

PRINCIPLES AND OBJECTIVES FOR COMMUNITY RELATIONS

~~The board recognizes the need of a communications program to provide effective two-way communications between the school district and the community. It is the position of the board that the schools belong to the public, and that the public is entitled to be well informed about the operations of the school system.~~

~~It is further the position of the Board that the school district operates most successfully with the support of the community and that such support is dependent upon the maintenance of positive public opinion. Opinions are formed on the basis of available information or the lack thereof; it is considered to be important that school activities, methods, and objectives be conveyed to those to whom the board is responsible.~~

~~It shall be the responsibility of the superintendent to establish and maintain an on-going communications program with school district personnel and the community. The communications program shall be evaluated and updated annually.~~

~~The school district's communications program shall strive to meet the following goals:~~

- ~~• To keep the citizens and school district personnel informed through a regular flow of information about the school district and its programs;~~
- ~~• To encourage and organize the interchange of ideas between the school district and the community by developing and implementing techniques for community involvement in the school district and for school district involvement in the community; and~~
- ~~• To assess the public knowledge, attitudes and concerns on a regular basis.~~

~~It shall be the responsibility of every employee, certificated and classified, to promote good community relations for the schools and for the educational betterment of the students.~~

~~Legal Reference: —~~

~~Iowa Code §§279.8, 280.12 (1987).~~

~~670 Iowa Admin Code 4.3(3)~~

Successful education programs require the support of the school district community. The board addresses the importance of the role of the school district community in the school district in this series of the policy manual. The board recognizes this support is dependent on the school district community's understanding of participation in the efforts, goals, problems and programs of the school district.

In this section, the board sets out its policies defining its relationship with the school district community. In striving to obtain the support of the school district community, the board will:

- Provide access to school district records;
- Inform the school district community of the school district's goals, objectives, achievements, and needs;
- Invite the input of the school district community; and,
- Encourage cooperation between the school district and the school district community.

PUBLIC EXAMINATION OF SCHOOL DISTRICT RECORDS

Public records of the school district may be viewed by the public during the regular business hours of the administration offices of the school district. These hours are 8:00 a.m. to 5:00 p.m. Monday through Friday on student attendance days and 8:00 a.m. to 12:00 and 1:00 p.m. to 3:30 p.m. on non student attendance days. The administrative offices are closed during holidays and vacation periods.

Persons wishing to review the school district's public records will contact the board secretary and make arrangements for the viewing. The board secretary will make arrangements for viewing the records as soon as practicable, depending on the nature of the request.

Persons may request copies of public records **by telephone or** in writing, including electronically. The school district may require pre-payment of the costs prior to copy and mailing.

Persons wanting copies may be assessed a fee for the copy. Persons wanting compilation of information may be assessed a fee for the time of the employee to compile the requested information. Printing of materials for the public at the expense of the school district will only occur when the event is sponsored by the school district.

~~Records defined by law as confidential records are viewed or copied upon receipt of written permission by the board secretary or superintendent from the person whose confidential records are being requested.~~

~~Pursuant to Iowa law, the board has determined certain records need to be confidential as their disclosure could jeopardize the safety of persons or property and include, but are not limited to, the following:~~

- ~~• Security procedures~~
- ~~• Emergency preparedness procedures~~
- ~~• Evacuation procedures~~
- ~~• Security codes and passwords~~

~~[List additional items the board wants to ensure are protected.]~~

It is the responsibility of the board secretary to maintain accurate and current records of the school district. It is the responsibility of the board secretary to respond in a timely manner to requests for viewing and receiving public information of the school district.

Legal Reference:

Iowa Code §§ 21.4; 22.7; 291.6 ~~(2005)~~.

~~1980 Op. Att'y Gen. 88~~

~~1972 Op. Att'y Gen. 158~~

~~1968 Op. Att'y Gen. 656~~

Cross Reference:

215 Board of Directors' Records

401.5 Employee Records

506 Student Records
708 Care, Maintenance, and Disposal of School District Records
902.1 News Media Relations

NEWS MEDIA RELATIONS

The board recognizes the value of and supports open, fair and honest communication with the news media. The board will maintain a cooperative relationship with the news media. As part of this cooperative relationship, the board and the media will develop a means for sharing information while respecting each party's limitations.

