PURCHASING AND BIDDING

The board supports economic development in Iowa, particularly in the school district community. As permitted by law, purchasing preference will be given to Iowa goods and services from locally-owned businesses located within the school district or Iowa based companies if the cost and other considerations are relatively equal and meet the required specifications. However, when spending federal Child Nutrition Funds, geographical preference is allowed only for unprocessed agricultural food items~~.1). Other statutory purchasing preferences will be applied as may be and/or to the extent required by law.~~ as a part of response evaluation. Other statutory purchasing preferences will be applied as provided by law, including goals with regard to procurement from certified targeted small businesses, minority-owned businesses, and female-owned businesses.

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

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

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

Goods and Services

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

Purchases for goods and services shall conform to the following:

- The superintendent shall have the authority to authorize purchases without prior board approval and without competitive request for proposals, quotations, or bids for goods and services whose costs do not exceed $25,000.
- For goods and services whose costs are between $25,001 and ~~$35,000~~$100,000, the superintendent shall receive proposals, quotations, or bids for the goods and services to be purchased prior to board approval. The quotation process may be informal, and include written or unwritten quotations.

- For goods and services whose costs exceed ~~$35,000~~ $100,000, the request for proposal (RFP) or competitive bid process shall be used and received prior to board approval. RFPs and bids are formal, written submissions via sealed process.

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

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

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

~~Purchases using federal child nutrition funds shall be made in accordance with procurement procedures required by law.~~

The board may elect to exempt certain professional services contracts from the thresholds and procedures outlined above.

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

Public Improvements

The board shall enter into public improvement contract(s) as the board deems to be in the best interest of the school district. 'Public improvement' means "a building or construction work which is constructed under the control of a governmental entity and for which either of the following applies: (1) has been paid for in whole or in part with funds of the governmental entity; (2) a commitment has been made prior to construction by the governmental entity to pay for the building or construction work in whole or in part with funds of the governmental entity. This includes a building or improvement constructed or operated jointly with any public or private agency."

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

The award of all contracts for the public improvement shall be awarded to the lowest responsive, responsible bidder. In the event of an emergency requiring repairs to a school district facility that exceed bidding and quotation thresholds.

The superintendent may develop an administrative process to implement this policy.

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

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

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

Code No. 705.1R1

SUSPENSION AND DEBARMENT OF VENDORS AND CONTRACTORS PROCEDURE

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

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

(1) Obtaining a certification of a party's compliance with the federal suspension and debarment requirements in connection with any application, bid, or proposal;

(2) Requiring compliance with the federal suspension and debarment requirements as an express condition of any sub-award, purchase, or contract in question; or

(3) Prior to committing to any sub-award, purchase, or contract, check the online Federal System for Award Management at https://sam.gov/portal/SAM/##11 to determine whether the relevant party is subject to any suspension or debarment restrictions.

Code No. 705.2

PURCHASING ON BEHALF OF EMPLOYEES

Generally, the school district will not purchase items on behalf of employees. The school district may in unusual and unique circumstances do so. It is within the discretion of the board to determine when unique and unusual circumstances exist.

No purchase is made unless the employee has paid the school district prior to the order being placed and the employee has agreed to be responsible for any taxes or other expenses due.

Legal Reference:
Iowa Code § 279.8

Cross Reference:
703 Budget

Code No. 705.3

PAYMENT FOR GOODS AND SERVICES

The board authorizes the issuance payment of claims against the school district for goods and services. The board will allow the payment after the goods and services have been received and accepted in compliance with board policy.

[The board authorizes the board secretary, upon approval of the superintendent, to issue payment for verified bills, for reasonable and necessary expenses, when the board is not in session. The board secretary will examine the claims and verify bills. The board will approve the bills at its next regular meeting.] ~~*or [The board will approve payment for the bills at the board's regular board meeting.]*~~

The secretary will determine to the secretary's satisfaction that the claims presented to the board are in order and are legitimate expenses of the school district. It is the responsibility of the secretary to bring claims to the board.

