

Board Policies

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906.3	Unmanned Aircrafts – Drones (New)

Overview of Proposed Changes

(Recommended by the Iowa Association of School Boards)

700 Purpose of Non-Instructional and Business Services
Legal and more concise wording.

701.5 Financial Records
Reflects the appropriate types of funds that fall within each fund category; Provides additional background on two fund types; and Adds language detailing the legal requirements necessary for creating additional funds.

704.3 Investments
Reflects changes to Iowa Code to provide districts increased flexibility for investing specific types of excess public funds. The changes to the law allow districts greater freedom to invest excess public funds in longer term certificates of deposit, up to five years, rather than the prior requirement of CDs which mature within 397 days or less.

704.5 Student Activities Fund
Updated legal citations

704.6 Online Fundraising Campaigns – Crowdfunding (Optional)

Online fundraising campaigns have become an increasingly popular mechanism for educators to raise money. "Crowdfunding" can be defined as, "the use of small amounts of capital from a large number of individuals to finance a project, business venture, or to fundraise for a specific cause or charity." While they have become popular, these campaigns also present challenges for districts as they attempt to navigate the ownership of property and how the funds should be tracked.

The new sample policy addresses these issues at the beginning of the process by requiring prior approval and also states "all items and money generated are subject to the same controls and regulations as other district property." As

board/superintendent teams determine how the approval process and other aspects of this policy will be implemented, consider the following questions:

- Does our district want to approve all crowdfunding campaigns or only campaigns that exceed a specific dollar amount? (The IASB sample requires approval for all campaigns).
- Are there other individuals who should be included in the approval process (e.g., the technology director for requests that impact the district's technology infrastructure)?
- Are there specific crowdfunding platforms the district wants to limit approvals for (e.g., only approving platforms that deliver items/materials directly to the school rather than sending money)?

705.1 Purchasing – Bidding

Adds the option of using lease purchase agreements during public construction projects. Public improvement now includes lease options for districts

705.8 Expenditures for a Public Purpose (New)

Guidance to the district on how all potential purchases or reimbursements should be regulated. Core idea is that prior to making a purchase, all individuals should feel comfortable describing the public purpose served in using tax dollars to complete the transaction. While districts must serve the educational needs of their community, they do still maintain the latitude to determine what constitutes a public purpose.

706.2 Payroll Deductions (New)

Removes the reference to the collective bargaining process and agreement to align with updated law; and Narrows the ability to deduct for political reasons, which is now illegal.

707.5 Internal Controls

Strengthen fiscal oversight capability for district leadership; Reflects the best practices for providing whistleblower protection, as well as requirements for notifying outside entities of suspected financial irregularities.

708 Care, Maintenance and Disposal of School District Records
Reflects the legal requirements for record retention.

710.1 School Nutrition Program
State and Federal compliance and suspension of federal and state contractors

710.2 Free or Reduced Cost Meals Eligibility
Follows Iowa Code; Prohibits overt identification of students who qualify for free/reduced lunch

712 Technology and Data Security (New)
Discusses the subject areas districts should consider when implementing and increasing their data security. The policy is designed as an overview of the subject areas requiring oversight, but the policy does not provide the specific steps to undertake because individual districts should tailor their security requirements to suit the specific resources and needs of their district.

712R1 Security Requirements of Third-Party Vendors Regulation
Federal and state laws require that third-party vendors adhere to security requirements when accessing, storing and using data for students and employees. Some examples of third-party vendors can include district e-mail hosting services, district calendaring programs, and electronic school lunch account programs.

801.6 Bids and Awards for Construction Contracts (Delete; Similar to 705.1)
Was updated to add the option of using lease purchase agreements during public construction projects by school corporations. This policy clarifies the definition of public improvement which now includes lease-purchase options for districts.

804.6 Bomb Threats (Delete; Replaced by 804.2)
These plans (included in 804.2) are designed to cover topic areas including natural disasters as well as security threats including active shooters and bomb threats. All districts must have plans and necessary training in place by June 30, 2019. Plans are required to be reviewed annually. The policy reflects who the district must work with to create the plans, and the necessary requirements for training.

905.1 Transporting Students in Private Vehicles
Includes considerations as additional protection for the school district. The amended policy includes these considerations that better reflect best practice with regard to the transportation of students.

906.1 Community Use of School District Facilities and Equipment
This policy clarifies the requirements for school district employees who wish to use district facilities and equipment outside the scope of their job duties.

906.3 Unmanned Aircrafts – Drones (New)

Drones are a "hot topic" right now. In addition to the privacy concerns associated with drone use, there are also questions of property damage and personal injury. While there are certainly concerns associated with drone use, there are wonderful things going on at schools too, such as students building drones and taking part in learning and conversations at new levels. Consequently, the IASB sample policy is drafted to allow superintendents to examine exceptions to the policy, such as the district's curriculum, when determining whether to permit drones on district property.

As you consider whether or not the sample policy best meets the needs of your district:

- The use of unmanned aircrafts is an unsettled area of the law. There is overlap with federal and state regulations and as such, there is the potential for challenge associated with the enforcement of the policy. Districts should, as with the adoption of any new policy, work with the district's legal counsel to determine whether, when, and to what extent a policy on unmanned aircraft should be adopted at the local level.

old

Code No. 700

PURPOSE OF NONINSTRUCTIONAL AND BUSINESS SERVICES

This series of the board policy manual is devoted to the goals and objectives for the school district's noninstructional services and business operations that assist in the delivery of the education program. These noninstructional services include, but are not limited to, transportation, the school lunch program and child care. The board, as it deems necessary, will provide additional noninstructional services to support the education program. To the extent a group of employees has a recognized collective bargaining unit, the provisions of the master contract regarding such topics shall prevail.

- It shall be the goal of the board to provide noninstructional services and to conduct its business operations in an efficient manner.

Approved June 2000

Reviewed July 2014

Revised July 2017

New

Code No. 700

PURPOSE OF NONINSTRUCTIONAL AND BUSINESS SERVICES

This series of the board policy manual is devoted to the goals and objectives for the school district's noninstructional services and business operations that assist in the delivery of the education program. These noninstructional services include, but are not limited to, transportation, the school lunch program and child care. The board, as it deems necessary, will provide additional noninstructional services to support the education program. To the extent a group of employees has a recognized collective bargaining unit, the provisions of the master contract regarding such topics shall prevail.

It is the goal of the board to provide noninstructional services and to conduct its business operations in an efficient manner.

Approved _____ Reviewed _____ Revised _____

New

Code No. 700

PURPOSE OF NONINSTRUCTIONAL AND BUSINESS SERVICES

This series of the board policy manual is devoted to the goals and objectives for the school district's noninstructional services and business operations that assist in the delivery of the education program. These noninstructional services include, but are not limited to, transportation, the school lunch program and child care. The board, as it deems necessary, will provide additional noninstructional services to support the education program. To the extent a group of employees has a recognized collective bargaining unit, the provisions of the master contract regarding such topics shall prevail.

→ It is the goal of the board to provide noninstructional services and to conduct its business operations in an efficient manner.

Approved _____ Reviewed _____ Revised _____

old

Code No. 701.5

FINANCIAL RECORDS

Financial records of the school district shall be maintained in accordance with generally accepted accounting principles (GAAP) as required or modified by law. School district monies shall be received and expended from the appropriate fund and/or account. The funds and accounts of the school district shall include, but not be limited to:

Governmental fund type:

- General fund
- Special revenue fund
 - Management levy fund
 - Physical plant and equipment levy fund
 - Public education and recreation levy fund
 - Student activity fund
- Capital projects fund
- Debt service fund
 - Sales tax fund

Proprietary fund type:

- Enterprise fund
 - School nutrition fund
 - Child care fund
- Internal service fund

Fiduciary funds:

- Trust or agency funds
 - Expendable trust funds
 - Nonexpendable trust funds
 - Agency funds
 - Pension trust funds

Account groups:

- General fixed assets account group
- General long-term debt account group

As necessary the board may, by board resolution, create additional funds within the governmental, proprietary and fiduciary fund types. The resolution shall state the type of fund, name of the fund and purpose of the fund.

The general fund is used primarily for the education program. Special revenue funds are used to account for monies restricted to a specific use by law. Proprietary funds account for operations of the school district operated similar to private business, and they account for the costs of providing goods and services provided by one department to other departments on a cost reimbursement basis. Fiduciary funds are used to account for monies or assets held by the school district on behalf of, or in trust for, another entity. The account groups are the accounting records for fixed assets and long-term debt.

It shall be the responsibility of the superintendent to implement this policy and bring necessary changes in the maintenance of the school district's financial records to the attention of the board.

Legal Reference: Iowa Code §§ 11.23; 298A (2009).

Cross Reference: 704 Revenue
705 Expenditures

Approved June 2000

Reviewed July 2014

Revised _____

New

Code No. 701.5

FINANCIAL RECORDS

Financial records of the school district are maintained in accordance with generally accepted accounting principles (GAAP) as required or modified by law. School district monies are received and expended from the appropriate fund and/or account. The funds and accounts of the school district will include, but not be limited to:

Governmental fund type:

- General fund
- Special revenue fund
 - Management Levy fund
 - Public Education and Recreation Levy fund (PERL)
 - Student activity fund
- Capital projects fund
 - Physical Plant and Equipment Levy fund (PPEL)
 - Secure and Advanced Vision for Education (SAVE)
- Debt service fund

Proprietary fund type:

- Enterprise fund
 - School nutrition fund
 - Child care fund
 - Internal service fund
- ### **Fiduciary funds:**
- Trust
 - Expendable trust funds
 - Nonexpendable trust funds
 - Pension trust funds

- Agency Funds

Account groups:

- General capital assets account group
- General long-term debt account group

The general fund is used primarily for the education program. Special revenue funds are used to account for monies restricted to a specific use by law. Capital projects funds are used to account for financial resources to acquire or construct major capital facilities (other than those of proprietary funds and trust funds) and to account for revenues from SAVE. A debt service fund is used to account for the accumulation of resources for, and the payment of, general long-term debt principal and interest. Proprietary funds account for operations of the school district operated similar to private business, or they account for the costs of providing goods and services provided by one department to other departments on a cost

new

reimbursement basis. Fiduciary funds are used to account for monies or assets held by the school district on behalf of, or in trust for, another entity. The account groups are the accounting records for capital assets and long-term debt.

