

IASB Sample Policy Updates

107 - Assistance Animals (*Question as to Service Animals*)

The Iowa Civil Rights Act (ICRA) was updated in order to better align with the federal Americans with Disabilities Act. The ICRA now uses the same terminology of service animals and limits service animals to dogs and in qualifying instances, miniature horses. This policy language has been updated to reflect this alignment and to clarify the species of acceptable service animals to those permitted by law.

200.2 - Organization of the Board of Directors

Following changes made to the law during the 2021 legislative session boards now have flexibility to hold their organizational meeting either at or before the first regular meeting following the canvass of votes. This additional flexibility has been updated in the policy language.

213 - Closed Sessions

This policy has been updated to clarify language on when to utilize closed sessions. Language related to exempt meetings has also been removed from this policy. Exempt meetings are separate from open meetings, and the topic should be separated into a distinct board policy.

***New* 213.1 - Exempt Meetings**

Exempt meeting language from policy 212 has been moved to create this distinct policy. Language has been updated to clarify the use of exempt meetings.

214.1 - Board Meeting Agenda

The language update to this policy is not a legal requirement. This update is recommended as a best practice for districts to facilitate the voice of the board to be heard during meetings. This updated language provides an opportunity for the majority of the board to place an item on the meeting agenda. Boards still maintain the ability to call a special meeting if a majority of the board wishes to have one.

***Rescinded* 309—Communication Channels**

This policy has been rescinded because it overlaps board policies on *Public Complaints*, *Employee Complaints*, and *Student Complaints and Grievances*. It is important for board policies to be written in clear language, so they are accessible and understandable to the entire school district community. Because board policy has the force and effect of law for the school district it is important to remove overlapping policy

language wherever possible. This way there is less chance that a slight difference between two similar statements creates ambiguity among policies.

401.5 - Employee Complaints

This policy has been updated to utilize the same process for handling employee complaints as is used for student complaints. By utilizing the same procedures this builds clarity for the district and for employees.

502.6 - Student Complaints and Grievances

This policy language has been updated to build clarity of purpose and to clarify the process for handling student complaints.

606.9 - Insufficient Classroom Space

This policy language has been updated to provide additional information on the purpose of the policy and the parameters for assessing when insufficient classroom space exists for districts.

ASSISTANCE ANIMALS

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

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

Miniature Horses as Service Animals

Miniature horses shall be allowed as service animals within the district whenever it is reasonable to allow them. Factors to consider when determining reasonableness include: whether the miniature horse is house broken; whether the miniature horse is under the owner's control; whether the facility can accommodate the miniature horse's type, size and weight; and whether the miniature horse's presence will not compromise legitimate safety requirements necessary for safe operation of the facility.

Establishing the Need for a Service Animal

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

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

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

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

Service Animals in training

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

Exclusion of Service Animals

In certain limited circumstances, it may be reasonable to exclude the use of a service animal from district property. The Superintendent is permitted to exclude service animals from district buildings and property in the following circumstances: The presence of the animal poses a direct threat to the health and safety of others; the owner or handler is unable to control the animal; the animal is not house broken; the presence of the animal significantly disrupts or interferes with the educational process; or the presence of the animal would require a fundamental alteration to the program. If a service animal is properly excluded from district property, the district shall provide the

student served by the animal the opportunity to participate in the program, service or activity without having the service animal on district property.

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

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

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

Student use of Emotional Support Animals and Therapy Animals

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

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

Employee use of Therapy Animals as part of Education Environment

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

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

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

Cross References: 606.3 Animals in the Classroom

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

Approved _____

Reviewed _____

Revised _____

ORGANIZATION OF THE BOARD OF DIRECTORS

The Bellevue Community School District board is authorized by and derives its organization from Iowa law. The board will consist of 5 board members. Board members are elected *at-large*.

The board is organized for the purpose of setting policy and providing general direction for the school district. The board will hold its organizational meeting at or before the first regular meeting following the canvass of votes. The retiring board will transfer materials, including the board policy manual, and responsibility to the new board.

The organizational meeting allows the outgoing board to approve minutes of its previous meetings, complete unfinished business and review the school election results. The retiring board will adjourn and the new board will then begin. The Board Secretary will administer the oath of office to the newly-elected board members. The Board Secretary will preside while the new board elects the president and vice-president of the new board.

NOTE: Iowa law establishes the organizational meeting at or before the first regular meeting following the canvass of votes.

Board members elected at a general election must qualify at or before the organizational meeting.

Legal Reference: Iowa Code §§ 274.2; 275.23A; 277.23, .28, .31; 279.1, .5, .7, .8, .33.
281 I.A.C. 12.3(2).

Cross Reference: 202 Board of Directors Members
206.1 President
206.2 Vice-President
210 Board of Directors' Meetings

Approved _____

Reviewed _____

Revised _____

BOARD MEETING AGENDA

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

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

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

The board will take action only on the items listed on the tentative agenda posted with the public notice. Items added to the agenda may be discussed or taken under advisement by the board. If an added item is acted upon, the minutes of the board meeting will state the reason justifying the immediate action.

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

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

Legal Reference: Iowa Code §§ 21; 279.8.

Cross Reference: 210 Board of Directors' Meetings
211 Open Meetings
213 Public Participation in Board Meetings
215 Board of Directors' Records
402.5 Public Complaints About Employees
502.4 Student Complaints and Grievances

Approved _____

Reviewed _____

Revised _____

CLOSED SESSIONS

Generally, board meetings will be open meetings, unless a closed session is provided for by law.

Closed sessions take place as part of an open meeting. The board may enter into a closed session for any reason permitted by law.