The board president and board secretary may sign warrants by use of a signature plate or rubber stamp. If the board president is unavailable to personally sign warrants, the vice president may sign warrants on behalf of the president.

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

NOTE: The board may delegate payment of verified bills to the board secretary who can then pay upon approval of the superintendent. Should the board delegate this responsibility, the board must still approve the payment at the board's next regular board meeting. Or, the board can maintain the responsibility for reviewing the bills before payment. For more detailed discussion of this issue, see IASB's Policy Primer, Vol. 19 #5- May 24, 2006.

Legal Reference:
Love v. City of Des Moines, 210 Iowa 90, 230 N.W. 373 (1930).
Iowa Code §§ 279.8, .29, .30, .36; 291.12; 721.2(5)
281 I.A.C. 12.3(1).
Cross Reference:
705 Expenditures

Code No. 706.1

PAYROLL PERIODS

The payroll period for the school district is monthly. Employees are paid on the 20th day of each month. If this day is a holiday, recess, or weekend, the payroll is paid on the last working day prior to the holiday, recess or weekend.

It is the responsibility of the board secretary to issue payroll to employees in compliance with this policy.

NOTE: This policy is written for a monthly payroll period. If another method is used, the policy should be amended to reflect the proper method.

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

Legal Reference:
Iowa Code §§ 20; 91A.

Cross Reference:
706.2 Payroll Deductions

Code No. 706.2

PAYROLL DEDUCTIONS

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

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

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

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

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

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

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

Code No. 707.1

SECRETARY'S REPORTS

The board secretary will report to the board each month about the receipts, disbursements and balances of the various funds. This report will be in written form and sent to the board with the agenda for the board meeting.

Legal Reference:
Iowa Code §§ 279.8; 291.7.

Cross Reference:
206.3 Secretary [*or 206.3, Secretary-Treasurer*]
210.1 Annual Meeting
707 Fiscal Reports

Code No. 707.2

TREASURER'S ANNUAL REPORT

At the annual meeting, the treasurer will give the annual report stating the amount held over, received, paid out, and on hand in the general and schoolhouse funds. This report is in written form and sent to the board with the agenda for the board meeting. The treasurer will also furnish the board with a sworn statement from each depository showing the balance then on deposit.

It is the responsibility of the treasurer to submit this report to the board annually.

NOTE: The sentence regarding the sworn statement from the depository bank is a legal requirement.

Legal Reference:
Iowa Code §§ 279.31, .33.

Cross Reference:
206.4 Treasurer [*or 206.3, Secretary-Treasurer*]
210.1 Annual Meeting
707 Fiscal Reports

Code No. 707.3

PUBLICATION OF FINANCIAL REPORTS

Each month the schedule of bills allowed by the board is published in a newspaper designated as a newspaper for official publication. Annually, the total salaries paid to employees regularly employed by the school district will also be published in a newspaper designated as a newspaper for official publication.

It is the responsibility of the board secretary to publish these reports in a timely manner.

NOTE: This policy reflects the legal requirements for school district publications.

Legal Reference:
Iowa Code §§ 279.35, .36; 618.

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

Policy 707.05

INTERNAL CONTROLS

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

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

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

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

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

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

Legal References:

American Competitiveness and Corporate Accountability Act of 2002, Pub. L. No. 107-204.

Iowa Code §§ 11, 279.8 ~~(2013)~~.

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

Code No. 707.5R1

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INTERNAL CONTROLS PROCEDURES

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

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

The superintendent, *and/or board president* shall investigate reports of fraudulent activity in a manner that protects the confidentiality of the parties and the facts. All employees involved in the investigation shall be advised to keep information about the investigation confidential. The superintendent *and/or board president* may engage qualified independent audit resources to assist in the investigation.