The board may establish other funds in accordance with generally accepted accounting principles and may certify other taxes to be levied for the funds as provided by state law. The status of each fund must be included in the annual report.

It is the responsibility of the superintendent to implement this policy and bring necessary changes in the maintenance of the school district's financial records to the attention of the board.

NOTE: The list of funds above does not include the "Library levy fund," which is only available to one school district. The school district eligible to levy the library levy must add this fund to its policy.

NOTE: For additional information about school district fund structure, please see Chapter 9 of the "Uniform Administrative Procedures for Iowa School District and AEA Officials," located on the "Uniform Administrative Procedures Manual" section of the Iowa Department of Education's website.

Legal Reference: Iowa Code §§291; 298; 298A.
281 I.A.C. 98

Cross Reference: 704 Revenue
705 Expenditures

Approved _____ Reviewed _____ Revised _____

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INVESTMENTS

School district funds in excess of current needs shall be invested in compliance with this policy. The goals of the school district's investment portfolio in order of priority are:

- To provide safety of the principal;
- To maintain the necessary liquidity to match expected liabilities; and
- To obtain a reasonable rate of return.

In making investments, the school district shall exercise the care, skill, prudence and diligence under the circumstances then prevailing that a prudent person acting in a like capacity and familiar with such matters would use to meet the goals of the investment program.

School district funds are monies of the school district, including operating funds. "Operating funds" of the school district are funds which are reasonably expected to be used during a current budget year or within fifteen months of receipt. When investing operating funds, the investments must mature within three hundred and ninety-seven days or less. When investing funds other than operating funds, the investments must mature according to the need for the funds.

The board authorizes the treasurer to invest funds in excess of current needs in the following investments.

- Interest bearing savings, money market, and checking accounts at the school district's authorized depositories;
- Certificates of deposit and other evidences of deposit at federally insured Iowa depository institutions;

It shall be the responsibility of the treasurer to oversee the investment portfolio in compliance with this policy and the law.

It shall be the responsibility of the treasurer to bring a contract with an outside person to invest school district funds, to advise on investments, to direct investments, to act in a fiduciary capacity or to perform other services to the board for review and approval. The treasurer shall also provide the board with information about and verification of the outside person's fiduciary bond. Contracts with outside persons shall include a clause requiring the outside person to notify the school district within thirty days of any material weakness in internal structure or regulatory orders or sanctions against the outside person regarding the services being provided to the school district and to provide the documents necessary for the performance of the investment portion of school district audit. Contracts with outside persons shall not be based on the performance of the investment portfolio.

Approved June 2000

Reviewed July 2014

Revised _____

INVESTMENTS

The treasurer shall be responsible for reporting to and reviewing with the board at its regular meetings the investment portfolio's performance, transaction activity and current investments including the percent of the investment portfolio by type of investment and by issuer and maturities. The report shall also include trend lines by month over the last year and year-to-year trend lines regarding the performance of the investment portfolio. It shall also be the responsibility of the treasurer to obtain the information necessary to ensure that the investments and the outside persons doing business with the school district meet the requirements outlined in this policy.

It shall be the responsibility of the superintendent to deliver a copy of this policy to the school district's depositories, auditor and outside persons doing investment business with the school district.

It shall also be the responsibility of the superintendent, in conjunction with the treasurer, to develop a system of investment practices and internal controls over the investment practices. The investment practices shall be designed to prevent losses, to document the officers' and employees' responsibility for elements of the investment process and address the capability of the management.

Legal Reference: Iowa Code §§ 11.2, .6; 12.62; 12B.10; 12C; 22.1, .14; 28E.2; 257; 279.29; 283A; 285; 502.701; 633.123 (2009).

Cross Reference: 206.3 Secretary-Treasurer
704 Revenue

New

Code No. 704.3
Option III

INVESTMENTS

School district funds in excess of current needs are invested in compliance with this policy. The goals of the school district's investment portfolio in order of priority are:

- To provide safety of the principal;
- To maintain the necessary liquidity to match expected liabilities; and
- To obtain a reasonable rate of return.

In making investments, the school district will exercise the care, skill, prudence and diligence under the circumstances then prevailing that a prudent person acting in a like capacity and familiar with such matters would use to meet the goals of the investment program.

School district funds are monies of the school district, including operating funds. "Operating funds" of the school district are funds which are reasonably expected to be used during a current budget year or within fifteen months of receipt. When investing operating funds, the investments must mature within three hundred and ninety-seven days or less. When investing funds other than operating funds, the investments must mature according to the need for the funds.

The board authorizes the treasurer to invest funds in excess of current needs in the following investments.

- Interest bearing savings, money market, and checking accounts at the school district's authorized depositories;
- Iowa Schools Joint Investment Trust Program (ISJIT); and,
- Certificates of deposit and other evidences of deposit at federally insured Iowa depository institutions.

It is the responsibility of the treasurer to oversee the investment portfolio in compliance with this policy and the law.

The treasurer is responsible for reporting to and reviewing with the board at its regular meetings the investment portfolio's performance, transaction activity and current investments.

It is the responsibility of the superintendent to deliver a copy of this policy to the school district's depositories, auditor and outside persons doing investment business with the school district.

It will also be the responsibility of the superintendent, in conjunction with the treasurer, to develop a system of investment practices and internal controls over the investment practices. The investment practices are designed to prevent losses, to document the officers' and employees' responsibility for elements of the investment process and address the capability of the management.

Legal Reference: Iowa Code §§ 11.2, .6; 12.62; 12B.10; 12C; 22.1, .14; 28E.2; 257; 279.29; 283A; 285; 502.701; 633.123 .

Cross Reference: 206.4 Treasurer
704 Revenue

Approved _____ Reviewed _____ Revised _____

old

Code No. 704.5

STUDENT ACTIVITIES FUND

Revenue raised by students or from student activities shall be deposited and accounted for in the student activities fund. This revenue is the property of and shall be under the financial control of the board. Students may use this revenue for purposes approved by the board, superintendent and principal. ←

Whether such revenue is collected from student contributions, club dues, and special activities or result from admissions to special events or from other fund-raising activities, all funds will be under the jurisdiction of the board and under the specific control of the board, superintendent and principal. They will be deposited in a designated depository and will be disbursed and accounted for in accordance with instructions issued by the superintendent.

It shall be the responsibility of the board secretary to keep student activity accounts up-to-date and complete.

Any unencumbered class or activity account balances will automatically revert to the general fund of the school when a class graduates or an activity is discontinued.

Legal Reference: Iowa Code §§ 11.23; 279.8 (2009).

Cross Reference: 504 Student Activities
701 Financial Accounting System

Approved June 2000

Reviewed July 2014

Revised _____

New

Code No. 704.5

STUDENT ACTIVITIES FUND

Revenue raised by students or from student activities is deposited and accounted for in the student activities fund. This revenue is the property of and is under the financial control of the board. Students may use this revenue for purposes approved by the building principal.

Whether such revenue is collected from student contributions, club dues, and special activities or result from admissions to special events or from other fund-raising activities, all funds will be under the jurisdiction of the board and under the specific control of the [superintendent or building principal]. They will be deposited in a designated depository and will be disbursed and accounted for in accordance with instructions issued by the superintendent.

It is the responsibility of the board secretary to keep student activity accounts up-to-date and complete.

Any unencumbered class or activity account balances will automatically revert to the activity fund when a class graduates or an activity is discontinued.

Legal Reference: Iowa Code §§ 279.8.

Cross Reference: 504 Student Activities
701 Financial Accounting System

Approved _____ Reviewed _____ Revised _____

New

Code No. 704.6

ONLINE FUNDRAISING CAMPAIGNS – CROWDFUNDING

The *[insert school district name]* Board of Education believes online fundraising campaigns, including crowdfunding campaigns, may further the interests of the district. Any person or entity acting on behalf of the district and wishing to conduct an online fundraising campaign for the benefit of the district shall begin the process by seeking prior approval from the Superintendent. Money or items raised by an online fundraising campaign will be the property of the district only upon acceptance by the board, and will be used only in accordance with the terms for which they were given, as agreed to by the board.

Approval of requests shall depend on factors including, but not limited to:

- Compatibility with the district's educational program, mission, vision, core values, and beliefs;
- Congruence with the district and school goals that positively impact student performance;
- The district's instructional priorities;
- The manner in which donations are collected and distributed by the crowdfunding platform;
- Equity in funding; and
- Other factors deemed relevant or appropriate by the district.

If approved, the requestor shall be responsible for preparing all materials and information related to the online fundraising campaign and keeping district administration apprised of the status of the campaign.

The requestor is responsible for compliance with all state and federal laws and other relevant district policies and procedures. All items and money generated are subject to the same controls and regulations as other district property and shall be deposited or inventoried accordingly. No money raised or items purchased shall be distributed to individual employees.

NOTE: This is an optional policy.

NOTE: Online fundraising campaigns have become an increasingly popular mechanism for individual educators to raise money. "Crowdfunding" can be defined as, the use of small amounts of capital from a large number of individuals to finance a project, business venture, or to fundraise for a specific cause or charity. For examples of organizations dedicated to crowdfunding for education please visit:

- ***DonorsChoose.org, an organization with a mission to empower "public school teachers from across the country to request much-needed materials and experiences for their students."***

- AdoptAClassroom.org, an organization with a mission to give “teachers a hand by providing needed classroom materials so that students can succeed.”

NOTE: As districts determine the appropriate approval process, consider other issues that may need to be approved in addition to the project itself. For example, does the administrator approve the text of the entry that will appear online or photographs of the classroom and students?

Legal Reference: Iowa Code §§ 279.8; 279.42; 565.6.

Cross Reference: 508.1 Class or Student Group Gifts 504.5 Student Fundraising
704.4 Gifts - Grants - Bequests 904.2 Advertising and Promotion

Approved

Reviewed

Revised

old

PURCHASING – BIDDING

The board supports economic development in Iowa. Purchases by the school district will be made in Iowa for Iowa goods and services from a locally-owned business located within the school district or from an Iowa-based company which offers these goods or services if the cost and other considerations are relatively equal and they meet the required specifications.

Prior to August 15 of each year, when required by the State, and after analyzing the school district's anticipated procurement level for the current fiscal year, the school board shall set a goal of ten percent of the anticipated procurement level to be purchased from certified targeted small businesses. In determining the procurement level, the cost of utilities (heat, electricity, telephone and natural gas) and employees' costs shall not be included. After the goal has been established, the superintendent shall file the required Targeted Small Business Procurement form with the Department of Education by August 15.

