

» SCHOOL BOARD POLICIES

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Keep up-to-date with policy changes.

The policies included in this handbook are current as of its publication date, but board policies are updated on a regular schedule and as needed. The Dubuque Community School District website has the most current version of all board policies.

See page:
www.dbqschools.org/schoolboard

Or contact the board secretary at 563/552-3037 for a printed copy.

ANTI-BULLYING/ANTI-HARASSMENT #1001

Chapter 1: EDUCATIONAL PHILOSOPHY
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The Dubuque Community School District is committed to providing all students, employees, and volunteers with a safe and civil school environment in which all members of the school community are treated with dignity and respect. Bullying and/or harassing behavior can seriously disrupt the ability of school employees to maintain a safe and civil environment, and the ability of students to learn and succeed. The Board has in place policies, procedures and practices that are designed to reduce and eliminate harassment and bullying as well as processes and procedures to deal with incidents of harassment and bullying.

Bullying and/or harassment of or by students, employees, and volunteers is against federal, state, and local policy and is not tolerated by the Board.

Accordingly, school employees, volunteers, and students shall not engage in bullying or harassing behavior while on school property, while on school-owned or school-operated vehicles, while attending or participating in school-sponsored or sanctioned activities. School employees, volunteers, and students shall not engage in bullying or harassing behavior while away from school grounds if the conduct materially interferes with the orderly operation of the educational environment or is likely to do so.

Complaints may be filed with the superintendent or superintendent’s designee pursuant to the regulation accompanying this policy. Complaints will be investigated within a reasonable time frame. The school or school district will promptly and impartially investigate allegations of harassment and bullying of which it has notice using a preponderance of evidence standard. The superintendent or designee will be responsible for handling all complaints by students alleging harassment

or bullying. The superintendent or designee will be responsible for handling all complaints by staff members alleging harassment.

A school employee, volunteer, or student, or a student’s parent or guardian who promptly, reasonably, and in good faith reports an incident of bullying or harassment, in compliance with the procedures in the regulation, to the appropriate school official designated by the school district, shall be immune from civil or criminal liability relating to such report and to participation in any administrative or judicial proceeding resulting from or relating to the report.

Retaliation Prohibited

Individuals who knowingly file false bullying or harassment complaints and any person who gives false statements in an investigation may be subject to discipline by appropriate measures.

Any student found to have violated or retaliated in violation of this policy shall be subject to measures up to, and including, suspension and expulsion. Any school employee found to have violated or retaliated in violation of this policy shall be subject to measures up to, and including, termination of employment. Any school volunteer found to have violated or retaliated in violation of this policy shall be subject to measures up to, and including, removal from service and exclusion from school grounds.

Definitions

For the purposes of this policy, the defined words shall have the following meaning:

- “Electronic” means any communication involving the transmission of information by wire, radio, optic cable, electromagnetic, or other similar means. “Electronic” includes but is not limited to communication via electronic mail, internet-based communications, pager service, cell

phones, and electronic text messaging. “Harassment” and “bullying” mean any repeated or potentially repeated electronic, written, verbal, or physical act or other ongoing conduct toward an individual based on any trait or characteristic of the individual which creates an objectively hostile school environment that meets one or more of the following conditions:

1. Places the individual in reasonable fear or harm to the individual's person or property.
 2. Has a substantial detrimental effect on the individual's physical or mental health
 3. Has the effect of substantially interfering with the individual's academic or career performance. Has the effect of substantially interfering with the individual's ability to participate in or benefit from the services, activities or privileges provided by a school.
- “Trait or characteristic of the individual” includes but is not limited to age, color, creed, national origin, race, religion, marital status, sex, sexual orientation, gender identity, physical attributes, physical or mental ability or disability, ancestry, political party preference, political belief, socioeconomic status, or familial status.
 - “Volunteer” means an individual who has regular, significant contact with students.

Publication of Policy

The Board will annually publish this policy. The policy will be publicized by the following means:

- Inclusion in the parent/student handbook
- Inclusion in the annual policy notification to staff
- Inclusion on the school or school district's web site
- Available upon request at the Forum, 2300 Chaney Road
- Informational materials distributed and posted in schools

Adopted: May 23, 1977
Revised: November 11, 2013
Reviewed: October 23, 2017
Revised: June 8, 2020

NOTE: There is a grievance procedure in place to report alleged violations of this policy. Refer to the Anti-Harassment / Bullying / Discrimination Grievance Procedure included in this section of the handbook. If you feel an investigation is warranted, complete the Complainant Harassment, Bullying, and Discrimination Incident Report.



FORM 13: Complainant Harassment, Bullying, and Discrimination Incident Report

The form is available at the back of this handbook, in the school offices, and at www.dbqschools.org/forms.

ANTI-DISCRIMINATION #1005

Chapter 1: EDUCATIONAL PHILOSOPHY
Chapter 1: EDUCATIONAL PHILOSOPHY

The Board will not discriminate in its educational activities on the basis of age, ancestry, color, creed, familial status, gender identity, marital status, national origin, physical attributes, physical or mental ability or disability, political belief, political party preference, race, religion, sex, sexual orientation, or socioeconomic status. The Board will admit students regardless of their immigrant status or English-speaking status.

The Board requires all agencies, vendors, contractors, and other persons and organizations doing business with or performing services for the school district to subscribe to all applicable federal and state laws, executive orders, rules and regulations pertaining to contract compliance and equal opportunity.

The Board is committed to the policy that no otherwise qualified person will be excluded from educational activities on the basis of age, ancestry, color, creed, familial status, gender identity, marital status, national origin, physical attributes, physical or mental ability or disability, political belief, political party preference, race, religion, sex, sexual orientation, or socioeconomic status. Further, the Board affirms the right of all students and staff members to be treated with respect and to be protected from intimidation, discrimination, physical harm and harassment.