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

Code No. 709

INSURANCE PROGRAM

The board will maintain a comprehensive insurance program to provide adequate coverage against major types of risk, loss, or damage, as well as legal liability. The board will purchase insurance at replacement values, when possible, after reviewing the costs and availability of such insurance. The comprehensive insurance program is reviewed once every three years. Insurance will only be purchased through legally licensed Iowa insurance agents.

The school district will assume the risk of property damage, legal liability, and dishonesty in cases in which the exposure is so small or dispersed that a loss does not significantly affect the operation of the education program or financial condition of the school district.

Insurance of buildings, structures, or property in the open will not generally be purchased to cover loss exposures below $5,000 unless such insurance is required by statute or contract.

The board may retain a private organization for capital assets management services.

Administration of the insurance program, making recommendations for additional insurance coverage, placing the insurance coverage and loss prevention activities is the responsibility of the superintendent. The (*superintendent/capital assets manager*) is responsible for maintaining the capital assets management system, processing claims and maintaining loss records.

NOTE: The board may choose the amount of its deductible in paragraph three. Since significant cost savings in insurance premiums can be generated with higher deductibles, it is suggested the board give careful thought before subscribing to a deductible below $5,000. Maintaining the replacement cost in the school district's capital assets management system allows the school district to ensure insurance coverage is at the appropriate level.

Legal Reference:
Iowa Code §§ 20.9; 85.2; 279.12, .28; 285.5(6), .10(6); 296.7; 298A; 517A.1; 670.7.

Cross Reference:
205 Board Member Liability
804 Safety Program

Code No. 710.2

FREE OR REDUCED PRICE MEALS ELIGIBILITY

Students enrolled and attending school in the school district who meet USDA eligibility guidelines will be provided the school nutrition program services at no cost or at a reduced price. The school district shall make reasonable efforts to prevent the overt identification of students who are eligible for free and reduced price meals.

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

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

If a student owes money for five or more meals, the Wellness, Food and Nutrition Director may contact the student's parent or guardian to provide information regarding the application for free or reduced price meals. The school is encouraged to provide reimbursable meals to students who request reimbursable meals unless the students' parent or guardian has specifically provided written direction to the school to withhold a meal from the student.

Employees will be required to pay for meals consumed.

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

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

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

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

Code No. 710.3

VENDING MACHINES

Food served or purchased by students during the school day and food served or purchased for other than special circumstances is approved by the superintendent. Vending machines in the school building are the responsibility of the building principal. Purchases from the vending machines, will reflect the guidelines in the Wellness policy 507.9.

It is the responsibility of the superintendent to develop administrative regulations for the use of vending machines and other sales of food to students.

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

Cross Reference:
504.5 Student Fund Raising
710 School Food Services

~~STUDENT SCHOOL TRANSPORTATION ELIGIBILITY~~

~~Harlan Community Schools (HCS) will transport all students who meet the State of Iowa guidelines according to State Code (IC 285.1). HCS will not transport students who live within the city limits of Harlan, with the following exceptions:~~

- ~~Students with a handicapping condition as specified in their IEP~~
- ~~Elementary/Middle School students outside a two mile radius of their school~~
- ~~High School students outside a three mile radius of their school~~
- ~~Students who do not have a safe access (Sidewalks) to their school, such as those who would need to cross Highway 59 or who's nearest safe access to their school via sidewalk would exceed two miles~~
- ~~A bus will stop at the old New Park school location. The reason for this stop is due to an agreement made prior to vacating New Park which stated the district would provide transportation from that point. This agreement will be reviewed each year and the Board shall have the right to discontinue this stop if they so determine.~~
- ~~With the goal of lessening some traffic congestion during after school pickups at the elementary buildings, two stops will be made for afternoon routes: 1) Merrill Field 2) Therkildsen Center.~~
- ~~Middle School or High School students will not be transported inside the appropriate two or three mile radius.~~

STUDENT SCHOOL TRANSPORTATION ELIGIBILITY

Elementary and middle school students living more than two miles from their designated school attendance centers and high school students living more than three miles from their designated attendance centers are entitled to transportation to and from their attendance center at the expense of the school district.

