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## STATEMENT

All policies in Series 400 were reviewed by the Board of Directors on December 8, 1992. If changes were found to be necessary, the revision date was noted on the individual policies.

All policies in Series 400 were reviewed by the Board of Directors on January 10, 1995. If changes were found to be necessary, the revision date was noted on the individual policies.

All policies in Series 400 were reviewed by the Board of Directors on March 24, 1998. If changes were found to be necessary, the revision date was noted on the individual policies.

All policies in Series 400 were reviewed by the Board of Directors on March 27, 2001. If changes were found to be necessary, the revision date was noted on the individual policies.

All policies in Series 400 were reviewed by the Board of Directors on August 15, 2006. If changes were found to be necessary, the revision date was noted on the individual policies.

All policies in Series 400 were reviewed by the Board of Directors on August 14, 2007. If changes were found to be necessary, the revision date was noted on the individual policies.

All policies in Series 400 were reviewed by the Board of Directors on December 10, 2009. If any changes were found to be necessary, the revision date was noted on the individual policies.

All policies in Series 400 were reviewed by the Board of Directors on February 14, 2011. If any changes were found to be necessary, the revision date was noted on the individual policies.

All policies in Series 400 were reviewed by the Board of Directors on February 8, 2016. If any changes were found to be necessary, the revision date was noted on the individual policies.

All policies in Series 400 were reviewed by the Board of Directors on April 22, 2024. If any changes were found to be necessary, the revision date was noted on the individual policies.

## ROLE OF AND GUIDING PRINCIPLES FOR EMPLOYEES

This series of the board policy manual is devoted to the board's goals and objectives for employees in the performance of their jobs. Employees provide a variety of important services for the children of the school district community. They may be teaching or assisting in the classroom, working in the office, maintaining the facilities, driving or repairing the school buses, or cooking lunches. Each employee plays a vital role in providing an equal opportunity for a quality education for students commensurate with the students' individual needs. While the teachers have the most direct impact on the formal instruction of students, all employees have an impact on the school environment by their dedication to their work and their actions. As role models for the students, employees shall promote a cooperative, enthusiastic, and supportive learning environment for the students.

In striving to achieve a quality education program, the board's goal is to obtain and retain qualified and effective employees. The board shall have complete discretion to determine the number, the qualifications, and the duties of the positions and the school district's standards of acceptable performance. It shall be the responsibility of the superintendent to make recommendations to the board in these areas prior to board action. The board recognizes its duty to bargain collectively with duly certified collective bargaining units. To the extent a group of employees has a recognized collective bargaining unit, the provisions of the master contract regarding such topics shall prevail.

Board policies in this series relating to general employees will apply to employees regardless of their position as a licensed employee, classified employee, substitute or administrator. Board policies relating to licensed employees will apply to positions that require a teaching license or administrator's certificate or other professional license, certificate or endorsement, unless administrative positions are specifically excluded from the policy or a more specific policy is in the 300 series, Administration.

Classified employees' policies included in this series will apply to positions that do not fall within the definition of licensed employee.

Date of Adoption: April 25, 1990

Date of Revision: March 24, 1998

Date of Revision: April 22, 2024

## EQUAL EMPLOYMENT OPPORTUNITY

The Centerville Community School District will provide equal opportunity to employees and applicants for employment in accordance with applicable equal employment opportunity and affirmative action laws, directives and regulations of federal, state and local governing bodies. Opportunity to all employees and applicants for employment includes hiring, placement, promotion, transfer or demotion, recruitment, advertising or solicitation for employment, treatment during employment, rates of pay or other forms of compensation, and layoff or termination. The school district will take affirmative action in major job categories where women, men, minorities, and persons with disabilities are underrepresented. Employees will support and comply with the district's established equal employment opportunity and affirmative action policies. Employees will be given notice of this policy annually.

The board will appoint an affirmative action coordinator. The affirmative action coordinator will have the responsibility for drafting the affirmative action plan. The affirmative action plan will be reviewed by the board at least every two years.

Individuals who file an application with the school district will be given consideration for employment if they meet or exceed the qualifications set by the board, administration, and Iowa Department of Education for the position for which they apply. In employing individuals, the board will consider the qualifications, credentials, and records of the applicants without regard to race, color, creed, sex, national origin, religion, age, sexual orientation, gender identity, marital status, socioeconomic status or disability. In keeping with the law, the board will consider the veteran status of applicants.

Prior to a final offer of employment for any teaching position the school district will perform the background checks required by law. The district may determine on a case-by-case basis that, based on the duties, other positions within the district will also require background checks. Based upon the results of the background checks, the school district will determine whether an offer will be extended. If the candidate is a teacher who has an initial license from the BOEE, then the requirement for a background check is waived.

Advertisements and notices for vacancies within the district will contain the following "AA/EOE". The same will also appear on application forms.

Inquiries by employees or applicants for employment regarding compliance with equal employment opportunity and affirmative action laws and policies, including but not limited to complaints of discrimination, will be directed to the Equity/Affirmative Action Coordinator by writing to the Equity/Affirmative Action Coordinator Centerville Community School District, 634 N. Main, Centerville, Iowa 52544 or by telephoning 641-856-0601.

**EQUAL EMPLOYMENT OPPORTUNITY**

Inquiries by employees or applicants for employment regarding compliance with equal employment opportunity and affirmative action laws and policies, including but not limited to complaints of discrimination, may also be directed in writing to the Equal Employment Opportunity Commissions, Milwaukee Area Office, Reuss Federal Plaza, 310 West Wisconsin Ave., Suite 800, Milwaukee, WI., 53203-2292, (800) 669-4000 or TTY (800) 669-6820. <http://www.eeoc.gov/field/milwaukee/index.cfm> or the Iowa Civil Rights Commission, 400 E. 14th Street, Des Moines, Iowa, 50319-1004, (515) 281-4121 or 1-800-457-4416, <http://www.state.ia.us/government/crc/index.html>. This inquiry or complaint to the federal office may be done instead of, or in addition to, an inquiry or complaint at the local level.

Further information and copies of the procedures for filing a complaint are available in the school district's central administrative office and the administrative office in each attendance center.

Legal Reference: 29 U.S.C. §§ 621-634.  
42 U.S.C. §§ 2000e et seq.  
42 U.S.C. §§ 12101 et seq.  
Iowa Code §§ 19B; 20; 35C; 73; 216; 279.8.  
281 I.A.C. 12.4; 95.

Date of Adoption: April 25, 1990  
Date of Revision: December 8, 1992  
Date of Revision: January 10, 1995  
Date of Revision: March 27, 2001  
Date of Revision: May 14, 2002  
Date of Revision: September 27, 2005  
Date of Revision: August 14, 2007  
Date of Revision: February 10, 2009  
Date of Revision: May 18, 2015  
Date of Revision: January 8, 2024

## AFFIRMATIVE ACTION COMPLIANCE CODE

The Centerville Community School District has an established policy of Equal Employment Opportunity with respect to race, religion, color, sex, age, national origin, disability, creed, sexual orientation or gender identity. The district has an established policy of taking affirmative action in recruitment, appointment, assignment and advancement. The district will affirmatively recruit women and men, members of diverse racial/ethnic groups and persons with disabilities for job categories where they are underrepresented. We expect the administration to know of and fully accept the equal opportunity and affirmative action policies and to make certain that no employee or applicant for employment shall suffer any form of discrimination because of race, religion, color, creed, sex, age, sexual orientation, gender identity, national origin, marital status, socioeconomic status or disability. In order to effectively communicate and interpret the district's policies to all levels of the administration and to all other employees, community and educational agencies, and the general public, the following will be undertaken.

- A. Dissemination of Policy
  - 1. Employees will be reminded annually of the district's written statement of policy by:
    - a. Description of policy by publication or reference in all issues or re-issues of personnel handbooks.
    - b. When appropriate, publicize the EEO policy and such activities through news stories or other articles in district publications.
    - c. Detailed discussions at administrative conferences and staff meetings.
  - 2. Employment advertisements will contain assurance of equal employment opportunity.
  - 3. All employment and recruiting sources where jobs are listed by the district will be reminded of our policy, both verbally and in writing.
  - 4. Notice will be posted on bulletin boards and in locations where applicants are interviewed. These will inform employees and applicants of their rights under federal and state civil rights laws.
- B. Responsibility for implementing the Affirmative Action Program
  - 1. Responsibility is assigned to the Affirmative Action Coordinator, who will render full assistance and support for those seeking help and assistance in taking affirmative action.
- C. Recruiting
  - 1. Additional emphasis will be given to seeking and encouraging applicants from minorities, women, and the disabled where such applicants with the necessary qualifications or potentials are available.





**AFFIRMATIVE ACTION COMPLIANCE CODE**

- D. Training
  - 1. All training and in-service programs supported or sponsored by the district will continue to be equally open to minority, female and disabled employees on the basis of qualifications.
  
- E. Hiring, Placement, Transfer, Lay-Off and Recall
  - 1. The district recognizes that to accomplish the long-range objectives of its Equal Employment Opportunity policy, continued affirmative action must be taken to ensure that job opportunities of all kinds are called to the specific attention of members of minorities, women, and the disabled and that qualified members of such groups should be offered positions on the same basis as all other applicants or employees. To assure achievement of the objectives, the district will periodically review its practices in hiring job applicants.
  
- F. Compensation
  - 1. All employees, including women, minorities and disabled employees, will receive compensation in accordance with the same standards. Opportunities for performing overtime work or otherwise earning increased compensation will be afforded to all qualified employees without discrimination based on race, religion, color, creed, sex, age, sexual orientation, gender identity, national origin, marital status, socioeconomic status or disability.

This Affirmative Action Program will be reviewed and updated biennially.

Inquiries by employees or applicants for employment regarding compliance with equal employment opportunity and affirmative action shall be directed to the Equity/Affirmative Action Coordinator, Centerville Community School District, 634 North Main, Centerville, Iowa 52544-0370.

Further information and copies of the procedures for filing a complaint are available in the district's central administrative office and the administrative office in each district attendance center.

- Date of Adoption: April 25, 1990
- Date of Revision: December 8, 1992
- Date of Revision: January 10, 1995
- Date of Revision: March 27, 2001
- Date of Revision: March 21, 2006
- Date of Revision: August 14, 2007
- Date of Revision: February 10, 2009
- Date of Revision: May 18, 2015
- Date of Revision: April 22, 2024

## PERSONNEL CONFLICT OF INTEREST

Employees' use of their position with the school district for financial gain is considered a conflict of interest with their position as employees and may subject employees to disciplinary action.

Employees have access to information and a captive audience that could award the employee personal or financial gain. No employee may solicit other employees or students for personal or financial gain to the employee without the approval of the superintendent. If the approval of the superintendent is given, the employee must conduct the solicitations within the conditions set by the superintendent. Further, the superintendent may, upon five days notice, require the employee to cease such solicitations as a condition of continued employment.

Employees will not act as an agent or dealer for the sale of textbooks or other school supply companies doing business with the school district. Employees will not participate for personal financial remuneration in outside activities wherein their position on the staff is used to sell goods or services to students, parents, or staff. Employees will not engage in outside work or activities where the source of information concerning the customer, client or employer originates from information obtained because of the employee's position in the school district.

It will also be a conflict of interest for an employee to engage in any outside employment or activity which is in conflict with the employee's official duties and responsibilities. In determining whether outside employment or activity of an employee creates a conflict of interest, situations in which an unacceptable conflict of interest is deemed to exist shall include, but not be limited to, any of the following:

- (1) The outside employment or activity involves the use of the school district's time, facilities, equipment and supplies or the use of the school district's badge, uniform, business card or other evidences of office to give the employee or the employee's immediate family an advantage or pecuniary benefit that is not available to other similarly situated members or classes of members of the general public. For purposes of this section, a person is not "similarly situated" merely by being related to an employee who is employed by the school district.
- (2) The outside employment or activity involves the receipt of, promise of, or acceptance of more or other consideration by the employee or a member of the employee's immediate family from anyone other than the school district for the performance of any act that the employee would be required or expected to perform as part of the employee's regular duties or during the hours during which the employee performs service or work for the school district.
- (3) The outside employment or activity is subject to the official control, inspection, review, audit or enforcement authority of the employee during the performance of the employee's duties.

**PERSONNEL CONFLICT OF INTEREST**

If the outside employment or activity is employment or activity in (1) or (2) above, the employee must cease the employment of or activity. If the activity or employment falls under (3), then the employee must:

- Cease the outside employment or activity;
- Publicly disclose the existence of the conflict and refrain from taking any official action or performing any official duty that would detrimentally affect or create a benefit to the outside employment or activity. Official action or official duty includes, but is not limited to, participating in any vote, taking affirmative action to influence any vote, or providing any other official service or thing that is not available generally to members of the public in order to further the interests of the outside employment or activity

It is the responsibility of each employee to be aware of and take the necessary action to eliminate a potential conflict of interest should it arise.

Date of Adoption: April 25, 1990  
Date of Revision: November 27, 1990  
Date of Revision: October 12, 1993  
Date of Revision: September 26, 1995  
Date of Revision: March 27, 2001  
Date of Revision: March 21, 2006  
Date of Revision: September 8, 2009  
Date of Revision: April 22, 2024

**NEPOTISM**

More than one family member may be employed. It is within the discretion of the superintendent to allow one family member employed by the district to supervise another family member employed by the school district, subject to the approval of the board.

The employment of more than one individual in a family is on the basis of their qualifications, credentials, and records.

Date of Adoption: April 25, 1990

Date of Revision: March 21, 2006

Date of Revision: April 22, 2024

## EMPLOYEE COMPLAINTS

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

If the complaint cannot be resolved, the employee may discuss the matter with their immediate supervisor. If the matter cannot be resolved within five (5) days of speaking with the immediate supervisor, the employee may discuss it with the principal within five (5) days of the supervisor's decision. If the matter cannot be resolved by the principal, the employee may discuss it with the superintendent within five (5) days after speaking with the principal.

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

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

Legal Reference: Iowa Code §§ 20; 279.8

Date of Adoption: April 25, 1990

Date of Revision: December 8, 1992

Date of Revision: January 10, 1995

Date of Revision: April 22, 2024

## PERSONNEL RECORDS

The school district shall maintain personnel records on employees. The records are important for the daily administration of the educational program, for implementing board policy, for budget and financial planning, and for meeting state and federal requirements.

The records shall include, but not be limited to, records necessary for the daily administration of the school district, salary records, evaluations, application for employment, references, and other items needed to carry out board policy. Employee personnel files are school district records and are considered confidential records and therefore are not generally open to public inspection or accessibility. Only in certain limited instances, when the employee has given a signed consent, will employee personnel records be accessible to individuals other than the employee or authorized school officials.

Employees may have access to their personnel files, with the exception of letters of reference, and copy items from their personnel files at a time mutually agreed upon between the superintendent and the employee. The school district may charge a reasonable fee for each copy. However, employees will not be allowed access to the employment references written on behalf of the employee. Board members will generally only have access to an employee's file when it is necessary because of an employee related matter before the board.

It shall be the responsibility of the superintendent to keep employees' personnel files current. The board secretary shall be the custodian of employee records.

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

Legal Reference: Iowa Code chs. 20; 21; 22; 91B.

Date of Adoption: April 25, 1990

Date of Revision: December 8, 1992

Date of Revision: October 12, 1993

Date of Revision: March 24, 1998

Date of Revision: November 10, 1998

Date of Revision: March 27, 2001

Date of Revision: April 22, 2024

## EMPLOYEE RECORDS REGULATION

### Employee Personnel Records Content

1. Employee personnel records may contain the following information:
  - Personal information including, but not limited to, name, address, telephone number, emergency numbers, birth date and spouse.
  - Individual employment contract.
  - Evaluations (Evaluation records may *also* be kept with the evaluator.)
  - Application, resume and references
  - Salary information
  - Copy of the employee's license or certificate, if needed for the position
  - Educational transcripts
  - Assignment
  - Records of disciplinary matters
  
2. Employee health and medical records shall be kept in a file separate from the employee's personnel records. Health and medical records may contain, but are not limited to:
  - Medical professional signed physical form
  - Sick or long-term disability leave days
  - Worker's compensation claims
  - Reasonable accommodation made by the school district to accommodate the employee's disability
  - Employee's medical history
  - Employee emergency names and numbers
  - Family and medical leave request forms.
  - Hepatitis B records---keep for ten years
  
3. The following are considered public personnel records available for inspection:
  - The name and compensation of the individual, including any written agreement establishing compensation or any other terms of employment, except for that information that is otherwise protected. "Compensation" includes the value of benefits conferred including, but not limited to: casualty, disability, life or health insurance, or other health or wellness benefits, vacation, holiday and sick leave, severance payments, retirement benefits and deferred compensation;
  - The dates the individual was employed by the government body;
  - The positions the individual holds or has held with the government body;
  - The educational institutions attended by the individual, including any diplomas and degrees earned, and the names of the individual's previous employers, positions previously held and dates of previous employment;
  - The fact that the individual resigned in lieu of termination, was discharged, or was demoted as a result of a disciplinary action, and the documented reasons and rationale for the resignation in lieu of termination, the discharge, or the demotion. "Demoted" or "demotion" mean a change of an employee from a position in a given classification to a position in a classification having a lower pay grade; and

- Personal information in confidential personnel records of government bodies relating to student employees shall only be release pursuant to the Family Educational Privacy Act (FERPA).

#### Applicant File Records Content

Records on applicants for positions with the school district are maintained in the central administration office. The records will include, but not be limited to:

- Application for employment
- Resume
- References
- Evidence of appropriate license or certificate, if necessary for the position for which the individual applied
- Affirmative action form, if submitted

#### Record Access

Only authorized school officials shall have access to an employee's records without the written consent of the employee. Authorized school officials may include, but not be limited to, the superintendent, building principal, or board secretary. In the case of a medical emergency, the school nurse or other first aid or safety personnel may have access to the employee's health or medical file without the consent of the employee. Board members will generally only have access to an employee's personnel file without the consent of the employee when necessary to conduct board business.

Date of Adoption: October 12, 1993

Date of Revision: January 10, 1995

Date of Revision: March 24, 1998

Date of Revision: November 14, 2000

Date of Revision: April 22, 2024



**LIMITATIONS TO EMPLOYMENT REFERENCES**

The district believes in taking appropriate measures to promote the health and welfare of all students. Any school employee, contractor, or agent shall not assist another school employee, contractor, or agent in obtaining a new job, apart from the routine transmission of administrative personnel files, if the individual or agency knows, or has probable cause to believe, that such school employee, contractor, or agent engaged in sexual misconduct regarding a minor or student in violation of the law. Sexual misconduct means physical or sexual abuse of students including but not limited to sexual or physical relationships, grooming behavior, and otherwise inappropriate relationships with students.

This limitation does not apply if the matter has been properly reported to law enforcement and any other regulatory authorities required by law, and either:

- the matter has been officially closed by the law enforcement agency;
- the individual is acquitted or otherwise exonerated of the alleged misconduct; or
- more than four years has passed since the case was opened, and no charges or indictment have been filed.

Legal Reference: 20 U.S.C. §7926  
Iowa Code §256  
281 I.A.C. 12.3(14)

Date of Adoption: April 22, 2024

## **EMPLOYEE TRAVEL COMPENSATION**

Employees traveling on behalf of the school district and performing approved school business will be reimbursed for their actual and necessary expenses.

### **Travel Outside the School District**

Travel outside of the school district must be pre-approved. Pre-approval will include an evaluation of the necessity of the travel, the reason for the travel and an estimate of the cost of the travel to qualify as approved school district business. Travel outside the school district by employees, other than the superintendent, is pre-approved by the superintendent or an immediate supervisor. Travel outside of the school district by the Superintendent that does not require overnight accommodations will be considered routine and will not need additional approval.

Overnight travel outside the district by the superintendent will be communicated with the board president with an emphasis on providing proper supervision of the district during the absence and providing necessary budgetary controls.

Reimbursement for actual and necessary expenses may be allowed for travel outside the school district if the employee received pre-approval for the travel. Prior to reimbursement of actual and necessary expenses, the employee must provide the school district with a detailed, itemized receipt, indicating the date, purpose and nature of the expense for each claim item. In exceptional circumstances, the superintendent may allow a claim without proper receipt. Written documentation explaining the exceptional circumstances is maintained as part of the school district's record of the claim.

Failure to have a detailed, itemized receipt will make the expense a personal expense. Personal expenses, including mileage, in excess of that required for the trip are reimbursed by the employee to the school district no later than 10 working days following the date of the expense.

Reimbursement for actual and necessary expenses for travel outside the school district will be limited to the pre-approved expenses. Pre-approved expenses for registration are limited to the actual cost of the registration.

Pre-approved expenses for transportation within three-hundred miles of the school district administrative office will be by automobile. If a school district vehicle is not available, the employee will be reimbursed mileage at the Internal Revenue Service standard mileage rate. Travel to/from home and work is never a reimbursable travel expense. Pre-approved expenses for transportation outside of three hundred miles of the school district administrative office may be by public carrier. Travel costs for a spouse or anyone other than the district employee shall be a personal expense not reimbursed by the district.

Expenses for meals are limited to a maximum of \$50 per day.

### **Travel Within the School District**

Employees required to travel in their personal vehicle between school district buildings to carry

out the duties of their position may be reimbursed at the Internal Revenue Service standard mileage rate. It is the responsibility of the superintendent to approve travel within the school district by employees. It is the responsibility of the board to review the travel within the school district by the superintendent through the board's audit and approval process.

Travel allowances within the district will be provided only after board approval. Employees who are allowed a within district travel allowance will have the amount of the allowance actually received during each calendar year included on the employee's W-2 form as taxable income according to the Internal Revenue Code.

### **Use of District-Owned Vehicles**

Certain district employment positions may require regular and extensive travel. Due to the required duties of these positions, the district may provide certain positions with use of district-owned vehicles. Employees who utilize district-owned vehicles during the course of their job duties are fulfilling the public purpose of meeting the needs of the educational community in an efficient, and time-sensitive manner. District-owned vehicles are purchased and maintained with public money and must be used strictly in accordance with fulfilling a public purpose. These vehicles represent the district in carrying out its educational mission. Therefore, district-owned vehicles will be clearly marked at all times to identify the district.

The superintendent is responsible for developing administrative regulations regarding actual and necessary expenses, in-school district travel allowances and assignment and proper use of school district vehicles. The administrative regulations will include the appropriate forms to be filed for reimbursement to the employee from the school district and the procedures for obtaining approval for travel outside of and within the school district.

Legal Reference: Iowa Constitution, Art. III, § 31.  
Iowa Code §§ 70A.9-.11.

Date of Adoption: April 25, 1990  
Date of Revision: December 8, 1992  
Date of Revision: February 8, 2011  
Date of Revision: April 22, 2024

**RECOGNITION FOR SERVICE OF EMPLOYEES**

The board recognizes and appreciates the service of its employees. Employees who retire or resign may be honored by the board, administration and staff in an appropriate manner.

If the form of honor thought appropriate by the administration and employees involves unusual expense to the school district, the superintendent will seek prior approval from the board.

Legal Reference: Iowa Const. Art. III, § 31.  
Iowa Code § 279.8

Date of Adoption: April 22, 2024

**EMPLOYEE POLITICAL ACTIVITY**

Employees will not engage in political activity upon property under the jurisdiction of the board including the use of school district e-mail accounts. Activities including, but not limited to, posting of political circulars or petitions, the distribution of political circulars or petitions, the collection of or solicitation for campaign funds, solicitation for campaign workers, general information regarding elections or ballot issues and the use of students for writing or addressing political materials, or the distribution of such materials to or by students are specifically prohibited.

Violation of this policy may be grounds for disciplinary action.