By July 31 of each year, the superintendent shall file a report with the Department of Education outlining purchases of goods and services from targeted small businesses for the previous fiscal year.

The school board and superintendent shall encourage targeted small businesses which are not certified with the Department of Inspections and Appeals to become certified targeted small businesses.

It shall be the responsibility of the superintendent to approve purchases, except those authorized by or requiring direct board action. The superintendent may coordinate and combine purchases with other governmental bodies to take advantage of volume price breaks. Joint purchases with other political subdivisions will be considered in the purchase of equipment, accessories or attachments with an estimated cost of \$50,000 or more.

The superintendent shall have the authority to authorize purchases without competitive bids for goods and services costing under \$10,000 without prior board approval. For goods and services costing less than \$40,000 the superintendent will seek responsible quotes. For goods and services costing more than \$40,000 and less than \$100,000, the superintendent shall receive multiple responsible quotes of the goods and services to be purchased prior to approval of the board. Competitive sealed bids are required for purchases, other than emergency purchases, for goods and services that cost \$100,000 or more.

The purchase will be made from the lowest responsible bidder based upon total cost considerations including, but not limited to, the cost of the goods and services being purchased, availability of service and/or repair, delivery date, the targeted small business procurement goal and other factors deemed relevant by the board.

The board and the superintendent shall have the right to reject any or all bids, or any part thereof, and to re-advertise. If it is determined that a targeted small business which bid on the project may be unable to perform the contract, the superintendent shall notify the Department of Economic Development. The board will enter into such contract or contracts as the board deems in the best interests of the school district.

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PURCHASING - BIDDING

1. When procurement is supported by Federal Child Nutrition funds, employees will not participate in the selection, award, or administration of a contract if there is a real or apparent conflict of interest in the contract. Contract, for purposes of this paragraph, includes a contract where the employee, employee's immediate family, partner, or a non-school district employer of these individuals is a party to the contract.
2. Must bid contracts over \$25,000.
3. Can only give geographic preference to suppliers of fresh produce.

Legal Reference: Iowa Code §§ 18.6(9); 23A; 28E.20; 72.3; 73; 73A; 285.10(3), .10(7); 301 (2009).
261 I.A.C. 54.
281 I.A.C. 43.25.
481 I.A.C. 25.
1984 Op. Att'y Gen. 115.
1974 Op. Att'y Gen. 171.

Cross Reference: 705 Expenditures
711.4 Transportation Equipment
801.5 Site Acquisition
802 Maintenance, Operation and Management
803 Selling and Leasing

New

Code No.705.1

PURCHASING – BIDDING

The board supports economic development in Iowa, particularly in the school district community. As permitted by law, purchasing preference will be given to Iowa goods and services from locally-owned businesses located within the school district or Iowa based companies if the cost and other considerations are relatively equal and meet the required specifications. However, when spending federal Child Nutrition Funds, geographical preference is allowed only for unprocessed agricultural food items as a part of response evaluation. Other statutory purchasing preferences will be applied as provided by law, including goals with regard to procurement from certified targeted small businesses, minority-owned businesses, and female owned businesses.

Prior to August 15 of each year and after analyzing the school district's anticipated procurement level for the current fiscal year, the school board will set a goal of ten percent of the anticipated procurement level to be purchased from certified targeted small businesses. In determining the procurement level, the cost of utilities (heat, electricity, telephone and natural gas) and employees' costs will not be included. After the goal has been established, the superintendent will file the required Targeted Small Business Procurement form with the Department of Education by August 15.

By July 31 of each year, the superintendent will file a report with the Department of Education outlining purchases of goods and services from targeted small businesses for the previous fiscal year.

The school board and superintendent will encourage targeted small businesses which are not certified with the Department of Inspections and Appeals to become certified targeted small businesses.

Goods and Services

The board shall enter into goods and services contract(s) as the board deems to be in the best interest of the school district. It shall be the responsibility of the superintendent to approve purchases, except those requiring board approval or as provided by in law. The superintendent may coordinate and combine purchases with other governmental bodies to take advantage of volume price breaks. Joint purchases with other political subdivisions will be considered in the purchase of equipment, accessories, or attachments with an estimated cost of \$50,000 or more.

Purchases for goods and services shall conform to the following:

- The superintendent shall have the authority to authorize purchases without prior board approval and without competitive request for proposals, quotations, or bids for goods and services up to *\$10,000*.

New

- For goods and services costing at least \$10,000 and up to \$40,000, the superintendent shall receive proposals, quotations, or bids for the goods and services to be purchased prior to board approval. The quotation process may be informal, and include written or unwritten quotations.
- For goods and services exceeding \$40,000 the competitive request for proposal (RFP) or competitive bid process shall be used and received prior to board approval. RFPs and bids are formal, written submissions via sealed process.

In the event that only one quotation or bid is submitted, the board may proceed if the quotation or bid meets the contract award specifications.

The contract award shall be based on the total cost considerations including, but not limited to the following:

- The cost of the goods and services being purchased;
- Availability of service and/or repair;
- The targeted small business procurement goal and other statutory purchasing preferences; and
- Other factors deemed relevant by the board.

The thresholds and procedures related to purchases of goods and services do not apply to public improvement projects.

Public Improvements

The board shall enter into public improvement contract(s) as the board deems to be in the best interest of the school district. 'Public improvement' means "a building or construction work which is constructed under the control of a governmental entity and is paid for in whole or in part with funds of the governmental entity, including a building or improvement constructed or operated jointly with any public or private agency."

The district shall follow all requirements, timelines, and processes detailed in Iowa law related to public improvement projects. The thresholds regarding when competitive bidding or competitive quotations is required will be followed. Competitive bidding is required for public improvement contracts exceeding the minimum threshold stated in law. Competitive quotations are required for public improvement projects that exceed the minimum threshold amount stated in law, but do not exceed the minimum set for competitive bidding. The board shall approve competitive bids and competitive quotes. If the total cost of the public improvement does not warrant either competitive bidding or competitive quotations, the district may nevertheless proceed with either of these processes, if it so chooses.

The award of all contracts for the public improvement shall be awarded to the lowest responsive, responsible bidder. In the event of an emergency requiring

New

repairs to a school district facility that exceed bidding and quotation thresholds, please refer to sample policy 802.3.

The district shall comply with all federal and state laws and regulations required for procurement, including the selection and evaluation of contractors. The superintendent or designee is responsible for developing an administrative process to implement this policy, including, but not limited to, procedures related to suspension and debarment for transactions subject to those requirements.

NOTE: While Iowa law dictates threshold amounts for quotes and bids for public improvement projects, there is no such requirement for goods and services. The district has discretion in this area to set the amounts required for the purchasing process.

NOTE: Districts should compare the discretionary purchasing limits in the section regarding goods and services with purchasing limits set in other policies (e.g., expenditures) to ensure consistency.

Legal Reference: Iowa Code §§ 26; 28E; 72.3; 73; 73A; 285; 297; 301.
261 I.A.C. 54.
281 I.A.C. 43.25.
481 I.A.C. 25.

Cross Reference: 705 Expenditures
801.4 Site Acquisition
802 Maintenance, Operation and Management
802.3 Emergency Repairs
803 Selling and Leasing

Approved _____ Reviewed _____ Revised _____

new

Code No. 705.1R1

SUSPENSION AND DEBARMENT OF VENDORS AND CONTRACTORS PROCEDURE

In connection with transactions subject to federal suspension and debarment requirements, the district is generally prohibited from entering into transactions with parties that are debarred, suspended, or otherwise excluded from or ineligible for participation in federal assistance programs or activities.

When soliciting bids or otherwise preparing to enter into such a transaction, the superintendent or designee shall use at least one of the following verification methods to ensure that any parties to the transaction are not suspended or debarred prior to committing to any sub-award, purchase, or contract:

- Obtaining a certification of a party's compliance with the federal suspension and debarment requirements in connection with any application, bid, or proposal;
- Requiring compliance with the federal suspension and debarment requirements as an express condition of any sub-award, purchase, or contract in question; or
- Prior to committing to any sub-award, purchase, or contract, check the online Federal System for Award Management at <https://sam.gov/portal/SAM/##11> to determine whether the relevant party is subject to any suspension or debarment restrictions.

Approved _____ Reviewed _____ Revised _____

New Policy

Code No. 705.8

EXPENDITURES FOR A PUBLIC PURPOSE

The board recognizes that school district funds are public funds, and as such, should be used to further a public purpose and the overall educational mission of the school community. The district is committed to managing and spending public funds in a transparent and responsible manner. Prior to making a purchase with public funds, an individual should be comfortable defending the purchase/reimbursement to the taxpayers in the district. If the individual is uncomfortable doing so, the purchase may not fulfill a public purpose and additional guidance should be sought before the purchase is made.

Individuals who have concerns about the public purpose of a purchase or reimbursement should utilize the district's Internal Controls policy and regulation as a resource for questioning a purchase. Concerns should be reported to the superintendent and/or the board president.

The superintendent shall develop a process for approving expenditures of public funds. The board will review expenditures and applicable reports as necessary to ensure proper oversight of the use of public funds. To the extent possible, expenditures shall be pre-approved by the district prior to expending the funds. Purchases of food and refreshment for district staff, even within district, should comply with the district's Employee Travel Compensation policy, and all other applicable policies. All purchases/reimbursements shall comply with applicable laws, board policies and district accounting requirements.

Additional guidance regarding appropriate expenditures of school funds is provided in the regulation accompanying this policy

NOTE: All use of public funds should directly serve a public purpose in a clear and transparent manner. Districts should consider what purchasing and reimbursement flexibility is needed for their district and apply all restrictions equally.

Legal References: Iowa Constitution Art. III, sec. 31;
Iowa Code §§ 68A.505; 279.8; 721.2.
281 I.A.C. 98.70
1979 Op. Atty. Gen., No. 79-4-26

Cross References: 401.7 Employee Travel Compensation
704.1 Local-State-Federal-Miscellaneous Revenue
704.5 Student Activities Fund
705.1 Purchasing-Bidding
705.2 Purchasing on Behalf of Employees
705.3 Payment for Goods and Services
707.5 Internal Controls
905.1 Community Use of School District Facilities &

Equipment

Approved _____ Reviewed _____ Revised _____

USE OF PUBLIC FUNDS REGULATION

The following is a list of examples organized by activity for what is allowable, or not allowable as a purchase/reimbursement using public funds. This regulation is intended as guidance and there may be situations that are not listed here. Any questions regarding the appropriateness of an expenditure should be submitted to administration **prior** to expending funds.