Members of the news media are encouraged and welcome to attend open board meetings. The board president is the spokesperson for the board, and the superintendent is the spokesperson for the school district. It is the responsibility of the board president and superintendent to respond to inquiries from the news media about the school district.

Members of the news media seeking information about the school district will direct their inquiries to the superintendent. The superintendent will accurately and objectively provide the facts and board positions in response to inquiries from the news media about the school district.

Legal Reference:

Iowa Code §§ 21.4; 22; 279.8.

Cross Reference:

902 Press, Radio and Television News Media

NEWS CONFERENCES AND INTERVIEWS

The superintendent, on behalf of the board and the school district, may hold a news conference or respond to a request for an interview with the news media.

The superintendent will respond accurately, openly, honestly, and objectively to inquiries from the news media about the school district.

News conferences and interviews planned or pre-arranged for school district activities will include the board and the superintendent. News conferences for issues requiring an immediate response may be held by the superintendent. It is within the discretion of the superintendent to determine whether a news conference or interview is held to provide an immediate response to an issue.

It is the responsibility of the superintendent to keep the board apprised of news conferences and interviews.

Legal Reference:

Iowa Code §§ 21.4; 22; 279.8.

Cross Reference:

902 Press, Radio and Television News Media

NEWS RELEASES

The superintendent will determine when a news release about internal school district and board matters will be issued. In making this determination, the superintendent will strive to keep the media and the school district community accurately and objectively informed. Further, the superintendent will strive to create and maintain a positive image for the school district. It is the responsibility of the superintendent or their designee to approve news releases originating within the school district prior to their release.

News releases will be prepared and disseminated to news media in the school district community. Questions about news releases will be directed to the superintendent.

Legal Reference:

Widmer v. Reitzler, 182 N.W.2d 177 (Iowa 1970).

Dobrovolny v. Reinhardt, 173 N.W.2d 837 (Iowa 1970).

Iowa Code §§ 21.4; 22.2 .

Cross Reference:

902 Press, Radio and Television News Media

LIVE BROADCAST OR RECORDING

Individuals may broadcast or record public school district events, including open board meetings, as long as it does not interfere with, or disrupt, the school district event and it does not create an undue burden in adapting the buildings and sites to accommodate the request.

It is within the discretion of the superintendent to determine whether the request is unduly burdensome and whether the broadcast or recording will interfere with or disrupt the school district event.

Recording of classroom activities will be allowed at the discretion of the superintendent. Parents will be notified prior to recording of classroom activities.

It is the responsibility of the superintendent to develop administrative regulations outlining the procedures for making the request and the rules for operation if the request is granted.

NOTE: This policy states that prior to recording of classroom activities, parents will be notified but does not require parental permission. Notification is not a legal requirement, but it is recommended. The policy gives the school district the flexibility to have one notice to cover the entire year and can be placed in the student directory info policy, a parent newsletter or handbook.

Legal Reference:

Iowa Code §§ 21.4, .7; 22; 279.8.

Cross Reference:

506.2 Student Directory Information

902.1 News Media Relations

903.3 Visitors to School District Buildings and Sites

SCHOOL - COMMUNITY GROUPS

The board values the participation and the support of school district-community groups, including, but not limited to, the booster clubs and parent-teacher organizations, which strive for the betterment of the school district and the education program. The board will work closely with these groups.

Prior to any purchase of, or fund raising for the purchase of goods or services for the school district, the group will confer with the superintendent or the identified district liaison to assist the group in purchasing goods or services to meet the school district's needs.

Funds raised by these groups for the school district may be kept as part of the accounts of the school district.

It is the responsibility of the building principal to be the liaison with the school district-community groups affiliated with the building principal's attendance center.

NOTE: Boards may want to personalize this policy to reflect the actual groups, organizations and associations within the school district.

Legal Reference:
Iowa Code §§ 279.8

Cross Reference:
903 Public Participation in the School District

VISITORS TO SCHOOL DISTRICT BUILDINGS & SITES

The board welcomes the interest of parents and other members of the school district community, and invites them to visit the school facilities. Visitors must notify the principal of their presence in the facility upon arrival. Visitors who do not abide by the requirements set out by the board for visiting the school facilities shall be asked to leave.