HCS will not transport students who live within the city limits of Harlan, with the following exceptions:

- Students with a handicapping condition as specified in their IEP
- Elementary/Middle School students outside a two mile radius of their school
- High School students outside a three mile radius of their school
- Students who do not have a safe access (Sidewalks) to their school, such as those who would need to cross Highway 59 or who's nearest safe access to their school via sidewalk would exceed two miles
- A bus will stop at the old New Park school location. The reason for this stop is due to an agreement made prior to vacating New Park which stated the district would provide transportation from that point. This agreement will be reviewed each year and the Board shall have the right to discontinue this stop if they so determine.
- With the goal of lessening some traffic congestion during after school pickups at the elementary buildings, two stops will be made for afternoon routes: 1) Merrill Field 2) Therkildsen Center.
- Middle School or High School students will not be transported inside the appropriate two or three mile radius.

Transportation of students who require special education services will generally be provided as for other students, when appropriate. Specialized transportation of a student to and from a special education instructional service is a function of that service and, therefore, an appropriate expenditure of special education instructional funds generated through the weighting plan.

Transportation of a student to and from a special education support service is a function of that service, and is specified in the individualized education program (IEP) or the individualized family service plan (IFSP). When the IEP or IFSP team determines that unique transportation arrangements are required and the arrangements are specified in the IEP or IFSP, the school district will provide one or more of the following transportation arrangements for instructional services and the AEA for support services:

- Transportation from the student's residence to the location of the special education and back to the student's residence, or child care placement for students below the age of six.
- Special assistance or adaptations in getting the student to and from and on and off the vehicle, en route to and from the special education.
- Reimbursement of the actual costs of transportation when by mutual agreement the parents provide transportation for the student to and from the special education.

The school district is not required to provide reimbursement to parents who elect to provide transportation in lieu of agency-provided transportation.

A student may be required, at the board's discretion, to meet a school vehicle without reimbursement up to three-fourths of a mile. The board may require the parent to transport their children up to two miles to connect with school bus vehicles at the expense of the school district when conditions deem it advisable. It is within the discretion of the board to determine such conditions. Parents of students who live where transportation by bus is impracticable or unavailable may be required to furnish transportation to and from the designated attendance center at the expense of the school district. Parents, who transport their children at the expense of the school district, are reimbursed at the rate per mile set by the state.

Transportation arrangements made by agreement with a neighboring school district will follow the terms of the agreement. Students, who choose to attend a school in a school district other than their resident school district, will provide transportation to and from the school at their own expense.

NOTE: This policy reflects the legal requirements of transportation. Boards may expand transportation eligibility and, if so, the school district's practice should be reflected in board policy.

Legal Reference:
20 U.S.C. §§ 1401, 1701 *et seq.*
34 C.F.R. Pt. 300 *et seq.*
Iowa Code §§ 256B.4; 285; 321.
281 I.A.C. 41.412.

Cross Reference:
501.16 Homeless Children and Youth
507.8 Student Special Health Services
603.3 Special Education
711 Transportation

Code No. 711.2

STUDENT CONDUCT ON SCHOOL TRANSPORTATION

Students utilizing school transportation will conduct themselves in an orderly manner fitting to their age level and maturity with mutual respect and consideration for the rights of the school vehicle driver and the other passengers. Students who fail to behave in an orderly manner will be subject to disciplinary measures.

The driver will have the authority to maintain order on the school vehicle. It is the responsibility of the driver to report misconduct to the building administrator.

The board supports the use of video cameras on school buses used for transportation to and from school as well as for field trips, curricular or extracurricular events. The video cameras will be used to monitor student behavior and may be used as evidence in a student disciplinary proceeding. The videotapes are student records subject to school district confidentiality, board policy and administrative regulations.

~~After ____ warnings for bad conduct,~~Students are subject to disciplinary measures for bad conduct on the bus. The school principal has the authority to suspend transportation privileges of the student or impose other appropriate discipline.