Adopted: August 13, 2007
Reviewed: March 4, 2013
Reviewed: October 23, 2017
Revised: October 12, 2020

NOTE: There is a grievance procedure in place to report alleged violations of this policy. Refer to the Anti-Harassment / Bullying / Discrimination Grievance Procedure included in this section of the handbook. If you feel an investigation is warranted, complete the Complainant Harassment, Bullying, and Discrimination Incident Report.



FORM 13: Complainant Harassment, Bullying, and Discrimination Incident Report

The form is available at the back of this handbook, in the school offices, and at www.dbqschools.org/forms.

ANTI-HARASSMENT / BULLYING / DISCRIMINATION GRIEVANCE PROCEDURE

LEVEL ONE – Principal or Immediate Supervisor

Students, parents of students, staff and applicants for employment in the school district will have the right to file a formal complaint alleging harassment, bullying, or discrimination under federal or state regulations requiring anti-harassment, bullying, and discrimination policies, programs, and employment.

A student, or a parent of a student, with a complaint of harassment, bullying, or discrimination based upon their age, ancestry, color, creed, familial status, gender identity, marital status, national origin, physical attributes, physical or mental ability or disability, political belief, political party preference, race, religion, sex, sexual orientation, or socioeconomic status are encouraged to discuss it with a staff member directly involved.

Staff with a complaint of harassment, bullying, or discrimination based upon their age, ancestry, color, creed, familial status, gender identity, marital status, national origin, physical attributes, physical or mental ability or disability, political belief, political party preference, race, religion, sex, sexual orientation, or socioeconomic status are encouraged to discuss it with their immediate supervisor, with the objective of resolving the matter informally.

An applicant for employment with a complaint of discrimination based upon their age, ancestry, color, creed, familial status, gender identity, marital status, national origin, physical attributes, physical or mental ability or disability, political belief, political party preference, race, religion, sex, sexual orientation, or socioeconomic status are encouraged to first discuss it with the Chief Human Resources Officer.

Level One may include an informal process to resolve the situation. The complainant and alleged harasser or bully will be given the option of seeking a voluntary resolution of the incident. The process for voluntary resolution may include mediation and will only be exercised if both parties agree. If the informal process is not satisfactory to the complainant, the complainant can end the process at any time. This informal process may be skipped if the allegation is sexual violence, as mediation is not an advised process for the resolution of such cases.

LEVEL TWO – Superintendent's designee

If the complaint is not resolved at LEVEL ONE to the complainant's satisfaction, the complainant may pursue the matter by notifying the Superintendent's designee in writing within ten (10) working days of the resolution at LEVEL ONE. The complainant may request a meeting with the Superintendent's designee and may be accompanied by a family member, colleague, or legal counsel. The Superintendent's designee shall then investigate the complaint and attempt to resolve it.

During the process of investigation and resolution, the respondent and target have the following rights:

- The respondent and target will have the right to a prompt, fair, and impartial investigation and resolution once notice of an incident is received.
- Investigations and resolutions of these cases shall proceed regardless of any criminal investigation or proceeding. However, a school investigation may be temporarily postponed while law enforcement gathers evidence, then should be promptly resumed and completed. Any postponements or extensions will be communicated to the complainant and respondent. In the case of a postponement, accommodations to alleviate any negative consequences of the incident or investigation will be offered to alleged target.
- The respondent and target will have equal opportunity to participate in the investigation. This includes, but is not limited to, submitting evidence and witness statements.
- The respondent and target will be notified in writing of the outcome of the investigation.
- Both parties are provided equal appeal rights to move on to Level Three, as appropriate.

The Superintendent's designee shall, within ten (10) working days of receiving the complaint, unless extenuating circumstances prevent otherwise, file a written report with the Superintendent setting forth the Superintendent designee's resolution of the matter. Extenuating circumstances may include, but are not limited to, the unavailability of witnesses (including complainant or accused) within the time frames provided or the scope and/or severity of the complaint requires additional time for investigation.

LEVEL THREE – Superintendent

If the complaint is not resolved at LEVEL TWO to the complainant's satisfaction, the complainant may pursue the matter by notifying the Superintendent in writing within ten (10) working days of the resolution at LEVEL TWO. The complainant may request a meeting with the Superintendent and may be accompanied by a family member, colleague, or legal counsel, although the Superintendent shall not be required to hold such a meeting. The Superintendent or his or her designee shall review the investigation performed at LEVELS ONE and TWO and may, if he or she deems necessary, order or conduct further investigation into the matter. The Superintendent shall, within ten (10) working days of receiving the complaint unless extenuating circumstances prevent otherwise, file a written decision resolving the matter.

LEVEL FOUR – School Board

If the complainant is not satisfied with the Superintendent's decision, the complainant can file an appeal with the School Board within five (5) working days of the decision. It is within the discretion of the Board to determine whether it will hear the appeal. The decision of the School Board will be considered final.

This procedure in no way denies the right of the complainant to file a complaint with the Dubuque Human

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Rights Commission, the Iowa Civil Rights Commission, the Iowa Department of Education, the U.S. Department of Education Office for Civil Rights or Office of Special Education Programs, the Equal Employment Opportunity Commission, or to seek private counsel for complaints against harassment, bullying, or discrimination.