Persons who wish to visit a classroom while school is in session are asked to notify the principal and obtain approval from the principal prior to the visit so appropriate arrangements can be made and so class disruption can be minimized. Teachers and other school district personnel will not take time from their duties to discuss matters with visitors.

Visitors will conduct themselves in a manner fitting to their age level and maturity and with mutual respect and consideration for the rights of others while attending school events. Visitors failing to conduct themselves accordingly may be asked to leave the premises. Children who wish to visit school must be accompanied by a parent or responsible adult.

It shall be the responsibility of the superintendent, in conjunction with the principals, to develop administrative regulations for approving visitors and rules for school district personnel, students, and visitors while they are in the school district's facilities.

Legal Reference:

Iowa Code §279.8; 716.7 (1987).

Cross Reference:

902 Press, Radio and Television News Media

903.2 Community Resource Persons and Volunteers

PUBLIC CONDUCT ON SCHOOL PREMISES

The board expects that students, employees and visitors will treat each other with respect, engage in responsible behavior, exercise self-discipline and model fairness, equity and respect. Individuals violating this policy will be subject to discipline. Students will be disciplined consistent with the student conduct policies. Employees will be disciplined consistent with employee discipline policies and laws. Others will be subject to discipline according to this policy.

Individuals are permitted to attend school sponsored or approved activities or visit school premises only as guests of the school district, and, as a condition, they must comply with the school district's rules and policies. Individuals will not be allowed to interfere with or disrupt the education program or activity. Visitors, like the participants, are expected to display mature, responsible behavior. The failure of individuals to do so is not only disruptive but embarrassing to the students, the school district and the entire community.

To protect the rights of students to participate in the education program or activities without fear of interference or disruption and to permit the school officials, employees and activity sponsors and officials to perform their duties without interference or disruption, the following provisions are in effect:

- Abusive, verbal or physical conduct of individuals directed at students, school officials, employees, officials and activity sponsors of sponsored or approved activities or at any other individuals will not be tolerated.
- Verbal or physical conduct of individuals that interferes with the performance of students, school officials, employees, officials and activity sponsors of sponsored or approved activities will not be tolerated.
- The use of vulgar, obscene or demeaning expression directed at students, school officials, employees, officials and activity sponsors of sponsored or approved activities participating in a sponsored or approved activity or at any other individuals will not be tolerated.

If an individual becomes physically or verbally abusive, uses vulgar, obscene or demeaning expression, or in any way interrupts an activity, the individual may be removed from the event by the individual in charge of the event. Law enforcement may be contacted for assistance.

Individuals removed from school premises have the ability to follow the board's chain of command and complaint policies should they choose to do so. The exclusion is in effect should the individual choose to appeal the decision of the superintendent. The term "individual" as used in the policy also includes students and employees.

If an individual has been notified of exclusion and thereafter tries to enter a school building or attends a sponsored or approved activity, the individual will be advised that his/her attendance will result in prosecution. The school district may obtain a court order for permanent exclusion from the school building or from future school sponsored or approved activities.

NOTE: This policy reflects the Iowa civility and trespass law, and outlines a school district's authority to enforce the law. The first paragraph of the policy addressing civility is mandatory, but the remaining portions are optional. Boards can amend the language as needed to fit their

individual needs. For more detailed discussion of this issue, see IASB's Policy Primer, Vol. 20 #2- September 13, 2007..

Legal Reference:

Iowa Code §§ 279.8, .66; 716.7 ~~(2013)~~.

Cross Reference:

205 Board Member Liability

504 Student Activities

802.6 Vandalism

903 Public Participation in the School District

DISTRIBUTION OF MATERIALS

The board recognizes that students, employees, parents or citizens may want to distribute materials within the school district that are non curricular. Non Curricular materials to be distributed must be approved by the building principal and meet certain standards prior to their distribution.

It is the responsibility of the superintendent, in conjunction with the building principals to draft administrative regulations regarding this policy.