Legal Reference: Iowa Code §§ 55; 279.8.

Date of Adoption: April 22, 2024

**Code No. 401.10**

**THIS POLICY NUMBER RESERVED**

**EMPLOYEE ORIENTATION**

Employees must know their role and duties. New employees may be required to participate in an orientation program for new employees. It shall be the responsibility of the employee's direct supervisor to provide the new employee with a review of the employee's responsibilities, duties, and appropriate procedures. Payroll procedures and employee benefit programs will be explained to the employee. Regular employees ineligible for the school district's group health plan will be given information regarding where they can obtain health care or health care insurance.

Legal Reference: Iowa Code §§ 20; 279.8.  
191 I.A.C. 74.

Date of Adoption: April 25, 1990  
Date of Revision: January 10, 1995  
Date of Revision: September 12, 1995  
Date of Revision: April 22, 2024

## EMPLOYEE USE OF CELL PHONES

The use of cell phones and other communication devices may be appropriate to provide for the effective and efficient operation of the school district and to help ensure safety and security of people and property while on school district property or engaged in school sponsored activities.

The Board authorizes the purchase and employee use of cell phones by employees as deemed appropriate by the superintendent. School district owned cell phones will be used for authorized school district business purposes, consistent with the school district's mission and goals.

Use of cell phones in violation of board policies, administrative regulations, and/or state/federal laws will result in discipline, up to and including dismissal, and referral to law enforcement officials, as appropriate.

The superintendent is directed to develop administrative regulations for the implementation of this policy, including a uniform and controlled system for identifying employee cell phone needs, monitoring use and reimbursement. Provisions may also be included for staff use of privately owned cell phone for authorized school district business.

Employees may possess and use cell phones during the school day as outlined in this policy and as provided in the administrative regulation developed by the superintendent. Employees should not use cell phones for personal business while on-duty, including staff development times, parent-teacher conferences, etc., except in the case of an emergency or during prep time or break/lunch times.

Employees, except for bus drivers, see below, are prohibited from using cell phones while driving except in the case of an emergency and any such use must comply with applicable state and federal law and district policies and regulations.

Cell phones are not to be used for conversations involving confidential student or employee information.

School bus drivers are prohibited from using any communication device while operating the bus except in the case of an emergency, or to call for assistance, after the vehicle has been stopped. Any such use must comply with applicable state and federal law and district policies and regulations.

Employees violating the policy will be subject to discipline, up to and including, discharge. It is the responsibility of the superintendent to develop administrative regulations regarding this policy.

Legal Reference: Internal Revenue Comment Notice, 2009-46,  
[http://www.irs.gov/irb/2009-23\\_IRB/ar07.html](http://www.irs.gov/irb/2009-23_IRB/ar07.html)  
Iowa Code §§ 279.8; 321.276.

Date of Adoption: April 22, 2024



## EMPLOYEE USE OF CELL PHONES - REGULATION

### Cell phone Usage

1. Cell phones shall be used in a manner that does not disrupt instruction and should not be used during school-sponsored programs, meetings, in-services, or other events where there exists a reasonable expectation of quiet attentiveness unless there is a reason of personal health or safety involved.
2. Cell phones should not be used to transmit confidential student or personal information either verbally or written.
3. Employees are prohibited from using a cell phone while driving as part of their work duties, unless in the case of an emergency, unless the vehicle has come to a complete stop and the gear is in park.
4. School-provided cell phones are provided specifically to carry out official school district business when other means of communications are not readily available. These devices may not be used for routine personal communications.
5. Personal use of school district-provided cell phones is limited to making or receiving calls for emergency and/or incidental purposes. Whenever possible, such calls should be made or received on school district or other public telephones.
6. Employees issued a cell phone are responsible for its safekeeping at all times. Defective, lost or stolen cell phones are to be reported immediately to the superintendent who will in turn notify the service provider. Reckless or irresponsible use of school district equipment, resulting in loss or damage may result in the employee having to reimburse the school district for any associated costs of replacement or repair.
7. Cell phones and any other school district issued communication equipment issued for employees are to be returned to the board secretary at the conclusion of the school year, activity or as otherwise specified or immediately upon request.

**Cell Phone Authorization** - School district provided cell phones may be purchased and authorized for staff use in accordance with the following guidelines:

Cell phones may be assigned or made available on a temporary basis, by the superintendent, when it is determined:

1. The assignment of a cell phone device to the employee is a prudent use of school district resources;
2. The employee's job responsibilities requires the ability to communicate frequently outside of district property and/or regular district hours.
3. The employee's job involves situations where immediate communication is necessary to ensure the safety of individuals and security of school district property.

Date of Adoption: April 22, 2024

## STAFF TECHNOLOGY USE/SOCIAL NETWORKING

Computers, electronic devices and other technology are powerful and valuable education and research tools and, as such, are an important part of the instructional program. In addition, the school district depends upon technology as an integral part of administering and managing the schools' resources, including the compilation of data and recordkeeping for personnel, students, finances, supplies and materials. This policy outlines the board's expectations in regard to these different aspects of the school district's computer resources. Employees must conduct themselves in a manner that does not disrupt from or disrupt the educational process and failure to do so will result in discipline, up to and including, discharge.

### General Provisions

The superintendent is responsible for designating a Technology Director who will oversee the use of school district technology resources. The Technology Director will prepare in-service programs for the training and development of school district staff in technology skills, appropriate use of district technology and for the incorporation of technology use in subject areas.

The superintendent, working with appropriate staff, shall establish regulations governing the use and security of the school district's technology resources. The school district will make every reasonable effort to maintain the security of the district networks and devices. All users of the school district's technology resources, including students, staff and volunteers, shall comply with this policy and regulation, as well as others impacting the use of school equipment and facilities. Failure to comply may result in disciplinary action, up to and including discharge, as well as suspension and/or revocation of technology access privileges.

Usage of the school district's technology resources is a privilege, not a right, and that use entails responsibility. District-owned technology and district maintained social media and e-mail accounts are the property of the school district. Therefore, users of the school district's network must not expect, nor does the school district guarantee, privacy for e-mail or use of the school district's network including web sites visited. The school district reserves the right to access and view any material stored on school district equipment or any material used in conjunction with the school district's network.

The superintendent, working with the appropriate staff, shall establish procedures governing management of technology records in order to exercise appropriate control over technology records, including financial, personnel and student information. The procedures will address at a minimum:

- passwords,
- system administration,
- separation of duties,
- remote access,
- data back-up (including archiving of e-mail),
- record retention, and
- disaster recovery plans.

**STAFF TECHNOLOGY USE/SOCIAL NETWORKING**

Social Networking or Other External Web Sites

For purposes of this policy any web site, other than the school district web site or school-school district sanctioned web sites, are considered external web sites. Employees shall not post confidential or proprietary information, including photographic images, about the school district, its employees, students, agents or others on any external web site without consent of the superintendent. The employee shall adhere to all applicable privacy and confidentiality policies adopted by the school district when on external web sites. Employees shall not use the school district logos, images, iconography, etc. on external web sites. Employees shall not use school district time or property on external sites that are not in direct relation to the employee's job. Employees, students and volunteers need to realize that the internet is not a closed system and anything posted on an external site may be viewed by others, all over the world. Employees, students and volunteers who don't want school administrators to know their personal information, should refrain from exposing it on the internet. Employees, who would like to start a social media site for school district sanctioned activities, should contact the superintendent.

Legal References: Iowa Code § 279.8.  
282 I.A.C. 25, 26.

Date of Adoption: July 10, 2020

Date of Revision: November 14, 2022

Date of Revision: April 22, 2024

**STAFF TECHNOLOGY USE/SOCIAL NETWORKING REGULATION**

**A. School Telephone**

1. Primary use of the telephone should be for school-related business.
2. Exchange of information involving school district phone lines and equipment should be conducted professionally, ethically and legally.
3. During instructional time, the phone system should be on voice mail.
4. Personal use of the telephone and private cell phone should be limited to an as needed basis, with business that cannot be accomplished outside the contracted day.
5. Personal use of the telephone and private cell phone should coincide with the least disruptive part of the individual's contracted hours.
6. Student use of a classroom phone should be limited to class-related business.
7. Staff should check voice mail daily.

**B. Use of Internet**

1. Internet access is intended to be used for educational purposes that are in the best interest of students, staff and the district, remaining consistent with the Centerville Schools goals and objectives.
2. Internet access should be used for professional and educational use only during the contracted school day.
3. On-line etiquette is to be practiced by all staff.
4. Inappropriate sites should not be accessed intentionally.
5. Game use should be limited to those that are educational and used as part of the curriculum or a school-sponsored activity as approved by Superintendent.
6. Downloads can bring with them a risk of computer viruses. If an employee is unsure about the sender of an email with an attachment they should contact the Technology Director to determine the safety of the file. Other downloading of software should only occur with prior approval of Technology Director.
7. All webpages and social media pages representing the district will be approved through the Superintendent's Office and must be accessible only by staff approved by Superintendent.
8. These web pages and social media pages should not be used to promote the personal interest of any staff.
9. Staff must take appropriate precautions to ensure that the privacy of students and staff confidential and private information is maintained. Failure to maintain appropriate confidentiality will result in discipline up to and including termination.
10. Staff should observe copyright restrictions and give credit where applicable.
11. Plagiarism of any information is not acceptable.
12. During instructional time, Internet use should be limited to the lesson being researched or instructed. Staff should direct students in their classroom to use school district-issued devices for the purposes of research and instruction and should refrain from encouraging the use of personal cell phones unless prior approval is obtained from administration for a task.
13. During non-instructional contract time, the Internet can be used to access information for professional use as related to the staff member's job.
14. Outside of contracted time, the Internet can be used for professional or appropriate personal use as long as it doesn't interfere with the operations of the network system.

15. All traffic on school-district issued devices and over school district internet will be monitored including but not limited to information pertaining to sites visited, downloads, and device IDs connecting.

**C. Use of School District-Issued E-mail**

1. Each employee will be provided with a district-issued e-mail address.
2. That e-mail address will be considered the educational address for staff.
3. Staff will be expected to use and check daily their district-issued address for professional communications only.
4. Messages should not contain profanities or language that is generally offensive, defamatory, harassing or threatening to another individual or group.

**E. Privacy/Passwords**

1. Use of school network is a privilege not a right.
2. If these privileges are violated, administrators can take the privilege away from school employees.
3. When many users are involved, security on a computer system is a high priority.
4. Security measures followed by all staff should include keeping passwords private, and not leaving personal or computer passwords available in obvious locations.

**F. Technologies Not Yet Known**

1. General principles above will be used to follow new and undetermined technologies at this point in time.
2. Superintendent discretion will be used until guidelines are established.

Any staff infractions related to inappropriate use of communications technologies should be addressed by the supervisor. The person who violated the rules should be addressed individually. The whole staff should not be addressed on the issue unless the incident necessitates additional training for staff on a new technology or security risk that may be required to maintain network security for the school district network. Supervisors should maintain any needed records of the incident.

**Date of Revision:** February 8, 2011

Date of Revision: August 10, 2020

Date of Revision: April 22, 2024

## EMPLOYEE EXPRESSION

The board believes the district has an interest in maintaining an orderly and effective work environment while balancing employees First Amendment rights to freedom of expression and diverse viewpoints and beliefs. When employees speak within their official capacity, their expression represents the district and may be regulated. The First Amendment protects a public employee's speech when the employee is speaking as an individual citizen on a matter of public concern. Even so, employee expression that has an adverse impact on district operations and/or negatively impacts an employee's ability to perform their job for the district may still result in disciplinary action up to and including termination.

Employees will comply with Iowa law to the extent that compliance does not infringe on employees' free speech rights.

Employees who use social media platforms are encouraged to remember that the school community may not be able to separate employees as private citizens, from their role within the district. Employee expression on social media platforms that interferes with the district's operations or prevents the district from functioning efficiently and effectively may be subject to discipline up to and including termination.

A district employee who acts to protect a student for engaging in free expression or who refuses to infringe on students engaging in free expression; and who is acting within the scope of their professional ethics will not be retaliated against or face any adverse employment action based on their behavior provided that expression is otherwise permitted by law and board policy.

If the board or court finds an employee that is subject to licensure, certification or authorization by the Board of Educational Examiners discriminated against a student or other co-employee, the board will refer the employee to the Board of Educational Examiners for additional proceedings as required by law and which may result in discipline up to and including termination.

Legal Reference: U.S. Const. Amend. I  
Kennedy v. Bremerton School District, 597 U.S. (2022)  
Iowa Code §§ 279.73; 280.22

Date of Adoption: April 22, 2024

**ACTIVITY PASSES FOR SCHOOL PERSONNEL**

School district personnel may earn an activity pass to attend most school-sponsored activities at home without charge. Admission will be charged to personnel who have not earned an activity pass.

A pass shall admit school district personnel and one adult guest, if designated, for meeting the requirements specified in the district's employee handbooks and/or master contracts by working additional extracurricular assignments. Non-Certified employees shall have similar opportunities to earn an activity pass in the same manner as certified staff, once certified requirements have been met. It shall be the responsibility of the administrative team and activities/athletic director to determine how non-certified employees earn an activity pass.

Date of Adoption: April 25, 1990  
Date of Revision: January 10, 1995  
Date of Revision: March 27, 2001  
Date of Revision: March 21, 2006  
Date of Revision: February 8, 2016  
Date of Revision: April 22, 2024

**RELEASE OF CREDIT INFORMATION**

The following information will be released to an entity with whom a district employee has applied for credit *or* has obtained credit: title of position, income, number of years employed. This information will be released without prior written notice to the employee. Confidential information about an employee will ~~not~~ be released to an inquiring creditor with a written authorization from the employee.

It shall be the responsibility of the board secretary or superintendent to respond to inquiries from creditors.

Legal Reference: Iowa Code §§ 22.7; 279.8.

Date of Adoption: April 25, 1990

Date of Revision: April 22, 2024



## REPORTING CHILD ABUSE

In compliance with state law and to provide protection to victims of child abuse, the board believes incidents of alleged child abuse should be reported to the proper authorities. All licensed school employees, teachers, coaches, paraeducators and all employees 18 years of age or older are mandatory reporters as provided by law and are to report alleged incidents of child abuse they become aware of within the scope of their professional duties.

When a mandatory reporter suspects a student is the victim of child abuse, the mandatory reporter shall make an oral report of the suspected child abuse to the Iowa Department of Human Services within 24 hours of becoming aware of the abusive incident and shall make a written report to the Iowa Department of Human Services within 48 hours following the oral report. If the mandatory reporter believes the child is in immediate danger, the local law enforcement agency will also be notified.

Within six months of their initial employment, mandatory reporters will take a two-hour training course involving the identification and reporting of child abuse, or submit evidence they've taken the course within the previous three years. Once the training course has been taken, the certificate will remain valid for three years. Employees who have taken the two-hour training course will take the one-hour follow up training course every three years and prior to the expiration of their certificate.

Legal Reference: Iowa Code §§ 232.67-.77; 232A; 235A; 280.17.  
441 I.A.C. 9.2; 155; 175.

Date of Adoption: April 25, 1990  
Date of Revision: October 12, 1993  
Date of Revision: January 10, 1995  
Date of Revision: March 21, 2006  
Date of Revision: February 8, 2011  
Date of Revision: August 8, 2022  
Date of Revision: October 9, 2023

**ABUSE OF STUDENTS BY DISTRICT EMPLOYEES**

Physical or sexual abuse of students, including *but not limited to sexual or physical relationships, grooming behavior, and otherwise inappropriate relationships with students* ~~inappropriate and intentional sexual behavior~~, by employees will not be tolerated. The definition of employees for the purpose of this policy includes not only those who work for pay but also those who are volunteers of the school district under the direction and control of the school district. Employees found in violation of this policy will be subject to disciplinary action up to and including discharge.

The school district will respond promptly to allegations of abuse of students by school district employees by investigating or arranging for the investigation of an allegation *and timely reporting to all agencies required by law*. The processing of a complaint or allegation will be handled confidentially to the maximum extent possible. Employees are required to assist in the investigation when requested to provide information and to maintain the confidentiality of the reporting and investigation process.

The school district has appointed a Level I investigator and alternate Level I investigator. The school district has also arranged for a trained, experienced professional to serve as the Level II investigator. The Level I investigator and alternate will be provided training in the conducting of an investigation at the expense of the school district. The names of the investigators shall be listed in the student handbook, published annually in the local newspaper and posted in all school facilities.

The superintendent is responsible for drafting administrative regulations to implement this policy.

*Legal Reference: Iowa Code §§ 232.67, .70, .73, .75; 235A; 256.160; 272A; 280.17; 709; 728.12(1).  
281 I.A.C. 12.3(6), 102; 103.  
441 I.A.C. 155; 175.*

Date of Adoption: December 8, 1992

Date of Revision: October 12, 1993

Date of Revision: January 10, 1995

Date of Revision: *September 23, 2024*

### **ABUSE OF STUDENTS BY DISTRICT EMPLOYEES - REGULATION**

An individual who suspects an employee has physically or sexually abused a student should immediately report it to the school district's Level I investigator. "Employee" means one who works for pay or as a volunteer under the direction and control of the school district. The report shall be written, signed and witnessed by a person of majority age. The witness may be the Level I investigator. The reporter is the individual filing the report. The report shall contain the following:

- \* The full name, address, and telephone number of the person filing.
- \* The full name, age, address, and telephone number, and attendance center of the student.
- \* The name and place of employment of the employee who allegedly committed the abuse.
- \* A concise statement of the facts surrounding the incident, including date, time, and place of occurrence, if known.
- \* A list of possible witnesses by name, if known.
- \* Names and locations of persons who examined, counseled or treated the student for the alleged abuse, including the dates on which those services were provided, if known.

Upon request, the Level I investigator may assist the reporter in completing the report. An incomplete report shall not be rejected unless the missing information would render the investigation futile or impossible. An employee receiving a report of alleged abuse of a student by an employee shall pass the report to the investigator and shall keep the report confidential to the maximum extent possible. In performing the investigation, the investigator shall have access to the educational records of the alleged student victim as well as access to the student for interviewing purposes.

In order for the school district to have jurisdiction over the acts and to constitute a violation of the law, acts of the employee must be alleged to have occurred on school grounds, on school time, at a school-sponsored activity, or in a school-related context. However, the student need not be a student in the school district. The student can be from another school district. To be investigable, the written report must include basic information showing that the victim of the alleged abuse is or was a student at the time of the incident, that the alleged act of the employee resulted in injury or otherwise meets the definition of abuse in these rules, and that the person responsible for the act is currently an employee. If the report is not investigable due to lack of jurisdiction, the investigator shall dismiss the complaint and inform the reporter of other options available. Other options available to the reporter include contacting law enforcement authorities, private counsel, or the Board of Educational Examiners in the case of a licensed employee.

If the Level I investigator believes the student is in imminent danger if continued contact is permitted between the employee and the student, the Level I investigator may:

- \* temporarily remove the student from contact with the employee;
- \* temporarily remove the employee from service; or,
- \* take other appropriate action to ensure the student's safety.

The Level I investigator shall have access to the educational records of the student and access to the student for purposes of interviewing the student about the report.

## ABUSE OF STUDENTS BY SCHOOL DISTRICT EMPLOYEES REGULATION

### Physical Abuse Allegations

When physical abuse is reported, the Level I investigator shall make copies of the report and give a copy to the person filing the report, the students' parents and the immediate supervisor of the employee named in the report. The employee named in the report shall not receive a copy of the report until the employee is initially interviewed.

The Level I investigator shall use discretion in handling the information received regarding an investigation of abuse by an employee, and those persons involved in the investigation shall not discuss information regarding the complaint outside the investigation. The entire investigative procedure will be thoroughly explained, including the confidential nature of the proceedings, to the student and other persons involved in the investigation.

Within five days of receipt of an investigable report, the Level I investigator shall complete an informal investigation. The informal investigation shall consist of interviews with the student, the employee and others who may have knowledge of the alleged incident. If the Level I investigator determines that the allegations in the report are founded and that immediate and professional investigation is necessary, the Level I investigator may defer further investigation and contact appropriate law enforcement officials, the student's parents and the person filing the report. Within fifteen days of receipt of the report, the Level I investigator shall complete a written investigative report, unless the investigation was temporarily deferred.

The written investigative report shall include:

1. The name, age, address and attendance center of the student named in the report.
2. The name and address of the student's parent or guardian and the name and address of the person filing the report, if different from the student's parent or guardian.
3. The name and work address of the employee named in the report as allegedly responsible for the abuse of the student.
4. An identification of the nature, extent and cause, if known, of any injuries or abuse to the student named in the report.
5. A general review of the investigation.
6. Any actions taken for the protection and safety of the student.
7. A statement that, in the investigator's opinion, the allegations in the report are either:
  - \* Unfounded. (It is not likely that an incident, as defined in these rules, took place), or
  - \* Founded. (It is likely that an incident took place.)
8. The disposition or current status of the investigation.
9. A listing of the options available to the parents or guardian of the student to pursue the allegations. These options include, but are not limited to:
  - \* Contacting law enforcement officials.
  - \* Contacting private counsel for the purpose of filing a civil suit or complaint.
  - \* Filing a complaint with the board of educational examiners if the employee is a licensed employee.



**ABUSE OF STUDENTS BY SCHOOL DISTRICT EMPLOYEES REGULATION**

The investigator shall retain the original and provide a copy of the written investigative report to the school employee named in the report, the employee's supervisor and the student's parent or guardian. The person filing the report, if not the student's parent or guardian, shall be notified only that the Level I investigation has been concluded and of the disposition or anticipated disposition of the case.

It is the responsibility of the Level I investigator to determine whether it is more likely than not that an incident of abuse as defined in the rules took place between the student and employee. The Level I investigator does not make the determination of whether the use of physical contact was appropriate or whether any of the exceptions apply. That is the responsibility of the Level II investigator. Upon completion of the report, if the Level I investigator determines the allegations of physical abuse are founded and serious, the Level I investigator shall notify law enforcement authorities. If the allegations are founded but the physical abuse is not of a serious nature, the Level I investigator shall refer the case on to the Level II investigator.

The Level II investigator shall review the Level I investigator's final investigative report and conduct further investigation. The Level II investigative report shall state the conclusion as to the occurrence of the alleged incident, the applicability of exceptions, the reason for the contact or force used, and recommendations regarding the need for further investigation. In determining the applicability of the exceptions or the reasonableness of the contact or force used, the Level II investigator will use the following definitions:

Physical abuse is non-accidental physical injury to the student as a result of the action of an employee. Injury occurs when evidence of it is still apparent at least twenty-four hours after its occurrence. The following do not constitute physical abuse, and no employee is prohibited from:

- a. Using reasonable and necessary force, not designed or intended to cause pain:
  - (1) To quell a disturbance or prevent an act that threatens physical harm to any person.
  - (2) To obtain possession of a weapon or other dangerous object within a pupil's control.
  - (3) For the purposes of self-defense or defense of others as provided for in Iowa Code 704.3.
  - (4) For the protection of property as provided for in Iowa Code 704.4, .5.
  - (5) To remove a disruptive pupil from class, or any area of school premises or from school-sponsored activities off school premises.
  - (6) To prevent a student from the self-infliction of harm.
  - (7) To protect the safety of others.
- b. Using incidental, minor, or reasonable physical contact to maintain order and control.

In determining the reasonableness of the contact or force used, the following factors shall be considered:

- a. The nature of the misconduct of the student, if any, precipitating the physical contact by the school employee.
- b. The size and physical condition of the student.

**ABUSE OF STUDENTS BY SCHOOL DISTRICT EMPLOYEES REGULATION**

- c. The instrumentality used in making the physical contact.
- d. The motivation of the school employee in initiating the physical contact.
- e. The extent of injury to the student resulting from the physical contact.

