied.
- Amount and Substantiality of the Portion Used – Copying the whole of a work cannot be considered fair use; copying a small portion may be if these guidelines are followed.
- Effect of the Use Upon the Potential Market for or value of the Copyrighted Work – If resulting economic loss to the copyright holder can be shown, even making a single copy of certain materials may be an infringement, and making multiple copies presents the danger of greater penalties.

#### Authorized Reproduction and Use of Copyrighted Material Reminders:

- Materials on the Internet should be used with caution since they may, and likely are, copyrighted.
- Proper attribution (author, title, publisher, place and date of publication) should always be given.
- Notice should be taken of any alterations to copyrighted works, and such alterations should only be made for specific instructional objectives.
- Care should be taken in circumventing any technological protection measures. While materials copied pursuant to fair use may be copied after circumventing technological protections against unauthorized copying, technological protection measures to block access to materials may not be circumvented.

In preparing for instruction, a teacher may make or have made a single copy of:

- A chapter from a book;
- An article from a newspaper or periodical;
- A short story, short essay or short poem; or,
- A chart, graph, diagram, drawing, cartoon or picture from a book, periodical or newspaper.

A teacher may make multiple copies not exceeding more than one per pupil, for classroom use or discussion, if the copying meets the tests of "brevity, spontaneity and cumulative effect" set by the following guidelines. Each copy must include a notice of copyright.

- Brevity
  - A complete poem, if less than 250 words and two pages long, may be copied; excerpts from longer poems cannot exceed 250 words;
  - Complete articles, stories or essays of less than 2500 words or excerpts from prose works less than 1000 words or 10% of the work, whichever is less may be copied; in any event, the minimum is 500 words;
  - Each numerical limit may be expanded to permit the completion of an unfinished line of a poem or prose paragraph;



### Use of Information Resources Regulation

- ○ One chart, graph, diagram, drawing, cartoon or picture per book or periodical issue may be copied. "Special" works cannot be reproduced in full; this includes children's books combining poetry, prose or poetic prose. Short special works may be copied up to two published pages containing not more than 10 percent of the work.
- Spontaneity – Should be at the "instance and inspiration" of the individual teacher when there is not a reasonable length of time to request and receive permission to copy.
- Cumulative Effect – Teachers are limited to using copied material for only one course for which copies are made. No more than one short poem, article, story or two excerpts from the same author may be copied, and no more than three works can be copied from a collective work or periodical column during one class term. Teachers are limited to nine instances of multiple copying for one course during one class term. Limitations do not apply to current news periodicals, newspapers and current news sections of other periodicals.

### Copying Limitations

Circumstances will arise when employees are uncertain whether or not copying is prohibited. In those circumstances, the principal, teacher, or teacher-librarian should be contacted. The following prohibitions have been expressly stated in federal guidelines:

- Reproduction of copyrighted material shall not be used to create or substitute for anthologies, compilations or collective works.
- Unless expressly permitted by agreement with the publisher and authorized by school district action, there shall be no copying from copyrighted consumable materials such as workbooks, exercises, test booklets, answer sheets and the like.
- Employees shall not:
  - Use copies to substitute for the purchase of books, periodicals, music recordings, consumable works such as workbooks, computer software or other copyrighted material. Copy or use the same item from term to term without the copyright owner's permission;
  - Copy or use more than nine instances of multiple copying of protected material in any one term;
  - Copy or use more than one short work or two excerpts from works of the same author in any one term;
  - Copy or use protected material without including a notice of copyright. The following is a satisfactory notice: NOTICE: THIS MATERIAL MAY BE PROTECTED BY COPYRIGHT LAW.
  - Reproduce or use copyrighted material at the direction of someone in higher authority or copy or use such material in emulation of some other teacher's use of copyrighted material without permission of the copyright owner.
  - Require other employees or students to violate the copyright law or fair use guidelines.