NOTE: The regulation accompanying this policy has been approved by the 8th Circuit Court of Appeals in Bystrom v. Fridley High School, 822 F.2d 747 (8th Cir. 1987). Amendments to or deviation from this regulation should be addressed to local counsel prior to adoption.

Legal Reference:

U.S. Const. amend. I.

Hazelwood School District v. Kuhlmeier, 484 U.S. 260 (1988).

Bethel School District v. Fraser, 478 U.S. 675 (1986).

New Jersey v. T.L.O., 469 U.S. 325 (1985).

Tinker v. Des Moines Ind. Comm. Sch. Dist., 393 U.S. 503 (1969).

Bystrom v. Fridley High School, 822 F.2d 747 (8th Cir. 1987).

Iowa Code §§ 279.8; 280.22 ~~(2013)~~.

Cross References:

502.3 Freedom of Expression

503.1 Student Conduct

504 Student Activities

603.9 Academic Freedom

DISTRIBUTION OF MATERIALS REGULATION

I. Guidelines.

Individuals, including students, may have the right to distribute on school premises, at reasonable times and places, unofficial written material, petitions, buttons, badges or other insignia, except expression which:

1. is obscene to minors;
2. is libelous;
3. contains indecent, vulgar, profane or lewd language;
4. advertises any product or service not permitted to minors by law;
5. constitutes insulting or fighting words, the very expression of which injures or harasses other people (e.g., threats of violence, defamation of character or of a person's race, religion, gender, disability, age or ethnic origin);
6. presents a clear and present likelihood that, either because of its content or the manner of distribution, it will cause a material and substantial disruption of the proper and orderly operation and discipline of the school or school activities, will cause the commission of unlawful acts or the violation of lawful school regulations.

Distribution on school premises of material in categories (1) through (4) to any student is prohibited. Distribution on school premises of material in categories (5) and (6) to a substantial number of students is prohibited.

II. Procedures.

Anyone wishing to distribute unofficial written material must first submit for approval a copy of the material to the building principal at least twenty-four hours in advance of desired distribution time, together with the following information:

1. Name and phone number of the person submitting request and, if a student, the homeroom number;
2. Date(s) and time(s) of day of intended display or distribution;
3. Location where material will be displayed or distributed;
4. The grade(s) of students to whom the display or distribution is intended.

Within twenty-four hours of submission, the principal will render a decision whether the material violates the guidelines in subsection I or the time, place and manner restrictions in subsection III of this policy. In the event that permission to distribute the material is denied, the person submitting the request should be informed in writing of the reasons for the denial. Permission to distribute material does not imply approval of its contents by either, the school, the administration, the board or the individual reviewing the material submitted.

If the person submitting the request does not receive a response within twenty-four hours of submission, the person will contact the building principal's office to verify that the lack of response was not due to an inability to locate the person. If the person has made this

verification and there is no response to the request, the material may be distributed in accordance with the time, place and manner provisions in subsection III.

If the person is dissatisfied with the decision of the principal, the person may submit a written request for appeal to the superintendent. If the person does not receive a response within three school days of submitting the appeal, the person will contact the superintendent to verify that the lack of response is not due to an inability to locate the person. If the person has made this verification and there is no response to the appeal, the material may be distributed in accordance with the time, place and manner provisions in subsection III.

At every level of the process the person submitting the request will have the right to appear and present the reasons, supported by relevant witnesses and material, as to why distribution of the written material is appropriate.

Permission to distribute material does not imply approval of its contents by either, the school district, the board, the administration or the individual reviewing the material submitted.

III. Time, place and manner of distribution.

The distribution of written material is prohibited when it blocks the safe flow of traffic within corridors and entrance ways of the school or otherwise disrupts school activities. The distribution of unofficial material is limited to a reasonable time, place and manner as follows:

1. The material will be distributed from a table set up for the purpose in a location designated by the principal, which location will not block the safe flow of traffic or block the corridors or entrance ways, but which will give reasonable access to students.
2. The material will be distributed either before and/or after the regular instructional day.
3. No written material may be distributed during and at the place of a normal school activity if it is reasonably likely to cause a material and substantial disruption of that activity.