"Reasonable force" is that force and no more which a reasonable person, in like circumstances, would judge to be necessary to prevent an injury or loss and can include deadly force if it is reasonable to believe that such force is necessary to avoid injury or risk to one's life or safety or the life or safety of another, or it is reasonable to believe that such force is necessary to resist a like force or threat.

Upon completion of the Level II investigation, the Level I investigator shall forward copies of the Level II investigative report to the employee, the employee's immediate supervisor and the student's parent. The Level I investigator shall notify the person filing the report of the current status of the case.

If the Level II investigator's report or law enforcement officials conclude abuse occurred, or the employee admits the violation, or the employee has surrendered the employee's certificate or license, the Level I investigator shall file a complaint with the State Board of Educational Examiners. The Level I investigator shall also arrange for counseling services for the student if the student or student's parents request counseling services.

**Sexual Abuse**

Sexual abuse is defined as including sexual acts involving a student, acts that encourage the student to engage in prostitution, as well as inappropriate, intentional sexual behavior or sexual harassment by the employee toward a student. "Sexual harassment" is defined as unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature when:

- 1. Submission to the conduct is made either implicitly or explicitly a term or condition of the student's education or benefits;
- 2. Submission to or rejection of the conduct is used as the basis for academic decisions affecting that student; or
- 3. The conduct has the purpose or effect of substantially interfering with a student's academic performance by creating an intimidating, hostile or offensive education environment.

When sexual abuse is reported, the Level I investigator shall make copies of the report and give a copy to the person filing the report, the students' parents and the immediate supervisor of the employee named in the report. The employee named in the report shall not receive a copy of the report until the employee is initially interviewed. The designated investigator shall not interview the school employee named in a report of sexual abuse until after a determination is made that jurisdiction exists, the alleged victim has been interviewed and a determination made that the investigation will not be deferred.

The investigator shall notify the parent, guardian or legal custodian of a student in pre-kindergarten through grade six, of the date and time of the interview and of the right to be present or to see and hear the interview or send a representative in the parent's place. The Level I investigator shall interview the student as soon as possible, but in no case later than five days from the receipt of a

report or notice of the allegation of sexual abuse. The Level I investigator may record the interview electronically.



## ABUSE OF STUDENTS BY SCHOOL DISTRICT EMPLOYEES REGULATION

The Level I investigator shall exercise discretion in the investigative process to preserve the privacy interests of the individuals involved. To the maximum extent possible, the investigator shall maintain the confidentiality of the report.

It is the responsibility of the Level I investigator to determine whether it is more likely than not that an incident took place between the employee and the student. If the Level I investigator believes the employee committed a sex act with a student or sexually exploited a student, the Level I investigator shall defer the Level I investigation and immediately notify law enforcement officials, the student's parents and the person filing the report.

If the Level I investigator determines an incident occurred, while not an illegal sex act with a student or sexual exploitation of a student, but where the employee engaged in inappropriate, intentional sexual behavior, further investigation is warranted. If further investigation is warranted, the Level I investigator may proceed to interview the employee and other individuals who may have knowledge of the circumstances contained in the report. Prior to interviewing other individuals who may have knowledge of the circumstance contained in the report, the Level I investigator shall provide notice of the impending interview of student witnesses or the student who is in pre-kindergarten through grade six, to their parent, guardian, or legal custodian, and may provide notice to the parent or guardian of older students, prior to interviewing those students. The Level I investigator shall, if founded, arrange for the Level II investigator to further investigate the allegations.

Within fifteen days of receipt of the report or notice of alleged sexual abuse, the Level I investigator shall complete a written investigative report unless the investigation was temporarily deferred. The written investigative report shall include:

1. The name, age, address and attendance center of the student named in the report.
2. The name and address of the student's parent or guardian and the name and address of the person filing the report, if different from the student's parent or guardian.
3. The name and work address of the school employee named in the report as allegedly responsible for the abuse of the student.
4. An identification of the nature, extent and cause, if known, of any injuries or abuse to the student named in the report.
5. A general review of the investigation.
6. Any actions taken for the protection and safety of the student.
7. A statement that, in the investigator's opinion, the allegations in the report are either:
  - \* Unfounded. (It is not likely that an incident, as defined in these rules, took place), or
  - \* Founded. (It is likely that an incident took place.)
8. The disposition or current status of the investigation.
9. A listing of the options available to the parents or guardian of the student to pursue the allegations. These options include, but are not limited to:
  - \* Contacting law enforcement officials.
  - \* Contacting private counsel for the purpose of filing a civil suit or complaint.
  - \* Filing a complaint with the board of educational examiners if the school employee is certificated.

**ABUSE OF STUDENTS BY SCHOOL DISTRICT EMPLOYEES REGULATION**

The investigator shall retain the original and provide a copy of the investigative report to the school employee named in the report, the school employee's supervisor and the named student's parent or guardian. The person filing the report, if not the student's parent or guardian, shall be notified only that the Level I investigation has been concluded and of the disposition or anticipated disposition of the case.

If the allegations are founded, the Level I investigation shall refer the case to the Level II investigator. The Level II investigator shall review the Level I investigator's final investigative report and conduct further investigation if necessary. The Level II investigative report shall state conclusively as to the occurrence of the alleged incident, conclusively as to the nature of the sexual abuse and recommendations regarding the need for further investigation. Upon completion of the Level II investigation, the Level I investigator shall forward copies of the Level II investigative report to the employee, the employee's immediate supervisor and the student's parent. The Level I investigator shall notify the person filing the report of the current status of the case.

If the Level II investigator's report or law enforcement officials conclude sexual abuse occurred, or the employee admits the violation, or the employee has surrendered the employee's certificate or license, the Level I investigator shall file a complaint on behalf of the district after obtaining the superintendent's signature with the State Board of Educational Examiners. The Level I investigator shall also arrange for counseling services for the student if the student or student's parents request counseling services.

In cases involving founded physical or sexual abuse by a licensed employee, the board shall notify the Board of Educational Examiners. Information of unfounded abuse at Level I or Level II shall not be kept in the employee's personnel file. If the Level I investigative report is founded but Level II is unfounded, then the Level I report shall be removed from the employee's permanent file.

It shall be the responsibility of the board to annually identify a Level I and Level II investigator. The board shall also designate annually an alternate Level I investigator, preferably of the opposite sex of the designated Level I investigator, to whom reports may also be made. The names and telephone numbers of the Level I investigator and the alternate Level I investigator shall be included in employee handbooks, student handbooks, annually published in the local newspaper, and prominently displayed in all school buildings.

Date of Adoption: October 12, 1993

Date of Revision: January 10, 1995

Date of Revision: March 8, 2011

Date of Revision: April 22, 2024



**ABUSE OF STUDENTS BY SCHOOL DISTRICT EMPLOYEES**

Complaint of Injury to or Abuse of a Student by a School District Employee

Please complete the following as fully as possible. If you need assistance, contact the Level I investigator in your school.

Student's name and address: \_\_\_\_\_

\_\_\_\_\_

Student's telephone no.: \_\_\_\_\_

Student's school: \_\_\_\_\_

Name and place of employment of employee accused of abusing student:

\_\_\_\_\_

\_\_\_\_\_

Allegation is of \_\_\_\_\_ physical \_\_\_\_\_ sexual abuse\*

Please describe what happened. Include the date, time and where the incident took place, if known. If physical abuse is alleged, also state the nature of the student's injury:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Were there any witnesses to the incident or are there students or persons who may have information about this incident? \_\_\_\_ yes \_\_\_\_ no

If yes, please list by name, if known, or classification (for example: "third grade class," "fourth period geometry class"):

\_\_\_\_\_

\*Parents of children who are in pre-kindergarten through sixth grade and whose children are the alleged victims of or witnesses to sexual abuse have the right to see and hear any interviews of their children in this investigation. Please indicate "yes" if the parent/guardian wishes to exercise this right:

\_\_\_\_ Yes \_\_\_\_ No Telephone Number \_\_\_\_\_

**ABUSE OF STUDENTS BY SCHOOL DISTRICT EMPLOYEES**

Complaint of Injury to or Abuse of a Student by a School District Employee

Has any professional person examined or treated the student as a result of the incident?

\_\_\_\_ Yes \_\_\_\_ No \_\_\_\_\_ Unknown

If yes, please provide the name and address of the professional(s) and the date(s) of examination or treatment, if known:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Has anyone contacted law enforcement about this incident? \_\_\_\_ Yes \_\_\_\_ No

Please provide any additional information you have which would be helpful to the investigator. Attach additional pages if needed.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Your name, address and telephone number:

\_\_\_\_\_  
\_\_\_\_\_

Relationship to student: \_\_\_\_\_

\_\_\_\_\_  
Complainant Signature

\_\_\_\_\_  
Witness Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Witness Name (please print)

\_\_\_\_\_  
Witness Address

Be advised that you have the right to contact the police or sheriff's office, the county attorney, a private attorney, or the State Board of Educational Examiners (if the accused is a licensed employee) for investigation of this incident. The filing of this report does not deny you that opportunity.

You will receive a copy of this report (if you are the named student's parent or guardian) and a copy of the Investigator's Report within fifteen calendar days of filing this report unless the investigation is turned over to law enforcement.

**ABUSE OF STUDENTS BY SCHOOL DISTRICT EMPLOYEES**

Report of Level I Investigation

Student's name: \_\_\_\_\_

Student's age: \_\_\_\_\_ Student's grade: \_\_\_\_\_

Student's address: \_\_\_\_\_

Student's school: \_\_\_\_\_

Name and address of accused school employee \_\_\_\_\_ Building \_\_\_\_\_

Name and address of person filing report:  
\_\_\_\_\_  
\_\_\_\_\_

Name and address of student's parent or guardian, if different from person filing report:  
\_\_\_\_\_  
\_\_\_\_\_

Date report of abuse was filed: \_\_\_\_\_ physical \_\_\_\_\_ sexual\*

Describe the nature, extent and cause of the student's injury, if any and if known: (Attach additional pages if needed).  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Describe your investigation: Attach additional pages if needed. (Please do not use student witnesses' full names.):  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\*Were parent(s) or guardian(s) advised of their right to see and hear any interview of their pre-kindergarten through sixth grade children who are alleged victims of or a witness in a sexual abuse investigation?

\_\_\_\_\_ Yes \_\_\_\_\_ No Was the right exercised? \_\_\_\_\_ Yes \_\_\_\_\_ No

**ABUSE OF STUDENTS BY SCHOOL DISTRICT EMPLOYEES  
LEVEL I INVESTIGATOR'S REPORT FORM**

Were audio tapes made of any interviews?  Yes  No

Were video tapes made of any interviews?  Yes  No

Was any action taken to protect the student during or as a result of the investigation?  
 Yes  No

If yes, describe:

student excused from school

school employee placed on  
administrative or other leave

student assigned to different class

other (please specify)

Level I investigator's conclusions:

**The complaint is being dismissed for lack of jurisdiction.**

Physical abuse was alleged, but no allegation of injury was made.

Physical abuse was alleged, but no evidence of physical injury exists and the nature of the alleged incident makes it unlikely an injury, as defined in the rules, occurred.

Sexual abuse was alleged, but the alleged actions of the school employee, even if true, would not meet the definition of sexual abuse in the rules.

Alleged victim was not a student at the time of the incident.

Alleged school employee is not currently employed by this school district.

Alleged incident did not occur on school grounds, on school time, at a school-sponsored activity, nor in a school-related context.

**The complaint has been investigated and concluded at Level I as unfounded.**

Complaint was withdrawn.

Insufficient evidence exists that an incident of abuse, as defined in the rules, took place.

**ABUSE OF STUDENTS BY SCHOOL DISTRICT EMPLOYEES  
LEVEL I INVESTIGATOR'S REPORT FORM**

\_\_\_\_\_ **The complaint has been Investigated at Level I and is founded.**

\_\_\_\_\_ The investigation is founded at Level I and is being turned over to Level II for further investigation.

\_\_\_\_\_ Investigation of the complaint was deferred at Level I and referred to law enforcement at this time.

\_\_\_\_\_ The investigation is concluded at Level I because the accused school employee has admitted the violation, has resigned, or has agreed to relinquish any teaching license held.

Current status of investigation:

\_\_\_\_\_ Closed. No further investigation is warranted.

\_\_\_\_\_ Closed and referred to school officials for further investigation as a personnel matter.

\_\_\_\_\_ Deferred to law enforcement officials.

\_\_\_\_\_ Turned over to Level II investigator.

Other comments:

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I have given a copy of the report of abuse and of this investigative report to the employee named in the report, the employee's supervisor, and the student's parent or guardian and informed the person filing the report of the options of contacting law enforcement, private counsel, or the State Board of Educational Examiners, if the accused school employee holds an Iowa teacher's certificate or license.

\_\_\_\_\_  
Name of investigator (please print)

\_\_\_\_\_  
Investigator's place of employment

\_\_\_\_\_  
Signature of investigator

\_\_\_\_\_  
Date

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## GIFTS TO EMPLOYEES

Employees may receive a gift on behalf of the school district. Employees will not, either directly or indirectly, solicit, accept or receive any gift, series of gifts or an honorarium unless the donor does not meet the definition of "restricted donor" stated below or the gift or honorarium does not meet the definition of gift or honorarium stated below.

A "restricted donor" is defined as a person or other entity which:

- \* Is seeking to be, or is a party to, any one or any combination of sales, purchases, leases or contracts to, from or with the school district;
- \* Will be directly and substantially affected financially by the performance or nonperformance of the employee's official duty in a way that is greater than the effect on the public generally or on a substantial class of persons to which the person belongs as a member of a profession, occupation, industry or region; or
- \* Is a lobbyist or a client of a lobbyist with respect to matters within the school district's jurisdiction.

A "gift" is the giving of anything of value in return for which something of equal or greater value is not given or received. However, "gift" does not include any of the following:

- \* Contributions to a candidate or a candidate's committee;
- \* Information material relevant to an employee's official function, such as books, pamphlets, reports, documents, periodicals or other information that is recorded in a written, audio or visual format;
- \* Anything received from a person related within the fourth degree by kinship or marriage, unless the donor is acting as an agent or intermediary for another person not so related;
- \* An inheritance;
- \* Anything available or distributed to the general public free of charge without regard to the official status of the employee;
- \* Items received from a charitable, professional, educational or business organization to which the employee belongs as a dues paying member if the items are given to all members of the organization without regard to an individual member's status or positions held outside of the organization and if the dues paid are not inconsequential when compared to the items received;
- \* Actual expenses of an employee for food, beverages, travel and lodging for a meeting, which is given in return for participation in a panel or speaking engagement at the meeting when the expenses relate directly to the day or days on which the employee has participation or presentation responsibilities;
- \* Plaques or items of negligible resale value given as recognition for public service;
- \* Nonmonetary items with a value of less than three dollars that are received from any one donor during one calendar day;
- \* Items or services solicited or given to a state, national, or regional organization in which the state of Iowa or a school district is a member for purposes of a business or educational conference, seminar or other meeting or solicited by or given for the same purposes to state, national or regional government organizations whose memberships and officers are primarily composed of state or local government officials or employees for purposes of a business or educational conference, seminar or other meeting;

- \* Payment of salary or expenses by the school district for the cost of attending a meeting of a sub-unit of an agency when the employee whose expenses are being paid serves on a board, commission, committee, council or other sub-unit of the agency and the employee is not entitled to receive compensation or reimbursement of expenses from the school district for attending the meeting; or
- \* Gifts other than food, beverages, travel and lodging received by an employee which are received from a person who is a citizen of a country other than the United States and is given during a ceremonial presentation or as a result of a custom of the other country and is of personal value only to the employee.
- \* Actual registration costs for informational meetings or sessions which assist a public official or public employee in the performance of the person's official functions. The costs of food, drink, lodging and travel are not "registration costs" under this paragraph. Meetings or sessions which a public official or public employee attends for personal or professional licensing purposes are not "informational meetings or sessions which assist a public official or public employee in the performance of the person's official functions" under this paragraph.

An "honorarium" is anything of value that is accepted by, or on behalf of, an employee as consideration for an appearance, speech or article. An honorarium does not include any of the following:

- \* Actual expenses of an employee for registration, food, beverages, travel or lodging for a meeting, which is given in return for participation in a panel or speaking engagement at a meeting when the expenses relate directly to the day or days on which the employee has participation or presentation responsibilities;
- \* A non-monetary gift or series of non-monetary gifts donated within thirty days to a public body, an educational or charitable organization or the Iowa department of general services; or
- \* A payment made to an employee for services rendered as part of a private business, trade or profession in which the employee is engaged if the payment is commensurate with the actual services rendered and is not being made because of the person's status as an employee of the district, but, rather, because of some special expertise or other qualification.

It shall be the responsibility of each employee to know when it is appropriate to accept or reject gifts or an honorarium.

Legal Reference: Iowa Code ch. 68B

Date of Adoption: April 25, 1990  
 Date of Revision: October 12, 1993  
 Date of Revision: October 11, 1994  
 Date of Revision: March 21, 2006  
 Date of Revision: April 22, 2024

**REQUIRED PROFESSIONAL DEVELOPMENT FOR EMPLOYEES**

Appropriate training and professional development of all employees is crucial to the success of all students. The district will provide professional development opportunities appropriate to the duties of school employees.

For all professional development programs the district requires employees to take, the district will provide to the employee notice indicating the section of the law, or rules adopted by the state board of education or board of educational examiners that the district determines requires the employee to participate in the professional development program.

Legal Reference: §279.14A

Date of Adoption: October 9, 2023

## EMPLOYEE OUTSIDE EMPLOYMENT

The board believes the primary responsibility of employees is to the duties of their position within the school district as outlined in their job description. The board considers an employee's duties as part of a regular, full-time position as full-time employment. The board expects such employees to give the responsibilities of their positions in the school district precedence over any other employment.

It is the responsibility of the superintendent to counsel employees, whether full-time or part-time, if, in the judgment of the superintendent and the employee's immediate supervisor, the employee's outside employment interferes with the performance of the employee's duties required in the employee's position within the school district.

The board may request the employee to cease the outside employment as a condition of continued employment with the school district.

Legal Reference: Iowa Code §§ 20.7; 279.8.

Date of Adoption: April 25, 1990

Date of Revision: December 8, 1992

Date of Revision: March 21, 2006

Date of Revision: April 22, 2024

## PHYSICAL EXAMINATIONS

The Centerville Community School District believes good health is important to job performance. School bus drivers will present evidence of good health every other year in the form of a physical examination report unless otherwise required by law or medical opinion. All other employees will present evidence of good health, in the form of a post-offer, pre-employment physical examination report.

The cost of the initial examination will be paid as outlined in the staff handbooks and other administrative regulations. The form indicating the employee is able to perform the duties, with or without reasonable accommodation, for which the employee was hired must be returned prior to payment of salary. The cost of bus driver renewal physicals will be paid by the school district as outlined in the support staff handbook. The school district will provide the standard examination form to be completed by the personal physician of the employee.

Employees whose physical or mental health, in the judgment of the administration, may be in doubt will submit to additional examinations to the extent job-related and consistent with business necessity, when requested to do so, at the expense of the school district.

The district will comply with occupational safety and health requirements as applicable to its employees in accordance with law.

Legal Reference: 29 C.F.R. § 1910.1030.  
49 C.F.R. §§ 391.41 – 391.49.  
Iowa Code §§ 20; 279.8; 321.376.  
281 I.A.C. 43.15; 43.17.

Date of Adoption: April 25, 1990  
Date of Revision: June 9, 1992  
Date of Revision: November 15, 2005  
Date of Revision: May 16, 2006  
Date of Revision: March 8, 2011  
Date of Revision: May 18, 2015  
Date of Revision: April 22, 2024

**EMPLOYEE INJURY ON THE JOB**

When an employee becomes seriously injured on the job, the employee's supervisor will attempt to notify a member of the family, or an individual of close relationship, as soon as the employee's supervisor becomes aware of the injury.

If possible, an employee may administer emergency or minor first aid. An injured employee will be turned over to the care of the employee's family or qualified medical employees as quickly as possible. The school district is not responsible for medical treatment of an injured employee.

It is the responsibility of the employee injured on the job to inform the superintendent within twenty-four hours of the occurrence. It is the responsibility of the employee's immediate supervisor to file an accident report within twenty-four hours after the employee reported the injury.

It is the responsibility of the board secretary to file worker's comp claims.

Legal Reference: Iowa Code §§ 85; 279.40; 613.17.

Date of Adoption: April 25, 1990

Date of Revision: December 8, 1992

Date of Revision: March 27, 2001

Date of Revision: November 15, 2005

Date of Revision: April 22, 2024

**EMPLOYEE INJURY ON THE JOB - PROCEDURES**

The Centerville Community School District has contracted services to provide Workers' Compensation services. As such, the district will follow the procedures outlined each year by the service provider for the reporting, treatment, and investigation of workers' compensation.

It is the responsibility of the business office of the school to inform employees of the procedures for reporting injuries on the job each year. This notification will include notification through employment handbooks and yearly reminders via district email. Employees who are injured on the job should follow the procedures outlined by the school business office to report and remediate injuries.

Date of Adoption: April 22, 2024

### COMMUNICABLE DISEASES – EMPLOYEES

Employees with a communicable disease will be allowed to perform their customary employment duties provided they are able to perform the essential functions of their position and their presence does not create a substantial risk of illness or transmission to students or other employees. The term "communicable disease" shall mean an infectious or contagious disease spread from person to person, or animal to person, or as defined by law.

Prevention and control of communicable diseases is included in the school district's bloodborne pathogens exposure control plan. The procedures will include scope and application, definitions, exposure control, methods of compliance, universal precautions, vaccination, post-exposure evaluation, follow-up, communication of hazards to employees and record keeping. This plan shall be reviewed annually by the superintendent and school nurse.

The health risk to immunodepressed employees shall be determined by their personal physician. The health risk to others in the school district environment from the presence of an employee with a communicable disease shall be determined on a case-by-case basis by the employee's personal physician, a physician chosen by the school district or public health officials.

Health data of an employee is confidential and it shall not be disclosed to third parties. Employee medical records shall be kept in a file separate from their personal file.

It shall be the responsibility of the superintendent, in conjunction with the school nurse, to develop administrative regulations stating the procedures for dealing with employees with a communicable disease.

Legal Reference: 29 U.S.C. §§ 794, 1910.  
42 U.S.C. §§ 12101 et seq.  
45 C.F.R. Pt. 84.3.  
Iowa Code chs. 139A; 141A.  
641 I.A.C. .1, .2, .7.

Date of Adoption: April 25, 1990  
Date of Revision: October 11, 1994  
Date of Revision: November 10, 1998  
Date of Revision: April 22, 2024



## COMMUNICABLE DISEASE CHART – EMPLOYEES – REGULATION

Universal precautions (UP) are intended to prevent transmission of infection, as well as decrease the risk of exposure for employees and students. It is not currently possible to identify all infected individuals, thus precautions must be used with every individual. UP pertain to blood and other potentially infectious materials (OPIM) containing blood. These precautions do not apply to other body fluids and wastes (OBFW) such as saliva, sputum, feces, tears, nasal secretions, vomitus and urine unless blood is visible in the material. However, these OBFW can be sources of other infections and should be handled as if they are infectious. The single most important step in preventing exposure to and transmission of any infection is anticipating potential contact with infectious materials in routine as well as emergency situations. Based on the type of possible contact, employees and students should be prepared to use the appropriate precautions prior to the contact. Diligent and proper hand washing, the use of barriers, appropriate disposal of waste products and needles, and proper decontamination of spills are essential techniques of infection control. All individuals should respond to situations practicing UP followed by the activation of the school response team plan. Using common sense in the application of these measures will enhance protection of employees and students.