### Authorized Reproduction and Use of Copyrighted Materials in the Library

A library may make a single copy or three digital copies of:

- An unpublished work in its collection;
- A published work in order to replace it because it is damaged, deteriorated, lost or stolen, provided that an unused replacement cannot be obtained at a fair price.
- A work that is being considered for acquisition, although use is strictly limited to that decision. Technological protection measures may be circumvented for purposes of copying materials in order to make an acquisition decision.



## Use of Information Resources Regulation

A library may provide a single copy of copyrighted material to a student or employee at no more than the actual cost of photocopying. The copy must be limited to one article of a periodical issue or a small part of other material, unless the library finds that the copyrighted work cannot be obtained elsewhere at a fair price. In the latter circumstance, the entire work may be copied. In any case, the copy shall contain the notice of copyright and the student or staff member shall be notified that the copy is to be used only for private study, scholarship or research. Any other use may subject the person to liability for copyright infringement.

### Authorized Reproduction and Use of Copyrighted Music or Dramatic Works

Teachers may:

- Make a single copy of a song, movement, or short section from a printed musical or dramatic work that is unavailable except in a larger work for purposes of preparing for instruction;
- Make multiple copies for classroom use of an excerpt of not more than 10% of a printed musical work if it is to be used for academic purposes other than performance, provided that the excerpt does not comprise a part of the whole musical work which would constitute a performable unit such as a complete section, movement, or song;
- In an emergency, a teacher may make and use replacement copies of printed music for an imminent musical performance when the purchased copies have been lost, destroyed or are otherwise not available.
- Make and retain a single recording of student performances of copyrighted material when it is made for purposes of evaluation or rehearsal;
- Make and retain a single copy of excerpts from recordings of copyrighted musical works for use as aural exercises or examination questions; and,
- Edit or simplify purchased copies of music or plays provided that the fundamental character of the work is not distorted. Lyrics shall not be altered or added if none exist.

Performance by teachers or students of copyrighted musical or dramatic works is permitted without the authorization of the copyright owner as part of a teaching activity in a classroom or instructional setting. The purpose shall be instructional rather than for entertainment.

Performances of nondramatic musical works that are copyrighted are permitted without the authorization of the copyright owner, provided that:

- The performance is not for a commercial purpose;
- None of the performers, promoters or organizers are compensated; and,
- Admission fees are used for educational or charitable purposes only.

All other musical and dramatic performances require permission from the copyright owner. Parents or others wishing to record a performance should check with the sponsor to ensure compliance with copyright.

### Recording of Copyrighted Programs

Television programs, excluding news programs, transmitted by commercial and non-commercial television stations for reception by the general public without charge may be recorded off-air simultaneously with broadcast transmission (including simultaneous cable retransmission) and retained by a school for a period not to exceed the first forty-five (45) consecutive calendar days after date of recording. Upon conclusion of this retention period, all off-air recordings must be erased or destroyed immediately. Certain programming such as that provided on public television may be exempt from this provision; check with the principal, teacher, or teacher-librarian or the subscription database, e.g. unitedstreaming.

## Use of Information Resources Regulation

Off-air recording may be used once by individual teachers in the course of instructional activities, and repeated once only when reinforcement is necessary, within a building, during the first 10 consecutive school days, excluding scheduled interruptions, in the 45 calendar day retention period. Off-air recordings may be made only at the request of and used by individual teachers, and may not be regularly recorded in anticipation of requests. No broadcast program may be recorded off-air more than once at the request of the same teacher, regardless of the number of times the program may be broadcast. A limited number of copies may be reproduced from each off-air recording to meet the legitimate needs of teachers. Each additional copy shall be subject to all provisions governing the original recording.

After the first ten consecutive school days, off-air recordings may be used up to the end of the 45 calendar day retention period only for evaluation purposes, i.e., to determine whether or not to include the broadcast program in the teaching curriculum. Permission must be secured from the publisher before the recording can be used for instructional purposes after the 10 day period.

Off-air recordings need not be used in their entirety, but the recorded programs may not be altered from their original content. Off-air recordings may not be physically or electronically combined or merged to constitute teaching anthologies or compilations. All copies of off-air recordings must include the copyright notice on the broadcast program as recorded.