IV. Definitions.

The following definitions apply to the following terms used in this policy:

1. "Obscene to minors" is defined as:
 - a. The average person, applying contemporary community standards, would find that the written material, taken as a whole, appeals to the prurient interest of minors of the age to whom distribution is requested;
 - b. The material depicts or describes, in a manner that is patently offensive to prevailing standards in the adult community concerning how such conduct should be presented to minors of the age to whom distribution is requested, sexual conduct such as intimate sexual acts (normal or perverted), masturbation, excretory functions, and lewd exhibition of the genitals; and
- i. The material, taken as a whole, lacks serious literary, artistic, political or scientific value for minors.
2. "Minor" means any person under the age of eighteen.
3. "Material and substantial disruption" of a normal school activity is defined as follows:
 - a. Where the normal school activity is an educational program of the district for which student attendance is compulsory, "material and substantial disruption" is defined as any disruption which interferes with or impedes the implementation of that program.
 - b. Where the normal school activity is voluntary in nature (including, without limitation, school athletic events, school plays and concerts, and lunch periods),

"material and substantial disruption" is defined as student rioting, unlawful seizures of property, widespread shouting or boisterous demonstration, sit-in, stand-in, walk-out, or other related forms of activity.

c. In order for expression to be considered disruptive, there must exist specific facts upon which the likelihood of disruption can be forecasted including past experience in the school, current events influencing student activities and behavior, and instances of actual or threatened disruption relating to the written material in question.

4. "School activities" means any activity of students sponsored by the school and includes, by way of example but not limited to, classroom work, library activities, physical education classes, official assemblies and other similar gatherings, school athletic contests, band concerts, school plays and in-school lunch periods.

5. "Unofficial" written material includes all written material except school newspapers, literary magazines, yearbooks, and other publications funded and/or sponsored or authorized by the school. Examples include leaflets, brochures, flyers, petitions, placards and underground newspapers, whether written by students or others.

6. "Libelous" is a false and unprivileged statement about a specific individual that tends to harm the individual's reputation or to lower him/her in the esteem of the community.

7. "Distribution" means circulation or dissemination of written material by means of handing out free copies, selling or offering copies for sale and accepting donations for copies. It includes displaying written material in areas of the school which are generally frequented by students.

V. Disciplinary action.

Distribution by any student of unofficial written material prohibited in subsection I or in violation of subsection III may be halted, and students may be subject to discipline including suspension and expulsion. Any other party violating this policy may be requested to leave the school property immediately and, if necessary, local law enforcement officials will be called.

VI. Notice of policy to students.

A copy of this policy will be published in student handbooks and posted conspicuously in school buildings.

TRANSPORTING STUDENTS IN PRIVATE VEHICLES

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

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

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

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

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

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

Legal Reference:

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

Cross Reference:

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

ADVERTISING AND PROMOTION

The use of students, the school district name, or its buildings and sites for advertising and promoting products and/or services of entities and organizations operating for a profit is not allowed except with prior board approval. Nonprofit entities and organizations may be allowed to use students, the school district name, or its buildings and sites if the purpose is educationally related and prior approval has been obtained from the board.

Legal Reference:
Iowa Code § 279.8

Cross Reference:
504.5 Student Fund Raising
904 Community Activities Involving Students

COMMUNITY USE OF SCHOOL DISTRICT FACILITIES & EQUIPMENT

~~The Board of Education shall have the care and keeping of all school buildings and other school properties belonging to the school district. They shall have the authority to open any or all school buildings for the use of night schools, improvement association, scientific, mechanical, or agricultural societies, under such regulation as the Board of Education may adopt; provided, that the Board of Education may at any time it thinks best, refuse to open any and all school buildings for any or all of these purposes.~~

~~Since it is a policy to raise through taxation funds for operation of the schools' education program only, the Board finds it necessary to charge a fee for the use of school buildings and facilities by organizations not directly associated with the schools. These fees will be used to defray a portion of the expenses made by increased use of heat, light, and janitorial services.~~

~~Approved charitable organizations are exempted from paying fees but must observe all other regulations in making use of school facilities.~~