### Hand Washing

Proper hand washing is crucial to preventing the spread of infection. Textured jewelry on the hands or wrists should be removed prior to washing and kept off until completion of the procedure and the hands are rewashed. Use of running water, lathering with soap and using friction to clean all hand surfaces is key. Rinse well with running water and dry hands with paper towels.

- Hands should be washed before physical contact with individuals and after contact is completed.
- Hands should be washed after contact with any used equipment.
- If hands (or other skin) come into contact with blood or body fluids, hands should be washed immediately before touching anything else.
- Hands should be washed whether gloves are worn or not and, if gloves are worn, after the gloves are removed.

### Barriers

Barriers anticipated to be used at school include disposable gloves, absorbent materials and resuscitation devices. Their use is intended to reduce the risk of contact with blood and body fluids as well as to control the spread of infectious agents from individual to individual. Gloves should be worn when in contact with blood, OPIM or OBFW. Gloves should be removed without touching the outside and disposed of after each use.

### Disposal of Waste

Blood, OPIM, OBFW, used gloves, barriers and absorbent materials should be placed in a plastic bag and disposed of in the usual procedure. When the blood or OPIM is liquid, semi-liquid or caked with dried blood, it is not absorbed in materials, and is capable of releasing the substance if

compressed, special disposal as regulated waste is required. A band aid, towel, sanitary napkin or other absorbed waste that does not have the potential of releasing the waste if compressed would not be considered regulated waste. It is anticipated schools would only have regulated waste in the case of a severe incident. Needles, syringes and other sharp disposable objects should be placed in special puncture-proof containers and disposed of as regulated waste. Bodily wastes such as urine, vomitus or feces should be disposed of in the sanitary sewer system.

#### Clean up

Spills of blood and OPIM should be cleaned up immediately. The employee should:

- Wear gloves.
- Clean up the spill with paper towels or other absorbent material.
- Use a solution of one part household bleach to one hundred parts of water (1:100) or other EPA-approved disinfectant and use it to wash the area well.
- Dispose of gloves, soiled towels and other waste in a plastic bag.
- Clean and disinfect reusable supplies and equipment.

#### Laundry

Laundry with blood or OPIM should be handled as little as possible with a minimum of agitation. It should be bagged at the location. If it has the potential of releasing the substance when compacted, regulated waste guidelines should be followed. Employees who have contact with this laundry should wear protective barriers.

#### Exposure

An exposure to blood or OPIM through contact with broken skin, mucous membrane or by needle or sharp stick requires immediate washing, reporting and follow-up.

- Always wash the exposed area immediately with soap and water.
- If a mucous membrane splash (eye or mouth) or exposure of broken skin occurs, irrigate or wash the area thoroughly.
- If a cut or needle stick injury occurs, wash the area thoroughly with soap and water.

The exposure should be reported immediately, the parent or guardian is notified, and the person exposed contacts a physician for further health care.

**Date of Adoption:** April 22, 2024

## **HEPATITIS B VACCINE INFORMATION AND RECORD**

### The Disease

Hepatitis B is a viral infection caused by the Hepatitis B virus (HBV) which causes death in 1-2% of those infected. Most people with HBV recover completely, but approximately 5-10% become chronic carriers of the virus. Most of these people have no symptoms, but can continue to transmit the disease to others. Some may develop chronic active hepatitis and cirrhosis. HBV may be a causative factor in the development of liver cancer. Immunization against HBV can prevent acute hepatitis and its complications.

### The Vaccine

The HBV vaccine is produced from yeast cells. It has been extensively tested for safety and effectiveness in large scale clinical trials.

Approximately 90 percent of healthy people who receive two doses of the vaccine and a third dose as a booster achieve high levels of surface antibody (anti-HBs) and protection against the virus. The HBV vaccine is recommended for workers with potential for contact with blood or body fluids. Full immunization requires three doses of the vaccine over a six-month period, although some persons may not develop immunity even after three doses.

There is no evidence that the vaccine has ever caused Hepatitis B. However, persons who have been infected with HBV prior to receiving the vaccine may go on to develop clinical hepatitis in spite of immunization.

### Dosage and Administration

The vaccine is given in three intramuscular doses in the deltoid muscle. Two initial doses are given one month apart and the third dose is given six months after the first.

### Possible Vaccine Side Effects

The incidence of side effects is very low. No serious side effects have been reported with the vaccine. Ten to 20 percent of persons experience tenderness and redness at the site of injection and low grade fever. Rash, nausea, joint pain, and mild fatigue have also been reported. The possibility exists that other side effects may be identified with more extensive use.

**CONSENT FORM OF HEPATITIS B VACCINATION**

I have knowledge of Hepatitis B and the Hepatitis B vaccination. I have had an opportunity to ask questions of a qualified nurse or physician and understand the benefits and risks of Hepatitis B vaccination. I understand that I must have three doses of the vaccine to obtain immunity. However, as with all medical treatment, there is no guarantee that I will become immune or that I will not experience side effects from the vaccine. I give my consent to be vaccinated for Hepatitis B.

\_\_\_\_\_  
Signature of Employee (consent for Hepatitis B vaccination)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Witness

\_\_\_\_\_  
Date

**REFUSAL FORM OF HEPATITIS B VACCINATION**

I understand that due to my occupational exposure to blood or other potentially infectious materials I may be at risk of acquiring the Hepatitis B virus infection. I have been given the opportunity to be vaccinated with Hepatitis B vaccine at no charge to myself. However, I decline the Hepatitis B vaccination at this time. I understand that by declining this vaccine, I continue to be at risk of acquiring Hepatitis B, a serious disease. If in the future I continue to have occupational exposure to blood or other potentially infectious materials and I want to be vaccinated with the Hepatitis B vaccine, I can receive the vaccination series at no charge to me.

\_\_\_\_\_  
Signature of Employee (refusal for Hepatitis B vaccination)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Witness

\_\_\_\_\_  
Date

I refuse because I believe I have (check one)

\_\_\_\_\_started the series

\_\_\_\_\_completed the series

**HEPATITIS B VACCINE INFORMATION AND RECORD**

**RELEASE FORM FOR HEPATITIS B MEDICAL INFORMATION**

I hereby authorize \_\_\_\_\_(individual or organization holding Hepatitis B records and address) to release to the Centerville Community School District, my Hepatitis B vaccination records for required employee records.

I hereby authorize release of my Hepatitis B status to a health care provider, in the event of an exposure incident.

\_\_\_\_\_  
Signature of Employee

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Witness

\_\_\_\_\_  
Date

**HEPATITIS B VACCINE INFORMATION AND RECORD**

**CONFIDENTIAL RECORD**

\_\_\_\_\_  
Employee Name (last, first, middle)

\_\_\_\_\_  
Social Security No.

Job Title: \_\_\_\_\_

Hepatitis B Vaccination Date	Lot Number	Site	Administered By
1. _____	_____	_____	_____
2. _____	_____	_____	_____
3. _____	_____	_____	_____

Additional Hepatitis B status information:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Post-exposure incident: (Date, time, circumstances, route under which exposure occurred)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Identification and documentation of source individual:

\_\_\_\_\_

Source blood testing consent:

\_\_\_\_\_

Description of employee's duties as related to the exposure incident:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Copy of information provided to health care professional evaluating an employee after an exposure incident:

\_\_\_\_\_  
\_\_\_\_\_

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Attach a copy of all results of examinations, medical testing, follow-up procedures, and health care professional's written opinion.

Training Record: (date, time, instructor, location of training summary)

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Date of Revision: June 14, 2005

Date of Revision: April 22, 2024

## HAZARDOUS CHEMICAL DISCLOSURE

The board authorizes the development of a comprehensive hazardous chemical communication program for the school district to disseminate information about hazardous chemicals in the workplace.

Each employee will annually review information about hazardous substances in the workplace. When a new employee is hired or transferred to a new position or work site, the information and training, if necessary, is included in the employee's orientation. When an additional hazardous substance enters the workplace, information about it is distributed to all employees, and training is conducted for the appropriate employees. The superintendent will maintain a file indicating which hazardous substances are present in the workplace and when training and information sessions take place.

Employees who will be instructing or otherwise working with students will disseminate information about the hazardous chemicals with which they will be working as part of the instructional program.

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

Legal Reference: 29 C.F.R. Pt. 1910; 1200 et seq.  
Iowa Code chs. 88; 89B.

Date of Adoption: April 25, 1990

Date of Revision: May 16, 2006

Date of Revision: April 22, 2024

## SUBSTANCE-FREE WORKPLACE

The board expects the school district and its employees to remain substance-free. No employee shall unlawfully manufacture, distribute, dispense, possess or use on or in the workplace any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana or any other controlled substance or alcoholic beverage as defined by federal or state law. "Workplace" includes school district facilities, school district premises or school district vehicles. Workplace also includes non-school property if the employee is at any school sponsored, school approved or school related activity, event or function, such as field trips or athletic events where students are under the control of the school district or where the employee is engaged in school business.

If an employee is convicted of a violation of any criminal drug offense committed in the workplace, the employee shall notify the employee's supervisor of the conviction within five days of the conviction.

The superintendent will make the determination whether to require the employee to undergo substance abuse treatment or to discipline the employee. An employee who violates this policy may be required to successfully participate in a substance abuse treatment program approved by the board. An employee who violates the terms of this policy may be subject to discipline up to and including termination. An employee who violates this policy may be required to successfully participate in a substance abuse treatment program approved by the board. If the employee fails to successfully participate in a program, the employee may be subject to discipline up to and including termination.

The superintendent shall be responsible for publication and dissemination of this policy to each employee. In addition, the superintendent shall oversee the establishment of a substance-free awareness program to educate employees about the dangers of substance abuse and notify them of available substance abuse treatment programs.

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

Legal Reference: 41 U.S.C. §§ 81  
42 U.S.C. §§ 12101 et seq.  
34 C.F.R. Pt. 85  
Iowa Code §§ 123.46; 124; 279.8.

Date of Adoption: April 25, 1990  
Date of Revision: December 8, 1992  
Date of Revision: April 22, 2024



### SUBSTANCE-FREE WORKPLACE REGULATION

A superintendent who suspects an employee has a substance abuse problem shall follow these procedures:

1. **Identification** - the superintendent shall document the evidence the superintendent has which leads the superintendent to conclude the employee has violated the Substance-Free Workplace policy. After the superintendent has determined there has been a violation of the Substance-Free Workplace policy, the superintendent shall discuss the problem with the employee.
2. **Discipline** - if, after the discussion with the employee, the superintendent determines there has been a violation of the Substance-Free Workplace policy, the superintendent may recommend discipline up to and including termination or may recommend the employee seeks substance abuse treatment. Participation in a substance abuse treatment program is voluntary.
3. **Failure to participate in referral** - if the employee refuses to participate in a substance abuse treatment program or if the employee does not successfully complete a substance abuse treatment program, the employee may be subject to discipline up to and including termination.
4. **Conviction** - if an employee is convicted of a criminal drug offense committed in the workplace, the employee must notify the employer of the conviction within five days of the conviction.

**SUBSTANCE-FREE WORKPLACE NOTICE TO EMPLOYEES**

EMPLOYEES ARE HEREBY NOTIFIED it is a violation of the Substance-Free Workplace policy for an employee to unlawfully manufacture, distribute, dispense, possess, use, or be under the influence of in the workplace any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana or any other controlled substance or alcohol, as defined in Schedules I through V of section 202 of the Controlled Substances Act (21 U.S.C. 812) and as further defined by regulation at 21 C.F.R. 1300.11 through 1300.15 and IOWA CODE Chapter 124.

"Workplace" is defined as the site for the performance of work done in the capacity as an employee. This includes school district facilities, other school premises or school district vehicles. Workplace also includes non-school property if the employee is at any school-sponsored, school-approved or school-related activity, event or function, such as field trips or athletic events where students are under the control of the school district or where the employee is engaged in school business.

Employees who violate the terms of the Substance-Free Workplace policy may be required to successfully participate in a substance abuse treatment program approved by the board. The superintendent retains the discretion to discipline an employee for violation of the Substance-Free Workplace policy. If the employee fails to successfully participate in such a program the employee is subject to discipline up to and including termination.

EMPLOYEES ARE FURTHER NOTIFIED it is a condition of their continued employment that they comply with the above policy of the school district and will notify their supervisor of their conviction of any criminal drug statute for a violation committed in the workplace, no later than five days after the conviction.

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**SUBSTANCE-FREE WORKPLACE ACKNOWLEDGMENT FORM**

I, \_\_\_\_\_, have read and understand the Substance-Free Workplace policy. I understand that if I violate the Substance-Free Workplace policy, I may be subject to discipline up to and including termination or I may be required to participate in a substance abuse treatment program. If I fail to successfully participate in a substance abuse treatment program, I understand I may be subject to discipline up to and including termination. I understand that if I am required to participate in a substance abuse treatment program and I refuse to participate, I may be subject to discipline up to and including termination. I also understand that if I am convicted of a criminal drug offense committed in the workplace, I must report that conviction to my supervisor within five days of the conviction.

\_\_\_\_\_  
(Signature of Employee)

\_\_\_\_\_  
(Date)

Date of Adoption: April 22, 2024

## DRUG AND ALCOHOL TESTING PROGRAM

Employees who operate school vehicles are subject to drug and alcohol testing if a commercial driver's license is required to operate the school vehicle. For purposes of the drug and alcohol testing program, the term "employees" includes applicants who have been offered a position to operate a school vehicle.

The employees operating a school vehicle as described above are subject to pre-employment drug testing and random, reasonable suspicion and post-accident drug and alcohol testing. Employees operating school vehicles will not perform a safety-sensitive function within four hours of using alcohol. Employees governed by this policy are subject to the drug and alcohol testing program beginning the first day they operate or are offered a position to operate school vehicles and continue to be subject to the drug and alcohol testing program as long as they may be required to perform a safety-sensitive function as it is defined in the administrative regulations. Employees with questions about the drug and alcohol testing program may contact the school district transportation director at the transportation department building.

Employees who violate the terms of this policy are subject to discipline, up to and, including termination. The district is required to keep a record of all drug or alcohol violations by employees for a minimum of five years. Employees are put on notice that information related to drug or alcohol violations will be reported to the Federal Motor Carrier Safety Administration (FMCSA) Clearinghouse. Additionally, the district will conduct FMCSA Clearinghouse queries for employees annually. Employees must provide written consent for the district to conduct FMCSA Clearinghouse queries; however, employees who choose to withhold consent will be prohibited from performing any safety sensitive functions

It is the responsibility of the superintendent to develop administrative regulations to implement this policy in compliance with the law. The superintendent will inform applicants of the requirement for drug and alcohol testing in notices or advertisements for employment.

The superintendent will also be responsible for publication and dissemination of this policy and supporting administrative regulations and forms to employees operating school vehicles. The superintendent will also oversee a substance-free awareness program to educate employees about the dangers of substance abuse and notify them of available substance abuse treatment resources and programs.

IASB Drug and Alcohol Testing Program (IDATP) Web site: [https://www.iasb.org/Main/Affiliated\\_Programs/Iowa\\_Drug\\_Alcohol\\_Testing\\_Program.aspx](https://www.iasb.org/Main/Affiliated_Programs/Iowa_Drug_Alcohol_Testing_Program.aspx).

Legal References: American Trucking Association, Inc., v. Federal Highway Administration,  
51 Fed. 3rd 405 Cir. (4th 1995).  
49 U.S.C. §§ 5331 et seq.  
42 U.S.C. §§ 12101.  
41 U.S.C. §§ 81.  
49 C.F.R. Pt. 40; 382; 39.  
34 C.F.R. Pt. 85.  
Local 301, Internat'l Assoc. of Fire Fighters, AFL-CIO, and City of Burlington,

PERB No. 3876 (3-26-91).  
Iowa Code §§ 124; 279.8; 321.375(2); 730.5.

Date of Adoption: January 9, 1996  
Date of Revision: March 24, 1998  
Date of Revision: March 9, 1999  
Date of Revision: September 13, 2005  
Date of Revision: September 8, 2009  
Date of Revision: April 22, 2024

**DRUG AND ALCOHOL TESTING PROGRAM NOTICE TO EMPLOYEES**

EMPLOYEES GOVERNED BY THE DRUG AND ALCOHOL TESTING POLICY ARE HEREBY NOTIFIED they are subject to the school district's drug and alcohol testing program for pre-employment drug testing and random, reasonable suspicion, post-accident, return-to-duty and follow-up drug and alcohol testing as outlined in the Drug and Alcohol Testing Program policy, its supporting administrative regulations and the law.

Employees who operate school vehicles are subject to drug and alcohol testing if a commercial driver's license is required to operate the school vehicle and the school vehicle transports sixteen or more persons including the driver or the school vehicle weighs twenty-six thousand, one pounds or more. For purposes of the drug and alcohol testing program, "employees" include applicants who have been offered a position to operate a school vehicle. The employees operating a school vehicle shall be subject to the drug and alcohol testing program beginning the first day they operate or are offered a position to operate a school vehicle and continue to be subject to the drug and alcohol testing program.

It is the responsibility of the superintendent to inform employees of the drug and alcohol testing program requirements. Employees with questions regarding the drug and alcohol testing requirements shall contact the school district contact person.

EMPLOYEES GOVERNED BY THE DRUG AND ALCOHOL TESTING POLICY ARE FURTHER NOTIFIED that employees violating this policy, its supporting administrative regulations or the law may be subject to discipline up to and including termination. Employees violating this policy or the law may be required to successfully participate in a substance abuse evaluation and, if recommended, a substance abuse treatment program. Employees required to participate in and who fail to or refuse to successfully participate in a substance abuse evaluation or recommended substance abuse treatment program may be subject to discipline up to and including termination.

EMPLOYEES GOVERNED BY THE DRUG AND ALCOHOL TESTING POLICY ARE FURTHER NOTIFIED that employees violating this policy, its supporting documents or the law may be subject to discipline up to and including termination. Employees violating this policy, its supporting documents or the law bear the personal and financial responsibility, as a condition of continued employment, to successfully participate in a substance abuse evaluation and, a substance abuse treatment program, if recommended by the substance abuse professional. Employees required to participate in and who fail to or refuse to successfully participate in a substance abuse evaluation or recommended substance abuse treatment program may be subject to discipline up to and including termination.

Date of Revision: September 8, 2009

Date of Revision: April 22, 2024

**DRUG AND ALCOHOL TESTING PROGRAM ACKNOWLEDGMENT FORM**

I, (name of employee), have received a copy, read and understand the Drug and Alcohol Testing Program policy and its supporting documents. I consent to submit to the drug and alcohol testing program as required by the Drug and Alcohol Testing Program policy, its supporting documents and the law.

I understand that if I violate the Drug and Alcohol Testing Program policy, its supporting documents or the law, I may be subject to discipline up to and including termination or I may be required to successfully participate in a substance abuse evaluation and, if recommended, a substance abuse treatment program. If I am required to and fail to or refuse to successfully participate in a substance abuse evaluation or recommended substance abuse treatment program, I understand I may be subject to discipline up to and including termination.

I further understand that drug and alcohol testing records about me are confidential and may be released in accordance with this policy, its supporting administrative regulations or the law.

\_\_\_\_\_  
(Signature of Employee)

\_\_\_\_\_  
(Date)

Date of Revision: September 8, 2009

**DRUG & ALCOHOL PROGRAM AND PRE-EMPLOYMENT TESTING  
WRITTEN CONSENT TO SHARE INFORMATION**

I, \_\_\_\_\_, understand that as part of my employment in a position that requires a commercial driver’s license in the Centerville Community School District, I grant consent for the District to conduct queries of the Federal Motor Carrier Safety Administration (“FMCSA”) Commercial Driver’s License Drug and Alcohol Clearinghouse to determine whether drug or alcohol violation information about me exists in the Clearinghouse. I further consent to the District sharing information related to my drug and alcohol testing results with prior, current and future employers, as well as the FMCSA Clearinghouse in accordance with state and federal laws.

I understand that the District will check and perform queries of my drug and alcohol testing results prior to my employment in any position which requires the use of a commercial driver’s license. I further understand the District will check and perform queries of my testing results annually and is required to report any drug and alcohol violations of this policy to the FMCSA Clearinghouse.

I understand that I am not required to consent to the query of the FMCSA Clearinghouse or the District sharing of drug and alcohol testing information with past, present or future employers or the FMCSA Clearinghouse; but that without my consent I understand I will be prohibited from performing safety sensitive functions, including driving a commercial motor vehicle, as required by FMCSA’s drug and alcohol program regulations.

I hereby give my consent to the District to perform queries of the FMCSA Clearinghouse and share my drug and alcohol testing results with past, present and future employers, as well as the FMCSA Clearinghouse.

\_\_\_\_\_  
(Signature of Employee)

\_\_\_\_\_  
(Date)

## EMPLOYEE CONDUCT AND APPEARANCE

Employees are role models for the students who come in contact with them during and after school hours. The board recognizes the positive effect employees can have on students in this capacity. To this end, the board strongly suggests and encourages employees to dress themselves, groom themselves and conduct themselves in a manner appropriate to the educational environment.

Employees will conduct themselves in a professional manner. Employees will dress in attire appropriate for their position. Clothing should be neat, clean, and in good taste. Discretion and common sense call for an avoidance of extremes which would interfere with or have an effect on the educational process.

Licensed employees of the school district, including administrators, will follow the code of ethics for their profession as established by the Iowa Board of Educational Examiners.

Legal Reference: Iowa Code § 279.8  
282 I.A.C. 13.25, .26.

Date of Adoption: April 25, 1990

Date of Revision: March 27, 2001

Date of Revision: April 22, 2024



**CODE OF PROFESSIONAL CONDUCT AND ETHICS REGULATION**

CHAPTER 25

**282—25.1(272) Scope of standards.** This code of professional conduct and ethics constitutes mandatory minimum standards of practice for all licensed practitioners as defined in Iowa Code chapter 272. The adherence to certain professional and ethical standards is essential to maintaining the integrity of the education profession.

**282—25.2(272) Definitions.** Except where otherwise specifically defined by law:

“Administrative and supervisory personnel” means any licensed employee such as superintendent, associate superintendent, assistant superintendent, principal, associate principal, assistant principal, or other person who does not have as a primary duty the instruction of pupils in the schools.

“Board” means the Iowa board of educational examiners.

“Discipline” means the process of sanctioning a license, certificate or authorization issued by the board.

“Ethics” means a set of principles governing the conduct of all persons governed by these rules.

“Fraud” means knowingly providing false information or representations on an application for licensure or employment, or knowingly providing false information or representations made in connection with the discharge of duties.

“License” means any license, certificate, or authorization granted by the board.

“Licensee” means any person holding a license, certificate, or authorization granted by the board.

“Practitioner” means an administrator, teacher, or other licensed professional, including an individual who holds a statement of professional recognition, who provides educational assistance to students.

“Responsibility” means a duty for which a person is accountable by virtue of licensure.

“Right” means a power, privilege, or immunity secured to a person by law.

“Student” means a person, regardless of age, enrolled in a prekindergarten through grade 12 school, who is receiving direct or indirect assistance from a person licensed by the board.

“Teacher” means any person engaged in the instructional program for prekindergarten through grade 12 children, including a person engaged in teaching, administration, and supervision, and who is required by law to be licensed for the position held.