Reimbursements to an Individual

Use of Credit/Procurement Card: All purchases through a district-owned credit or procurement card shall be pre-approved and comply with the district's policy 401.10 – *Credit and Procurement Cards*.

Mileage: Individuals who are required to travel (other than to and from work) as part of fulfilling their job duties to the district shall be reimbursed for mileage costs in accordance with the requirements stated in the district's *Employee Travel Compensation* policy.

Travel accommodations: Employees who are required to travel and stay overnight as part of fulfilling their job duties to the district shall be reimbursed for costs in accordance with the requirements stated in the district's *Employee Travel Compensation* policy.

Alcohol: Alcohol is a personal expense and is never allowable for purchase or reimbursement using public funds.

Food/Refreshments: Food and refreshments are typically a personal expense. Meetings spanning meal times should be avoided when possible. When a district meeting is required to take place spanning a customary meal time, the superintendent or designee shall determine whether food and/or refreshment will be provided to employees whose presence is required during the meeting. The cost of food and refreshment for employees shall be reasonable, and when possible, a separate itemized receipt for each employee is required. If an itemized receipt is not available, approval is required by the school business official prior to reimbursement. In all cases, the names and number of employees shall be noted on the receipt.

Apparel/Personal Items: Apparel and personal items including, but not limited to items such as t-shirts, hats, mugs, etc. provide personal benefit to individuals and are a personal expense. These items shall not be purchased or reimbursed with public funds.

Gifts: Gift cards or gifts given to individuals are personal expenses and public funds should not be used (except for recognition/staff retirement, listed below) for these purposes. Voluntary collections from staff would be an acceptable way of purchasing gifts.

Retirement and Recognition Gifts: Recognizing an employee or volunteer's years of dedication to educating the community and commitment to the district serves a public purpose by honoring individuals with a token gift, or honorarium, in recognition of their service. The same is true for individual awards, mementos, or items purchased in recognition of employee service to the district. These purchases may use public funds, provided the expenditures are modest and approved by the superintendent.

Honoraria: District employees may at times receive an honorarium from an outside source as compensation for the employee's time devoted to preparing and delivering a presentation within the scope of their professional field. Honorariums may only be accepted by employees when the employee has used their personal time outside of their work for the district to prepare and deliver the presentation. If the employee uses district time or resources to prepare or deliver a presentation, any honorarium shall be given to the district.

Supplies for Public Areas

Limited refreshments such as water and coffee may be available in public reception areas of the district including, but not limited to the central office, the building administrator's office, etc. These refreshments may be purchased with the use of public funds, as they provide light refreshment to members of the community.

Staff Parties/Receptions

Parties and receptions to benefit individual staff members are considered a personal expense and should not be purchased or reimbursed with public funds. This includes but is not limited to holiday parties.

Hosting a group reception to honor all employees retiring from the district in a given school year is allowable as a public expense. Hosting a retirement reception provides a direct benefit to the community as an opportunity for the community to attend and honor the retiring employees' years of dedication and service to the district.

School/ Student Activity Banquets

School/student activity banquets are typically a personal expense and will not be purchased or reimbursed with public funds unless the public purpose is submitted for review and pre-approved by the superintendent.

Memorial Gifts

Memorial flowers to convey sympathy or congratulations are allowable as a public expense if they have been approved by the superintendent. Memorial cards are always appropriate.

Memorial gifts of any sort other than flowers and a card are a personal expense.

Student Incentives

It is within the discretion of the building principal to authorize the purchase of awards holding a nominal value to commemorate the achievements of a student or group of students. These awards should be designed to reward behavior and values that exemplify the educational and community mission of the district. Awards should not be gift cards or other monetary awards.

Flowers and decorations for school dances held as part of the district's student activity program are an allowable expense paid out of the student activity fund, provided the purchases are approved by the building principal.

Meetings

To the extent possible, meetings which span normal meal times should be avoided. Meetings of the district's board of directors and board committees are made up of individuals who volunteer a large amount of their personal time to serve the needs of the school community. These meetings are also scheduled at time most convenient for the public, and often span normal meal hours. Food and refreshment purchased for board members is an acceptable use of public funds. The service of these unpaid volunteers directly benefits the entire school community. The superintendent has discretion to purchase/reimburse reasonable expenses for providing food and refreshment to these unpaid volunteers during these meetings.

Some expenditures will be considered personal expenses regardless of the context. These include purchase or reimbursement of alcohol, and personal items not included as retirement or memorial gifts listed above.

New Policy

Code No. 706.2

PAYROLL DEDUCTIONS

Ease of administration is the primary consideration for payroll deductions, other than those required by law. Payroll deductions are made for federal income tax withholdings, Iowa income tax withholdings, social security, and the Iowa Public Employees' Retirement System (IPERS).

Employees may elect to have amounts withheld from their pay for items authorized by law, subject to agreement of the district. Requests for these deductions will be made in writing to the superintendent.

It is the responsibility of the superintendent to determine which additional payroll deductions will be allowed.

Note: Boards should adopt 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.).

For more detailed discussion of this issue, see IASB's Policy Primer, Vol. 25 #4 – May 1, 2017.

Legal Reference: Iowa Code §§ 91A.2(4), .3; 294.8-.9, .16.

Cross Reference: 406.6 Licensed Employee Tax Shelter Programs
412.4 Classified Employee Tax Shelter Programs
706.1 Payroll Periods

Approved _____

Reviewed _____

Revised _____

old

INTERNAL CONTROLS

The board expects all board members, employees, volunteers, consultants, contractors, students and other parties maintaining any relationship with the school district to act with integrity, due diligence, and in accordance with all laws in their duties involving the school district's resources. The board is entrusted with public dollars and no one connected with the school district should do anything to erode that trust.

Internal control is the responsibility of all employees of the school district. The superintendent, business manager and board secretary shall be responsible for developing internal controls designed to prevent and detect fraud, financial impropriety, or fiscal irregularities within the school district subject to review and approval by the board. Administrators shall be alert for any indication of fraud, financial impropriety, or irregularity with the administrator's area of responsibility.

Any employee who suspects fraud, impropriety, or irregularity shall report their suspicions immediately to his/her immediate supervisor, and the superintendent. The superintendent shall have primary responsibility for any necessary investigations and shall coordinate investigative efforts with the board's legal counsel, auditing firm, and other internal or external departments and agencies, including law enforcement officials, as the superintendent may deem appropriate.

Employees bringing forth a legitimate concern about a potential impropriety will not be retaliated against and those who do retaliate against such employee will be subject to disciplinary action up to, and including, discharge.

In the event the concern or complaint involves the superintendent, the concern shall be brought to the attention of the board vice-president, who shall be empowered to contact the board's legal counsel, insurance agent, auditing firm, and any other agency to investigate the concern or complaint.

Upon approval of the board, the superintendent may contact the State Auditor or elect to employ the school district's auditing firm or State Auditor to conduct a complete or partial forensic/internal control/SAS99 audit annually or otherwise as often as deemed necessary. The superintendent is authorized to order a complete forensic audit if, in the superintendent's judgment, such an audit would be useful and beneficial to the school district. The superintendent shall insure the State Auditor is notified of any suspect embezzlement or theft pursuant to Iowa law. In the event, there is an investigation, records will be maintained for use in the investigation. Individuals found to have altered or destroyed records will be subject to disciplinary action, up to, and including termination.

Legal References: American Competitiveness and Corporate Accountability Act of 2002
Pub. L. No. 107-204
Iowa Code § 11, 279.8 (2009)

Cross Reference: 707.6 Audit Committee

Approved December 2006

Reviewed July 2014

Revised _____

old

Code No. 707.5R1

INTERNAL CONTROLS PROCEDURES

Fraud, financial improprieties, or irregularities include, but are not limited to:

- Forgery or unauthorized alteration of any document or account belonging to the district.
- Forgery or unauthorized alteration of a check, bank draft, or any other financial document.
- Misappropriation of funds, securities, supplies, or other assets.
- Impropriety in the handling of money or reporting of financial transactions.
- Profiteering because of "insider" information of district information or activities.
- Disclosing confidential and/or proprietary information to outside parties.
- Accepting or seeking anything of material value, other than items used in the normal course of advertising, from contractors, vendors, or persons providing services to the district.
- Destroying, removing, or inappropriately using district records, furniture, fixtures, or equipment.
- Failing to provide financial records to authorized state or local entities.
- Failure to cooperate fully with any financial auditors, investigators or law enforcement.
- Any other dishonest or fraudulent act involving district monies or resources.

The superintendent, [and/or] shall investigate reports of fraudulent activity in a manner that protects the confidentiality of the parties and the facts. All employees involved in the investigation shall be advised to keep information about the investigation confidential.

If an investigation substantiates the occurrence of a fraudulent activity, the superintendent, [and/or , or board vice-president if the investigation centers on the superintendent, shall issue a report to the board and appropriate personnel. The final disposition of the matter and any decision to file or not file a criminal complaint or to refer the matter to the appropriate law enforcement and/or regulatory agency for independent investigation shall be made in consultation with district legal counsel. The results of the investigation shall not be disclosed to or discussed with anyone other than those individuals with a legitimate right to know until the results are made public.

New

Code No. 707.5

INTERNAL CONTROLS

The board expects all board members, employees, volunteers, consultants, vendors, contractors, students and other parties maintaining any relationship with the school district to act with integrity, due diligence, and in accordance with all laws in their duties involving the school district's resources. The board is entrusted with public dollars and no one connected with the school district should do anything to erode that trust.

Internal control is the responsibility of all employees of the school district. The superintendent, business manager and board secretary shall be responsible for developing internal controls designed to prevent and detect fraud, financial impropriety, or fiscal irregularities within the school district subject to review and approval by the board. Administrators shall be alert for any indication of fraud, financial impropriety, or irregularity within the administrator's area of responsibility.