All questions regarding these procedures should be directed to:

Amy Hawkins
Superintendent of Schools
2300 Chaney Road
Dubuque, Iowa 52001
(563) 552-3012
ahawkins@dbqschools.org

Bullying & Harassment/Discrimination:

Mimi Holesinger
2300 Chaney Road
Dubuque, Iowa 52001
(563) 552-3105
mholesinger@dbqschools.org

504 Plan/Title II questions and complaints:

Shirley Horstman
2300 Chaney Road
Dubuque, Iowa 52001
(563) 552-3083
shorstman@dbqschools.org

Further information may be posted on the district's website: www.dbqschools.org

ABUSE OF STUDENTS BY SCHOOL DISTRICT EMPLOYEES #4606

Chapter 4: PERSONNEL
Section 7: MISCELLANEOUS

Physical or sexual abuse of students by school district employees will not be tolerated. "Physical abuse" means nonaccidental physical injury to the student as a result of the actions of an employee. "Sexual abuse" means any sexual offense as defined by Iowa Code Chapter 709 or Iowa Code Section 728.12(1). The term "sexual abuse" also encompasses acts of an employee that encourage a student to engage in prostitution as defined by Iowa law, as well as inappropriate, intentional sexual behavior, or sexual harassment by an employee toward a student. The term "employees" includes not only those who work for pay but also those who are volunteers of the school district under the direction and control of the school district. Employees found in violation of this policy will be subject to disciplinary action up to and including discharge.

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

The Board of Education designates the Superintendent's designee as the primary investigator in cases of alleged physical or sexual abuse of students by employees. The alternate investigator is also a Superintendent's designee.

The investigator will review any allegation to determine whether or not a case of abuse took place. The investigation will be conducted pursuant to 281 Iowa Administrative Code Chapter 102. A copy of the investigator's report will be given to the employee's supervisor. In cases where the investigator determines a student was sexually abused in a physical manner or seriously physically (e.g. broken bones, internal injuries) abused, the investigator will notify local law enforcement authorities, in which case the investigation may be temporarily deferred to those authorities.

All founded cases of physical or sexual abuse shall be reported to the Iowa Board of Educational Examiners as required by Iowa Code Section 272.15, and to any other agency or authority as required by law.

Adopted: June 12, 1989
Revised: May 24, 2010
Reviewed: July 18, 2016
Revised: June 13, 2022

SCHOOL ATTENDANCE #5107

Chapter 5: STUDENT PERSONNEL
Section 2: STUDENT ATTENDANCE

MANDATORY ATTENDANCE

According to Section 299.1 of the Iowa Code, the parent, guardian, or legal or actual custodian of a child who is of compulsory attendance age is accountable for the child's attendance at school. Section 299.1A of the Iowa Code mandates that children who have reached the age of six and are under sixteen years of age by September 15 are of compulsory attendance age for that school year.

A child who has reached the age of five by September 15 and who is enrolled in a school District shall be considered to be of compulsory attendance age unless the parent or guardian of the child notifies the school District in writing of the parent's or guardian's intent to remove the child from enrollment in the school District.

A child who has reached the age of four by September 15 and who is enrolled in the statewide preschool program under chapter 256C shall be considered to be of compulsory attendance age unless the parent or guardian of the child submits written notice to the school District implementing the program of the parent's or guardian's intent to remove the child from enrollment in the preschool program.

SCHOOL ATTENDANCE AND PUNCTUALITY

Any day or part day of instruction missed, whether excused or unexcused impacts a student's learning. Families play a key role in making sure their children attend school on time every day. It is important that both schools and families understand why attendance is important for school and success. Parents/guardians are strongly urged to schedule vacation during the summer and various breaks in the school calendar. All students including students over the compulsory attendance age will be held to the Dubuque Community School District attendance policy. Each school will have procedures to address school attendance and punctuality.

ABSENCES

Parents will notify the school and provide the reason for each absence of their child. Schools will analyze attendance data and engage parents and students to generate solutions to improve school attendance. Generally, absences of 5% or less of current membership days represent good attendance. Missing between 5% and 10% of the current membership days can significantly impact a child's academic achievement. Chronic absenteeism is missing 10% or more of the school year. Based on the unique circumstances of each absence, the principal or designee will make the final decision on whether the absence is excused or unexcused. The principal or designee may request documentation or verification for any of the following absences and may consider an excess of absences (more than 10% of current membership days) as unexcused truant days.

Excused Absence

The following reasons may be identified as possible excused absences: personal illness, occasional professional appointments which cannot be arranged outside of school time, recognized religious observances, required court appearances, College visits, pre-arranged/approved absences (contact school office in advance of absence), bereavement, and out-of-school suspensions.

The District believes that traditional, in-person school attendance leads to the greatest learning opportunities for students. However, there may be rare and unusual circumstances created by public emergencies declared by state or local officials which temporarily prevent students from attending traditional, in-person school. In these circumstances, the superintendent will have discretion to make reasonable accommodations for students, on a case-by-case basis, to attend school through remote learning opportunities within the available resources of the District and as permitted by law. During approved remote learning, attendance will be taken, assessments may be administered, and grades will count towards students' cumulative grade point average as if they were attending in person. The provision of special education and accommodations for students who have individualized education programs (IEPs) or Section 504 plans will be determined by each respective IEP or Section 504 team.

Unexcused Absence

Unexcused absences will include, but not be limited to, the following: class cuts, falsely informing the school about the reasons(s) for the absence, and failure to contact schools. Regular and ongoing absences and tardies that interfere with a student's ability to receive their required education will be unexcused.

TRUANCY

Students are expected to be in attendance every day of the school calendar and parents, guardians, legal or actual custodians are expected to assure attendance of their children. In accordance with 299.8 of the Iowa Code, any child of compulsory attendance age who fails to attend school as required by the school board's policy or who fails to attend competent private instruction under chapter 299A, without reasonable excuse for the absence, shall be deemed to be a truant.