[ARC 7979B, IAB 7/29/09, effective 9/2/09]

**282—25.3(272) Standards of professional conduct and ethics.** Licensees are required to abide by all federal, state, and local laws applicable to the fulfillment of professional obligations. Violation of federal, state, or local laws in the fulfillment of professional obligations constitutes unprofessional and unethical conduct which can result in disciplinary action by the board. In addition, it is hereby deemed unprofessional and unethical for any licensee to violate any of the following standards of professional conduct and ethics:

**25.3(1) Standard I**—conviction of crimes, sexual or other immoral conduct with or toward a student, and child and dependent adult abuse. Violation of this standard includes:

- a. Fraud. Fraud means the same as defined in rule 282—25.2(272).
- b. Criminal convictions. The commission of or conviction for a criminal offense as defined by Iowa law provided that the offense is relevant to or affects teaching or administrative performance.

1) Disqualifying criminal convictions. The board shall deny an application for licensure and shall revoke a previously issued license if the applicant or licensee has, on or after July 1, 2002, been convicted of, has pled guilty to, or has been found guilty of the following criminal offenses, regardless of whether the judgment of conviction or sentence was deferred:

1. Any of the following forcible felonies included in Iowa Code section 702.11: child endangerment, assault, murder, sexual abuse, or kidnapping;

2. Any of the following criminal sexual offenses, as provided in Iowa Code chapter 709, involving a child:

- First-, second- or third-degree sexual abuse committed on or with a person who is under the age of 18;
- Lascivious acts with a child;
- Assault with intent to commit sexual abuse;
- Indecent contact with a child;
- Sexual exploitation by a counselor;
- Lascivious conduct with a minor;
- Sexual exploitation by a school employee;
- Enticing a minor under Iowa Code section 710.10; or
- Human trafficking under Iowa Code section 710A.2;

3. Incest involving a child as prohibited by Iowa Code section 726.2;

4. Dissemination and exhibition of obscene material to minors as prohibited by Iowa Code section 728.2;

5. Telephone dissemination of obscene material to minors as prohibited by Iowa Code section 728.15;

6. Any offense specified in the laws of another jurisdiction, or any offense that may be prosecuted in a federal, military, or foreign court, that is comparable to an offense listed in subparagraph 25.3(1)“b”(1); or

7. Any offense under prior laws of this state or another jurisdiction, or any offense under prior law that was prosecuted in a federal, military, or foreign court, that is comparable to an offense listed in subparagraph 25.3(1)“b”(1).

2) Other criminal convictions and founded child abuse. In determining whether a person should be denied a license or whether a licensee should be disciplined based upon any other criminal conviction, including a conviction for an offense listed in 25.3(1)“b”(1) which occurred before July 1, 2002, or a founded report of abuse of a child, the board shall consider:

1. The nature and seriousness of the crime or founded abuse in relation to the position sought;

2. The time elapsed since the crime or founded abuse was committed;

3. The degree of rehabilitation which has taken place since the crime or founded abuse was committed;
  4. The likelihood that the person will commit the same crime or abuse again;
  5. The number of criminal convictions or founded abuses committed; and
  6. Such additional factors as may in a particular case demonstrate mitigating circumstances or heightened risk to public safety.
- c. Sexual involvement or indecent contact with a student. Sexual involvement includes, but is not limited to, the following acts, whether consensual or nonconsensual: fondling or touching the inner thigh, groin, buttocks, anus or breasts of a student; permitting or causing to fondle or touch the practitioner's inner thigh, groin, buttocks, anus, or breasts; or the commission of any sex act as defined in Iowa Code section 702.17.
- d. Sexual exploitation of a minor. The commission of or any conviction for an offense prohibited by Iowa Code section 728.12, Iowa Code chapter 709 or 18 U.S.C. Section 2252A(a)(5)(B).
- e. Student abuse. Licensees shall maintain professional relationships with all students, both inside and outside the classroom. The following acts or behavior constitutes unethical conduct without regard to the existence of a criminal charge or conviction:
- (1) Committing any act of physical abuse of a student;
  - (2) Committing any act of dependent adult abuse on a dependent adult student;
  - (3) Committing or soliciting any sexual or otherwise indecent act with a student or any minor;
  - (4) Soliciting, encouraging, or consummating a romantic or otherwise inappropriate relationship with a student;
  - (5) Furnishing alcohol or illegal or unauthorized drugs or drug paraphernalia to any student or knowingly allowing a student to consume alcohol or illegal or unauthorized drugs in the presence of the licensee;
  - (6) Failing to report any suspected act of child or dependent adult abuse as required by state law; or
  - (7) Committing or soliciting any sexual conduct as defined in Iowa Code section 709.15(3)“b” or soliciting, encouraging, or consummating a romantic relationship with any person who was a student within 90 days prior to any conduct alleged in the complaint, if that person was taught by the practitioner or was supervised by the practitioner in any school activity when that person was a student.

**25.3(2)** Standard II—alcohol or drug abuse. Violation of this standard includes:

- a. Being on school premises or at a school-sponsored activity involving students while under the influence of, possessing, using, or consuming illegal or unauthorized drugs or abusing legal drugs.
- b. Being on school premises or at a school-sponsored activity involving students while under the influence of, possessing, using, or consuming alcohol.

**25.3(3)** Standard III—misrepresentation, falsification of information. Violation of this standard includes:

- a. Falsifying or deliberately misrepresenting or omitting material information regarding professional qualifications, criminal history, college credit, staff development credit, degrees, academic award, or employment history when applying for employment or licensure.

- b. Falsifying or deliberately misrepresenting or omitting material information regarding compliance reports submitted to federal, state, and other governmental agencies.
- c. Falsifying or deliberately misrepresenting or omitting material information submitted in the course of an official inquiry or investigation.
- d. Falsifying any records or information submitted to the board in compliance with the license renewal requirements imposed under 282—Chapter 20.
- e. Falsifying or deliberately misrepresenting or omitting material information regarding the evaluation of students or personnel, including improper administration of any standardized tests, including, but not limited to, changing test answers, providing test answers, copying or teaching identified test items, or using inappropriate accommodations or modifications for such tests.

**25.3(4)** Standard IV—misuse of public funds and property. Violation of this standard includes:

- a. Failing to account properly for funds collected that were entrusted to the practitioner in an educational context.
- b. Converting public property or funds to the personal use of the practitioner.
- c. Submitting fraudulent requests for reimbursement of expenses or for pay.
- d. Combining public or school-related funds with personal funds.
- e. Failing to use time or funds granted for the purpose for which they were intended.

**25.3(5)** Standard V—violations of contractual obligations.

a. Violation of this standard includes:

- (1) Asking a practitioner to sign a written professional employment contract before the practitioner has been unconditionally released from a current contract, unless the practitioner provided notice to the practitioner’s employing board as set forth in subparagraph 25.3(5)“b”(2).
- (2) Abandoning a written professional employment contract without prior unconditional release by the employer.
- (3) As an employer, executing a written professional employment contract with a practitioner which requires the performance of duties that the practitioner is not legally qualified to perform.
- (4) As a practitioner, executing a written professional employment contract which requires the performance of duties that the practitioner is not legally qualified to perform.
- b. In addressing complaints based upon contractual obligations, the board shall consider factors beyond the practitioner’s control. For purposes of enforcement of this standard, a practitioner will not be found to have abandoned an existing contract if:
  - (1) The practitioner obtained a release from the employing board before discontinuing services under the contract; or
  - (2) The practitioner provided notice to the employing board no later than the latest of the following dates:
    - 1. The practitioner’s last work day of the school year;
    - 2. The date set for return of the contract as specified in statute; or
    - 3. June 30.

**25.3(6)** Standard VI—unethical practice toward other members of the profession, parents, students, and the community. Violation of this standard includes:

- a. Denying the student, without just cause, access to varying points of view.
- b. Deliberately suppressing or distorting subject matter for which the educator bears responsibility.
- c. Failing to make reasonable effort to protect the health and safety of the student or creating

conditions harmful to student learning.

- d. Conducting professional business in such a way that the practitioner repeatedly exposes students or other practitioners to unnecessary embarrassment or disparagement.
- e. Engaging in any act of illegal discrimination, or otherwise denying a student or practitioner participation in the benefits of any program on the grounds of race, creed, color, religion, age, sex, sexual orientation, gender identity, disability, marital status, or national origin.
- f. Soliciting students or parents of students to purchase equipment, supplies, or services from the practitioner for the practitioner's personal advantage.
- g. Accepting gifts from vendors or potential vendors where there may be the appearance of or an actual conflict of interest.
- h. Intentionally disclosing confidential information including, but not limited to, unauthorized sharing of information concerning student academic or disciplinary records, health and medical information, assessment or testing results, or family income. Licensees shall comply with state and federal laws and local school board policies relating to the confidentiality of student records, unless disclosure is required or permitted by law.
- i. Refusing to participate in a professional inquiry when requested by the board.
- j. Aiding, assisting, or abetting an unlicensed person in the completion of acts for which licensure is required.
- k. Failing to self-report to the board within 60 days any founded child abuse report, or any conviction for a criminal offense listed in 25.3(1)"b"(1) which requires revocation of the practitioner's license.
- l. Delegating tasks to unqualified personnel.
- m. Failing to comply with federal, state, and local laws applicable to the fulfillment of professional obligations.
- n. Allowing another person to use one's practitioner license for any purpose.
- o. Performing services beyond the authorized scope of practice for which the individual is licensed or prepared or performing services without holding a valid license.
- p. Falsifying, forging, or altering a license issued by the board.
- q. Failure of the practitioner holding a contract under Iowa Code section 279.13 to disclose to the school official responsible for determining assignments a teaching assignment for which the practitioner is not properly licensed.
- r. Failure of a school official responsible for assigning licensed practitioners holding contracts under Iowa Code section 279.13 to adjust an assignment if the practitioner discloses to the official that the practitioner is not properly licensed for an assignment.

**25.3(7)** Standard VII—compliance with state law governing obligations to state or local governments, child support obligations, and board orders. Violation of this standard includes:

- a. Failing to comply with 282—Chapter 8 concerning payment of debts to state or local governments.
- b. Failing to comply with 282—Chapter 10 concerning child support obligations.
- c. Failing to comply with a board order.

**25.3(8)** Standard VIII—incompetence. Violation of this standard includes, but is not limited to:

- a. Willfully or repeatedly departing from or failing to conform to the minimum standards of acceptable and prevailing educational practice in the state of Iowa.
- b. Willfully or repeatedly failing to practice with reasonable skill and safety.

Date of Adoption: January 3, 2006

Date of Revision: March 8, 2011

Date of Revision: April 22, 2024

## CODE OF RIGHTS AND RESPONSIBILITIES REGULATION

**Purpose.** The code of professional conduct and ethics in 282—Chapter 25 defines unprofessional and unethical conduct justifying disciplinary sanction. The board acknowledges that the discharge of professional obligations should occur in recognition of certain fundamental rights and responsibilities. Accordingly, the board recognizes the following rights and responsibilities of all educators licensed under Iowa Code Ch. 272 and agrees that the exercise of these rights and responsibilities may present mitigating facts and circumstances in the board’s evaluation of allegations of unprofessional or unethical conduct.

**Rights.** Educators licensed under Iowa Code Ch. 272 have the following rights:

1. The educator has a right to be licensed and endorsed under professional standards established and enforced by the board.
2. The educator has a right to refuse assignments for which the educator is not legally authorized, in terms of holding a valid Iowa license with the appropriate endorsement(s) or approval(s).
3. The educator has a right, subject to board and administrator authority, to exercise professional judgment in the evaluation, selection, and use of teaching methods and instructional materials appropriate to the needs, abilities, and background of each student.

**Responsibilities.** Educators licensed under Iowa Code Ch. 272 have the following responsibilities:

1. The educator has a responsibility to maintain and improve the educator’s professional competence.
2. The educator has a responsibility to accept only those assignments for which the educator is legally authorized.
3. The educator has a responsibility to provide conditions that are conducive to teaching and student learning.
4. The educator shall protect students from conditions harmful to learning or to health or safety.
5. The educator shall not, without just cause, restrain a student from independent action in the pursuit of learning and shall not, without just cause, deny a student access to varying points of view.
6. The educator shall not use professional relationships with students for personal advantage.
7. The educator shall not discriminate against any student on the grounds of national or ethnic origin, religion, age, sex, disability, membership in a definable minority, or marital status, nor grant any discriminatory consideration or advantage.
8. The educator shall accord just and equitable treatment to all members of the profession.
9. The educator shall keep in confidence personally identifiable information regarding a student or the student’s family members that has been obtained in the course of professional service, unless disclosure is required by law or is necessary for the personal safety of the student or others.
10. The educator who has reasonable basis to believe that a student has been abused, as defined by law, shall make all reports required by law and the Iowa Administrative Code and which are necessary to ensure the safety and well-being of the student.
11. In the administration of discipline, the educator shall treat all students with respect and in compliance with all policies of the school district served by the educator.

**CODE OF RIGHTS AND RESPONSIBILITIES REGULATION**

12. The educator shall provide accurate, truthful, and complete information to the board and to the local education system concerning all licensure transactions.
13. The educator shall not refuse to participate in a professional inquiry, when requested by the board.
14. The educator shall not require or direct another educator to violate any provisions of the code of professional conduct and ethics or any rights of a student, parent, educator or citizen.
15. The educator shall not delegate assigned tasks to unqualified personnel.

These rules are intended to implement Iowa Code § 272.2(1)“a.”

Date of Adoption: January 3, 2006

Date of Revision: April 22, 2024



**LICENSED EMPLOYEE DEFINED**

Licensed employees, including administrators, are those employees required to hold an appropriate license from the Iowa Department of Education for their position as required by the Board of Educational Examiners or others with professional licenses. Licenses required for a position will be considered met if the employee meets the requirements established by the Iowa Department of Education.

It is the responsibility of the superintendent to establish job specifications and job descriptions for licensed employees' positions, other than the position of the superintendent. Job descriptions may be approved by the board.

Licensed employees must present evidence of current license to the board secretary prior to payment of salary each year.

Legal Reference: *Clay v. Independent School District of Cedar Falls*, 187 Iowa 89,  
174 N.W. 47 (1919).  
Iowa Code §§ 256.7(3); 272; 279.8.  
281 I.A.C. 12.4  
282 I.A.C. 14.

Date of Adoption: February 26, 2024

## LICENSED EMPLOYEES QUALIFICATION, RECRUITMENT, SELECTION

Persons interested in a licensed position, other than administrative positions which will be employed in accordance with board policies in Series 300, "Administration," will have an opportunity to apply and qualify for licensed positions in the school district. Job applicants for licensed positions will be considered on the basis of the following:

- Training, experience and skill
- Nature of the occupation;
- Demonstrated competence; and
- Possession of. Or ability to obtain, state license if required for the position.

All job openings shall be submitted to the Iowa Department of Education for posting on [IowaWORKS.gov](http://IowaWORKS.gov), the online state job posting system. Additional announcements of the position may occur in a manner which the superintendent believes will inform potential applicants about the position. Whenever possible, the preliminary screening of applicants will be conducted by the administrator who will be directly supervising and overseeing the person being hired.

The board will employ licensed employees after receiving a recommendation from the superintendent, however, will have the authority to employ a licensed employee on a temporary basis until a recommendation can be made and action taken by the board on the position.

Date of Adoption: May 14, 2002

Date of Revision: August 14, 2007

Date of Revision: March 8, 2011

Date of Revision: February 26, 2024

**LICENSED EMPLOYEE INDIVIDUAL CONTRACTS**

The board will enter into a written contract with licensed employees, other than administrators, employed on a regular basis. Each contract will be for a period of one year.

It is the responsibility of the superintendent to complete the contracts for licensed employees and present them to the board for approval. The contracts, after being signed by the board president, are returned to the superintendent. The superintendent will obtain the employee's signature. After being signed, the contract is filed with the board secretary.

Legal Reference:    Harris v. Manning Independent School District of Manning, 245 Iowa 1295,  
                                  66 N.W.2d 438 (1954).  
                                  Shackelford v. District Township of Beaver, Polk County, 203 Iowa 243, 212  
                                  N.W. 467 (1927).  
                                  Burkhead v. Independent School District of Independence, 107 Iowa 29, 77  
                                  N.W. 491 (1898).  
                                  Iowa Code chs. 20; 279.

Date of Adoption: April 25, 1990

Date of Revision: May 16, 2006

Date of Revision: April 22, 2024

## LICENSED EMPLOYEE CONTINUING CONTRACTS

Contracts entered into with licensed employees, other than an administrators, will continue from year to year except as modified or terminated as provided by law. The board may issue temporary and nonrenewable contracts in accordance with law.

Licensed employees whose contracts will be recommended for termination by the board will receive due process as required by law. The superintendent will make a recommendation to the board for the termination of the licensed employee's contract.

Licensed employees who wish to resign, to be released from a contract, or to retire must comply with applicable law and board policies.

Legal Reference: Ar-We-Va Community School District v. Long and Henkenius, 292 N.W.2d 402 (Iowa 1980).  
Bruton v. Ames Community School District, 291 N.W.2d 351 (Iowa 1980).  
Hartman v. Merged Area VI Community College, 270 N.W.2d 822 (Iowa 1978).  
Keith v. Community School District of Wilton in the Counties of Cedar and Muscatine, 262 N.W.2d 249 (Iowa 1978).  
Iowa Code §§ 272; 279.

Date of Adoption: April 25, 1990  
Date of Revision: December 8, 1992  
Date of Revision: November 10, 1998  
Date of Revision: March 8, 2011  
Date of Revision: April 22, 2024

**LICENSED EMPLOYEE WORK DAY**

The work day for licensed employees will begin each day of the school year at a time established by the superintendent. Licensed employees who are employed only during the academic year will have the same work day as other licensed employees. "Day" is defined as one work day regardless of full-time or part-time status of an employee.

Licensed employees are to be in their assigned school building during the work day. Advance approval to be absent from the school building must be obtained from the principal whenever the licensed employees must leave the school building during the work day.

The building principal is authorized to make changes in the work day in order to facilitate the education program. These changes must be compliant with master labor agreements and are reported to the superintendent.

The work day outlined in this policy is a minimum work day. Nothing in this policy prohibits licensed employees from working additional hours outside the work day.

Legal Reference: Iowa Code §§ 20; 279.8.

Date of Adoption: April 25, 1990

Date of Revision: April 22, 2024

**LICENSED EMPLOYEE ASSIGNMENT**

Determining the assignment of each licensed employee is the responsibility of and within the sole discretion of the board. In making such assignments the board will consider the qualifications of each licensed employee and the needs of the school district.

It is the responsibility of the superintendent to make recommendations to the board regarding the assignment of licensed employees.

Legal Reference: Iowa Code § 279.8.

Date of Adoption: April 25, 1990

Date of Revision: May 16, 2006

Date of Revision: April 22, 2024

**LICENSED EMPLOYEE TRANSFERS**

Determining the location where an employee's assignment will be carried out is the responsibility and within the sole discretion of the board. In making such assignments the board will consider the qualifications of each licensed employee and the needs of the school district.

A transfer may be initiated by the employee, the principal, or the superintendent.

It is the responsibility of the superintendent to make recommendations to the board regarding the transfer of licensed employees.

Legal Reference: Iowa Code §§ 216.14; 279.8.

Date of Adoption: April 25, 1990

Date of Revision: May 16, 2006

Date of Revision: April 22, 2024

## LICENSED EMPLOYEE EVALUATION

Evaluation of licensed employees on their skills, abilities, and competence is an ongoing process supervised by the building principals and conducted by approved evaluators. The goal of the formal evaluation of licensed employees, other than administrators, but including extracurricular employees, is to improve the education program, to maintain licensed employees who meet or exceed the board's standards of performance, to clarify the certified employee's role, to ascertain the areas in need of improvement, to clarify the immediate priorities of the board, and to develop a working relationship between the administrators and other employees.

The formal evaluation criteria is in writing and approved by the board. The formal evaluation will provide an opportunity for the evaluator and the licensed employee to discuss performance and the future areas of growth. The formal evaluation is completed by the evaluator, signed by the licensed employee and filed in the licensed employee's personnel file. This policy supports, and does not preclude, the ongoing informal evaluation of the licensed employee's skills, abilities and competence.

Licensed employees will be required to:

- Demonstrate the ability to enhance academic performance and support for and implementation of the school district's student achievement goals.
- Demonstrate competency in content knowledge appropriate to the teaching position.
- Demonstrate competency in planning and preparation for instruction.
- Use strategies to deliver instruction that meets the multiple learning needs of students.
- Use a variety of methods to monitor student learning.
- Demonstrate competence in classroom management.
- Engage in professional growth.
- Fulfill professional responsibilities established by the school district.

It is the responsibility of the superintendent to ensure certified employees are evaluated. New and probationary certified employees are evaluated at least twice each year.

Legal Reference: Iowa Code §§ 20.9; 279, 284, 294.  
*Aplington Community School District v. PERB*, 392 N.W.2d 495 (Iowa 1986).  
*Saydel Education Association v. PERB*, 333 N.W.2d 486 (Iowa 1983).  
281 I.A.C. 83; 12.3

Date of Adoption: April 25, 1990  
Date of Revision: January 27, 2009  
Date of Revision: March 8, 2011  
Date of Revision: February 26, 2024  
Date of Revision: April 22, 2024



**LICENSED EMPLOYEE PROBATIONARY STATUS**

The first three consecutive years of a new licensed employee's contract shall be a probationary period unless the employee has already successfully completed the probationary period in an Iowa school district. New employees who have successfully completed a probationary period in a previous school district will serve a two year probationary period. For purposes of this policy, an employee will have met the requirements for successfully completing a probationary period in another Iowa school district if, at the teacher's most recent performance evaluation, the teacher received at least a satisfactory or better evaluation and the individual has not engaged in conduct which would disqualify the teacher for a continuing contract.

Only the board, in its discretion, may waive the probationary period. The board may extend the probationary period for one additional year with the consent of the licensed employee. The board will make the decision to extend or waive a licensed employee's probationary status based upon the superintendent's recommendation. During this probationary period the board may terminate the licensed employee's contract at year-end without cause or immediately discharge the employee consistent with applicable law and board policies.

Legal Reference: Iowa Code § 279

Date of Adoption: November 10, 1998

Date of Revision: January 25, 2000

Date of Revision: April 22, 2024

**ORGANIZATION AFFILIATION - CERTIFIED**

Certified personnel who qualify may join the Centerville Education Association and participate in its activities as long as the participation does not, in any way, interfere with the delivery of the education programs and school district operations.

The superintendent shall have sole discretion to determine whether association activities interfere with the educational program and school district operations. All association individuals must follow the board policies stating requirements for the public when using school property for association purposes.

The board shall not interfere with the rights of an employee to organize, form, join, or assist any employee organization.

No employee of the district shall be required to be a member of any association or organization as a condition of employment and it is a policy of the board that each employee may exercise the right to join, or not join, any such association or organization without interference from any board member, the superintendent, any member of the administrative team, any certified personnel, or any other employee of the district.

The requirements stated in the Master Contract shall be followed.

Date of Adoption: April 25, 1990

Date of Revision: May 16, 2006

**LICENSED EMPLOYEE COMPENSATION**

The board will establish compensation for licensed employees' positions keeping in mind the financial condition of the school district, the education and experience of the licensed employee, the educational philosophy of the school district, the Master Contract between the district and the certified collective bargaining unit, and other factors deemed relevant by the board.

It is the responsibility of the superintendent to make a recommendation to the board annually regarding licensed employee compensation. The base wages of licensed employees are subject to review and modification through the collective bargaining process.

Legal Reference: Iowa Code §§ 20.1, .4, .7, .9; 279.8.