### **Authorized Reproduction and Use of Copyrighted Computer Software**

Schools have a valid need for high-quality software at reasonable prices. To assure a fair return to the authors of software programs, the school district shall support the legal and ethical issues involved in copyright laws and any usage agreements that are incorporated into the acquisition of software programs. To this end, the following guidelines shall be in effect:

- • All copyright laws and publisher license agreements between the vendor and the school district shall be observed;
- • Staff members shall take reasonable precautions to prevent copying or the use of unauthorized copies on school equipment;
- • A back-up copy shall be purchased, for use as a replacement when a program is lost or damaged. If the vendor is not able to supply a replacement, the school district shall make a back-up copy that will be used for replacement purposes only;
- • A copy of the software license agreement shall be retained by the, board secretary, technology director or teacher-librarian; and,
- • A computer program may be adapted by adding to the content or changing the language. The adapted program may not be distributed.

### **Fair Use Guidelines for Educational Multimedia**

Students may incorporate portions of copyrighted materials in producing educational multimedia projects such as videos, Power Points, podcasts and web sites for a specific course, and may perform, display or retain the projects.



### Use of Information Resources Regulation

Educators may perform or display their own multimedia projects to students in support of curriculum-based instructional activities. These projects may be used:

- In face-to-face instruction;
- In demonstrations and presentations, including conferences;
- In assignments to students;
- For remote instruction if distribution of the signal is limited;
- Over a network that cannot prevent duplication for fifteen days, after fifteen days a copy may be saved on-site only; or,
- In their personal portfolios.

Educators may use copyrighted materials in a multimedia project for two years, after that permission must be requested and received.

The following limitations restrict the portion of any given work that may be used pursuant of fair use in an educational multimedia project:

- Motion media: ten percent or three minutes, whichever is less;
- Text materials: ten percent or 1,000 words, whichever is less;
- Poetry: an entire poem of fewer than 250 words, but no more than three poems from one author or five poems from an anthology. For poems of greater than 250 words, excerpts of up to 250 words may be used, but no more than three excerpts from one poet or five excerpts from an anthology;
- Music, lyrics and music video: Up to ten percent, but no more than thirty seconds. No alterations that change the basic melody or fundamental character of the work;
- Illustrations, cartoons and photographs: No more than five images by an artist, and no more than ten percent or fifteen images whichever is less from a collective work;
- Numerical data sets: Up to ten percent or 2,500 field or cell entries, whichever is less;

Fair use does not include posting a student or teacher's work on the Internet if it includes portions of copyrighted materials. Permission to copy shall be obtained from the original copyright holder(s) before such projects are placed online. The opening screen of such presentations shall include notice that permission was granted and materials are restricted from further use.

Notices-Before including this section, make sure employees are ready to comply with it and notices are posted.

The [Superintendent, Principal, Teacher, Librarian, teacher-librarian, choose all that apply or add others] is responsible for ensuring that appropriate warning devices are posted. The warnings are to educate and warn individuals using school district equipment of the copyright law.

Warning notices must be posted:

- On or near copiers;
- On forms used to request copying services;
- On video recorders;
- On computers; and,
- At the library and other places where interlibrary loan orders for copies and materials are accepted.





### **Artificial Intelligence in the Educational Environment**

The district believes that to adequately prepare modern learners for the future, advances in technology should first be explored within the education environment. At its most simple, generative artificial intelligence (AI) is automation based on association. AI tools analyze large amounts of information and detect patterns using that information to draw a conclusion. The AI tools then improve the conclusions drawn based upon additional data reviewed, patterns found, and prior conclusions drawn. Generative AI for the education environment has the potential to automate classroom organizational tasks, enhance individualized student learning, teaching, assessment of student learning, and even enhance research and professional development for educators.