According to Iowa Code, 299.5A, if a parent, guardian, legal or actual custodian, or child refuses to accept the school's attempt to assure the child's attendance or the school's attempt to assure the child's attendance is otherwise unsuccessful, the truancy liaison shall refer the matter to the county attorney for mediation or prosecution.

ACADEMIC ACCOUNTABILITY

Students who are absent from school miss instruction which could negatively impact the student's grades.

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Students are required to do make-up work within a reasonable amount of time for all absences. Teachers will provide full credit and if necessary, additional and/or alternative instructional interventions for each and every absence. Additionally, no student will be dropped from classes based exclusively on attendance.

Absences may impact grades in the following ways:

- Failure to attend make-up sessions as assigned.
- Failure to complete make-up assignments satisfactorily within a reasonable time is a separate act and constitutes grounds for reduced grades.

MEDIATION/PROSECUTION

In accordance with Section 299.1B of the Iowa Code, students under the age of 18 who are not in daily attendance may be referred by the superintendent to the Iowa Department of Transportation for the suspension of their driver's license.

If interventions have not resulted in satisfactory attendance, the case may be referred to the county attorney's office as outlined in 299.5A, Mediation, of the Iowa Code. The school District shall be responsible for monitoring any agreements arrived at through mediation. If a parent, guardian, legal or actual custodian refuses to engage in mediation or violates a term of the agreement, the matter shall be referred to the county attorney's office for prosecution under section 299.8 of the Iowa Code.

The truancy liaison may refer a truant and his or her parents/guardian to the County Attorney's office if mediation breaks down without an agreement being reached. Any person who violates a mediation agreement is subject to Iowa Code 299.6.

Adopted: September 16, 1991
Revised: April 11, 2016
Revised: September 14, 2020
Revised: March 8, 2021

ADMINISTRATIVE GUIDELINES FOR SCHOOL ATTENDANCE #5107 A1

ABSENCES

Principals will be responsible for designating school personnel who address attendance issues.

Elementary: Students who arrive late, leave early or otherwise miss a block of time up to 90 minutes will be considered tardy. Time missed over 90 minutes will be a half day absence.

Middle and High School: Attendance is taken each class period. Each school will develop protocol to address tardiness.

INTERVENTIONS

Each school's plan will include a series of interventions designed to provide school personnel with methods to

work with families to improve student attendance and punctuality. These interventions begin with notification to students and their family and increase in intensity if attendance does not improve. It should be noted that notification alone is not considered an adequate response to persistent truancy. In choosing an intervention, authorized school personnel will consider the student's attendance history. Interventions will begin at the first sign of an attendance problem and may include, but are not limited to, the following:

- Student conference with school personnel (may include truancy liaison)
- Agency referral
- Consequences and interventions as stated in Policy 5200
- Medical evaluation
- Parent contact (phone calls/written communication/electronic communication)
- Parent conference with school personnel
- Referral to an alternate program
- Referral to truancy liaison for possible mediation
- Student improvement plans
- Suspension of Driver's License
- Referral for evaluation to determine eligibility for a 504 Plan

REVOKING DRIVER'S LICENSE

Iowa code 299.1B Failure to Attend-Driver's License

A person who does not attend a public school, an accredited nonpublic school, competent private instruction in accordance with the provisions of chapter 299A, an alternative school, or adult education classes shall not receive an intermediate or full driver's license until age eighteen.

A student who is 16 and no longer of compulsory attendance age, but who has not reached the age of 18, will have his/her driving privilege suspended if he/she no longer attends a public school, an accredited nonpublic school, competent private instruction, an alternative school, or adult education classes.

The building principal or designee shall make the referral using the Revoking Driver's License form and send the form to the Director of Student Services.

Upon review of the information, the Director of Student Services shall forward the information to the Superintendent of the Dubuque Schools for a signature.

The superintendent shall send the signed form to the Iowa Department of Transportation (IDOT).

If a student decides to re-enroll after having his/her license revoked, it is up to the student to work with the IDOT to prove he/she is re-enrolled and to provide appropriate documentation in an effort to regain his/her driver's license.

JUVENILE JUSTICE SYSTEM INFORMATION SHARING #5108

Chapter 5: STUDENT PERSONNEL
Section 2: STUDENT ATTENDANCE

Statement of Purpose: It is the intent of the Dubuque Community School District to assist in reducing juvenile crime by promoting cooperation, collaboration and the sharing of appropriate information between the schools and agencies listed below, prior to a student's adjudication, in order to

- Improve school safety,
- Reduce alcohol and illegal drug use,
- Reduce truancy, and
- Reduce in-school and out-of-school suspensions.

To accomplish these goals, the school district will establish a formal agreement with each of the agencies identified below.

This agreement's further purpose is to support alternatives to in-school and out-of-school suspensions and expulsions which provide structured and well-supervised educational programs and to supplement these educational programs with coordinated and appropriate services designed to correct behaviors that lead to truancy, suspension, and expulsions and to support students in successfully completing their education.

Identification of Agencies: This agreement is between the Dubuque Community School District and the following juvenile justice agencies (hereinafter referred to as "agencies"):

- Department of Human Services
- Juvenile Court Services
- City of Dubuque Police Department
- Dubuque County Sheriff's Department

Statutory Authority: This agreement implements the provisions of Iowa Code 280.25.