Date of Adoption: April 25, 1990

Date of Revision: March 8, 2011

Date of Revision: April 22, 2024

**LICENSED EMPLOYEE COMPENSATION ADVANCEMENT**

The board, consistent with any governing documents such as Master Contracts and in connection with the collective bargaining process, will determine if licensed employees will advance in compensation for their licensed employees' positions, keeping in mind the financial condition of the school district, the education and experience of the licensed employee, the educational philosophy of the school district, and other considerations as determined by the board.

It is the responsibility of the superintendent to make a recommendation to the board for the advancement of licensed employees.

Legal Reference: Iowa Code §§ 20.1, .4, .7, .9; 279.8.

Date of Adoption: April 22, 2024

### LICENSED EMPLOYEE CONTINUED EDUCATIONAL CREDIT

Any certificated employee who plans to enroll in a course or seminar at an accredited college or university and who desires such course or seminar work to apply towards an educational lane change on the salary schedule must file a request with the superintendent by June 15. All credit to qualify for lane changes above the B.A. Lane must be earned after the employee has been awarded the bachelor's degree. All credit to qualify for lane changes above the M.A. Lane must be earned after the employee has been awarded the master's degree. Credit in excess of what is needed for the specific degree earned before the awarding of the degree will not be credited for lane changes above the degree. The superintendent, in conjunction with the administrative team, shall grant horizontal movement on the salary schedule in accordance with the following:

Certificated employees not on an established graduate program in education shall be granted credit toward horizontal movement on the salary schedule under the following conditions:

- The hours are graduate level classification.
- The hours are in the subject area in which the employee is presently teaching or are hours outside the employee's present teaching area but are in the judgment of the superintendent and administrative team related to the employee's present assignment. Approval may also be based upon the teachers career development plan.
- Proof of successful completion of the course or courses taken is provided.

Certificated employees who are on an established graduate program in education, in an area that supports their teaching assignment or as approved by the Centerville Administration, shall be granted credit for horizontal movement on the salary schedule in accordance with the following:

- Courses must be part of degreed program.
- Provide evidence of the successful completion of the course/s.

The employee will file satisfactory evidence proving successful completion of course work or of the degree with the superintendent no later than November 5 for salary adjustments to be made for that school year. Adjustments in placement will occur in accordance with the date the evidence was filed. Salary will be prorated accordingly.

Date of Adoption: April 25, 1990  
Date of Revision: December 8, 1992  
Date of Revision: May 20, 1993  
Date of Revision: January 10, 1995  
Date of Revision: March 24, 1998  
Date of Revision: August 15, 2006  
Date of Revision: March 8, 2011  
Date of Revision: April 22, 2024

**REGULATIONS FOR GRANTING CONTINUED EDUCATIONAL CREDIT  
(LICENSED STAFF)**

From time to time, the Administrative Team may support and encourage a course for staff which is specifically targeted to meet a district Staff Development need. Credit toward lane adjustment for successfully completing the course may be granted as though the course was taken for graduate credit, even though the district helped pay the teacher to take the course under these conditions.

1. The course received Administrative Team approval as a turnkey training course and staff members were chosen by the Administrative Team for this credit before the course began.
2. As a condition for taking the course, including for credit, while being reimbursed by the district the teacher agrees; if requested, to serve as a turnkey trainer for the district for a minimum of 3 years following the course. A turnkey trainer presents the contents of the course to district teachers as requested for staff development opportunities, and is paid the prevailing rate for teaching those classes.
3. The course was registered for Graduate Credit for members of the turnkey training group who choose to pay for these records.
4. Failure to serve as a trainer when requested will result in rescinding the credit for future contracts.

Date of Adoption: April 2, 1992

Date of Revision: August 15, 2006

Date of Revision: April 22, 2024

**LICENSED EMPLOYEE COMPENSATION FOR EXTRA DUTY**

A licensed employee may volunteer or be required to take on extra duty, with the extra duty being secondary to the major responsibility of the licensed employee. The board will follow extra duty compensation schedules established in the negotiated agreement with the Centerville Education Association.

Vacant extra duty positions, for which extra compensation will be earned, will be posted to allow qualified licensed employees to volunteer for the extra duty. If no licensed employee volunteers for extra duty, the superintendent will assign the extra duty positions to qualified licensed employees. The licensed employee will receive compensation for the extra duty required to be performed.

It is the responsibility of the superintendent to make a recommendation to the board annually as to which licensed employees will have the extra duty, and the compensation for extra duty, for the board's review.

Legal Reference: Iowa Code §§ 279.8, .13-.15, .19A-B.

Date of Adoption: April 25, 1990

Date of Revision: December 8, 1992

Date of Revision: April 22, 2024

**INSURANCE BENEFITS FOR CERTIFIED STAFF**

Licensed employees may be eligible for group benefits as determined by the board and required by law. The board will select the group benefit program(s) and the insurance company or third party administrator which will provide or administer the program.

In accordance with the Patient Protection and Affordable Care Act (ACA), the board will offer licensed employees who work an average of at least thirty (30) hours per week or one hundred thirty (130) hours per month, based on the “look back method” measurement method adopted by the board, with minimum essential coverage that is both affordable and provides minimum value. The board will have the authority and right to change or eliminate group benefit programs, other than the group health plan, for its licensed employees.

Licensed employees who work an average of at least (30) hours per week or one hundred thirty (130) hours per month, based on the measurement method adopted by the board, are eligible to participate in the group health plan. Licensed employees who work 30 hours per week are eligible to participate in vision, dental, life and LTD group insurance plans. Employers should maintain documents regarding eligible employee’s acceptance and rejection of coverage.

Regular part-time employees (i.e., employees who work less than 30 hours per week or 130 hours per month for health benefit purposes or employees who work less than 30 hours per week for benefits (other than health) who wish to purchase coverage may participate in group benefit programs by meeting the requirements of the applicable plan. Full-time and regular part-time licensed employees who wish to purchase coverage for their spouse or dependents may do so by meeting the requirements of the applicable plan.

Licensed employees and their spouse and dependents may be allowed to continue coverage of the school district’s group health program if they cease employment with the school district by meeting the requirements of the plan.

Upon retirement, certified personnel and their spouse and dependents, who are eligible, shall be allowed to continue coverage in the school district group health insurance program at their own expense until Medicare age by meeting the requirements of the insurer with proper notification and submitted resignation.

Legal Reference: Iowa Code §§ 20.9; 85; 85B; 279.12, .27; 509; 509A; 509B.  
Internal Revenue Code § 4980H(c)(4); Treas. Reg. § 54.4980H-1(a)(21)(ii).  
Shared Responsibility for Employers Regarding Health Coverage, 26 CFR Parts 1, 54 and 301, 78 Fed. Reg. 217, (Jan 2, 2013).  
Shared Responsibility for Employers Regarding Health Coverage, 26 CFR Parts 1, 54 and 301, 79 Fed. Reg. 8543 (Feb. 12, 2014).

Date of Adoption: April 25, 1990  
Date of Revision: December 8, 1992  
Date of Revision: March 24, 1998  
Date of Revision: March 27, 2001  
Date of Revision: May 16, 2006  
Date of Revision: July 13, 2010



Date of Revision: March 8, 2011

Date of Revision: April 27, 2015

Date of Revision: April 22, 2024

**LICENSED EMPLOYEE TAX SHELTER PROGRAM**

Employees may elect to have amounts withheld from their pay for items authorized by law, subject to the agreement of the district. The board may authorize the administration to make a payroll deduction for licensed employees' tax-sheltered annuity premiums purchased from a company or program if chosen by the board.

Licensed employees wishing to have payroll deductions for tax sheltered annuities will make written request to the superintendent.

Legal Reference: Iowa Code §§ 260C; 273; 294.16.

Date of Adoption: April 25, 1990

Date of Revision: January 27, 2009

Date of Revision: April 22, 2024

**LICENSED EMPLOYEE RESIGNATION**

A licensed employee who wishes to resign must notify the superintendent in writing within the time period set by the board for return of the contract. This applies to regular contracts for the licensed employee's regular duties and for an extracurricular contract for extra duty. Resignations of this nature will be accepted by the board.

The board may require an individual who has resigned from an extracurricular contract to accept the resigned position for only the subsequent school year when the board has made a good faith effort to find a satisfactory replacement and the licensed employee is continuing to be employed by the school district.

Legal Reference: Iowa Code §§ 91A.2, .3, .5; 279.13, .19A.

Date of Adoption: April 25, 1990

Date of Revision: December 8, 1992

Date of Revision: April 22, 2024

**LICENSED EMPLOYEE CONTRACT RELEASE**

Licensed employees who wish to be released from an executed contract must give at least twenty-one days notice to the superintendent. Licensed employees may be released at the discretion of the board. Only in unusual and extreme circumstances will the board release a licensed employee from a contract. The board will have sole discretion to determine what constitutes unusual and extreme circumstances.

Release from a contract will be contingent upon finding a suitable replacement. Licensed employees requesting release from a contract after it has been signed and before it expires may be required to pay the board the cost of advertising or other reasonable administrative costs incurred to locate and hire a suitable replacement. Upon written mutual agreement between the employee and the superintendent, and to the extent allowed by law, the costs may be deducted from the employee's salary. Payment of these costs is a condition for release from the contract at the discretion of the board. Failure of the licensed employee to pay these expenses may result in a cause of action being filed in small claims court.

The superintendent is required to file a complaint with the Iowa Board of Educational Examiners against a licensed employee who leaves without proper release from the board.

Legal Reference: Iowa Code §§ 91A(1); 216; 272; 279.13, .19A, .46.

Date of Adoption: April 25, 1990  
Date of Revision: December 8, 1992  
Date of Revision: March 24, 1998  
Date of Revision: September 28, 1999  
Date of Revision: March 28, 2000  
Date of Revision: March 27, 2001  
Date of Revision: April 22, 2024

## LICENSED EMPLOYEE RETIREMENT

Licensed employees who will complete their current contract with the board may apply for retirement. No licensed employees will ~~not~~ be required to retire at any specific age.

Application for retirement will be considered made when the licensed employee states in writing to the superintendent no later than the date set by the board for the return of the employee's contract to the board. The letter must state the employee's desire to retire and be witnessed by another party other than the principal or the superintendent. Applications made after the date set by the board for the return of the employee's contract to the board may be considered by the board if special circumstances exist. It is within the discretion of the board to determine whether special circumstances exist.

Upon retirement, licensed employees and their spouse and dependents, who are eligible, shall be allowed to continue coverage in the school district group health insurance program at their own expense by meeting the requirements of the insurer with proper notification and submitted resignation.

Licensed employees who retire under this policy may qualify for retirement benefits through the Iowa Public Employees Retirement System.

Legal Reference: Iowa Code §§ 97B; 216; 279.46.  
281 I.A.C. 21.

Date of Adoption: April 25, 1990  
Date of Revision: March 24, 1998  
Date of Revision: March 27, 2001  
Date of Revision: August 15, 2006  
Date of Revision: December 10, 2009  
Date of Revision: September 12, 2016  
Date of Revision: April 22, 2024

**LICENSED EMPLOYEE SUSPENSION**

Licensed employees will perform their assigned job, respect and follow board policy and obey the law. The superintendent is authorized to suspend a licensed employee pending board action on a discharge, for investigation of charges against the employee, and for disciplinary purposes. It is within the discretion of the superintendent to suspend a licensed employee with or without pay.

In the event of a suspension, appropriate due process will be followed.

Legal Reference: Northeast Community Education Association v. Northeast Community School District, 402 N.W.2d 765, 769 (Iowa 1987).  
McFarland v. Board of Education of Norwalk Community School District, 277 N.W.2d 901 (Iowa 1979).  
Iowa Code §§ 20.7, .24; 279.13, .15-.19, .27.

Date of Adoption: April 25, 1990

Date of Revision: April 22, 2024

**LICENSED EMPLOYEE REDUCTION IN FORCE**

The board has the exclusive authority to determine the appropriate number of licensed employees. A reduction of licensed employees may occur as a result of, but not be limited to, changes in the education program, staff realignment, changes in the size or nature of the student population, financial situation considerations, and other reasons deemed relevant by the board.

The reduction in licensed employees, other than administrators, will be done through normal attrition if possible. If normal attrition does not meet the necessary reduction in force required, the board may terminate licensed employees.

It is the responsibility of the superintendent to make a recommendation for termination to the board.

The superintendent shall consider the following criteria in making recommendations for reduction in force:

- Endorsements and educational preparation within the grade level and subject areas in which the employee is now performing;
- Relative skills, ability and demonstrated performance;
- Professional judgment of the evaluator;
- Qualifications for co-curricular programs;
- Number of years of service to the school district. This will be considered only when the foregoing factors are relatively equal between licensed employees.

Due process for terminations due to a reduction in force will be followed.

Legal Reference: Iowa Code §§ 20; 279

Date of Adoption: April 25, 1990

Date of Revision: May 16, 2006

Date of Revision: April 22, 2024

**LICENSED EMPLOYEE EARLY RETIREMENT**

The Centerville CSD may from time to time establish a voluntary early retirement plan for qualified certified employees. An early retirement plan will address eligibility, benefits and other pertinent items. A recent ~~such~~ plan offered by the district shall be retained in the Board Policy book as an illustrative exhibit for future reference. The Centerville CSD may also include in its collective bargaining agreement with professional staff provisions for early retirement benefits for said staff such as payment for accrued, unused sick leave and flexible leave payable upon retirement which may be paid for early retirement in any year.

The board has complete discretion to offer or not offer an early retirement plan for licensed employees. The board may discontinue the school district's early retirement plan at any time.

Legal Reference: 29 U.S.C. §§ 621 et seq.  
Iowa Code §§ 97B; 216; 279.46; 509A.13.

Date of Adoption: April 22, 2024



**LICENSED EMPLOYEE EARLY RETIREMENT**

The undersigned licensed employee acknowledges receipt of the early retirement plan documents stated below, for the licensed employee's consideration:

- Early retirement policy;
- Early retirement insurance options (if applicable);
- Early retirement application

The undersigned licensed employee acknowledges that the application and participation in the early retirement plan is entirely voluntary.

The undersigned licensed employee acknowledges that the school district recommends the licensed employee contact legal counsel and the employee's personal accountant regarding participation in the early retirement plan.

\_\_\_\_\_  
Licensed Employee

\_\_\_\_\_  
Date

**LICENSED EMPLOYEE EARLY RETIREMENT – INSURANCE OPTION**

Board policy 407.6, Licensed Employee Early Retirement, allows the employee to continue to participate in the school district’s group health insurance plan until age 65 by meeting the requirements of the insurer.

The licensed employee is responsible for the cost of the health insurance premium. The licensed employee must pay the employee’s share of the premium by paying the monthly premium amount in full to the board secretary prior to the due date of the school district’s premium payment to the insurance carrier.

The undersigned licensed employee \_\_\_\_\_ (does, does not) wish to continue to participate in the school district’s group health insurance plan.

\_\_\_\_\_  
Licensed Employee

\_\_\_\_\_  
Date

**LICENSED EMPLOYEE EARLY RETIREMENT APPLICATION**

The undersigned licensed employee is applying for early retirement pursuant to board policy 407.6, Licensed Employee Early Retirement. Please complete the following information:

\_\_\_\_\_  
(Full Legal Name of Licensed Employee) (Social Security Number)

\_\_\_\_\_  
(Current Job Title) (Date of Birth) (Years of Service)

Please specify the date desired for payment of the early retirement benefit and the reason for the date if a date other than July 1 of the year in which the undersigned licensed employee retires is desired.

\_\_\_\_\_  
(Date) (Reason for date other than July 1)

Please attach a letter of resignation effective June thirtieth of the year in which the undersigned licensed employee intends to retire.

The undersigned licensed employee acknowledges that application and participation in the early retirement plan is entirely voluntary.

The undersigned licensed employee acknowledges that the school district recommends that the licensed employee contact legal counsel and the employee's own personal accountant regarding participation in the early retirement plan.

Should the licensed employee die prior to full payment of an early retirement benefit, the licensed employee designates either the following individual as beneficiary or the licensed employee's estate.

\_\_\_\_\_ Beneficiary \_\_\_\_\_ Estate

\_\_\_\_\_  
Beneficiary

\_\_\_\_\_  
Beneficiary Address

\_\_\_\_\_  
Licensed Employee Date

\_\_\_\_\_  
Witness Date

**LICENSED EMPLOYEE EARLY RETIREMENT – EXAMPLE**

**Centerville CSD Certified Employee Early Retirement Plan**

The Centerville Community School District offers a voluntary early retirement plan to currently employed administrative and teaching employees. To be eligible, an employee must meet all of the following requirements:

1. Be a minimum of fifty five (55) years old on the effective date of retirement.
2. Have worked a minimum of ten (10) consecutive years to date of retirement as a teacher or administrator for the Centerville CSD.
3. Submit an application requesting early retirement benefits on or after October 16, 2017 and by no later than December 1, 2017.
4. Submit a resignation from employment with the District effective at the end of the 2017-18 work year.
5. Receive Board approval of the employee's application and resignation.
6. Participation in this early retirement plan is limited to the first fifteen eligible applicants to be considered in the order of receipt of their applications.

An employee is ineligible for participation in this plan if the employee is under consideration for termination from employment.

Approval by the Board of an employee's application shall entitle the employee to receive \$30,000. The employee shall also receive reimbursement for all accrued, unused sick leave but not to exceed 130 days payable at the rate of 60% of the 2017-18 daily teacher substitute rate. The employee shall also receive reimbursement for all accrued, unused flexible leave but not to exceed 60 days payable at the rate of 75% of the 2017-18 daily teacher substitute rate. All benefits listed in this paragraph will be prorated for part time employees determined by the FTE status in 2016-17. Failure by the Board to approve the employee's application for early retirement benefits shall negate the employee's resignation submitted in reliance thereon. No interest shall accrue on monies not yet paid. Payments for accrued, unused sick leave and flexible leave listed above will be the only payments for such leaves an applicant will receive and shall be in lieu of any such benefit listed in any Board policy, handbook or contract and Applicant waives any claim for any further such benefit. Payment per this paragraph shall be subject to all applicable taxes and withholding and shall be payable in one installment payable on or before December 31, 2018.

An employee who participates in the early retirement plan and who participated at the time of retirement in the District's group health insurance plan, may continue to participate in the District's then existing group health insurance plan at his/her own expense only if allowed by the District's group plan and carrier and if consistent with state law. Continued participation will require the employee to submit payment for his/her monthly premiums in advance to the District according to District requirements. The employee may only continue to participate as long as it is allowed by the District, its group health plan and insurance carrier. Nothing herein prohibits the District's ability to prospectively change or eliminate its group health plan.

In the event of the death of the retiring employee after Board acceptance for early retirement but prior to payment of any or all of the cash stipend, the cash stipend will be paid to the deceased employee's spouse or other specifically designated beneficiary or if none, to the employee's estate.

This early retirement plan is in effect for eligible teachers and administrators who retire at the end of the 2017-18 work year only. The District may or may not offer another early retirement plan in the future.

The Board of Directors is the final arbiter of all questions of interpretation under this plan including, but not limited to, questions of eligibility or benefit calculation. The Board may in its discretion expand the participation cap or extend the deadline for application submission.

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Employee Signature

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Date

Adoption Date: May 14, 1996  
Date of Revision: March 24, 1998  
Date of Revision: October 12, 1999  
Date of Revision: March 27, 2001  
Date of Revision: January 25, 2005  
Date of Revision: December 10, 2009  
Date of Revision: October 9, 2017  
Date of Revision: April 22, 2024

## LICENSED EMPLOYEE PROFESSIONAL DEVELOPMENT

The board encourages licensed employees to attend and participate in professional development activities to maintain, develop, and extend their skills. The board will maintain and support an in-service program for licensed employees. Professional development activities will include activities that promote and/or teach about compliance with applicable Iowa laws.

For all professional development programs the district requires employees to take, the district will provide to the employee notice indicating the section of the law, or rules adopted by the state board of education or board of educational examiners that the district determines requires the employee to participate in the professional development program.

Requests for attendance or participation in a development program, other than those development programs sponsored by the school district are made to the superintendent. Approval by the superintendent must be obtained prior to attendance by a licensed employee in a professional development program when the attendance would result in the licensed employee being excused from their duties or when the school district pays the expenses for the program.

The superintendent will have sole discretion to allow or disallow licensed employees to attend or participate in the requested event. When making this determination, the superintendent will consider the value of the program for the licensed employee and the school district, the effect of the licensed employee's absence on the education program and school district operations and the school district's financial situation as well as other factors deemed relevant in the judgment of the superintendent. Requests that involve unusual expenses or overnight travel must also be approved by the board.

Legal Reference: Iowa Code § 279.8; .74  
281 I.A.C. 12.7; 83.6

Date of Adoption: April 25, 1990

Date of Revision: May 16, 2006

Date of Revision: November 14, 2022

Date of Revision: October 9, 2023

**LICENSED EMPLOYEE PUBLICATION OR CREATION OF MATERIALS**

Materials created by licensed employees and the financial gain there from are the property of the school district if school materials and time were used in their creation and/or such materials were created in the scope of the licensed employee's employment. The licensed employee must seek prior written approval of the superintendent concerning such activities.

Legal Reference: 17 U.S.C. § 101 et al.  
Iowa Code § 279.8

*Date of Adoption:* April 22, 2024

## TUTORING

Every effort will be made by the licensed employees to help students with learning problems before recommending that the parents engage a tutor. Since there are exceptional cases when tutoring will help students overcome learning deficiencies, tutoring by licensed employees may be approved by the superintendent.

Licensed employees may only tutor students other than those for whom the teacher is currently exercising teaching, administrative or supervisory responsibilities unless approved by the superintendent.

School district facilities, equipment, materials, or supplies shall not be used by any employee or private citizen for private tutoring, lessons, coaching, or other educational services or for an employee's private business or activities without prior approval of the superintendent.

Legal Reference: Iowa Code §§ 20.7; 279.8.

Date of Adoption: April 25, 1990

Date of Revision: March 24, 1998

Date of Revision: February 8, 2011

Date of Revision: April 22, 2024



## EMPLOYEE VACATION - HOLIDAYS

The board will determine the amount of vacation and holiday leave that will be allowed on an annual basis for employees.

Non-certified personnel who are scheduled to work 12 months a year i.e., fifty two weeks, 5 days per week, will be five work days after the first full year of employment. All paid vacations are based on the number of scheduled hours of work or a maximum of 40 hours per week.

After three years of employment, ten days of vacation will be granted. After eight years of employment, fifteen days will be granted and after sixteen years of employment, twenty days will be granted. All vacation amounts specified in this policy are based on continuous, uninterrupted employment.

Vacation days may be taken any time during the school year, provided the vacation will not disrupt the operation of the school district. The employee must submit a vacation request to the superintendent and immediate supervisor and it shall be at the discretion of the superintendent to grant or deny the vacation request if it is determined that the absence will disrupt the operation of the school.

Paid holidays for non-certified personnel are: New Years Day, Good Friday, Memorial Day, Labor Day, Thanksgiving Day, Christmas Day. Employees contracted to work through the summer will also receive the Fourth of July as a paid holiday. Employees contracted twelve-months will receive paid leave for day after Thanksgiving holiday and day before Christmas holiday.

Legal Reference: Iowa Code §§ 1C; 4.1(34); 20.9.