The item for discussion in the closed session will be listed as part of the tentative agenda on the public notice with the full text of the *Iowa Code* citation reference stated on the agenda. The motion for a closed session, stating the purpose for the closed session, will be made and seconded during the open meeting. A minimum of two-thirds of the board, or all of the board members present, if any are absent, must vote in favor of the motion on a roll call vote. Closed sessions will be recorded and have detailed minutes kept by the board secretary. No voting will take place in the closed session. Final action on matters discussed in the closed session will be taken in an open meeting.

The minutes and recording will restate the motion made in the open meeting, the roll call vote, the members present, and the time the closed session began and ended. The recordings and the written minutes will be kept for one year from the date of the meeting. Real estate related minutes and recordings will be made public after the real estate transaction is completed.

The detailed minutes recording will be sealed and will not be public records open to public inspection. The minutes recording will only be available to board members or opened upon court or administrative order in an action to enforce the requirements of the open meetings law. The board has complete discretion as to whom may be present at a closed session, but generally closed sessions will be limited to the board, a recording secretary and the superintendent if indicated. The board has discretion to nominate the board secretary or any board member to serve as recording secretary for the closed session.

Legal Reference: Iowa Code §§ 21; 22.7; 279.24.

Cross Reference: 208 Ad Hoc Committees
211 Open Meetings
212.1 Exempt Meetings

Approved _____

Reviewed _____

Revised _____

EXEMPT MEETINGS

Board meetings at which a quorum is not present, or gatherings of the board for purely ministerial or social purposes when there is no discussion of policy or no intent to avoid the purposes of the open meetings law, are exempt from the open meetings law requirements. Since gatherings of this type are exempt from the open meetings requirements, they can be held without public notice, be separate from an open meeting, be held without recording the gathering or taking minutes, and be held without a vote or motion. The board may also hold an exempt session for the following reasons, or as may be otherwise authorized by law:

1. Negotiating sessions, strategy meetings of public employers or employee organizations, mediation and the deliberative process of arbitration;
2. to discuss strategy in matters relating to employment conditions of employees not covered by the collective bargaining law;
3. to conduct a private hearing relating to the recommended termination of a teacher's contract. The private hearing however, in the teacher's contract termination will be recorded verbatim by a court reporter; and
4. to conduct a private hearing relating to the termination of a probationary administrator's contract or to review the proposed decision of the administrative law judge regarding the termination of an administrator's contract.

***NOTE:** Meetings exempt from the Open Meetings law are separate, standalone meetings of the board. For this reason, exempt meetings should never take place within an open meeting. Exempt meetings may be placed before or after an open meeting. But once an open meeting has convened, it should be adjourned prior to holding an exempt meeting. While there is no legal requirement to provide notice or keep minutes for exempt meetings; there may be intrinsic benefit for the community to understand that the board is communicating in a transparent fashion. For this reason, boards may choose to provide a notice that they intend to gather for an exempt meeting.*

Legal Reference: Iowa Code §§ 20.17; 21; 22.7; 279.15, .16.

Cross Reference: 208 Ad Hoc Committees
211 Open Meetings
212 Closed Sessions

Approved _____

Reviewed _____

Revised _____

Rescinded

Code No. 309

COMMUNICATION CHANNELS

Questions and problems shall be resolved at the lowest organizational level nearest to the complaint. School employees shall be responsible for conferring with their immediate supervisor on questions and concerns. Students and other members of the school district community shall confer with a licensed employee and then with the principal on questions and concerns.

If resolution is not possible by any of the above, individuals may bring it to the attention of the superintendent within 15 school days of their discussion with the principal. If there is no resolution or plan for resolution by the superintendent within 15 school days of the individual's discussion with the superintendent, the individual may ask to have the question or problem placed on the board agenda. The action of the board will be final.

It shall first be the responsibility of the administrators to resolve questions and problems raised by the employees and the students they supervise and by other members of the school district community.

Legal Reference: Iowa Code § 279.8 (1999).

Cross Reference: 213 Public Participation in Board Meetings
401.4 Employee Complaints
502.4 Student Complaints and Grievances
504.3 Student Publications

Approved June 2000

Reviewed Aug 2016

Revised _____

EMPLOYEE COMPLAINTS

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

If the complaint cannot be resolved, the employee may discuss the matter with their immediate supervisor. If the matter cannot be resolved within __10__ days of speaking with the immediate supervisor, the employee may discuss it with the principal within __10__ days of the supervisor's decision. If the matter cannot be resolved by the principal, the employee may discuss it with the superintendent within __10__ days after speaking with the principal.

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

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

[Insert additional information (e.g., specific steps, contacts, etc.) regarding the district's complaint process, if one is not contained in another district document].

NOTE: Boards should adapt IASB sample policies to meet the needs of the local district. Please ensure that the language contained in local policy is consistent with language contained in other district documents (e.g., handbooks, master contracts, etc.).

NOTE: There should be reasonable limits on the number of days an employee has to pursue a complaint. Cross reference with the number of days listed in policy 502.4 for consistency.

Legal Reference: Iowa Code §§ 20; 279.8

Cross Reference: 210.8 Board Meeting Agenda

Approved _____

Reviewed _____

Revised _____

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 first be 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 student's teacher or other licensed employee, the student may discuss the matter with the principal within 10 days of the employee's decision. If the matter cannot be resolved by the principal, the student may discuss it with the superintendent within 10 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.

NOTE: There should be reasonable limits on the number of days a student has to pursue a complaint. Cross reference with the number of days listed in policy 401.4 for consistency..

Legal Reference: Iowa Code § 279.8

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

Approved _____

Reviewed _____

Revised _____

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).
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

Approved _____

Reviewed _____

Revised _____