~~In order to be approved, activities sponsored by non-school organizations must be in keeping with the general program of education and must not be for commercial use or for personal profit or gain. Political meetings which are open to the public are considered to be within the general program of public education, and school facilities may be rented at regular rates provided no discrimination is shown.~~

~~Organizations using the buildings and facilities must be supervised by an adequate number of adult sponsors to assure proper care and use of school property.~~

School district facilities and equipment will be made available to local nonprofit entities which promote cultural, educational, civic, community, or recreational activities. "Entity(ies)" will include organizations, groups and individuals and their agents. Any district employee using district-owned property or facilities for a use outside their duties as an employee is doing so as a community member, and not as a district employee. Prior to using district resources for activities outside the scope of their job duties, employees must meet the requirements to be considered a qualifying entity. Such use will be permitted only when the use does not interfere with or disrupt the education program or a school-related activity, the use is consistent with state law, and will end no later than midnight. It is within the discretion of the board to allow for-profit entities to use school district facilities and equipment. The board reserves the right to deny use of the facilities and equipment to an entity. It is within the discretion of the superintendent to allow use of school district facilities and equipment on Sundays.

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

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

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

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

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

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

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

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

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

check with its insurance carrier to clarify coverage.

This policy also addresses use of the school district's ICN classroom. The language the fifth paragraph addresses the school district's sponsorship of outside groups use of the ICN. Boards can limit their sponsorship if they choose. The language in the policy in parentheses is written to limit sponsorship to education-related groups but should be stricken and replaced with the appropriate language. The policy is also written to pass on the ICN costs to the sponsored group.

The language in the sixth paragraph represents mandatory policy language. The seventh paragraph is language that is recommended but is not mandatory. The supporting administrative regulations address matters specific to ICN classroom use for the board's consideration. The new ICN regulation is at 905.1R2.

Legal Reference:

Iowa Code §§ 8D; 123.46; 276; 278.1(4); 279.8; 297.9-.11.

Cross Reference:

704 Revenue

COMMUNITY USE OF SCHOOL DISTRICT FACILITIES & EQUIPMENT

INDEMNITY AND LIABILITY INSURANCE AGREEMENT

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

The entity agrees to furnish and maintain during the usage of the facilities or equipment owned by the school district such bodily injury and property damage liability insurance as will protect the entity and the school district from claims or damages for personal injury, including accidental death, and from claims for property damages which may arise from the entity's use of the school district's facilities or equipment whether such operations be by the entity or by anyone directly or indirectly employed by the entity.

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

Dated at _____, Iowa, this _____ day of _____, 20____.

School District

(Entity)

By

By

Superintendent

Title

By

Address

Secretary

**COMMUNITY USE OF SCHOOL DISTRICT FACILITIES & EQUIPMENT
REGULATION**

1. Organizations wishing to schedule use of school facilities will make application to the respective building principal or the superintendent. Rental fees are to be paid in advance.
2. Alcoholic beverages will not be brought to or consumed on school grounds.
3. Smoking and vaping is prohibited in school district facilities and on school district grounds, including in private vehicles.
4. Generally speaking, a school district employee must be present while the school district facility or equipment is being used by an entity. A kitchen employee must be present when using kitchen equipment.
5. After a school district facility, site, or equipment has been used by an entity, cleaning, including restoring the facility, site or equipment to the condition it was in prior to its use, will be done by employees assisted by a committee from the entity. The fee charged to the entity for the use of the facility, site, or equipment will include these actual employee costs. However, if excessive costs are involved in cleaning or otherwise restoring the facility, site, or equipment to the condition it was in prior to its use, the board reserves the right to charge the entity for these excessive costs.
6. Entities are required to stay within the area of the school district facility or site and use only the school district equipment authorized by the school district for use by the entity. Other school district facilities, sites, or areas in the school district building or equipment are off limits to the entity.
7. A cancellation after the facility or equipment is made ready for the entity will be charged at the full rate. Cancellations made prior to that time will be charged a minimum cancellation fee or the costs incurred to the school district in anticipation of the entity's use, whichever is greater.
8. Fees apply to all for profit organizations and for non profit organizations that charge admission or use the facility for fundraisers,

Rates for Use of Buildings and Sites

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	High School	Middle School	Elementary
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Auditorium			
Day or evening	\$150		
Day and evening	\$200		

Kitchen & Lunchroom			
Day or evening	\$ 75	\$ 75	\$ 75
Day and evening	\$100	\$100	\$100

Gymnasium			
Day or evening	\$100	\$100	\$100
Day and evening	\$200	\$200	\$200

- Groups renting the High School Auditorium at \$150 or \$200 may have one rehearsal night prior at \$50.
- Evening is considered after 5:00 p.m.