Date of Adoption: April 25, 1990

Date of Revision: June 9, 1992

Date of Revision: January 10, 1995

Date of Revision: July 11, 1995

Date of Revision: November 13, 2017

Date of Revision: April 22, 2024

## EMPLOYEE LEAVES OF ABSENCE

The board will offer the following leave to full-time certified employees:

- Sick Leave Provisions
- Family Illness Leave
- Flexible Leave Days
- Flexible Leave Bank
- Bereavement Leave
- Extended Leave for Death or Serious Illness
- Association Leave
- Professional Days
- Other Leave
- Extended Leave-Illness or Disability
- Extended Leave-Other
- Job Related Injuries
- Jury Duty
- Unpaid Leaves of absence

The board will offer the following paid leave to full-time non-certified employees:

- Sick Leave Provisions
- Family Illness Leave
- Flexible Leave Days
- Flexible Leave Bank
- Bereavement Leave
- Extended Leave for Death or Serious Illness
- Jury Duty
- Staff Development
- Injury or disability Leave
- Military Service Leave
- Unpaid Leaves of absence
- Extended Leave-Illness or Disability

The provisions of each leave offering will be detailed in the Master Contract for Certified Staff and in the Support Staff Handbook for Non-Certified Staff.

Leave offered by the district will not be less than what is required by law. In the event of an emergency or unforeseen circumstance, the superintendent may authorize additional paid leave.

Legal Reference:     *29 U.S.C. §§ 2601 et seq.*  
                          *Pub.L. 116-127*  
                          *29 C.F.R. §§ 825; 826.*  
                          *Iowa Code §§ 20; 29A; 55; 85; 216; 279.40; 607A.*  
                          *Whitney v. Rural Ind. School District, 232 Iowa 61, 4 N.W.2d 394 (1942).*  
                          *Bewley v. Villisca Community School District, 299 N.W. 2d 904 (Iowa 1980).*

Date of Adoption: August 24, 2020

Date of Revision: April 22, 2024

**EMPLOYEE FAMILY AND MEDICAL LEAVE**

Unpaid family and medical leave will be granted up to 12 weeks per year (26 weeks for military caregiver leave) to assist employees in balancing family and work life. For purposes of this policy, year is defined as the school district's fiscal year (July 1 to June 30). Requests for family and medical leave will be made to the superintendent.

Employees may be allowed to substitute paid leave for unpaid family and medical leave by meeting the requirements set out in the family and medical leave administrative rules. Employees eligible for family and medical leave must comply with the family and medical leave administrative rules prior to starting family and medical leave. It shall be the responsibility of the superintendent to develop administrative rules to implement this policy.

Legal Reference:    29 U.S.C. §§ 2601 *et seq.*  
                          29 C.F.R. § 825  
                          Iowa Code §§ 20; 85; 216; 279.40.  
                          Whitney v. Rural Ind. School. District, 232 Iowa 61, 4 N.W.2d 394 (1942).

Date of Adoption: October 11, 1994  
Date of Revision: September 8, 2009  
Date of Revision: April 22, 2024

**EMPLOYEE FAMILY AND MEDICAL LEAVE**

A. School district notice.

1. The school district will post the notice in Exhibit 409.3E1 regarding family and medical leave.
2. Information on the Family and Medical Leave Act and the board policy on family and medical leave, including leave provisions and employee obligations will be provided annually. The information will be in the employee handbooks.
3. When an employee requests family and medical leave, the school district will provide the employee with information listing the employee's obligations and requirements. Such information will include:
  - a. a statement clarifying whether the leave qualifies as family and medical leave and will, therefore, be credited to the employee's annual 12-week entitlement or 26 week entitlement depending on the purpose of the leave;
  - b. a reminder that employees requesting family and medical leave for their serious health condition or for that of an immediate family member must furnish medical certification of the serious health condition and the consequences for failing to do so or proof of call to active duty in the case of military family and medical leave;
  - c. an explanation of the employee's right to substitute paid leave for family and medical leave including a description of when the school district requires substitution of paid leave and the conditions related to the substitution; and
  - d. a statement notifying employees that they must pay and must make arrangements for paying any premium or other payments to maintain health or other benefits.

B. Eligible employees.

Employees are eligible for family and medical leave if the following criteria is met.

1. The employee has worked for the school district for at least twelve months or 52 weeks (the months and weeks need not be consecutive); and,
2. The employee has worked at least 1,250 hours during the 12 months immediately before the date FMLA leave is to begin. Full-time professional employees who are exempt from the wage and hour law may be presumed to have worked the minimum hour requirement.

C. Employee requesting leave -- two types of leave.

1. Foreseeable family and medical leave.

- a. Definition - leave is foreseeable for the birth or placement of an adopted or foster child with the employee or for planned medical treatment.
- b. Employee must give at least thirty days notice for foreseeable leave. Failure to give the notice may result in the leave beginning thirty days after notice was received. For those taking leave due to military family and medical leave, notice should be given as soon as possible.
- c. Employees must consult with the school district prior to scheduling planned medical treatment leave to minimize disruption to the school district. The scheduling is subject to the approval of the health care provider.

2. Unforeseeable family and medical leave.

- a. Definition - leave is unforeseeable in such situations as emergency medical treatment or premature birth.
- b. Employee must give notice as soon as possible but no later than one to two work days after learning that leave will be necessary.
- c. A spouse or family member may give the notice if the employee is unable to personally give notice.

D. Eligible family and medical leave determination. The school district may require the employee giving notice of the need for leave to provide reasonable documentation or a statement of family relationship.

1. Six purposes.

- a. The birth of a son or daughter of the employee and in order to care for that son or daughter prior to the first anniversary of the child's birth;
- b. The placement of a son or daughter with the employee for adoption or foster care and in order to care for that son or daughter prior to the first anniversary of the child's placement;
- c. To care for the spouse, son, daughter or parent of the employee if the spouse, son, daughter or parent has a serious health condition; or
- d. Employee's serious health condition that makes the employee unable to perform the essential functions of the employee's position.
- e. because of a qualifying exigency arising out of the fact that an employee's spouse; son or daughter; parent is on active duty or call to active duty status in support of a contingency operation as a member of the National Guard or Reserves.

- f. because the employee is the spouse; son or daughter; parent; next of kin of a covered service member with a serious injury or illness.

2. Medical certification.

a. When required:

1. Employees will be required to present medical certification of the employee's serious health condition and inability to perform the essential functions of the job.
2. Employees will be required to present medical certification of the family member's serious health condition and that it is medically necessary for the employee to take leave to care for the family member.
3. Employees will be required to present certification of the call to active duty when taking military family and medical leave.

b. Employee's medical certification responsibilities:

1. The employee must obtain the certification from the health care provider who is treating the individual with the serious health condition.
2. The school district may require the employee to obtain a second certification by a health care provider chosen by and paid for by the school district if the school district has reason to doubt the validity of the certification an employee submits. The second health care provider cannot, however, be employed by the school district on a regular basis.
3. If the second health care provider disagrees with the first health care provider, then the school district may require a third health care provider to certify the serious health condition. This health care provider must be mutually agreed upon by the employee and the school district and paid for by the school district. This certification or lack of certification is binding upon both the employee and the school district.

- c. Medical certification will be required fifteen days after family and medical leave begins unless it is impracticable to do so. The school district may request recertification every thirty days. Recertification must be submitted within fifteen days of the school district's request.

- d. Employees taking military caregiver family and medical leave to care for a family service member cannot be required to obtain a second opinion or to provide recertification.

Family and medical leave requested for the serious health condition of the employee or to care for a family member with a serious health condition

which is not supported by medical certification will be denied until such certification is provided.

E. Entitlement.

1. Employees are entitled to twelve weeks unpaid family and medical leave per year. Employees taking military caregiver family and medical leave to care for a family service member are entitled to 26 weeks of unpaid family and medical leave but only in a single 12 month period.
2. Year is defined as a Fiscal year of the school district (July 1-June 30).
3. If insufficient leave is available, the school district may:
  - a. Deny the leave if entitlement is exhausted
  - b. Award leave available

B. Type of Leave Requested.

1. Continuous - employee will not report to work for set number of days or weeks.
2. Intermittent - employee requests family and medical leave for separate periods of time.
  - a. Intermittent leave is available for:
    - birth of my child or adoption or foster care placement subject to agreement by the district;
    - serious health condition of myself, spouse, parent, or child when medically necessary;
    - because of a qualifying exigency arising out of the fact that my spouse; son or daughter; parent is on active duty or call to active duty status in support of a contingency operation as a member of the National Guard or Reserves;
    - because I am the spouse; son or daughter; parent; next of kin of a covered service member with a serious injury or illness.
  - b. In the case of foreseeable intermittent leave, the employee must schedule the leave to minimize disruption to the school district operation.
  - c. During the period of foreseeable intermittent leave, the school district may move the employee to an alternative position with equivalent pay and benefits. (For instructional employees, see G below.)



3. Reduced work schedule - employee requests a reduction in the employee's regular work schedule.
  - a. Reduced work schedule family and medical leave is available for:
    - birth of my child or adoption or foster care placement subject to agreement by the district;
    - serious health condition of myself, spouse, parent, or child when medically necessary;
    - because of a qualifying exigency arising out of the fact that my spouse; son or daughter; parent is on active duty or call to active duty status in support of a contingency operation as a member of the National Guard or Reserves;
    - because I am the spouse; son or daughter; parent; next of kin of a covered service member with a serious injury or illness.
  - b. In the case of foreseeable reduced work schedule leave, the employee must schedule the leave to minimize disruption to the school district operation.
  - c. During the period of foreseeable reduced work schedule leave, the school district may move the employee to an alternative position with equivalent pay and benefits. (For instructional employees, see G below.)

#### C. Special Rules for Instructional Employees.

1. Definition - an instructional employee is one whose principal function is to teach and instruct students in a class, a small group or an individual setting. This includes, but is not limited to, teachers, coaches, driver's education instructors and special education assistants.
2. Instructional employees who request foreseeable medically necessary intermittent or reduced work schedule family and medical leave greater than twenty percent of the work days in the leave period may be required to:
  - a. Take leave for the entire period or periods of the planned medical treatment; or,
  - b. Move to an available alternative position, with equivalent pay and benefits, but not necessarily equivalent duties, for which the employee is qualified.
3. Instructional employees who request continuous family and medical leave near the end of a semester may be required to extend the family and medical leave through the end of the semester. The number of weeks remaining before the end of a semester does not include scheduled school breaks, such as summer, winter or spring break.

- a. If an instructional employee begins family and medical leave for any purpose more than five weeks before the end of a semester, the school district may require that the leave be continued until the end of the semester if the leave will last at least three weeks and the employee would return to work during the last three weeks of the semester if the leave was not continued.
  - b. If the employee begins family and medical leave for a purpose other than the employee's own serious health condition during the last five weeks of a semester, the school district may require that the leave be continued until the end of the semester if the leave will last more than two weeks and the employee would return to work during the last two weeks of the semester.
  - c. If the employee begins family and medical leave for a purpose other than the employee's own serious health condition during the last three weeks of the semester and the leave will last more than five working days, the school district may require the employee to continue taking leave until the end of the semester.
4. The entire period of leave taken under the special rules is credited as family and medical leave. The school district will continue to fulfill the school district's family and medical leave responsibilities and obligations, including the obligation to continue the employee's health insurance and other benefits, if an instructional employee's family and medical leave entitlement ends before the involuntary leave period expires.

D. Employee responsibilities while on family and medical leave.

1. Employee must continue to pay health care benefit contributions or other benefit contributions regularly paid by the employee unless employee elects not to continue the benefits.
2. The employee contribution payments will be deducted from any money owed to the employee or the employee will reimburse the school district at a time set by the superintendent.
3. An employee who fails to make the health care contribution payments within thirty days after they are due will be notified that their coverage may be canceled if payment is not received within an additional 15 days.
4. An employee may be asked to re-certify the medical necessity of family and medical leave for the serious medical condition of an employee or family member once every thirty days and return the certification within fifteen days of the request.
5. The employee must notify the school district of the employee's intent to return to work at least once each month during their leave and at least two weeks prior to the conclusion of the family and medical leave.
6. If an employee intends not to return to work, the employee must immediately notify the school district, in writing, of the employee's intent not to return. The school

district will cease benefits upon receipt of this notification.

E. Use of paid leave for family and medical leave.

An employee may substitute unpaid family and medical leave with appropriate paid leave available to the employee under board policy, individual contracts or the collective bargaining agreement. Paid leave includes, but is not limited to, sick leave, family illness leave, vacation, and flex leave. When the school district determines that paid leave is being taken for an FMLA reason, the school district will notify the employee within two business days that the paid leave will be counted as FMLA leave.

## EMPLOYEE FAMILY AND MEDICAL LEAVE

**Active Duty** - duty under a call or order to active duty under a provision of law referring to in section 101(a)(13) of title 10, U.S. Code.

**Common Law Marriage** - according to Iowa law, common law marriages exist when there is a present intent by the two parties to be married, continuous cohabitation, and a public declaration that the parties are husband and wife. There is no time factor that needs to be met in order for there to be a common law marriage.

**Contingency Operation** - has the same meaning given such term in section 101(a)(13) of title 10, U.S. Code.

**Continuing Treatment** - a serious health condition involving continuing treatment by a health care provider includes any one or more of the following:

- A period of incapacity (i.e., inability to work, attend school or perform other regular daily activities due to the serious health condition, treatment for or recovery from) of more than three consecutive calendar days and any subsequent treatment or period of incapacity relating to the same condition that also involves:
  - treatment two or more times by a health care provider, by a nurse or physician's assistant under direct supervision of a health care provider, or by a provider of health care services (e.g., physical therapist) under orders of, or in referral by, a health care provider; or
  - treatment by a health care provider on at least one occasion which results in a regimen of continuing treatment under the supervision of the health care provider.
- Any period of incapacity due to pregnancy or for prenatal care.
- Any period of incapacity or treatment for such incapacity due to a chronic serious health condition. A chronic serious health condition is one which:
  - requires periodic visits for treatment by a health care provider or by a nurse or physician's assistant under direct supervision of a health care provider;
  - Continues over an extended period of time (including recurring episodes of a single underlying condition); and
  - May cause episodic rather than a continuing period of incapacity (e.g., asthma, diabetes, epilepsy, etc.);
- Any period of incapacity which is permanent or long-term due to a condition for which treatment may not be effective. The employee or family member must be under the continuing supervision of, but need not be receiving active treatment by, a health care provider. Examples include Alzheimer's, a severe stroke or the terminal stages of a disease.
- Any period of absence to receive multiple treatments (including any period of recovery from) by a health care provider or by a provider of health care services under orders of, or on

referral by, a health care provider, either for restorative surgery after an accident or other injury, or for a condition that would likely result in a period of incapacity of more than three consecutive calendar days in the absence of medical intervention or treatment, such as cancer (chemotherapy, radiation, etc.), severe arthritis (physical therapy), kidney disease (dialysis).

**Covered Servicemember** - a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness.

**Eligible Employee** - The employee has worked for the district for at least twelve months and has worked at least 1250 hours within the previous year.

**Essential Functions of the Job** - those functions which are fundamental to the performance of the job. It does not include marginal functions.

**Employment Benefits** - all benefits provided or made available to employees by an employer, including group life insurance, health insurance, disability insurance, sick leave, annual leave, educational benefits, and pensions, regardless of whether such benefits are provided by a practice or written policy of an employer or through an "employee benefit plan."

**Family Member** - individuals who meet the definition of son, daughter, spouse or parent.

**Group Health Plan** - any plan of, or contributed to by, an employer (including a self-insured plan) to provide health care (directly or otherwise) to the employer's employees, former employees, or the families of such employees or former employees.

**Health Care Provider-**

- A doctor of medicine or osteopathy who is authorized to practice medicine or surgery by the state in which the doctor practices; or
- Podiatrists, dentists, clinical psychologists, optometrists, and chiropractors (limited to treatment consisting of manual manipulation of the spine to correct a subluxation as demonstrated by X ray to exist) authorized to practice in the state and performing within the scope of their practice as defined under state law; and
- Nurse practitioners and nurse-midwives, and clinical social workers who are authorized to practice under state law and who are performing within the scope of their practice as defined under state law; and
- Christian Science practitioners listed with the First Church of Christ Scientist in Boston, Massachusetts;
- Any health care provider from whom an employer or a group health plan's benefits manager will accept certification of the existence of a serious health condition to substantiate a claim for benefits;
- A health care provider as defined above who practices in a country other than the United States who is licensed to practice in accordance with the laws and regulations of that country.

**In Loco Parentis** - individuals who had or have day-to-day responsibilities for the care and financial support of a child not their biological child or who had the responsibility for an employee when the employee was a child.

**Incapable of Self-Care** - that the individual requires active assistance or supervision to provide daily self-care in several of the "activities of daily living" or "ADLs." Activities of daily living include adaptive activities such as caring appropriately for one's grooming and hygiene, bathing, dressing, eating, cooking, cleaning, shopping, taking public transportation, paying bills, maintaining a residence, using telephones and directories, using a post office, etc.

**Instructional Employee** - an employee employed principally in an instructional capacity by an educational agency or school whose principal function is to teach and instruct students in a class, a small group, or an individual setting, and includes athletic coaches, driving instructors, and special education assistants such as signers for the hearing impaired. The term does not include teacher assistants or aides who do not have as their principal function actual teaching or instructing, nor auxiliary personnel such as counselors, psychologists, curriculum specialists, cafeteria workers, maintenance workers, bus drivers, or other primarily noninstructional employees.

**Intermittent Leave** - leave taken in separate periods of time due to a single illness or injury, rather than for one continuous period of time, and may include leave or periods from an hour or more to several weeks.

**Medically Necessary** - certification for medical necessity is the same as certification for serious health condition.

**"Needed to Care For"** - the medical certification that an employee is "needed to care for" a family member encompasses both physical and psychological care. For example, where, because of a serious health condition, the family member is unable to care for his or her own basic medical, hygienic or nutritional needs or safety or is unable to transport himself or herself to medical treatment. It also includes situations where the employee may be needed to fill in for others who are caring for the family member or to make arrangements for changes in care.

**Next of Kin** - an individual's nearest blood relative

**Outpatient Status** - the status of a member of the Armed Forces assigned to –

- either a military medical treatment facility as an outpatient; or
- a unit established for the purpose of providing command and control of members of the Armed Forces receiving medical care as outpatients.

**Parent** - a biological parent or an individual who stands in loco parentis to a child or stood in loco parentis to an employee when the employee was a child. Parent does not include parent-in-law.

**Physical or Mental Disability** - a physical or mental impairment that substantially limits one or more of the major life activities of an individual.

**Reduced Leave Schedule** - a leave schedule that reduces the usual number of hours per workweek, or hours per workday, of an employee.

### **Serious Health Condition -**

- An illness, injury, impairment, or physical or mental condition that involves:
  - Inpatient care (i.e. an overnight stay) in a hospital, hospice or residential medical care facility including any period of incapacity (for purposes of this section, defined to mean inability to work, attend school or perform other regular daily activities due to the serious health condition, treatment for or recovery from), or any subsequent treatment in connection with such inpatient care; or
  - Continuing treatment by a health care provider. A serious health condition involving continuing treatment by a health care provider includes:
    - A period of incapacity (i.e., inability to work, attend school or perform other regular daily activities due to the serious health condition, treatment for or recovery from) of more than three consecutive calendar days, including any subsequent treatment or period of incapacity relating to the same condition, that also involves:
      - Treatment two or more times by a health care provider, by a nurse or physician's assistant under direct supervision of a health care provider, or by a provider of health care services (e.g., physical therapist) under orders or, or on referral by, a health care provider; or
      - Treatment by a health care provider on at least one occasion which results in a regimen of continuing treatment under the supervision of the health care provider.
    - Any period of incapacity due to pregnancy or for prenatal care.
    - Any period of incapacity or treatment for such incapacity due to a chronic serious health condition. A chronic serious health condition is one which:
      - Requires periodic visits for treatment by a health care provider or by a nurse or physician's assistant under direct supervision of a health care provider;
      - Continues over an extended period of time (including recurring episodes of a single underlying condition); and
      - May cause episodic rather than a continuing period of incapacity (e.g., asthma, diabetes, epilepsy, etc.).
    - A period of incapacity which is permanent or long-term due to a condition for which treatment may not be effective. The employee or family member must be under the continuing supervision of, but need not be receiving active treatment by, a health care provider. Examples include Alzheimer's a severe stroke or the terminal stages of a disease.
    - Any period of absence to receive multiple treatments (including any period of recovery from) by a health care provider or by a provider of health care services under orders of, or on referral by, a health care provider, either for restorative surgery after an accident or other injury, or for a condition that would likely result in a period of incapacity of more than three consecutive calendar days in the absence of medical intervention or treatment, such as cancer (chemotherapy, radiation, etc.), severe arthritis (physical therapy), kidney disease (dialysis).

- Treatment for purposes of this definition includes, but is not limited to, examinations to determine if a serious health condition exists and evaluation of the condition. Treatment does not include routine physical examinations, eye examinations or dental examinations. Under this definition, a regimen of continuing treatment includes, for example, a course of prescription medication (e.g., an antibiotic) or therapy requiring special equipment to resolve or alleviate the health condition (e.g., oxygen). A regimen of continuing treatment that includes the taking of over-the-counter medications such as aspirin, antihistamines, or salves; or bed rest, drinking fluids, exercise and other similar activities that can be initiated without a visit to a health care provider, is not, by itself, sufficient to constitute a regimen of continuing treatment for purposes of FMLA leave.
- Conditions for which cosmetic treatments are administered (such as most treatments for acne or plastic surgery) are not "serious health conditions" unless inpatient hospital care is required or unless complications develop. Ordinarily, unless complications arise, the common cold, the flu, ear aches, upset stomach, ulcers, headaches other than migraine, routine dental or orthodontia problems, periodontal disease, etc., are examples of conditions that do not meet the definition of a serious health condition and do not qualify for FMLA leave. Restorative dental or plastic surgery after an injury or removal of cancerous growths are serious health conditions provided all the other conditions of this regulation are met. Mental illness resulting from stress or allergies may be serious health conditions, but only if all the conditions of this section are met.
- Substance abuse may be a serious health condition if the conditions of this section are met. However, FMLA leave may only be taken for treatment for substance abuse by a health care provider or by a provider of health care on referral by a health care provider. On the other hand, absence because of the employee's use of the substance, rather than for treatment, does not qualify for FMLA leave.
- Absence attributable to incapacity under this definition qualify for FMLA leave even though the employee or the immediate family member does not receive treatment from a health care provider during the absence, and even if the absence does not last more than three days. For example, an employee with asthma may be unable to report for work due to the onset of an asthma attack or because the employee's health care provider has advised the employee to stay home when the pollen count exceeds a certain level. An employee who is pregnant may be unable to report to work because of severe morning sickness.

**Serious Injury or Illness** - an injury or illness incurred by a member of the Armed forces, including the National Guard or Reserves in the line of duty on active duty in the Armed Forces that may render the member medically unfit to perform the duties of the member's office, grade, rank, or rating.

**Son or daughter** - a biological child, adopted child, foster child, stepchild, legal ward, or a child of a person standing in loco parentis. The child must be under age 18 or, if over 18, incapable of self-care because of a mental or physical disability.

**Spouse** - a husband or wife recognized by Iowa law including common law marriages.



**Code No. 409.3 E1**

**EMPLOYEE FAMILY AND MEDICAL LEAVE – NOTICE TO EMPLOYEES**

This document is available at <https://www.dol.gov/sites/dolgov/files/WHD/legacy/files/fmlaen.pdf>

**EMPLOYEE FAMILY AND MEDICAL LEAVE – REQUEST FORM**

Date: \_\_\_\_\_

I, \_\_\_\_\_, request family and medical leave for the following reason:

(check all that apply)

- for the birth of my child;
- for the placement of a child for adoption or foster care;
- to care for my child who has a serious health condition;
- to care for my parent who has a serious health condition;
- to care for my spouse who has a serious health condition;
- because I am seriously ill and unable to perform the essential functions of my position.
- because of a qualifying exigency arising out of the fact that my \_\_\_ spouse; \_\_\_ son or daughter; \_\_\_ parent; \_\_\_\_\_ next of kin of a covered service member with a serious injury or illness

I acknowledge my obligation to provide medical certification of my serious health condition or that of a family member in order to be eligible for family and medical leave within 15 days of the request for certification.