However, generative AI tools can be vulnerable to inaccuracy in some significant ways. AI tools can: have bias in how the tools detect patterns; detect patterns/draw conclusions based on inaccurate data; and may not be fully accessible to students with differing abilities. It is valuable for students to understand the potential uses and limitations of this imperfect technology in an educational environment where AI tools have been carefully selected and are monitored and reviewed within appropriate guidelines. For this reason, human oversight and decision making must lead the selection, use, and review of AI tools in the education environment.

Only humans can verify the accuracy of AI tools and apply proper context to any information generated from them. AI tools will never be the sole determining factor used to make decisions related to student learning, assessment, academic integrity, and behavior. All decisions must be made by appropriate licensed staff and based upon a holistic analysis of available evidence.

Privacy must be protected when using generative AI tools. AI draws conclusions based on analysis of data. No personally identifiable information about other students or staff will be shared with AI tools, without prior written consent from the parent or guardian of the student, or from the student/staff if applicable. Permission must be granted prior to students using open-source AI tools that may share information outside the tool itself, and with any entities outside the control of the privacy terms and conditions of the AI tool.

Use of AI tools by students and staff will be at all times appropriate to the educational environment and subject to all applicable laws, regulations and policies. This includes but is not limited to the Family Education Rights and Privacy Act, Children's Internet Protection Act, and the Children's Online Privacy Protection Rule; as well as district policies on student conduct, copyright protections, student records, personnel records, bullying and harassment, and staff/student expression.

The Superintendent, working in collaboration with relevant staff, will develop regulations necessary to carry out the intent of this policy.

**Artificial Intelligence int the Educational Environment**

***NOTE: This policy is discretionary and can be adapted to suit the needs of your district. AI is an umbrella term. Nearly all districts already utilize classroom management software, collaboration software and other technologies within the district that use AI technology in some fashion. The intent of this policy is to address the use of generative and open-source AI tools more specifically in the education setting, and what limitations and protections will be built into that process.***



### **Selection of AI tools**

AI tools will be vetted by relevant stakeholders including, but not limited to the district's IT staff and, when related to student learning or assessment, by the Curriculum Director. Decisions to use AI tools should be focused on:

- Protection of students: Any AI tools used in the district must comply with the requirements to safeguard students from accessing material that is obscene, child pornography and harmful to minors.
- Privacy: Personally identifiable information of students will not be shared without necessary written consents. Further, any AI tools utilized must meet the requirements of the School Official exemption listed in FERPA, and described in policy 712.
- Accessibility: Is the tool available to students of all abilities? If not, what comparable alternatives will be offered to ensure an equitable learning environment for all students?
- Accuracy: To the extent reasonable, the AI tool should be both reliable and unbiased in its pattern recognition, and data used by the tool should be verified for accuracy.
- Transparent and Interruptible: Student use of AI tools must be able to be monitored by licensed staff to safeguard the appropriateness of the learning experience for the student and monitor for accuracy of the AI tool.

### **Academic Integrity**

Use of AI in research and graded work by students must include proper source citations. Copyright protections must be strictly adhered to. Students who fail to comply with these requirements may face discipline as stated in relevant district policies.

### **Appropriate Use**

Prior to using AI tools, classroom teachers will clearly state how AI tools may be used to engage in and complete educational tasks and assignments. Classroom teachers will establish appropriate parameters for AI tool usage and will monitor student use of AI tools as appropriate.

### **Prohibited Uses**

Students will not use AI tools to access or create information that is discriminatory, constitutes bullying or harassment, shares confidential or personally identifiable information of others, or access/create material that is harmful to minors, obscene, or child pornography. Any violation of this regulation will be treated as a violation of relevant district policies and may be subject to loss of access to the AI tool, and further discipline.



CLASS SIZE - CLASS GROUPING

It is within the sole discretion of the board to determine the size of classes and to determine whether class grouping will take place. The board may review the class sizes annually.

It is the responsibility of the superintendent to make a recommendation to the board on class size based upon the financial condition of the school district, the qualifications of and number of licensed employees, and other factors deemed relevant to the board.