Any employee who suspects fraud, impropriety, or irregularity shall report their suspicions immediately to his/her immediate supervisor, [and, or] the superintendent, [and/or]. The superintendent [and/or] shall have primary responsibility for any necessary investigations and shall coordinate investigative efforts with the board's legal counsel, auditing firm, and other internal or external departments and agencies, including law enforcement officials, as the superintendent [and/or] may deem appropriate.

Employees bringing forth a legitimate concern about a potential impropriety will not be retaliated against and those who do retaliate against such an employee will be subject to disciplinary action up to, and including, discharge.

In the event the concern or complaint involves the superintendent, the concern shall be brought to the attention of the board vice-president, [and/or] who shall be empowered to contact the board's legal counsel, insurance agent, auditing firm, and any other agency to investigate the concern or complaint.

NOTE: For more detailed discussion of this issue, see IASB's Policy Primer, Vol. 19 #4- May 24, 2006.

New

Legal References: American Competitiveness and Corporate Accountability Act of
2002, Pub. L.
No. 107-204.
Iowa Code ch. 11, 279.8.

Cross References: 401.12 Employee Use of Cell Phones
707.6 Audit Committee

Approved _____

Revised _____

Reviewed _____

New

Code No. 707.5R1

INTERNAL CONTROLS PROCEDURES

Fraud, financial improprieties, or irregularities include, but are not limited to:

- Forgery or unauthorized alteration of any document or account belonging to the district.
- Forgery or unauthorized alteration of a check, bank draft, or any other financial document.
- Misappropriation of funds, securities, supplies, or other assets.
- Impropriety in the handling of money or reporting of financial transactions.
- Profiteering because of "insider" information of district information or activities.
- Disclosing confidential and/or proprietary information to outside parties.
- Accepting or seeking anything of material value, other than items used in the normal course of advertising, from contractors, vendors, or persons providing services to the district.
- Destroying, removing, or inappropriately using district records, furniture, fixtures, or equipment.
- Failing to provide financial records to authorized state or local entities.
- Failure to cooperate fully with any financial auditors, investigators or law enforcement.
- Any other dishonest or fraudulent act involving district monies or resources.

The superintendent, [and/or] shall investigate reports of fraudulent activity in a manner that protects the confidentiality of the parties and the facts. All employees involved in the investigation shall be advised to keep information about the investigation confidential.

If an investigation substantiates the occurrence of a fraudulent activity, the superintendent, [and/or , or board vice-president if the investigation centers on the superintendent, shall issue a report to the board and appropriate personnel. The final disposition of the matter and any decision to file or not file a criminal complaint or to refer the matter to the appropriate law enforcement and/or regulatory agency for independent investigation shall be made in consultation with district legal counsel. The results of the investigation shall not be disclosed to or discussed with anyone other than those individuals with a legitimate right to know until the results are made public.

old

CARE, MAINTENANCE AND DISPOSAL OF SCHOOL DISTRICT RECORDS

School district records shall be housed in the central administration office of the school district. It shall be the responsibility of the superintendent to oversee the maintenance and accuracy of the records. The following records shall be kept and preserved according to the schedule below:

- Secretary's financial records Permanently
- Treasurer's financial records Permanently
- Minutes of the Board of Directors Permanently
- Annual audit reports Permanently
- Annual budget Permanently
- Permanent record of individual pupil Permanently
- Records of payment of judgments against the school district 20 years
- Bonds and bond coupons 10 years ←
- Written contracts 10 years
- Cancelled warrants, check stubs, bank statements, bills, invoices, and related records 5 years
- Recordings of closed meetings 1 year
- Program grants As determined by the grant
- Nonpayroll personnel records 7 years
- Payroll records 3 years

Employees' records shall be housed in the central administration office of the school district. The employees' records shall be maintained by the superintendent, the building administrator, the employee's immediate supervisor, and the board secretary.

An inventory of the furniture, equipment, and other nonconsumable items other than real property of the school district shall be conducted annually under the supervision of the superintendent. This report shall be filed with the board secretary.

A perpetual inventory shall be maintained on consumable property of the school district.

The permanent and cumulative records of students currently enrolled in the school district shall be housed in the central administration office of the attendance center where the student attends. Permanent records must be housed in a fireproof vault. The building administrator shall be responsible for keeping these records current. Records of students who have graduated or are no longer enrolled in the school district shall be housed in the fire-proof safe in the superintendent's office. These records will be maintained by the superintendent.

New

Code No. 708

CARE, MAINTENANCE AND DISPOSAL OF SCHOOL DISTRICT RECORDS

School district records are housed in the central administration office of the school district. It is the responsibility of the superintendent and board secretary to oversee the maintenance and accuracy of the records. The following records are kept and preserved according to the schedule below:

• Secretary's financial records	Permanently
• Treasurer's financial records	Permanently
• <u>Open meeting</u> minutes of the Board of Directors	Permanently
• Annual audit reports	Permanently
• Annual budget	Permanently
• Permanent record of individual pupil	Permanently
• School election results	Permanently
• Real property records (e.g., deeds, abstracts)	Permanently
• Records of payment of judgments against the school district	20 years
• Bonds and bond coupons	11 years after maturity, cancellation, transfer, redemption, and/or replacement
• Written contracts	10 years
• Cancelled warrants, check stubs, bank statements, bills, invoices, and related record	5 years
• <u>Recordings and minutes</u> of closed meetings	1 year
• Program grants	As determined by the grant
• Nonpayroll personnel records	10 years after leaving district
• Employment applications	2 years
• Payroll records	3 years
• School meal programs accounts/records	3 years after submission of the final claim for reimbursement

In the event that any federal or state agency requires a record be retained for a period of time longer than that listed above for audit purposes or otherwise, the record shall be retained beyond the listed period as long as is required for the resolution of the issue by the federal or state agency.

Employees' records are housed in the central administration office of the school district. The employees' records are maintained by the superintendent, the building administrator, the employee's immediate supervisor, and the board secretary.

An inventory of the furniture, equipment, and other nonconsumable items other than real property of the school district is conducted annually under the supervision of the superintendent. This report is filed with the board secretary.

The permanent and cumulative records of students currently enrolled in the school district are housed in the central administration office of the attendance center where the student attends. Permanent records shall be housed in a fire resistant safe or vault or electronically with a secure backup file. The building administrator is responsible for keeping these records current. Permanent records of students who have graduated or are no longer enrolled in the school district are housed in the *[insert location]* and will be retained permanently. These records will be maintained by the superintendent. Special education records shall be maintained in accordance with law.

The superintendent may digitize or otherwise electronically retain school district records and may destroy paper copies of the records. An electronic record which accurately reflects the information set forth in the paper record after it was first generated in its final form as an electronic record, and which remains accessible for later reference meets the same legal requirements for retention as the original paper record.

NOTE: Most of the time limits listed in this policy are based on legal requirements. Where the law is silent, best practice time limits have been developed. Prior to changing any of the time limits listed, it is recommended that local counsel be contacted.

Legal Reference: 7 C.F.R. § 210.23(c).

Iowa Code §§ 22.3; 22.7; 91A.6; 279.8; 291.6; 554D.114; 554D.119;
614.1(13).

281 I.A.C. 12.3(4); 41.624.

City of Sioux City v. Greater Sioux City Press Club, 421 N.W.2d 895 (Iowa
1988).

City of Dubuque v. Telegraph Herald, Inc., 297 N.W.2d 523 (Iowa 1980).

Cross Reference: 206.3 Secretary [*or Secretary/Treasurer*]

215 Board of Directors' Records

401.5 Employee Records

506 Student Records

901 Public Examination of School District Records

old

Code No. 710.1

SCHOOL NUTRITION PROGRAM

The school district will operate a school nutrition program in each attendance center. The school nutrition program will include meals through participation in the National School Lunch Program. Students may bring their own food from home and purchase milk and other incidental items.

School nutrition program facilities are provided to serve students and employees when school is in session and during school-related activities. They may also be used under the supervision of the superintendent for food service to employee groups, parent-teacher meetings, civic organizations meeting for the purpose of better understanding the schools, and senior citizens in accordance with law and board policy.

The school nutrition program is operated on a nonprofit basis. The revenues of the school nutrition program will be used only for the operation or improvement of such programs. Supplies of the school nutrition program shall only be used for the school nutrition program.

The board will set, and annually review, the prices for school nutrition programs. It shall be the responsibility of the superintendent to make a recommendation regarding the prices school nutrition programs in accordance with federal and state law.

It is the responsibility of the Food Service Director to administer the program and to cooperate with the superintendent and appropriate personnel for the proper functioning of the school nutrition program.

Legal Reference: 42 U.S.C. §§ 1751 *et seq.* (1994).
7 C.F.R. Pt. 210 *et seq.* (1996).
Iowa Code ch. 283A (2009).
281 I.A.C. 58.

Cross Reference: 710 School Food Services
906 Use of School District Facilities and Equipment

Approved June 2000

Reviewed July 2014

Revised July 2017

New

Code No. 710.1

SCHOOL NUTRITION PROGRAM

The school district will operate a school nutrition program in each attendance center. The school nutrition program will include meals through participation in the National School Lunch Program. Students may bring their lunches from home and purchase milk and other incidental items.

School nutrition program facilities are provided to serve students and employees when school is in session and during school-related activities. They may also be used under the supervision of the *[insert food service position title]* for food service to employee groups, parent-teacher meetings, civic organizations meeting for the purpose of better understanding the schools, and senior citizens in accordance with law and board policy.

The school nutrition program is operated on a nonprofit basis. The revenues of the school nutrition program will be used only for the operation or improvement of such programs. Supplies of the school nutrition program will only be used for the school nutrition program.

The board will set, and annually review, the prices for school nutrition programs. It is the responsibility of the superintendent to make a recommendation regarding the prices of the school nutrition programs, in accordance with federal and state law.

It is the responsibility of *[insert food service position title]* to administer the program and to cooperate with the superintendent and appropriate personnel for the proper functioning of the school nutrition program.

The district shall comply with all federal and state laws and regulations required for procurement, including the selection and evaluation of contractors. The superintendent or designee is responsible for developing an administrative process to implement this policy, including, but not limited to, procedures related to suspension and debarment for transactions subject to those requirements.

NOTE: This is a mandatory policy.

NOTE: Superintendents will make the annual recommendation to the board after they have completed the Paid Lunch Equity (PLE) tool. For additional information, please visit the "Nutrition Programs" section of the Iowa Department of Education's [website](#).