It is the responsibility of the superintendent, in conjunction with the building principal, to develop administrative regulations regarding student conduct and discipline when utilizing school district transportation.

NOTE: This policy reflects the practice of video camera use on school buses. If a school district does not use video cameras, the third paragraph should be eliminated.

Legal Reference:
Iowa Code §§ 279.8; 285; 321.

Cross Reference:
503 Student Discipline
506 Student Records

Code No. 711.2R1

STUDENT CONDUCT ON SCHOOL TRANSPORTATION REGULATION

All persons riding in school district vehicles will adhere to the following rules. The driver, sponsor or chaperones are to follow the school bus discipline procedure for student violations of this policy. Recording devices may be in operation on the school buses.

1. Bus riders will be at the designated loading point before the bus arrival time.
2. Bus riders will wait until the bus comes to a complete stop before attempting to enter.
3. Riders must not extend arms or heads out of the windows at any time.
4. Aisles must be kept cleared at all times.
5. All bus riders will load and unload through the right front door. The emergency door is for emergencies only.
6. A bus rider will depart from the bus at the designated point unless written permission to get off at a different location is given to the driver.
7. A rider may be assigned a seat by the driver.
8. Riders who damage seats or other equipment will reimburse the district for the cost of the repair or replacement.
9. Riders are not permitted to leave their seats while the vehicle is in motion.
10. Waste containers are provided on all buses for bus riders' use.
11. Permission to open windows must be obtained from the driver.
12. Classroom conduct is to be observed by students while riding the bus except for ordinary conversation.
13. The driver is in charge of the students and the vehicle, and the driver is to be obeyed promptly and cheerfully.
14. Students will assist in looking after the safety and comfort of younger students.
15. A bus rider who must cross the roadway to board or depart from the bus will pass in front of the bus (no closer than 10 feet), look in both directions and proceed to cross the road or highway only on signal from the driver.
16. Students will not throw objects about the vehicle nor out through the windows.
17. Shooting paper wads, squirt guns or other material in the vehicle is not permitted.
18. Students will keep feet off the seats.
19. Roughhousing in the vehicle is prohibited.
20. Students will refrain from crowding or pushing.
21. The use or possession of alcohol, tobacco or look-alike substances is prohibited in the vehicle.
22. The Good Conduct Rule is in effect.
23. Other regulations as deemed necessary and appropriate.

Code No. 711.2R2

USE OF RECORDING DEVICES ON SCHOOL BUSES REGULATION

The board supports the use of recording devices on school buses as a means to monitor and maintain a safe environment for students and employees. The recording devices may be used on buses used for transportation to and from school, field trips, curricular events and extracurricular events. The contents of the recordings may be used as evidence in a student disciplinary proceeding.

Student Records

The content of the recordings is a student record subject to board policy and administrative regulations regarding confidential student records. Only those persons with a legitimate educational purpose may view the recordings. In most instances, those individuals with a legitimate educational purpose may be the superintendent, building principal, transportation director, bus driver and special education staffing team. A parent may view the recordings without consent from any student or parent of a minor student also shown in the recording if the other students are bystanders. But if there is an altercation between multiple students, then all parents must give consent in order for the recordings to be viewed by parents._

A recording during a school-sponsored trip, such as an athletic event, may also be accessible to the sponsor or coach of the activity. If the content of the recording becomes the subject of a student disciplinary proceeding, it will be treated like other evidence in the proceeding.

Notice

The school district will annually provide the following notice to students and parents:

> The Harlan Community School District Board of Directors has authorized the use of recording devices on school district buses. The recording devices will be used to monitor student behavior to maintain order on the school buses to promote and maintain a safe environment. Students and parents are hereby notified that the content of the recording may be used in a student disciplinary proceeding. The content of the recording are confidential student records and will be retained with other student records. Recordings will only be retained if necessary for use in a student disciplinary proceeding or other matter as determined necessary by the administration. Parents may request to view the recording of their child if the recordings are used in a disciplinary proceeding involving their child.