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

Cross Reference: 606.6 Insufficient Classroom Space

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## SCHOOL CEREMONIES AND OBSERVANCES

The school district will continue school ceremonies and observances which have become a tradition and a custom of the education program. These include, but are not limited to, reciting the Pledge of Allegiance and observance of holidays, such as Christmas, Halloween and Easter, by programs and performances. Such ceremonies or observances will have a secular purpose and will not advocate or sponsor a particular religion.

The district will provide and maintain a suitable flagstaff at each school site and raise the Iowa and United States flags each school day as weather conditions permit. The district will display the United States flag and administer the Pledge of Allegiance in each 1st through 12th grade classroom on school days.

Students who do not wish to participate in these activities may be silent during the ceremony or observance or receive permission from the principal to be excused from the ceremony for religious reasons in compliance with board policy.

Legal Reference: U.S. Const. amend. I.  
*Lee v. Weisman*, 112 S.Ct. 2649 (1992).  
*Lemon v. Kurtzman*, 403 U.S. 602 (1971).  
*Graham v. Central Community School District of Decatur County*, 608 F.Supp. 531 (S.D. Iowa 1985).  
Iowa Code § 279.8 (2013).

Cross Reference: 603 Instructional Curriculum  
604.5 Religious-Based Exclusion From A School Program

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## ANIMALS IN THE CLASSROOM

Live animals will not be allowed in school district facilities except under special circumstances and only for an educational purpose. Permission from the principal will be required of anyone wishing to bring an animal into school district facilities. Appropriate supervision of animals is required when animals are brought into the school district facilities.

The person bringing the animal must furnish transportation for the animal brought to school. Animals will not be allowed to travel to and from the student's attendance center on the school bus without prior approval from the principal.

It is the responsibility of the principal to determine appropriate supervision of animals in the classroom. This policy is not intended to address the use of service animals, assistive animals, therapy animals or emotional support animals on District property.

Legal Reference: Iowa Code § 279.8 (2013).

Cross Reference: 105 Assistance Animals  
507 Student Health and Well-Being

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## STUDENT PRODUCTION OF MATERIALS AND SERVICES

Materials and services produced by students at the expense of the school district are the property of the school district. Materials and services produced by students at the student's expense, except for incidental expense to the school district, are the property of the student.

It is the responsibility of the superintendent to determine incidental expense.

Legal Reference: Iowa Code § 279.8 (2013).

Cross Reference: 408.2 Licensed Employee Publication or Creation of Materials

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## STUDENT FIELD TRIPS AND EXCURSIONS

The principal may authorize field trips and excursions when such events contribute to the achievement of education goals of the school district. The school district will provide transportation for field trips and excursions.

In authorizing field trips and excursions, the principal will consider the financial condition of the school district, the educational benefit of the activity, the inherent risks or dangers of the activity, and other factors deemed relevant by the superintendent. Written parental permission will be required prior to the student's participation in field trips and excursions. Field trips and excursions outside a 150 mile radius of Malvern or requiring an overnight stay must have the recommendation of the principal and the approval of the superintendent.

Field trips and excursions are to be arranged with the principal well in advance. A detailed schedule and budget must be submitted by the employee. The school district will be responsible for obtaining a substitute teacher if one is needed. Following field trips and excursions, the teacher may be required to submit a written summary of the event.

Legal Reference: 390 C.F.R. Pt. 390.3(f) (2012).  
Iowa Code § 279.8 (2013).  
281 I.A.C. 43.9.

Cross Reference: 503.1 Student Conduct  
503.4 Good Conduct Rule  
603 Instructional Curriculum  
711 Transportation

Approved 06/11/12

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## INSUFFICIENT CLASSROOM SPACE

It is the goal of the district to create learning environments that encourage the growth and development of each student. Providing classrooms with an appropriate student-teacher ratio is central to achieving this goal. Insufficient classroom space exists when conditions in the district adversely affect the implementation of the district's goals and its educational program.

Insufficient classroom space is determined on a case-by-case basis.