Conditions for Sharing Information:

- a. With the principal's permission, school staff may disclose to the agencies information contained in a student's record which is directly related to the juvenile justice system's ability to effectively serve the student. This may include, but is not limited to, information about academic performance, attendance, or school behavior.
 - b. If a student has not been adjudicated delinquent in juvenile court, this information may be disclosed by a school to the agencies without parental consent or a court order. [A delinquency adjudication is a judge's formal determination that the student has committed an act which would be a crime if committed by an adult.]
 - c. If a student has been adjudicated delinquent in juvenile court, information may be disclosed by a school to the agencies only with parental consent or a court order.
1. Information shared pursuant to the agreement is used solely for determining the programs and services appropriate to the needs of the student or student's family, or to coordinate the delivery of programs and services to the student or the student's family. Information shared under the agreement is not

admissible in any court proceedings which take place prior to a disposition hearing, unless written consent is obtained from a student's parent, guardian, or legal or actual custodian.

Information obtained by the school from other juvenile justice agencies may not be used as the basis for disciplinary action of the student.

2. This agreement only governs a school district's ability to share information and the purpose for which that information can be used. Other agencies are bound by their own respective confidentiality policies.

Confidentiality. Confidential information shared between the schools and agencies, pursuant to this agreement, will remain confidential and will not be shared with any other person, unless otherwise provided by law. Agencies or individuals violating the terms of this agreement subject their entity represented and themselves personally to legal action pursuant to federal and state law.

Amendments. This agreement constitutes the entire agreement among the signature parties with respect to information sharing. Agencies may be added to this agreement only with Board approval.

Signature Authority. The board president and superintendent are authorized to sign this agreement on behalf of the district. The superintendent or designee will be responsible for monitoring implementation of its provisions and maintaining a file of signers to this agreement.

Duration. This agreement shall be effective from the date of signing and shall remain in effect until it is either revoked by the parties or superseded by state or federal statute.

Termination. Any part to this agreement may discontinue sharing information with any or all of the other signatories if the intent or letter of this agreement is violated.

Adopted: February 9, 2004

Revised: June 8, 2009

Reviewed: June 3, 2014

Revised: September 9, 2019

HOMELESS CHILDREN AND YOUTH #5110

Chapter 5: STUDENT PERSONNEL
Section 2: STUDENT ATTENDANCE

The Board will make reasonable efforts to identify homeless children and youth of school age within the district, encourage their enrollment, and eliminate existing barriers to their receiving education that may exist in district policies or practices.

The designated coordinator for identification of homeless children and for tracking and monitoring programs and activities for these children is the Director of Student Services. A homeless child or youth is defined as a child or youth from the age of 3 years through 21 years who lacks a fixed, regular, and adequate nighttime residence and includes the following:

1. A child or youth is sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; is living in a motel, hotel, trailer park, or camping grounds due to lack of alternative adequate accommodations; is living in an emergency or transitional shelter; is abandoned in a hospital; or awaiting foster care placement;
2. A child or youth who has a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings;
3. A child or youth who is living in a car, park, public space abandoned building, substandard housing, bus or train station, or similar setting; or
4. A migratory child or youth who qualifies as homeless because the child or youth is living in circumstances described in paragraphs "1" through "3" above. So that enrollment of homeless children and youth of school age may be facilitated, the following policy areas shall be modified as follows:

Enrollment Requirements: Homeless students including unaccompanied youth will be enrolled immediately even if they are missing records and documents normally required for enrollment.

Placement: According to the McKinney Vento Act a child's district of origin is the school district or school where the child was last enrolled. The deciding factor shall be the welfare of the child. As much as possible, the child will not be required to change attendance centers within the district every time the child changes residence.

Waiver of Fees and Charges: Fees and charges which may present a barrier to the enrollment or transfer of a homeless child or youth may be waived at the discretion of the superintendent or designee.

Transportation: When students enroll in a new school, they must be provided with any transportation services that are offered to non-homeless students. In addition, homeless students may be provided transportation to their school of origin as required by the McKinney Vento Act.

Special Services: All services which are available to resident students are made available to homeless children or youths enrolled in the school district. Services include

special education, talented and gifted, title 1 programs, vocational education, English as a second language programs, health services and food and nutrition programs.

Dispute Process: If a dispute arises over any issue covered in this policy, the child or youth in transition will be admitted immediately to the school in which enrollment is sought, pending resolution of the dispute. The student will also have the right as a student in transition to all appropriate educational services, transportation, and free meals while the dispute is pending.

The school homeless liaison will provide the parent or unaccompanied youth with a written explanation of the district's decision on the disputed issue and the right of the parent or unaccompanied youth to appeal that decision. The parent or unaccompanied youth will be given every opportunity to participate meaningfully in the resolution of the dispute. The parent, unaccompanied youth, or school district may appeal the school district's decision as provided in the state's dispute resolution process.

Adopted: April 13, 2009
Revised: January 13, 2014
Reviewed: July 15, 2019

STUDENT CONDUCT #5200

NOTE: This policy is scheduled for review and possible revision in the 2023-2024 school year to ensure compliance with updated state law. Please see www.dbqschools.org/schoolboard for the most current version of the policy.

Chapter 5: STUDENT PERSONNEL
Section 3: STUDENT DISCIPLINE

POLICY

A. Statement of Beliefs for Policy #5200

In order to fulfill the mission of the Dubuque Community School District, and to develop world-class learners and citizens of character in a safe and inclusive learning community, student behavior expectations and consequences must be shared with and understood by the community. This community includes students, parents, teachers, administrators, school staff, volunteers, related community agencies, and the general public.

The Board believes inappropriate student conduct causes material and substantial disruption to the school environment, interferes with the rights of others, and/or presents a threat to the health and safety of students, employees, and visitors on school premises. Appropriate classroom behavior allows teachers to communicate more effectively with students.