The following notice will also be placed on all school buses equipped with recording devices:

> This bus is equipped with a recording /audio monitoring system.

Review of Recording Devices

The school district will review the recordings ~~(choose one of the following):~~

~~Option 1--~~when necessary as a result of an incident reported by a bus driver or student. The recordings may be re-circulated for erasure after 30 days.

~~___ Option 2--at least (*weekly, monthly, etc.*). The recordings may be re-circulated for erasure after ___ days. **Note: Recordings should be kept for a minimum of two weeks.**~~

~~___ Option 3--randomly. The recordings may be re-circulated for erasure after ___ days.~~

Viewing of the recordings is limited to the individuals having a legitimate educational purpose. A written log will be kept of those individuals viewing the recordings stating the time, name of individual viewing and the date the recordings was viewed.

Recording Monitoring System

Recording devices will be used on all school district regular route buses.

~~___ Option 2--rotated randomly on school district buses.~~

~~___ Option 3--used on only a select number of school district buses.~~

Determination of how recording devices will be used and which school buses will be equipped with recording equipment will be made by the superintendent in consultation with the building principals and transportation director.

Student Conduct

Students are prohibited from tampering with the recording devices on the school buses. Students found in violation of this regulation will be disciplined in accordance with the school district discipline policy and Good Conduct Rule and will reimburse the school district for any repairs or replacement necessary as a result of the tampering.

Code No. 711.3

STUDENT TRANSPORTATION FOR EXTRACURRICULAR ACTIVITIES

The board in its discretion may provide school district transportation for extracurricular activities including, but not limited to, transporting student participants and other students to and from extracurricular events.

Students participating or attending extracurricular events, other than those held at the school district facilities, may be transported to the extracurricular event by school district transportation vehicles or by another means approved by the superintendent.

Students, who are provided transportation in school district transportation vehicles for extracurricular events, will ride both to and from the event in the school vehicle unless arrangements have been made with the building principal or athletic director prior to the event. A student's parents may personally appear and request to transport the student home from a school-sponsored event in which the student traveled to the event on a school district transportation vehicle.

It is the responsibility of the superintendent to make a recommendation to the board annually as to whether the school district will provide the transportation authorized in this policy. In making the recommendation to the board, the superintendent will consider the financial condition of the school district, the number of students who would qualify for such transportation, and other factors the board or superintendent deem relevant.

Legal Reference:
Iowa Code §§ 256B.4; 285.1-.4; 321.
281 I.A.C. 41.412.

Cross Reference:
504 Student Activities
711 Transportation

Code No. 711.4

SUMMER SCHOOL PROGRAM TRANSPORTATION SERVICE

The school district may use school vehicles for transportation to and from summer extracurricular activities. The superintendent will make a recommendation to the board annually regarding their use.

Transportation to and from the student's attendance center for summer school instructional programs is within the discretion of the board. It is the responsibility of the superintendent to make a recommendation regarding transportation of students in summer school instructional programs at the expense of the school district. In making the recommendation to the board, the superintendent will consider the financial condition of the school district, the number of students involved in summer school programs, and other factors deemed relevant by the board or the superintendent.

Legal Reference:
Iowa Code § 285.10
281 I.A.C. 43.10, 412

Cross Reference:
603.2 Summer School Instruction
711 Transportation

~~TRANSPORTATION OF NONPUBLIC STUDENTS~~

~~The Harlan Community Schools will provide transportation of resident students to nonpublic attendance centers located within the school district, under the following circumstances:~~

~~a. nonpublic students will be transported who live on regular bus routes established by the Harlan Community Schools;~~
~~b. the regular moving of substantial numbers of nonpublic students collectively from one point to another will be accommodated;~~
~~c. buses will be operated only on those days which the Harlan Community Schools are in session.~~