New

Legal Reference: 42 U.S.C. §§ 1751 *et seq.*
7 C.F.R. Pt. 210 *et seq.*
Iowa Code ch. 283A.
281 I.A.C. 58.

Cross Reference: 710.2 Free or Reduced Cost Meals Eligibility
710.3 Vending Machines
710.4 Meal Charge Policy
905 Use of School District Facilities and Equipment

Approved _____ Reviewed _____ Revised _____

add

Code No. 710.2

FREE OR REDUCED COST MEALS ELIGIBILITY

Students enrolled and attending school in the school district who meet the United States Department of Agriculture (USDA) eligibility guidelines, will be provided the school nutrition program services at no cost or at a reduced price. The school district will make every effort to eliminate any social stigma attached to, and prevent the overt identification of, students who are eligible for free and reduced price meals.

The district shall annually notify all families of the availability, eligibility criteria, and application procedures for free or reduced price meals in accordance with state and federal law.

It shall be the responsibility of the Food Service Administrator to determine the eligibility of students for free or reduced price school nutrition programs in accordance with criteria established by state and federal law. If school personnel have knowledge of a student who is in need of free or reduced-price meals, school personnel shall contact the Food Service Administrator.

Employees, students not qualified for free meals and others will be required to pay ~~purchase tickets~~ for meals consumed.

It shall be the responsibility of the superintendent to develop administrative regulations for implementing this policy.

Legal Reference: 42 U.S.C. §§ 1751 *et seq.* (1994).
7 C.F.R. Pt. 210 *et seq.* (1996).
Iowa Code ch. 283A (2009).
281 I.A.C. 58.

Cross Reference: 710 School Food Services

Approved June 2000

Reviewed July 2014

Revised July 2017

New

Code No. 710.2

FREE OR REDUCED COST MEALS ELIGIBILITY

Students enrolled and attending school in the school district who meet USDA eligibility guidelines will be provided the school nutrition program services at no cost or at a reduced price. The school district will make every effort to eliminate any social stigma attached to, and prevent the overt identification of, students who are eligible for free and reduced price meals.

The district shall annually notify all families of the availability, eligibility criteria, and application procedures for free or reduced price meals in accordance with state and federal law. It is the responsibility of the *superintendent* to determine the eligibility of students for free or reduced price school nutrition programs, in accordance with criteria established by state and federal law. If school personnel have knowledge of a student who is in need of free or reduced-price meals, school personnel shall contact the *superintendent*.

Employees, students not qualified for free meals and others will be required to pay for meals consumed .

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

NOTE: There are two places in the policy where the board must identify the positions that will be responsible for determining free or reduced cost meal eligibility for the school nutrition programs. The board should ensure that the positions identified are authorized by applicable law to process information as designated in the National School Lunch program annual application.

Legal Reference: 42 U.S.C. §§ 1751 *et seq.*,
7 C.F.R. Pt. 210 *et seq.*,
Iowa Code ch. 283A,
281 I.A.C. 58.

Cross Reference: 710.1 School Nutrition Program
710.3 Vending Machines
710.4 Meal Charge Policy

Approved _____ Reviewed _____ Revised _____

New Policy

TECHNOLOGY AND DATA SECURITY

The [school district name] recognizes the increasingly vital role technology plays in society. It is the goal of the district to embrace technology as a resource to further educate our students, and better prepare students for the future. It is the intent of the district to support secure data systems in the district, including security for all personally identifiable information (PII) that is stored digitally on district-maintained devices, computers and networks. Technology also has incredible potential to support increased efficiency, communication and growth through collaboration among administration, students, staff, employees and volunteers.

However, with this growth opportunity comes increased potential for valuable sensitive data to become public. The district takes seriously its responsibility to protect private data. The purpose of this policy is to ensure the secure use and handling of all district data, computer systems, devices and technology equipment by district students, employees, and data users.

The district supports the use of third-party vendors to perform necessary education functions for the district. Utilizing third party vendors to outsource functions the district would traditionally perform provides a cost-effective means to deliver high quality educational opportunities to all students. However, it is paramount that third party vendors with access to sensitive data and PII of district students, employees and data users be held to the highest standards of data privacy and security.

The selection of third-party vendors shall be in accordance with appropriate law and policy. Third-party vendors with access to PII shall meet all qualifications to be designated as a School Official under the Family Educational Rights and Privacy Act (FERPA). The board shall ensure that any approved contract with a third-party vendor will require that the vendor comply with all applicable state and federal laws, rules, or regulations, regarding the privacy of PII.

It is the responsibility of the superintendent to develop procedures for the district to enhance the security of data and the learning environment. The procedures shall address, but not be limited to, the following topics:

Access Control –Access control governs who may access what information within the district and the way users may access the information. Increased access to secure networks and data will inevitably increase the risk of security compromise to those networks and data. It is the responsibility of the superintendent to develop procedures for determining which individuals will have access to district networks, devices and data; and to what extent such access will be granted. System and network access will be granted based upon a need-to-have requirement, with the least amount of access to data and programs by the user as possible.

Security Management –Security management addresses protections and security measures used to protect digital data. These include measures related to audits and remediation, as well as security plans for responding to, reporting and remediating security incidents. It is the responsibility of the superintendent to develop procedures to govern the secure creation, storage and transmission of any sensitive data and personally identifiable information (PII). The superintendent or designee shall implement network perimeter controls to regulate data moving between trusted internal resources to external entities.

New Policy

Technology and Data Use Training –Technology and data use training addresses acceptable use best practices to safeguard data for students, employees and staff. It is the responsibility of the superintendent to develop procedures for creating and administering a training program on proper data and technology use. The training shall address the proper use and security of all district owned or controlled technology, devices, media and data. Training should be administered to all district data users. The training program should be updated and presented to the school board for approval on an annual basis.

In furtherance of this policy, the superintendent or designee shall be responsible for overseeing district-wide data and technology security, to include development of standards and procedures and adherence to the administrative procedures defined in this document.

Note: This policy and accompanying regulation are not mandatory for districts. This policy is intended as guidance for districts. Data and technology security are very broad topic areas, and the purpose of this policy is to attempt to break down this subject into more manageable topics for districts. In deciding how and when to implement data safeguards, districts should balance the already existing need to safeguard data with the resources they have available.

Legal References: 20 U.S.C. §1232g; 34 C.F.R. Part 99
 47 U.S.C. §254
 20 U.S.C. §6777
 Iowa Code §§ 279.70; 715C

Cross References: 401.13 Staff Technology Use/Social Networking
 506.1 Student Records
 605.4 Technology in the Classroom

Approved _____

Reviewed _____

Revised _____

New Policy

Code No. 712R1

SECURITY REQUIREMENTS OF THIRD-PARTY VENDORS REGULATION

The District must ensure proper safeguards and procedures exist to use third-party vendors as a resource to further educational functions. The following procedures shall be used to investigate and contract only with qualifying third-party vendors for the performance of necessary educational functions of the district; and to ensure that third-party vendors meet the required standards to be designated under the Family Educational Rights and Privacy Act (FERPA) as a School Official to handle personally identifiable information (PII) within the district.

Third-party vendors may be designated by the district as a School Official when the vendor:

1. Performs an institutional service or function for which the school or district would otherwise use its own employees;
2. Has met the criteria set forth in the district's annual notification of FERPA rights for being a school official with a legitimate educational interest in the education records;
3. Is under the direct control of the district regarding the use and maintenance of education records; and
4. Uses education records only for authorized purposes and may not re-disclose PII from education records to other parties (unless the provider has specific authorization from the district to do so and is otherwise permitted by FERPA).

Third party vendor data use requirements shall include, but not be limited to the following:

1. The vendor implement and maintain security procedures and practices consistent with current industry standards; and
2. The vendor be prohibited from collecting and using PII for:
 - a. Targeted advertising;
 - b. Amassing a profile about a student or students except in furtherance of educational purposes;
 - c. Selling or renting PII for any purpose other than those expressly permitted by law; and
 - d. Disclosing PII for any purposes other than those expressly permitted by law.

Old- Delete
(similar to
705.1)

Code No. 801.6

BIDS AND AWARDS FOR CONSTRUCTION CONTRACTS

The board supports economic development in Iowa, particularly in the school district community. Construction contracts will be made in the school district community or in Iowa from Iowa-based companies if the bids submitted are comparable in quality and can be received without additional cost in comparison to those submitted by other bidders. The board shall have the authority to approve or retain construction contracts.

Public, competitive sealed bids are required for construction projects, including renovation and repair, with a cost exceeding the statutory minimums required by law. The public, competitive sealed bid requirement is waived in the case of emergency repairs when the repairs are necessary to prevent the closing of a school. The AEA administrator shall certify that the emergency repairs are necessary to prevent the closing of a school. The superintendent will comply with the competitive quote process for those projects subject to the competitive quote law. The superintendent will determine the process for obtaining quotes for projects below the competitive quote limit. The board shall approve the quote for the project.

The award of construction contracts will, generally, be made to the lowest responsible bidder. The board, in its discretion, after considering factors relating to the construction, including, but not limited to, the cost of the construction, availability of service and/or repair, completion date, and any other factors deemed relevant by the board, may choose a bid other than the lowest bid. The board shall have the right to reject any or all bids, or any part thereof, to waive informalities, and to enter into the contract or contracts deemed to be in the best interests of the school district.

It shall be the responsibility of the superintendent to make a recommendation and the reason for it to the board for construction contract bids. The board secretary shall recommend, to the board, which bid to accept.

Legal Reference: Iowa Code §§ 72; 73; 73A.2, .18; 297.7-.8 (2009).

Cross Reference: 705 Expenditures
801 Site Acquisition and Building Construction

Approved June 2000

Reviewed July 2014

Revised December 2006

Old - Delete

Code No. 804.6

BOMB THREATS

As soon as a bomb threat is reported to the administration, the school district facility should be cleared immediately. A thorough search will be made by the appropriate school district or law enforcement officials. Employees and students shall remain outside the school district facility until it is determined that danger no longer exists.

It shall be the responsibility of the superintendent to file a report or keep a report of each incident for the school district records.

Legal Reference: Iowa Code § 279.8 (2009).