-	-	-	-
-	Elementary school gym (first two hours)	-	-
			—
-	Elementary school gym with kitchen (first two hours)	-	-
			—
-	Middle school gym (first two hours)	-	-
			—
-	Middle school kitchen and lunch room (two hours)	-	-
			—
-	High school gym (two hours)	-	-
			—
-	High school auditorium	-	-
			—
-	High school lunch room	-	-
			—
-	[Add other items]	-	-
			—
-	-	-	-
	Add to above:	-	-
-	-	-	-
-	For each additional hour or fraction thereof	-	-
			—

-	For providing chairs and/or tables for meetings	-	-	_____
-	Custodial charges	-	-	_____
-	[Add other items]	-	-	_____
-	-	-	-	_____
-	-	-	-	_____
	ICN classroom per hour	-	-	
	(maximum \$12.50 per hour)	-	-	_____

-

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

	Rates for Use of Equipment	-	-	
-		-	-	
-	VCR (one-half day)	-	-	_____

~~- Overhead projector (one-half day) - -~~

~~- [Add other items] - -~~

~~- - - -~~

~~Add to above: - -~~

~~- For each additional hour or fraction thereof - -~~

~~- [Add other items] - -~~

~~ICN ROOM USE REGULATION~~

~~-~~

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

~~(_____ title _____) is responsible for coordinating ICN classroom use. Requests for use of the ICN classroom by employees for the educational program are filed with (_____ title _____).~~

~~-~~

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

~~_____ 1. The ICN is a limited access network and sponsored or authorized users cannot use the system for profit making ventures.~~

~~_____ 2. The use must be consistent with the mission of the sponsored or authorized user.~~

~~_____ 3. Users cannot resell time on the ICN.~~

~~_____ 4. Sponsored and authorized users are responsible for compliance with the Americans with Disabilities Act and Iowa Civil Rights Act. Sponsored and authorized users are responsible for making the necessary accommodations and are responsible for obtaining and paying for needed interpreters or interpretive equipment.~~

~~_____ 5. Sponsored and authorized users are required to stay within the ICN classroom and use the most direct route to the ICN classroom. Other school district facilities, sites, areas in the school district building or equipment are off limits to the authorized users.*~~

~~_____ 6. The charge for use of the ICN room is _____. (The maximum hourly rate school districts can charge for use of the facilities is \$12.50 per hour. This is for use of the room, not the ICN. This cost reimburses the school district for its administrative, custodial, etc. costs for the room's usage.)~~

~~_____ 7. The ICN will be available _____. (The minimum hours the facility must be available is Monday through Friday, 7:00 a.m. to 10:30 p.m. and Saturday, 8:00 a.m. to 4:00 p.m.)~~

~~_____ 8. The sponsored or authorized user is responsible for all site and site usage charges.~~

~~_____ 9. A school district employee will be present in the school district facility while the ICN is in use.*~~

~~_____ 10. Food and drink are not permitted in the ICN room.*~~

~~_____ 11. First time use of the ICN will require prior training and should be organized through the school district ICN scheduler at _____.*~~

ICN ROOM USE REGULATION

~~_____ 12. Use or transmission of copyrighted material, without prior approval of the copyright holder, is strictly prohibited. Appropriate use of the copyrighted material is the responsibility of the sponsored or authorized user, not the school district.*~~

~~_____ 13. The school district reserves the right to amend these rules as necessary to reflect the ICN's usage and changes at the state or federal level.*~~

~~_____ 14. The school district reserves the right to charge all costs, including attorneys' fees, that may arise to the authorized user for the sponsored or authorized user's failure to comply with the law, board policy and administrative regulations.*~~