~~In cases where bus transportation of nonpublic students is impracticable, the parent or guardian is entitled to receive reimbursement under the provisions of Iowa Code §§285.1(3) and 285.3. The Harlan Community Schools reserves the right to make rulings in matters of practicality decisions. As a general guideline in responding to any request, if the cost of reimbursing the family would be greater than the cost of revising a bus route, the request would be approved.~~

TRANSPORTATION OF NONRESIDENT AND NONPUBLIC SCHOOL STUDENTS

The board has sole discretion to determine the method to be utilized for transporting nonresident and nonpublic students. Nonresident students paying tuition may be, and resident students attending a nonpublic school accredited by the State Department of Education, will be transported on an established public school vehicle route as long as such transportation does not interfere with resident public students' transportation. Nonresident and nonpublic school students will obtain the permission of the superintendent prior to being transported by the school district.

Parents of resident students who provide transportation for their children attending a nonpublic school accredited by the Iowa Department of Education will be reimbursed at the established state rate. This reimbursement is paid only if the school district receives the funds from the state. If less than the amount of funds necessary to fully reimburse parents of the nonpublic students is received by the school district, the funds will be prorated.

The charge to the nonresident students is determined based on the students' pro rata share of the actual costs for transportation. The parents of these students are billed for the student's share of the actual costs of transportation. The billing is according to the schedule developed by the superintendent. It is the responsibility of the superintendent to determine the amount to be charged and report it to the board secretary for billing.

Continued transportation of nonresident and nonpublic school students on a public school vehicle route will be subject to resident public school students' transportation needs. The superintendent will make a recommendation annually to the board regarding the method to be used. In making a recommendation to the board, the superintendent will consider the number of students to be transported, the capacity of the school vehicles, the financial condition of the school district and other factors deemed relevant by the board or the superintendent.

Nonresident and nonpublic school students are subject to the same conduct regulations as resident public students as prescribed by board policy, and to other policies, rules, or regulations developed by the school district regarding transportation of students by the school district.

Legal Reference:
Iowa Code §§ 285.1-.2, .10, .16.

Cross Reference:
711 Transportation

Code No. 711.6

Option I

TRANSPORTATION OF NON SCHOOL GROUPS

Only in unusual circumstances will the board make school district transportation vehicles available to local nonprofit entities which promote cultural, educational, civic, community, or recreational activities for transporting to and from nonschool-sponsored activities in the state.

In the event school district transportation vehicles are made available to local nonprofit entities, it is the responsibility of the superintendent to develop administrative regulations for application for, use of, and payment for using the school district transportation vehicles.

NOTE: There are two options for this policy. The second one is more flexible than the first option.

Legal Reference:
Iowa Code §§ 285.1(21), .10(9), (10).
281 I.A.C. 41.412; 43.10.

Cross Reference:
711 Transportation
900 Principles and Objectives for Community Relations

Code 711.10

SCHOOL BUS PASSENGER RESTRAINTS

The district shall utilize three-point lap-shoulder belts on district school buses as required by state law. All three-point lap-shoulder belts available on district buses will be used by passengers when the vehicle is in any non-stationary gear.

Note: All Iowa school districts utilizing school buses must have a policy in place on this topic. This policy applies even to districts who contract out their bussing services with a third party.

Legal Reference:
281 I.A.C. 43.10(6)

Cross Reference:
711.7 School Bus Safety Instruction

Code No. 712

TECHNOLOGY AND DATA SECURITY

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

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

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

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

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

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

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

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

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

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

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

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

Code No. 712R1

SECURITY REQUIREMENTS OF THIRD-PARTY VENDORS REGULATION

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

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

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

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

1. The vendor implement and maintain security procedures and practices consistent with current industry standards; and

2. The vendor be prohibited from collecting and using PII for:
   a. Targeted advertising;
   b. Amassing a profile about a student or students except in furtherance of educational purposes;
   c. Selling or renting PII for any purpose other than those expressly permitted by law; and
   d. Disclosing PII for any purposes other than those expressly permitted by law.