Cross Reference: 804 Safety Program

Approved June 2000

Reviewed July 2014

Revised _____

Replaced
804.6

Code No. 804.2

DISTRICT EMERGENCY OPERATIONS PLANS

The safety and security of the school community is paramount to *the Bellevue Community School District*. While there is no absolute guarantee of safety, it is the goal of the district to encourage and support a physically secure learning and working environment within its buildings. The district shall work in conjunction with community stakeholders including local emergency management coordinators and local law enforcement agencies to create emergency operations plans for all district buildings and school buildings where students are educated.

The superintendent, *or their designee*, shall be responsible for the development, review and implementation of the district emergency operations plan. The plan shall include procedures for transmitting alerts regarding emergency situations to school personnel, students, and employers for non-school employees whose presence is regularly required in the school building. The emergency operations plan shall be updated and reviewed annually by the Board and shall address responses to natural disasters, active shooter scenarios and other emergencies as determined by the district. The emergency operations plans are confidential and shall not be subject to disclosure under Iowa Code Chapter 22. However, the district shall publish procedures for students, school personnel, parents, and family members to report possible safety threats on school grounds and at school activities.

The administration shall hold annual emergency operations drills at each district building covered by an emergency operations plan in accordance with law. The district shall determine which school personnel shall participate and whether local law enforcement and students participate in annual drills.

NOTE: This is not a mandatory policy, but all school districts are required to have emergency operations plans in place for their districts no later than June 30, 2019.

Legal Reference: Iowa Code 280.30

Cross Reference: 800 Objectives of Building and Sites

Approved June 2000

Reviewed July 2014

Revised December 2018

old

Code No. 905.1

TRANSPORTING STUDENTS IN PRIVATE VEHICLES

Generally, transporting students for school purposes shall be done in a vehicle owned by the school district and driven by a school bus driver. Students may be transported in private vehicles for school purposes. It shall be within the discretion of the superintendent to determine when this is appropriate.

Individuals transporting students for school purposes in private vehicles must have the permission of the superintendent. Private vehicles will be used only when proof of insurance has been supplied to the superintendent and when the parents of the students to be transported have given written permission to the superintendent. The school district assumes no responsibility for those students who have not received the approval of the superintendent and who ride in private vehicles for school purposes.

This policy statement applies to transportation of students for school purposes in addition to transporting students to and from their designated attendance center. It shall be the responsibility of the superintendent to develop administrative regulations regarding this policy.

Legal Reference: Iowa Code §§ 279.8; 285; 321 (2009).
281 I.A.C. 43.

Cross Reference: 401.11 Transporting of Students by Employees
401.12 Employee Travel Compensation
711 Transportation

Approved June 2000

Reviewed July 2014

Revised _____

New

Code No. 905.1

TRANSPORTING STUDENTS IN PRIVATE VEHICLES

Generally, transporting students for school purposes is done in a vehicle owned by the school district and driven by a school bus driver. Students may be transported in private vehicles for school purposes. It is within the discretion of the superintendent to determine when this is appropriate.

Individuals transporting students for school purposes in private vehicles must have the permission of the superintendent and meet all applicable requirements set by the district. Private vehicles will be used only when:

- The vehicle is in good condition and meets all applicable safety requirements;
- The driver possesses a valid drivers' license;
- Proof of insurance has been supplied to the superintendent and the insurance satisfies the minimum coverage requirements for driving personal vehicles in the State of Iowa ; and
- When the parents of the students to be transported have given written permission to the superintendent.

The school district assumes no responsibility for those students who have not received the approval of the superintendent and who ride in private vehicles for school purposes. If transportation is not provided by the school district, or if transportation provided by the school district is declined by the student or parent/guardian, then the responsibility and corresponding liability for transportation for school purposes shall rest solely with the student and parent/guardian.

This policy statement applies to transportation of students for school purposes in addition to transporting students to and from their designated attendance center. The superintendent may develop an administrative process to implement this policy.

NOTE: It is important for districts to remember that if language is included in the policy, it needs to be followed in practice. For example, if the district requires written permission as stated above, the district needs to make sure that this is in fact being required for every student, every time. If the district finds a requirement to be impractical, then it should not be included in the policy.

New

Legal Reference: Iowa Code §§ 279.8; 285; 321.
281 I.A.C. 43.

Cross Reference: 401.6 Transporting of Students by Employees
401.7 Employee Travel Compensation
711 Transportation

Approved _____ Reviewed _____ Revised _____

old

COMMUNITY USE OF SCHOOL DISTRICT FACILITIES & EQUIPMENT

School district facilities and equipment will be made available to local nonprofit entities which promote cultural, educational, civic, community, or recreational activities. "Entity(ies)" shall include organizations, groups and individuals and their agents. Such use will be permitted only when the use does not interfere with or disrupt the education program or a school-related activity, the use is consistent with state law, and will end no later than midnight without permission of superintendent. It is within the discretion of the board to allow for-profit entities to use school district facilities and equipment. The board reserves the right to deny use of the facilities and equipment to an entity. It shall be within the discretion of the superintendent to allow use of school district facilities and equipment on Sundays.

Entities who wish to use school district facilities or equipment must apply at the superintendent's office. It shall be the responsibility of the board secretary or superintendent to determine whether the school district facility or equipment requested is available and whether the application for use meets board policy and administrative regulations. It shall be the responsibility of the superintendent and board secretary to provide application forms, obtain proof of insurance, and draw up the contract for use of school district facilities and equipment.

Use of school district facilities and equipment by entities shall be supervised by a school district employee unless special prior arrangements are made with the superintendent. The school district employee shall not accept a fee from the entity using school district facilities and equipment if the employee is on duty. If appropriate, the school district employee may be paid by the school district.

Entities that use school district buildings or sites must leave the building or site in the same condition it was in prior to its use. Entities that use school district equipment must return the equipment in the same working condition it was in prior to its use. Inappropriate use of school district facilities and equipment may result in additional fees charged to, or the inability of, the entity to use school district facilities or equipment in the future.

The school district will sponsor education related organizations' use of the ICN upon approval of the superintendent. Sponsored ICN users mission must be consistent with the mission of the school district. Costs associated with the use of the ICN will be passed on by the school district to the sponsored user.

Authorized users of the ICN shall ensure their use of the ICN is consistent with their written mission. The ICN will not be used for profit making ventures. Authorized users may not resell time on the ICN. Entities that wish to use the school district's ICN classroom to originate, receive or broadcast programming must follow the state scheduling requirements. However, it is recommended that entities that wish to use the school district's ICN classroom to originate receive, or broadcast programming contact the school district's ICN scheduler's office to inform them of their needs.

Approved June 2000

Reviewed July 2014

Revised _____

old

COMMUNITY USE OF SCHOOL DISTRICT FACILITIES & EQUIPMENT

It shall be the responsibility of the entities that wish to use the school district's ICN classroom to originate, receive or broadcast programming in compliance with the law regarding authorized use of and content of the programming on the ICN. The school district assumes no responsibility or liability for entities using the ICN classroom in violation of the law, the authorized user's mission or school district policy and its supporting administrative regulations. The school district reserves the right to charge all costs, including attorney fees, that may arise to the entity for the entity's failure to comply with the law or school district policy and its supporting administrative regulations.

The board may allow non-profit entities to use the school district facilities and equipment without charge. While such entities may use the facilities and equipment without charge, they may be required to pay a custodial fee.

It shall be the responsibility of the superintendent to develop a fee schedule for the board's approval and to develop administrative regulations regarding this policy.

Legal Reference: Iowa Code §§ 8D; 276; 278.1(4); 279.8; 288; 297.9-.11 (2009).
751 I.A.C. 14.
1982 Op. Att'y Gen. 561.
1940 Op. Att'y Gen. 232.
1936 Op. Att'y Gen. 196.

Cross Reference: 704 Revenue

old (keep)

Code No. 906.1R1

COMMUNITY USE OF SCHOOL DISTRICT FACILITIES & EQUIPMENT REGULATION

1. Alcoholic beverages shall not be brought to or consumed in the school district facilities or grounds.
2. Smoking is prohibited in school district facilities or on school district grounds.
3. A custodian or employee must be available or present in the building while the school district facility or equipment is being used by an entity.
4. After a school district facility or site has been used by an entity, cleaning, including restoring the facility or site to the condition it was in prior to its use, will be done by employees assisted by a committee from the entity. The fee charged to the entity for the use of the facility or site will include these costs. However, if excessive costs are involved in cleaning or otherwise restoring the facility or site to the condition it was in prior to its use, the board reserves the right to charge the entity for these excessive costs.
5. After school district equipment has been used by an entity, the equipment must be returned to the school district in the condition it was in prior to its use. The fee charged to the entity for the use of the equipment will include these costs. However, if excessive costs are involved in restoring the equipment to the condition it was in prior to its use, the board reserves the right to charge the entity for these excessive costs.
6. Entities are required to stay within the area of the school district facility or site and use only the school district equipment authorized by the school district for use by the entity. Other school district facilities, sites, or areas in the school district building or equipment are off limits to the entity.
7. A cancellation after the facility or equipment is made ready for the entity shall be charged at the full rate. Cancellations made prior to that time shall be charged a minimum cancellation fee or the costs incurred to the school district in anticipation of the entity's use, whichever is greater.

old (keep)

Code No. 906.1R2

COMMUNITY USE OF SCHOOL DISTRICT BUILDINGS & SITES & EQUIPMENT
FEES SCHEDULE

Rates for Use of Buildings and Sites

Elementary school gym (first two hours)	_____
Elementary school gym with kitchen (first two hours)	_____
Middle school gym (first two hours)	_____
Middle school kitchen and lunch room (two hours)	_____
High school gym (two hours)	_____
High school auditorium	_____
High school lunch room	_____
[Add other items]	_____

Add to above:

For each additional hour or fraction thereof	_____
For providing chairs and/or tables for meetings	_____
Custodial charges	_____
[Add other items]	_____

ICN classroom per hour (maximum \$12.50 per hour)	_____
--	-------

In addition to paying the above fees, other than entities using the ICN classroom, each entity must make arrangements with the school district to have adequate custodial and supervisory services. Buildings will not be available unless a contract is signed by the entity and the school district well in advance of scheduled usage.

Rates for Use of Equipment

VCR (one-half day)	_____
Overhead projector (one-half day)	_____
[Add other items]	_____

Add to above:

For each additional hour or fraction thereof	_____
[Add other items]	_____

* We do not
have an ICN
Room.

old

Code No. 906.1R3

ICN ROOM USE REGULATION

The ICN is a statewide telecommunications network designed primarily to enhance learning opportunities for students, employees and board members. The school district recognizes that it is not the only authorized user of the ICN and other users will frequently be using the school district's ICN facilities. Sponsored and authorized users of the ICN must comply with state and federal law in using the ICN.