Students will conduct themselves in a manner fitting to their age level and maturity and with respect and consideration for the rights of others while on school district property or on property within the jurisdiction of the school district; while on school owned and/or operated school or chartered vehicles; while attending or engaged in school activities, including utilizing district hardware, software, or networks; and while away from school grounds if misconduct will directly affect the good order, efficient management and welfare of the school district. Consequences for the misconduct will be fair and developmentally appropriate in light of the circumstances.

Policy #5200 addresses student behavior expectations and consequences, and district administration has the authority to develop guidelines for administration of this policy. This policy supports the vision and values already established by the school district and uses the following beliefs as the basis of this document.

1. **Rights carry responsibilities.** Students must be guided to make choices and take actions which respect the rights of others, recognize their impact on others, and understand that all choices have consequences.
2. **Individuals can learn to demonstrate appropriate school and public behaviors.** Students benefit from a school environment where they will experience success and learn from their mistakes.
3. **All students should have the right to achieve a quality education.** All students and staff have a joint responsibility to create learning conditions that result in substantial learning and respect the dignity of all people.
4. **The individual worth of each person must be valued.** Student behavior expectations are consistent. Consequences and interventions are appropriate to the situation and the student.
5. **Positive student behavior is based on a partnership between student, school, family, and community.**

Quality, long-term relationships among family, educators, staff, and the community result in greater learning, better use of resources, and greater student satisfaction of school life.

6. **School must be a safe place for all.** Students must comply with all local, state, and federal laws, which enhance their personal safety and that of others. Unsafe and dangerous situations that threaten or harm others will not be tolerated.

B. Due Process

Due process serves the interest of the school in maintaining an orderly environment conducive to learning and the rights of the student. Students accused of engaging in prohibited behavior will receive due process to include:

- Notifying the student of the infraction;
- Explaining the evidence of such an infraction; and
- Giving the student the opportunity to explain their side of the story. At the Principal's or designee's discretion, the student may be allowed to confront witnesses against the student or present witnesses on behalf of the student.

D. Administrative Actions

Student conduct which violates the vision, values, and policies of the Dubuque Community School District is subject to administration action such as intervention, correction, or other consequences determined by school officials as set forth in this policy, which may include, but is not limited to, suspension or expulsion. Administrative actions are listed in the Administrative Guidelines to this policy in order to provide the Principal or designee with options for improving student behavior. In choosing an administrative action, authorized personnel will consider the facts and circumstances surrounding the incident, including the student's past performance, duration, intensity, and frequency of the student's behavior, as well as seriousness of the incident.

Students who fail to abide by this policy, and the administrative regulations supporting it, may be disciplined for conduct which disrupts or interferes with the education program; conduct which disrupts the orderly and efficient operation of the school district or school activity; conduct which disrupts the rights of other students to participate in or obtain their education; conduct that is violent or destructive; and/or conduct which interrupts the maintenance of a disciplined atmosphere. Disciplinary measures include, but are not limited to, removal from the classroom, detention, suspension, probation, and expulsion.

A student who commits an assault against an employee on school district property or on property within the jurisdiction of the school district; while on school-owned or school-operated chartered vehicles; or while attending or engaged in school district activities will be suspended by the Principal or designee. Notice of the suspension is sent to the Board President and the Board will review the suspension and decide if it will hold a disciplinary hearing to determine if it will impose further sanctions against the student which may include expulsion. In making its

decision, the Board shall consider the best interests of the school district, which shall include what is best to protect and ensure the safety of the school employees and students from the student committing the assault. Assault for purposes of this section of this policy is defined as, when, without justification, a student does any of the following:

- an act which is intended to cause pain or injury to, or which is intended to result in physical contact which will be insulting or offensive to another, coupled with the apparent ability to execute the act; or
- any act which is intended to place another in fear of immediate physical contact which will be painful, injurious, insulting, or offensive, coupled with the apparent ability to execute the act; or
- intentionally points any firearm toward another or displays in a threatening manner any dangerous weapon toward another.

The act is not an assault when the person doing any of the above and the other person are voluntary participants in a sport, social or other activity, not in itself criminal, when the act is a reasonably foreseeable incident of such sport or activity and does not create an unreasonable risk of serious injury or breach of the peace.

Removal from the classroom means a student is sent to the school Principal's or designee's office. It is within the discretion of the person in charge of the classroom to remove the student. This policy is not intended to address the use of therapeutic classrooms or seclusion rooms for students.

Detention means the student's presence is required during non-school hours for disciplinary purposes. The student can be required to appear prior to the beginning of the school day, after school has been dismissed for the day, or on a non-school day. Whether a student will serve detention, and the length of the detention, is within the discretion of the licensed employee or the school Principal who is disciplining the student.

Suspension means either an in-school suspension, an out-of-school suspension, a restriction from activities or a loss of eligibility. An in-school suspension means the student will attend school but will be temporarily isolated from one or more classes while under supervision. An in-school suspension will not exceed ten (10) consecutive school days. An out-of-school suspension means the student is removed from the school environment, which includes school classes and activities. An out-of-school suspension will not exceed ten (10) consecutive school days. A restriction from school activities means a student will attend school and classes and practice but will not participate in school activities.

Probation means a student is given a conditional suspension of a penalty for a definite period of time in addition to being reprimanded. The conditional suspension will mean the student must meet the conditions and terms for the suspension of the penalty. Failure of the student to meet these conditions and terms will result in immediate reinstatement of the penalty.

Expulsion means an action by the board to remove a student from the school environment, which includes, but is not limited to, classes and activities, for a period of time set by the Board.