In making its determination whether insufficient classroom space exists, the board may consider several factors, including but not limited to, the nature of the education program, the grade level, the available licensed employees, the instructional method, the physical space, student-teacher ratios, equipment and materials, facilities either being planned or under construction, facilities planned to be closed, financial condition of the school district and projected to be available, a sharing agreement in force or planned, a bargaining agreement in force, laws or rules governing special education class size, board-adopted school district goals and objectives, and other factors considered relevant by the board.

This policy is reviewed by the board annually. It is the responsibility of the superintendent to bring this policy to the attention of the board each year.

***NOTE: This is a policy mandated by Iowa's open enrollment law and reflects the requirements of the law.***

Legal Reference: Iowa Code § 282.18(13) (2013).  
281 I.A.C. 17.6(3).

Cross Reference: 103 Long-Range Needs Assessment  
501.15 Open Enrollment Transfers - Procedures as a Receiving District  
606.1 Class Size - Class Grouping

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## STUDENT GUIDANCE AND COUNSELING PROGRAM

The board will provide a student guidance and counseling program. The guidance counselor will be certified with the Iowa Department of Education and hold the qualifications required by the board. The guidance and counseling program will serve grades kindergarten through twelve. The program will assist students with their personal, educational, and career development. The program is coordinated with the education program and will involve licensed employees.

***NOTE: Although it is not mandated to have a guidance counselor, it is required that a counseling program exist. This is a mandated policy and reflects the educational standards. For more detailed discussion of this issue, see IASB's Policy Primer, Vol. 14 #3- June 27, 2001.***

Legal Reference: Iowa Code § 280.14; 622.10 (2013).  
281 I.A.C. 12.3(11).

Cross Reference: 506 Student Records  
603 Instructional Curriculum  
604.4 Program for At-Risk Students

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## STUDENT HEALTH SERVICES

Health services are an integral part of comprehensive school improvement, assisting all students to increase learning, achievement, and performance. Health services coordinate and support existing programs to assist each student in achievement of an optimal state of physical, mental and social wellbeing. Student health services ensure continuity and create linkages between school, home, and community service providers. The school district's comprehensive school improvement plan, needs, and resources determine the linkages.

Except in emergent care situations or child abuse assessments, the district will not administer invasive physical examinations or health screenings of a student that are not required by state or federal law without first obtaining the written consent of the student's parent or guardian.

- Emergent care situation means a sudden or unforeseen occurrence of onset of a medical or behavioral condition that could result in serious injury or harm to a student or others in the event immediate medical attention is not provided. Emergent care situation includes the need to screen a student or others for symptoms or exposures during an outbreak or public health event of concern as designated by the department of public health.
- Invasive physical examination means any medical examination that involves the exposure of private body parts or any act during such examination that includes incision, insertion, or injection into the body, but does not include a hearing, vision or scoliosis screening.
- Student health screening means an intentionally planned, periodic process to identify if students may be at risk for a health concern and to determine if a referral for an in-depth assessment is needed to consider appropriate health services. Student health screening does not include an episodic, individual screening done in accordance with professional licensed practice.

The superintendent, in conjunction with the (school nurse, health advisory committee, public health nurse, school health team, etc.) will develop administrative regulations implementing this policy. The superintendent will provide a written report on the role of health services in the education program to the board annually.

***Note: If a school district will be using federal money to perform physical exams or screenings on students, the school district must annually notify parents of the exam or screening except for hearing, vision or scoliosis. The following language is suggested;***

***"The school district will annually notify parents of physical exams or screenings conducted on students except for vision, hearing or scoliosis."***

***For more detailed discussion of this issue, see IASB's Policy Primer, Vol. 14 #3- June 28, 2001.***

Legal Reference: 42 U.S.C. §§ 12101 *et seq.* (2012).  
34 C.F.R. pt. 99, 104, 200, 300 *et seq.* (2012)  
29 U.S.C. § 794(a)(2012)  
28 C.F.R. 35  
20 U.S.C. 1232g § 1400 6301 *et seq.* (2012).  
Iowa Code §§ 22.7, 139A.3. .8, .21; 143.1, 152, 256.7(24), .11, 280.23 (2013).  
281 I.A.C. 12.3(4), (7), (11); 12.4(12); 12.8; 41.405.  
282 I.A.C. 15.3(14); 22.  
641 I.A.C. 7.  
655 I.A.C. 6, 6.3(1), 6.3(6), 6.6(1), 7.