High school principal is responsible for coordinating ICN classroom use. Requests for use of the ICN classroom by employees for the educational program shall be filed with high school principal.

It shall be the responsibility of the entity using the ICN classroom to comply with the requirements of the law and school district policy and its supporting administrative regulations.

1. The ICN is a limited access network and sponsored or authorized users cannot use the system for profit making ventures.
2. The use must be consistent with the mission of the sponsored or authorized user.
3. Users cannot resell time on the ICN.
4. Sponsored and authorized users are responsible for compliance with the Americans with Disabilities Act and Iowa Civil Rights Act. Sponsored and authorized users are responsible for making the necessary accommodations and are responsible for obtaining and paying for needed interpreters or interpretive equipment.
5. The charge for use of the ICN room is \$12.00. **(The maximum hourly rate school districts can charge for use of the facilities is \$12.50 per hour. This is for use of the room, not the ICN. This cost reimburses the school district for its administrative, custodial, etc. costs for the room's usage.)**
6. The ICN will be available 7am – 10:30pm Monday through Friday, and Saturday 8:00am – 5:00pm. **(The minimum hours the facility must be available is Monday through Friday, 7:00 a.m. to 10:30 p.m. and Saturday, 8:00 a.m. to 4:00 p.m.)**
8. The sponsored or authorized user is responsible for all site and site usage charges.
9. Food and drink is not permitted in the ICN room.
10. Use or transmission of copyrighted material, without prior approval of the copyright holder, is strictly prohibited. Appropriate use of the copyrighted material is the responsibility of the sponsored or authorized user, not the school district.
11. The school district reserves the right to amend these rules as necessary to reflect the ICN's usage and changes at the state or federal level.
12. The school district reserves the right to charge all costs, including attorneys' fees, that may arise to the authorized user for the sponsored or authorized user's failure to comply with the law, board policy and administrative regulations.

old (keep)

Code No. 906.1E1

COMMUNITY USE OF SCHOOL DISTRICT FACILITIES & EQUIPMENT APPLICATION FORM

The undersigned entity makes application for the use of the school district facility or equipment as designated below. The entity will provide police protection at its own expense, if necessary, to maintain order and to properly protect the building or site. Police protection is required when admission is charged.

Please refer to Policy 906.1 to determine the proper use of school facilities and equipment. The entity is responsible for complying with the law, board policy and the administrative regulations.

The entity must provide an Indemnity and Liability Insurance Agreement, Code No. 906.1E2, prior to the use of school district buildings or sites.

Building/Site/Equipment _____ Date _____
Purpose _____ Hours _____

Auditorium
Seating requirements on stage _____
Tables required on stage _____
Stage curtain and attendant _____
Spotlights _____
Microphones _____
Podium Stand _____
Table _____ Stand in audience _____
Other equipment _____

Gymnasium
Seating _____ Scoreboard _____
Public address system _____
Matron _____

Classroom
ICN _____
Computer lab _____
Other _____

Swimming Pool

Total Fee \$ _____

Name of entity making application: _____

Name of person making application: _____

Address: _____ Phone #: _____

(Signature of Applicant)

(Date)

old (keep)

Code No. 906.1E2

COMMUNITY USE OF SCHOOL DISTRICT FACILITIES & EQUIPMENT
INDEMNITY AND LIABILITY INSURANCE AGREEMENT

The undersigned, hereafter referred to as "entity," states that it shall hold the Bellevue School District, hereafter referred to as "school district," harmless from any and all damages and claims that may arise by reason of any negligence on the part of the entity or the school district, and its officers, employees or agents, in the use by the entity of any facilities or equipment owned by the school district. In case any action is brought therefore against the school district or any of its officers, employees or agents, the entity shall assume full responsibility for the legal defense thereof, and upon its failure to do so on proper notice, the school district reserves the right to defend such action and to charge all costs, including attorneys' fees, to the entity.

The entity agrees to furnish and maintain during the usage of the facilities or equipment owned by the school district such bodily injury and property damage liability insurance as shall protect the entity and the school district from claims for damages for personal injury, including accidental death, and from claims for property damages which may arise from the entity's use of the school district's facilities or equipment whether such operations be by the entity or by anyone directly or indirectly employed by the entity. Such insurance shall include the Bellevue School District as an additional named insured in the policy carried by the entity and described above.

The entity shall furnish the school district with a certificate of insurance acceptable to the school district's insurance carrier before the contract is issued.

Dated at _____, Iowa, this _____ day of _____, 19__.

Bellevue Community School District
(Entity)

By _____

Title _____

Address _____

By _____
Superintendent

By _____
Secretary

New

COMMUNITY USE OF SCHOOL DISTRICT FACILITIES & EQUIPMENT

School district facilities and equipment will be made available to local nonprofit entities which promote cultural, educational, civic, community, or recreational activities. "Entity(ies)" will include organizations, groups and individuals and their agents. Such use will be permitted only when the use does not interfere with or disrupt the education program or a school-related activity, the use is consistent with state law, and will end no later than midnight. It is within the discretion of the board to allow for-profit entities to use school district facilities and equipment. The board reserves the right to deny use of the facilities and equipment to an entity. It is within the discretion of the superintendent to allow use of school district facilities and equipment on Sundays.

Entities that wish to use school district facilities or equipment must apply at the appropriate school office. It is the responsibility of the board secretary or superintendent to determine whether the school district facility or equipment requested is available and whether the application for use meets board policy and administrative regulations. It is the responsibility of the superintendent and board secretary to provide application forms, obtain proof of insurance, and draw up the contract for use of school district facilities and equipment.

Use of school district facilities and equipment by entities will be supervised by a school district employee unless special prior arrangements are made with the superintendent. The school district employee will not accept a fee from the entity using school district facilities and equipment. If appropriate, the school district employee may be paid by the school district.

Entities that use school district buildings, or equipment, or sites must leave the building or site in the same condition it was in prior to its use. Inappropriate use of school district facilities and equipment may result in additional fees charged to, or the inability of, the entity to use school district facilities or equipment in the future.

COMMUNITY USE OF SCHOOL DISTRICT FACILITIES & EQUIPMENT

The board may allow entities, such as the Boy and Girl Scouts and 4-H, to use the school district facilities and equipment without charge. While such entities may use the facilities and equipment without charge, they may be required to pay a custodial fee.

It is the responsibility of the superintendent to develop a fee schedule for the board's approval and to develop administrative regulations regarding this policy.

New

Code No. 906.1

Page 2 of 2

NOTE: This policy requires that all users of school district facilities provide proof of insurance. This is not a legal requirement. It is there for the protection of the school district. Prior to waiving insurance requirements for groups, a school district should check with its insurance carrier to clarify coverage.

Legal Reference: Iowa Code §§ 8D; 123.46; 276; 278.1(4); 279.8; 297.9-.11.
1982 Op. Att'y Gen. 561.
1940 Op. Att'y Gen. 232.
1936 Op. Att'y Gen. 196.

Cross Reference: 704 Revenue

Approved _____

Reviewed _____

Revised _____

New Policy

Code No. 906.3

Page 1 of 2

UNMANNED AIRCRAFTS – DRONES

The following policy applies to the extent not preempted by federal or state regulatory jurisdiction regarding unmanned aircrafts. For purposes of this policy, the term “unmanned aircraft” means an aircraft that is operated without the possibility of direct human intervention from within or on the aircraft.

The [insert school district name] believes in maintaining the safety, security, and privacy of students, employees, and visitors. In keeping with this belief, the use or possession of unmanned aircrafts is prohibited on district property or in the space above the property that reasonably can be considered part of the district property. The superintendent may make an exception to this policy in specific cases where the circumstances warrant such exception. In such situations and prior to approval, unmanned aircraft operators shall:

- Supply proof of insurance meeting liability limits established by the district;
- Present appropriate registration and authorization issued by the Federal Aviation Administration (FAA);
- Sign an agreement holding the district harmless from any claims of harm to individuals or damage to property; and
- Meet additional requirements as determined appropriate by the district.

If the unmanned aircrafts are operated as part of the district curriculum, prior to adoption into the curriculum, district employees shall work with district administration to ensure the appropriate insurance, registration, and authorizations are in place.

Unmanned aircrafts shall be operated in accordance with Iowa High School Athletic Association and Iowa Girls High School Athletic Union policy.

Failure to abide by this policy may result in local, state, and federal penalties if applicable.

NOTE: The use of unmanned aircrafts is an unsettled area of the law. There is overlap with federal and state regulations and as such, there is the potential for challenge associated with the enforcement of the policy. Districts should, as with the adoption of any new policy, work with the district’s legal counsel to determine whether, when, and to what extent a policy on unmanned aircraft should be adopted at the local level.

NOTE: Districts who wish to approve the use of drones on school property, as part of the curriculum or for other purposes, should consult with the district’s insurance carrier prior to approval and operation. Most general liability policies have an exclusion for aircraft liability and the district would likely need

New Policy

additional liability coverage for the operation of drones. If you are a member of the IASB Safety Group, effective July 1, 2016, your policy with EMC automatically
Code No. 906 Page 2 of 2

includes liability coverage for bodily injury and property damage caused by drones. However, coverage is not currently available for claims related to violation of privacy.

NOTE: Districts should be aware of the FAA unmanned aircraft safety guidelines, which include guidelines such as flying below 400 feet and not flying within 5 miles of an airport unless the airport and control tower have been contacted prior to flying. For a complete list of the guidelines, please visit the "Model Aircraft Operations" section of the FAA website, located at <http://www.faa.gov/uas/modelaircraft/>.

Legal Reference: FAA Modernization and Reform Act of 2012, P.L. 112-95, Title III, Subtitle B. Model Aircraft Operating Standards, FFA AC No. 91-57A (Sept. 2, 2015). OFFICE OF CHIEF COUNSEL, FED. AVIATION ADMIN., State and Local Regulation of Unmanned Aircraft Systems (UAS) Fact Sheet (Dec. 17, 2015). Iowa Code § 279.8.
IHSAA Drone Policy

Cross Reference: 602.1 Curriculum Development

Approved _____

Reviewed _____

Revised _____