I acknowledge receipt of the information regarding my obligations under the family and medical leave policy of the school district.

I request that my family and medical leave begin on \_\_\_\_\_ and I request leave as follows:  
(check one)

continuous

I anticipate that I will be able to return to work on \_\_\_\_\_ .

intermittent leave for the:

birth of my child or adoption or foster care placement subject to agreement by the district;

serious health condition of myself, spouse, parent, or child when medically necessary;

because of a qualifying exigency arising out of the fact that \_\_\_ spouse; \_\_\_ son or daughter; \_\_\_ parent is on active duty or call to active duty status in support of a contingency operation as a member of the National Guard or Reserves.

because I am the \_\_\_ spouse; \_\_\_ son or daughter; \_\_\_ parent; \_\_\_ next of kin of a covered service member with a serious injury or illness.

Details of the needed intermittent leave:

\_\_\_\_\_  
\_\_\_\_\_

I anticipate returning to work at my regular schedule on \_\_\_\_\_ .

**EMPLOYEE FAMILY AND MEDICAL LEAVE – REQUEST FORM**

\_\_\_\_\_ reduced work schedule for the:

\_\_\_\_\_ birth of my child or adoption or foster care placement subject to agreement by the district;

\_\_\_\_\_ serious health condition of myself, spouse, parent, or child when medically necessary;

\_\_\_\_\_ because of a qualifying exigency arising out of the fact that \_\_\_\_\_ spouse; \_\_\_\_\_ son or daughter; \_\_\_\_\_ parent is on active duty or call to active duty status in support of a contingency operation as a member of the National Guard or Reserves.

\_\_\_\_\_ because I am the \_\_\_\_\_ spouse; \_\_\_\_\_ son or daughter; \_\_\_\_\_ parent; \_\_\_\_\_ next of kin of a covered service member with a serious injury or illness.

Details of the needed intermittent leave:

\_\_\_\_\_  
\_\_\_\_\_

I anticipate returning to work at my regular schedule on \_\_\_\_\_ .

I realize I may be moved to an alternative position during the period of the family and medical intermittent or reduced work schedule leave. I also realize that with foreseeable intermittent or reduced work schedule leave, subject to the requirements of my health care provider, I may be required to schedule the leave to minimize interruptions to school district operations.

While on family and medical leave, I agree to pay my regular contributions to employer sponsored benefit plans. My contributions will be deducted from monies owed me during the leave period. If no monies are owed me, I will reimburse the school district by personal check or cash for my contributions. I understand that I may be dropped from the employer-sponsored benefit plans for failure to pay my contribution.

I agree to reimburse the school district for any payment of my contributions with deductions from future monies owed to me or the school district may seek reimbursement of payments of my contributions in court.

I acknowledge that the above information is true to the best of my knowledge.

Signed \_\_\_\_\_

Date \_\_\_\_\_

If the employee requesting leave is unable to meet the above criteria, the employee is not eligible for family and medical leave.

## SUBSTITUTE TEACHERS

The board recognizes the need for substitute teachers. Substitute teachers shall be certified to teach in Iowa.

It shall be the responsibility of the superintendent to maintain a list of substitute teachers who may be called on to replace regular contract licensed employees. Individuals whose names do not appear on this list will not be employed as a substitute without specific approval of the superintendent. It shall be the responsibility of the building principal to fill absences with substitute teachers immediately.

Substitute teachers will be paid a daily rate as determined by the board. Normally, substitutes shall be reimbursed at least 1/2 day pay unless other arrangements have been negotiated by the administration. After ten consecutive teaching days in the same assignment, the substitute teacher shall be paid at a daily rate based on the minimum base salary beginning with the eleventh day of service. Substitute licensed employees are expected to perform the same duties as the licensed employees.

Legal Reference: Iowa Association of School Boards v. PERB, 400 N.W.2d 571 (Iowa 1987).  
Iowa Code §§ 20.1, .4(5), .9; Ch.272.  
281 I.A.C. 12.4.

Date of Adoption: April 25, 1990

Date of Revision: May 16, 2006

Date of Revision: April 22, 2024

**SUMMER SCHOOL LICENSED EMPLOYEES**

The Centerville Community School District will offer summer school options in accordance with law and may, in its discretion offer additional programming during the summer recess. Licensed employees who volunteer or who are appointed to deliver the summer education program are compensated in addition to their regular duties during the school academic year, unless such arrangements are made prior to determining the employee's compensation for the year.

Licensed employees will be given the opportunity to volunteer for the positions available. If the board determines a course must be offered and no licensed employee volunteers for the position, the board will make the necessary arrangements to fill the position. The board will consider applications from volunteers of current licensed employees in conjunction with other applications.

It is the responsibility of the superintendent to make a recommendation to the board regarding the need for and the delivery of the summer education program.

Legal Reference: Iowa Code §§ 279.8; 280.14.

Date of Adoption: April 25, 1990

Date of Revision: April 22, 2024

**Code No. 410.3**

**THIS POLICY NUMBER RESERVED**

**EDUCATION ASSOCIATE**

The board may employ education associates or other instructional support personnel to assist licensed personnel in nonteaching duties, including, but not limited to:

- managing and maintaining records, materials and equipment;
- attending to the physical needs of children; and
- performing other limited services to support teaching duties when such duties are determined and directed by the teacher.

Education associates who hold a teaching certificate are compensated at the rate of pay established for their position as an education associate. It is the responsibility of the principal to supervise education associates.

Legal Reference: Iowa Code §§ 279.8; 280.3, .14.  
281 I.A.C. 12.4(9); .5(9).

Date of Adoption: April 22, 2024

**CLASSIFIED EMPLOYEE DEFINED**

Classified employees are employees who are not administrators or employees in positions which require a teaching license issued by the Iowa Board of Educational Examiners and who are employed to fulfill the duties listed on their job description on a monthly or hourly basis. Classified employees will include, but not be limited to, teacher and classroom aides, custodial and maintenance employees, clerical employees, food service employees, bus drivers, and temporary help for summer or other maintenance. The position may be full-time or part-time.

It is the responsibility of the superintendent to establish job specifications and job descriptions for classified employee positions. Job descriptions may be approved by the board.

Classified employees required to hold a license for their position must present evidence of their current license to the board secretary prior to payment of wages each year.

Legal Reference: Iowa Code §§ 20; 279.8.

Date of Adoption: April 25, 1990

Date of Revision: May 16, 2006

Date of Revision: April 22, 2024



**CLASSIFIED EMPLOYEE QUALIFICATIONS, RECRUITMENT, SELECTION**

Persons interested in a classified employee position will have an opportunity to apply and qualify for classified employee positions in the school district in accordance with applicable laws and school district policies regarding equal employment. Job applicants for classified employee positions will be considered on the basis of the following:

- Training, experience, and skill;
- Nature of the occupation;
- Demonstrated competence; and
- Possession of, or ability to obtain, state or other license or certificate, if required, for the position.

All job openings shall be submitted to the Iowa Workforce Development for posting on IowaWorks.gov, the online state job posting system. Additional announcements of the position may occur through means the superintendent believes will inform potential applicants about the position. Whenever possible, the preliminary screening of applicants will be conducted by the administrator who directly supervises and oversees the position.

The superintendent will recommend employment of classified employees to the board for approval.

Legal Reference: 29 U.S.C. §§ 621-634.  
42 U.S.C. §§ 2000e; 12101 et seq.  
Iowa Code §§ 20; 35C; 84A.6(4)(b); 216; 279.8; 279.20  
281 I.A.C. 12

Date of Adoption: April 22, 2024

**CLASSIFIED EMPLOYEE CONTRACTS**

The board will enter into written contracts with classified employees employed on a regular basis. The contract will state the terms of the employment.

Each contract will include a 14 day cancellation clause. Either the employee or the board must give notice of the intent to cancel the contract at the end of 14 days. This notice will not be required when the employee is terminated during a probationary period or for cause.

It shall be the responsibility of the superintendent to complete the contracts for non-certified personnel and present them to the board for approval. The contracts, after being signed by the board president, shall be filed with the board secretary.

Legal Reference: Iowa Code §§ 20; 279.7A; 285.5(9).

Date of Adoption: April 25, 1990

Date of Revision: March 27, 2001

Date of Revision: April 22, 2024

**CLASSIFIED EMPLOYEE LICENSING/ CERTIFICATION**

Classified employees who require a special license or other certification will keep such licenses up to date at their own expense unless the board has adopted a plan to specifically reimburse the employee for the license. Licensing requirements needed for a position will be considered met if the employee meets the requirements established by law for the position.

Legal Reference: Iowa Code §§ 285.5(9); 272; 279.8.  
281 I.A.C. 12.4(10); 36; 43.

Date of Adoption: April 25, 1990  
Date of Revision: December 8, 1992  
Date of Revision: May 16, 2006  
Date of Revision: April 22, 2024

**CLASSIFIED EMPLOYEE ASSIGNMENT**

Determining the assignment of each classified employee is the responsibility of the superintendent and within the sole discretion of the board. In making such assignments each year the superintendent will consider the qualifications of each classified employee and the needs of the school district.

It is the responsibility of the superintendent to assign classified employees and report such assignments to the board.

Legal Reference: Iowa Code §§ 20; 279.8.

Date of Adoption: April 25, 1990

Date of Revision: April 22, 2024

**CLASSIFIED EMPLOYEE TRANSFERS**

Determining the location where a classified employee's assignment will be performed is the responsibility of the superintendent and within the sole discretion of the board. In making such assignments each year the superintendent will consider the qualifications of each classified employee and the needs of the school district.

A transfer may be initiated by the employee, the principal or the superintendent.

It is the responsibility of the superintendent to transfer classified employees and report such transfers to the board

Legal Reference: 29 U.S.C. §§ 621-634.  
42 U.S.C. §§ 2000e et seq.  
42 U.S.C. §§ 12101 et seq.  
Iowa Code §§ 20.9; 35C; 216; 279.8; 294.1.

Date of Adoption: April 25, 1990  
Date of Revision: December 8, 1992  
Date of Revision: April 22, 2024

**CLASSIFIED EMPLOYEE EVALUATION**

Evaluation of classified employees on their skills, abilities, and competence is an ongoing process supervised by the superintendent. The goal of the formal evaluation of classified employees is to improve the educational program, to maintain classified employees who meet or exceed board standards of performance, to clarify each classified employee's role, to identify areas needing improvement, to clarify priorities of the board, and to develop a working relationship between the administrators and other employees.

It shall be the responsibility of the superintendent to ensure classified employees are formally evaluated annually.

Legal Reference: Aplington Community School District v. PERB, 392 N.W.2d 495 (Iowa 1986).  
Saydel Education Association v. PERB, 333 N.W.2d 486 (Iowa 1983).  
Iowa Code §§ 20.9; 279.14.  
281 I.A.C. 12.3(3).

Date of Adoption: April 25, 1990  
Date of Revision: December 8, 1992  
Date of Revision: January 27, 2009  
Date of Revision: April 22, 2024

**CLASSIFIED EMPLOYEE PROBATIONARY STATUS**

The first year of a newly employed classified employee's contract is a probationary period. "Year" is defined as one calendar year regardless of full-time or part-time status of the employee. New employees, regardless of experience, are subject to this probationary period.

"New" employees includes individuals who are being hired for the first time by the school district and those who may have been employed by the school district in the past, but have not been employed by the board during the school year prior to the one for which contracts are being issued.

Only the board, in its discretion, may waive the probationary period.

Legal Reference: Iowa Code §§ 20; 279.8.

Date of Adoption: April 22, 2024

**CLASSIFIED EMPLOYEE COMPENSATION**

The board will establish the compensation to be paid for the classified employees' positions, keeping in mind the education and experience of the classified employee, the educational philosophy of the school district, the financial condition of the school district and any other considerations as deemed relevant by the board.

The superintendent shall make a recommendation to the board annually regarding wage for non-certified positions.

Legal Reference: Iowa Code §§ 20.1, .4, .7, .9; 279.8.

Date of Adoption: April 25, 1990

Date of Revision: December 8, 1992

Date of Revision: March 27, 2001

Date of Revision: August 9, 2005

Date of Revision: April 22, 2024



**CLASSIFIED EMPLOYEE WAGE AND OVERTIME COMPENSATION**

Each non-exempt employee compensated on an hour-by-hour basis, whether full-or part-time, permanent or temporary, will be paid no less than the prevailing minimum wage. Whenever a non-exempt employee must work more than forty hours in a given work week, the employee is compensated at one and one-half times their regular hourly wage rate. This compensation is in the form of overtime pay or compensatory time. Overtime will not be permitted without prior authorization of the superintendent.

Each non-exempt employee paid on an hour-by-hour basis must complete and turn in a daily time record showing the actual number of hours worked. Failure of the employee to maintain, or falsification of, a daily time record will be grounds for disciplinary action.

It is the responsibility of the board secretary to maintain wage records.

Legal Reference: Garcia v. San Antonio Metropolitan Transit Authority, 469 U.S. 528 (1985).  
29 U.S.C. §§ 2601 et seq.  
29 C.F.R. Pt. 511

Date of Adoption: April 22, 2024

### CLASSIFIED EMPLOYEE GROUP INSURANCE BENEFITS

Classified employees may be eligible for group benefits as determined by the board and required by law. The board will select the group benefit program(s) and the insurance company or third party administrator which will provide or administer the program.

In accordance with the Patient Protection and Affordable Care Act (ACA), the board will offer classified employees who work an average of at least thirty (30) hours per week or one hundred thirty (130) hours per month, based on the “look back method” measurement method adopted by the board, with minimum essential coverage that is both affordable and provides minimum value. The board will have the authority and right to change or eliminate group benefit programs, other than the group health plan, for its licensed employees.

Classified employees who work an average of at least (30) hours per week or one hundred thirty (130) hours per month, based on the measurement method adopted by the board, are eligible to participate in the group health plan. Classified employees who work 30 hours per week are eligible to participate in vision, dental, life and LTD group insurance plans. Employers should maintain documents regarding eligible employee’s acceptance and rejection of coverage.

Regular part-time classified employees (i.e., employees who work less than 30 hours per week or 130 hours per month for health benefit purposes or employees who work less than 30 hours per week for benefits (other than health) who wish to purchase coverage may participate in group benefit programs by meeting the requirements of the applicable plan. Full-time and regular part-time classified employees who wish to purchase coverage for their spouse or dependents may do so by meeting the requirements of the applicable plan.

Upon retirement, non-certified personnel and their spouse and dependents, who are eligible, shall be allowed to continue coverage in the school district group health insurance program at their own expense until Medicare age by meeting the requirements of the insurer with proper notification and submitted resignation.

Legal Reference: Iowa Code §§ 20.9; 85; 85B; 279.12; 509; 509A; 509B.  
Internal Revenue Code § 4980H(c)(4); Treas. Reg. § 54.4980H-1(a)(21)(ii).  
Shared Responsibility for Employers Regarding Health Coverage, 26 CFR  
Parts 1, 54  
and 301, 78 Fed. Reg. 217, (Jan 2, 2013).  
Shared Responsibility for Employers Regarding Health Coverage, 26 CFR  
Parts 1, 54  
and 301, 79 Fed. Reg. 8543 (Feb. 12, 2014).

Date of Adoption: April 25, 1990  
Date of Revision: December 8, 1992  
Date of Revision: January 25, 1994  
Date of Revision: March 27, 2001  
Date of Revision: April 27, 2015  
Date of Revision: April 22, 2024

**TAX SHELTER FOR NON-CERTIFIED PERSONNEL**

The board authorizes the administration to make a payroll deduction for classified employees' tax-sheltered annuity premiums purchased from a company or program if chosen by the board.

Classified employees wishing to have payroll deductions for tax-sheltered annuities will make a written request to the superintendent 30 days prior to the regular payroll date of appropriate remittance.

Legal Reference: Small Business Job Protection Act of 1996, Section 1450(a), repealing portions of IRS REG § 1.403(b)-1(b)(3).  
Iowa Code §§ 260C; 273; 294.16.

Date of Adoption: April 25, 1990

Date of Revision: January 27, 2009

Date of Revision: April 22, 2024

**CLASSIFIED EMPLOYEE RESIGNATION**

Classified employees who wish to resign during the school year will give the board notice of their intent to resign and final date of employment and cancel their contract 14 days prior to their last working day.

Notice of the intent to resign will be in writing to the superintendent.

Legal Reference: Iowa Code §§ 91A.2, .3, .5; 279.19A; 285.5(9).

Date of Adoption: April 25, 1990

Date of Revision: April 22, 2024

**CLASSIFIED EMPLOYEE RETIREMENT**

Classified employees who will complete their current contract with the board may apply for retirement. No classified employee will be required to retire at any specific age.

Application for retirement will be considered made when the classified employee states in writing to the superintendent, no later than the date set by the board for the return of the employee's contract to the board if applicable, the employee's intent to retire. The letter must state the employee's desire to retire and be witnessed by another party other than the principal or the superintendent.

Board action to approve a classified employee's application for retirement is final, and such action constitutes termination of the employee's contract effective the day of the employee's retirement.

Classified employees and their spouse and dependents who have group insurance coverage through the school district may be allowed to continue health and dental insurance coverage at their own expense by meeting the requirements of the insurer.

Centerville CSD may from time to time establish a voluntary early retirement plan for qualified non-certified employees. An early retirement plan will address eligibility, benefits and other pertinent items. A recent such plan offered by the district shall be retained in the Board Policy book as an illustrative exhibit for future reference. The Centerville CSD may also include in separate Board policy (see Policy 409.2 for example) provisions for early retirement benefits for non-certified staff such as payment for accrued, unused sick leave and flexible leave payable upon retirement which may be paid for early retirement in any year.

Legal Reference: 29 U.S.C. §§ 621 et seq.  
Iowa Code §§ 91A.2, .3, .5; 97B; 216; 279.19A, .46.

Date of Adoption: April 25, 1990  
Date of Revision: December 8, 1992  
Date of Revision: March 24, 1998  
Date of Revision: March 27, 2001  
Date of Revision: August 15, 2006  
Date of Revision: December 10, 2009  
Date of Revision: September 14, 2016  
  
Date of Revision: April 22, 2024

**Non-Certified Staff Early Retirement Benefit**

**Centerville CSD Non-certified Employee Early Retirement Plan (2010)**

The Centerville Community School District offers a voluntary early retirement plan to currently employed support staff employees. To be eligible, an employee must meet all of the following requirements:

1. Be a minimum of fifty five (55) years old on the effective date of retirement.
2. Have worked a minimum of ten (10) consecutive years to date of retirement as a support staff employee for the Centerville CSD.
3. Meet the rule of 67, i.e. the employee's combination of age and consecutive years of service as referenced above must total at least 67.
4. Submit an application requesting early retirement benefits on or after October 14, 2009 and before February 1, 2010.
5. Submit a resignation from employment with the District effective at the end of the 2009-10 work year.
6. Be a full time support staff employee during the 2009-10 work year, i.e. contracted to work thirty hours or more on a regular basis.
7. Receive Board approval of the employee's application and resignation.
8. Apply for and will receive IPERS benefits.

An employee is ineligible for participation in this plan if the employee is under consideration for termination from employment.

Approval by the Board of an employee's application shall entitle the employee to receive four payments of \$5000 subject to all applicable taxes and withholding payable in four installments as follows: the first installment on or before December 31, 2010 and the second through fourth installments yearly thereafter by December 31 of each successive year. Failure by the Board to approve the employee's application for early retirement benefits shall negate the employee's resignation submitted in reliance thereon. No interest shall accrue on monies not yet paid.

An employee who participates in the early retirement plan and who participated at the time of retirement in the District's group health insurance plan, may continue to participate in the District's then existing group health insurance plan at his/her own expense only if allowed by the District's group plan and carrier and if consistent with state law. Continued participation will require the employee to submit payment for his/her monthly premiums in advance to the District according to District requirements. The employee may only continue to participate as long as it is allowed by the District, its group health plan and insurance carrier. Nothing herein prohibits the District's ability to prospectively change or eliminate its group health plan.

In the event of the death of the retiring employee after Board acceptance for early retirement but prior to payment of any or all of the cash stipend, the cash stipend will be paid to the deceased employee's spouse or other specifically designated beneficiary or if none, to the employee's estate.

**Non/Certified Staff Early Retirement Benefit**

**Centerville CSD Non-certified Employee Early Retirement Plan(2010)**

This early retirement plan is in effect for eligible support staff employees who retire at the end of the 2009-10 work year only. The District may or may not offer another early retirement plan in the future.

The Board of Directors is the final arbiter of all questions of interpretation under this plan including, but not limited to, questions of eligibility or benefit calculation.

Adoption Date: June 11, 1996

Date of Revision: March 24, 1998

Date of Revision: October 12, 1999

Date of Revision: March 27, 2001

Date of Revision: February 8, 2005

Date of Revision: December 10, 2009

Date of Revision: April 22, 2024

**CLASSIFIED EMPLOYEE SUSPENSION**

Classified employees will perform their assigned job, respect and follow board policy and obey the law. The superintendent is authorized to suspend a classified employee with or without pay pending board action on a discharge or during investigation of charges against the employee or for disciplinary purposes. It is within the discretion of the superintendent to suspend a classified employee with or without pay.

In the event of a suspension, due process will be followed.

Legal Reference: Northeast Community Education Association v. Northeast Community School District, 402 N.W.2d 765, 769 (Iowa 1987).  
McFarland v. Board of Education of Norwalk Community School District, 277 N.W.2d 901 (Iowa 1979).  
Iowa Code §§ 20.7, .24.

Date of Adoption: April 25, 1990

Date of Revision: December 8, 1992

Date of Revision: April 22, 2024



**CLASSIFIED EMPLOYEE DISMISSAL**

The board believes classified employees should perform their jobs, respect board policy and obey the law. A classified employee may be dismissed upon thirty days notice or immediately for cause. Due process procedures will be followed.

It is the responsibility of the superintendent to make a recommendation for dismissal to the board. A classified employee may be dismissed for any reason, including, but not limited to, incompetence, willful neglect of duty, reduction in force, willful violation of board policy or administrative regulations, or a violation of the law.

Legal Reference: Iowa Code §§ 20.7, .24.

Date of Adoption: April 22, 2024

**CLASSIFIED EMPLOYEE REDUCTION IN FORCE**

It is the exclusive power of the board to determine when a reduction in classified employees is necessary. Employees who are terminated due to a reduction in force will be given thirty days notice. Due process will be followed for terminations due to a reduction in force.

It is the responsibility of the superintendent to make a recommendation for termination to the board. The superintendent will consider the relative qualifications, skills, ability and demonstrated performance through evaluation procedures in making the recommendations.

Legal Reference: Iowa Code §§ 20.7, .24.

Date of Adoption: April 25, 1990

Date of Revision: January 10, 1995

Date of Revision: April 22, 2024

**CLASSIFIED EMPLOYEE PROFESSIONAL PURPOSES LEAVE**

Professional purposes leave may be granted to classified employees for the purpose of attending meetings and conferences directly related to their assignments. Application for the leave must be presented to the superintendent 14 days prior to the meeting or conference.

It is within the discretion of the superintendent to grant professional purposes leave. The leave may be denied on the day before or after a vacation or holiday, on special days when services are needed, when it would cause undue interruption of the education program and school district operations, or for other reasons deemed relevant by the superintendent.

Legal Reference: Iowa Code § 279.8  
281 I.A.C. 12.7.

Date of Adoption: April 22, 2024