Cross Reference: 501.4 Entrance - Admissions  
505.4 Testing Program  
507.2 Administration of Medication to Students  
507.2E1 Administration of Medication to Students - Asthma, Airway Constricting  
or Respiratory Distress Medication Self-Administration Consent Form  
507.2E2 Administration of Medication to Students - Parental Authorization and  
Release Form for the Administration of Medication to Students



## STUDENT HEALTH SERVICES REGULATION

### Student Health Services Administrative Regulations

- I. Student Health Services - Each school building may develop a customized student health services program based on its unique needs and resources. Scientific advances, laws, and school improvement necessitate supports to students with health needs to receive their education program.

Supports to improve student achievement include:

- qualified health personnel
- school superintendent, school nurse, and school health team working collaboratively
- family and community involvement
- optimal student health services program with commitment to its continuing improvement

Components provided within a coordinated school health program include:

- |                             |  |
|-----------------------------|--|
| ● health services           | ● health education                               |
| ● nutrition                 | ● physical education and activity                |
| ● healthy, safe environment | ● counseling, psychological, and social services |
| ● staff wellness            | ● family and community involvement               |

Student health services are provided to identify health needs; facilitate access to health care; provide for health needs related to educational achievement; promote health, well-being, and safety; and plan and develop the health services program.

### II. Student Health Services Essential Functions

A. Identify student health needs:

1. Provide individual initial and annual health assessments
2. Provide needed health screenings
3. Maintain and update confidential health records
4. Communicate (written, oral, electronic) health needs as consistent with confidentiality laws

B. Facilitate student access to physical and mental health services:

1. Link students to community resources and monitor follow through
2. Promote increased access and referral to primary health care financial resources such as Medicaid, HAWK-I, social security, and community health clinics
3. Encourage appropriate use of health care

C. Provide for student health needs related to educational achievement:

1. Manage chronic and acute illnesses
2. Provide special health procedures and medication including delegation, training, and supervision of qualified designated school personnel



## STUDENT HEALTH SERVICES REGULATION

3. Develop, implement, evaluate, and revise individual health plans (IHPs) for all students with special health needs according to mandates in the Individuals with Disabilities Education Act (IDEA), Rehabilitation Act (Section 504), and American with Disabilities Act (ADA)
  4. Provide urgent and emergency care for individual and group illness and injury
  5. Prevent and control communicable disease and monitor immunizations
  6. Promote optimal mental health
  7. Promote a safe school facility and a safe school environment
  8. Participate in and attend team meetings as a team member and health consultant
- D. Promote student health, well-being, and safety to foster healthy living:
1. Provide developmentally appropriate health education and health counseling for individuals and groups
  2. Encourage injury and disease prevention practices
  3. Promote personal and public health practices
  4. Provide health promotion and injury and disease prevention education
- E. Plan and develop the student health services program collaboratively with the superintendent, school nurse, and school health team:
1. Gather and interpret data to evaluate needs and performance
  2. Establish health advisory council and school health team
  3. Develop health procedures and guidelines
  4. Collaborate with staff, families, and community
  5. Maintain and update confidential student school health records
  6. Coordinate program with all school health components
  7. Coordinate with school improvement
  8. Evaluate and revise the health service program to meet changing needs
  9. Organize scheduling and direct health services staff
  10. Develop student health services annual status report
  11. Coordinate information and program delivery within the school and between school and major constituents
  12. Provide health services by qualified health professionals to effectively deliver services, including multiple levels of school health expertise such as registered nurses, physicians, and advanced registered nurse practitioners
  13. Provide for professional development for school health services staff

### III. Expanded Health Services

These additional health services address learning barriers and the lack of access to health care. Examples include school-based services in the school, school-linked services connected to the school, primary care, mental health, substance abuse, and dental health.