~~*Items with an asterisk are not legal requirements but are items that should be considered when writing an ICN room usage regulation.~~

TOBACCO/NICOTINE-FREE ENVIRONMENT

~~The Harlan Community School District is tobacco-free in and on all district property.~~

~~The district realizes that tobacco use is detrimental to health and is concerned about providing a healthy environment for students, employees and community members. In that regard, the district recognizes the importance of adult role modeling for students and each other, particularly in an educational environment.~~

~~The use of tobacco and nicotine products; including, but not limited to, cigarettes, nicotine chew, snus, dissolvables, electronic cigarettes, including the use of look-a-likes where the original would include tobacco or nicotine and/or other nicotine products that are not approved by the Federal Drug Administration for tobacco cessation; on District property; including in District buildings, on District grounds, in District transportation vehicles, or at any District activity; is prohibited. This policy extends to all students, employees, volunteers and visitors. This policy applies at all times, including during school-sponsored events and during non-school-sponsored events. Community members are asked to cooperate with this policy and refrain from using tobacco on district property. Visitors who do not comply will be asked to leave the district premises. District personnel and students failing to abide by this policy may be subject to disciplinary action.~~

~~It is the district's intention to provide education, encouragement and assistance for all students, employees and community members in making a personal choice to refrain from tobacco use while within or upon any/all district property. This will allow students, employees and community members to share the responsibility for creating a healthy environment in which we all live, learn and grow.~~

~~It will be the right and responsibility of all students, employees and community members to observe and support this policy through personal commitment and advocacy.~~

~~It shall be the responsibility of all District personnel, and specifically District administrators, to enforce this policy.~~

School district facilities and grounds, including school vehicles, are off limits for tobacco or nicotine use, including the use of look-a-likes where the original would include tobacco or nicotine. This requirement extends to students, employees and visitors. This policy applies at all times, including school-sponsored and nonschool-sponsored events. Persons failing to abide by this request are required to extinguish their smoking material, dispose of the tobacco, nicotine or other product or leave the school district premises immediately. It is the responsibility of the administration to enforce this policy.

NOTE: According to Iowa law, all school grounds are smoke free. Boards have the authority to expand the policy to make the school facilities and grounds tobacco or nicotine free as well. For more detailed discussion of this issue, see IASB's Policy Primer, Vol. 22 #6-June 19, 2013 and Vol. 20 #5- July 28, 2008.

Legal Reference:

Goals 2000: Educate America Act, Pub. L. No. 103-227, 108 Stat. 125 (1994).

House File 2212, Iowa General Assembly (2008)

Iowa Code §§ 142D; 279.8, .9; 297.

Cross Reference:

903.4 Public Conduct on School Premises

905.1 Community Use of School District Buildings & Sites & Equipment

UNMANNED AIRCRAFTS – DRONES

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

The Harlan Community School District believes in maintaining the safety, security, and privacy of students, employees, and visitors. In keeping with this belief, the use or possession of unmanned aircrafts is prohibited on district property or in the space above the property that reasonably can be considered part of the district property.

The superintendent may make an exception to this policy in specific cases where the circumstances warrant such exception. In such situations and prior to approval, unmanned aircraft operators shall:

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

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

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

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

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

NOTE: Districts who wish to approve the use of drones on school property, as part of the curriculum or for other purposes, should consult with the district's insurance carrier prior to approval and operation. Most general liability policies have an exclusion for aircraft liability and the district would likely need additional liability coverage for the operation of drones. If you are a member of the IASB Safety Group, effective July 1, 2016, your policy with EMC automatically includes liability coverage for bodily injury and property damage caused by drones. However, coverage is not currently available for claims related to violation of privacy.

NOTE: Districts should be aware of the FAA unmanned aircraft safety guidelines, which include guidelines such as flying below 400 feet and not flying within 5 miles of an airport unless the airport and control tower have been contacted prior to flying. For a complete list of the

guidelines, please visit the "Model Aircraft Operations" section of the FAA website, located at <http://www.faa.gov/uas/modelaircraft/>.

Legal Reference:

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

Iowa Code § 279.8.

IHSAA Drone Policy

Cross Reference:

602.1 Curriculum Development