Discipline of students eligible for special education support and services, including suspensions and expulsions, will comply with the provisions of applicable federal and state laws.

E. Appeal Process

An appeal process exists for students to appeal the consequences and interventions taken as a result of the school policies. Students, parents, or guardians wishing to appeal an administrative action should first speak with the person administering the action. If the issue is not resolved, students, parents, or guardians shall use the following chain of command:

- Level 1: Teacher or staff member;
- Level 2: Student Needs Facilitator, Assistant Principal, Principal, or the appointed designee;
- Level 3: Superintendent or their designee; and
- Level 4: School Board*

*Only incidents involving suspension for more than ten (10) consecutive days or expulsion have a right to a hearing before the Board of Education. For actions taken short of that, a student or parent may request a review by the Board of Education. Such review may be granted or denied at the discretion of the Board.

Students identified for special education services shall receive all due process consideration required under federal and state law. State of Iowa law pertaining to special education is detailed in the Iowa Administrative Rules for Special Education.

It is the responsibility of the Superintendent or designee, in conjunction with the Principal, to develop administrative regulations regarding this policy.

A copy of this policy will be made available to each student and staff member in the district at the beginning of the school year, and to each new student who enters the school system during the academic year. In addition, copies of this policy are always available to students, parents or guardians, and staff at each school, at The Forum (2300 Chaney Road, Dubuque, IA 52001) and on the district's website at www.dbqschools.org.

Legal Reference: Goss v. Lopez, 419 U.S. 565 (1975).
Brands v. Sheldon Community School District, 671 F. Supp. 627 (N.D. Iowa 1987).
Sims v. Colfax Comm. School Dist., 307 F. Supp. 485 (Iowa 1970).
Bunger v. Iowa High School Athletic Assn., 197 N.W.2d 555 (Iowa 1972).
Board of Directors of Ind. School Dist. of Waterloo v. Green, 259 Iowa 1260, 147 N.W.2d 854 (1967).
Iowa Code §§ 279.8; 282.3, 282.4, 282.5; 708.1.
281 I.A.C. 12.3(6)

Adopted: June 15, 1998
Revised: August 13, 2007
Revised: May 9, 2016
Revised: September 12, 2022

ADMINISTRATIVE GUIDELINES FOR STUDENT CONDUCT #5200 A1

PROBLEM BEHAVIORS

The following categories define behaviors which are prohibited because they are disruptive to the learning process, student achievement, and respectful relationships. This list is considered comprehensive, but not all inclusive. Any behavior that distracts from the learning environment or adversely affects the good order, efficiency, management, or welfare of the school is under the jurisdiction of this policy.

Abusive or Inappropriate Language/Profanity

Student delivers verbal messages that include swearing, name calling, or use of words in an inappropriate way.

Alcohol Related

Student is in possession of, is using, or is found to be under the influence of alcohol.

Arson

Student sets a fire, attempts to set fire, or uses incendiary devices with the intent of causing damage or creating a distraction.

Bullying

Student engages in behavior that is considered bullying as defined by Iowa Code §280.28. Bullying means any repeated or potentially repeated electronic, written, verbal, or physical act or other ongoing conduct toward an individual based on any trait or characteristic of the individual which creates an objectively hostile school environment that meets one or more of the following conditions:

1. Places the individual in reasonable fear or harm to the individual's person or property;
2. Has a substantial detrimental effect on the individual's physical and/or mental health; or
3. Has the effect of substantially interfering with the individual's academic or career performance. Has the effect of substantially interfering with the individual's ability to participate in or benefit from the services, activities or privileges provided by a school. See Policy #1001, Policy #1005, and Policy #1006.

Combustible Related

Student is in possession of or uses substances/objects readily capable of catching fire or burning and causing bodily harm and/or property damage (including but not limited to matches, lighters, firecrackers, gasoline, lighter fluid).

Communication of a Threat

Student communicates a threat through any means to endanger students and/or staff en masse.

Defiance/Insubordination/Non-Compliance

Student engages in refusal to follow directions or talks back to teachers/staff.

Disrespect

Student engages in behavior that is reasonably considered rude, impolite, or discourteous toward other individuals.

Disruption

Student engages in willful or continued disobedience of rules designed for the orderly operation of the school. Student demonstrates expression in any form, including electronic, or distribution by any means of material which is lewd, indecent, vulgar, obscene, libelous, slanderous, or which encourages violent or unlawful acts.

Dress Code Violation

Student wears any form of clothing, apparel, which is indecent, lewd, immodest, vulgar, obscene, disruptive of the orderly operation of the school, or which constitutes a health or safety hazard. Student is not allowed to wear or exhibit clothing, apparel, which depict, advertise, or promote any substance prohibited by these rules (including beer, alcohol, controlled substances, or tobacco products).

Drug Related

Student uses, is in possession of, sells, supplies, or is under the influence of any controlled or illegal substance (drugs) or has unlawful possession of a prescribed drug. The Board prohibits the distribution, dispensing, manufacture, possession, use, or being under the influence of controlled substances, synthetic substances, or "look alike" substances that appear to be tobacco, beer, wine, alcohol, or controlled substances by students while on school district property or on property within the jurisdiction of the school district; while on school owned or operated school or chartered vehicles; while attending or engaged in school activities; or while away from school grounds if the misconduct will distract from the learning environment or adversely affects the good order, efficiency, management, or welfare of the school district.

Student is in possession of paraphernalia related to the use or distribution of illegal substances. This includes but is not limited to: pipes, rolling papers, scales, or electronic vapor devices and products.

Student who needs to take medication during the school day or on a school sponsored activity should refer to Policy #7200.

Forgery/Plagiarism

Student has signed a person's name without that person's permission or depicts themselves as another person. Student takes someone else's work or ideas and passes them off as one's own.

Gang Affiliation Display

Student uses gesture, dress and/or speech to display affiliation with a "gang" as defined by Iowa Code §723A.

Harassment

Student engages in behavior that is considered harassment as defined by federal, state, local, or school policy. Under federal law, discriminatory harassment is considered unwelcome conduct based on a protected class. These protected classes are: race, color, national origin, disability, age, sex and religion. Harassing conduct may take many forms, including threats, physical assaults, and verbal and/or written abuse. This conduct may

be physically threatening, degrading, or humiliating. Harassment can happen in person, through third parties, by electronic device, or on the internet. Harassment creates a hostile environment when the conduct is sufficiently serious to interfere with or limit a student's ability to participate in or benefit from the school's program on the basis of a protected class.

Under Iowa law, harassment is paired with bullying. See bullying above and see Policy #1001, Policy #1005, and Policy #1006.

Inappropriate Display of Affection

Student engages in inappropriate, verbal and/or physical gestures or contact with another student/adult, regardless of whether consensual or not.

Inappropriate Location

Student is in an area that is outside of property within the jurisdiction of the school district, school owned and/or operated school or chartered vehicles, or area being used for school activities. Student is not to be in areas of school property for which they have not been given permission or granted access.

Lying/Cheating

Student delivers a message that is untrue or deliberately violates rules. Student acts dishonestly or unfairly in order to gain advantage on academic assignments or examinations.

Other Behavior

Student engages in behavior that is detrimental to the best interest of the school, staff, students, or self.

Parking Violations

Student parks a motorized vehicle in an unauthorized area or without a proper permit on school property or is in violation of any other parking lot rules of the school. Parking vehicles on school premises is a privilege for which the district may charge a fee and for which the school may establish procedures and regulations.

Peer Conflict

Student engages in behavior that creates a physical, verbal, or cyber conflict with a peer or peers. Peer conflict differs from bullying and harassment when the students have equal power, when the behavior is intermittent or accidental, when both parties are willing to resolve the conflict, or when the relationship is valued/maintained.

Physical Aggression (Including Assault)

Student engages in actions involving serious physical contact (e.g., hitting, punching, striking with an object, kicking, hair pulling, scratching, etc.) The offender(s) and victim(s) may or may not require medical attention either on or off site to constitute physical aggression or be a violation of this policy.

Physical Fighting

Student engages in a mutual physical fight. The offender(s) and victim(s) may or may not require medical attention either on or off site to constitute physical fighting or be a violation of this policy.

Property Damage/Vandalism/Misuse

Student participates in an activity that results in damage, destruction, or misuse of property.

Skip Class

Student leaves or misses class without permission.

Skip Detention

Student leaves or misses a previously assigned detention (lunch, before/after school or Saturday School).

Tardy

Student is tardy to class or school as defined in Policy #5107.

Technology Violation

Student engages in inappropriate use of computer, cell phone, music/video players, camera, and/or electronic devices. Student transmits any material (e.g., pornography, obscene material) in violation of federal, state, or local law or uses any device for non-educational activities. Access to and use of Internet and other electronic communication is a privilege and not a right for students and students should follow school and classroom expectations. See Policy #5505 and Policy #5501.

Theft

Student takes/passes on or attempts to take/pass on property that belongs to another person or the school.

Tobacco Related

Student is in possession of or is using tobacco or other nicotine-based products, including electronic vapor devices and products. See Policy #4601.

Truancy

Student does not attend school regularly and punctually; absences are unexcused. See policy #5107.

Threat to a Person

Student engages in verbal or written communication which is intended to place another in fear or is offensive, insulting, painful or hurtful to another person.

Weapons Related

Student is in possession of knives (real or look-alike), guns (real or look-alike) or other objects readily capable of causing bodily harm. See Policy #5202.

MENU OF ADMINISTRATIVE ACTIONS

The purpose of this section, Menu of Administrative Actions, is to provide the Principal or designee with potential options for improving student behavior. Actions taken with a student who has violated this policy will be intended to help the student understand and refrain from engaging in the behavior again. Administrative actions taken will be left to the discretion of the Principal or designee. Factors such as the student's past performance, the circumstances of a specific infraction (including its frequency, intensity, and duration), and the seriousness of any incident will also be taken into consideration.

In-School Suspension

In-school suspension is the temporary isolation of a student from one or more classes while under the supervision of the Principal or designee. In-school suspensions may be imposed by the Principal or designee for infractions of school rules, which are serious, but which do not warrant the necessity of removal from school.

The Principal or designee will conduct an investigation of the allegations against the student prior to imposition of an in-school suspension. The investigation will include, but not be limited to, written or oral notice to the student of the allegations against the student and an opportunity for the student to respond. In-school suspension will not be imposed for more than ten (10) school days. Written notice and reasons for the in-school suspension will be sent to the student's parents or guardians.

Out-of-School Suspension

Out-of-school suspension is the removal of a student from the school environment for periods of short duration. Out-of-school suspension is to be used when other available school resources are unable to constructively remedy student misconduct.

A student may be suspended out of school for up to ten (10) school days by a Principal or designee for a commission of gross or repeated infractions of school rules, regulations, policy, or the law, or when the presence of the student will cause interference with the maintenance of the educational environment or the operation of the school. Students will not be suspended for a period longer than three (3) days for the same infraction unless permission has been obtained from the Superintendent. The Principal or designee may suspend students after conducting an investigation of the charges against the student, giving the student: a. Oral or written notice of the allegations against the student, and b. The opportunity to respond to those charges. At the Principal's or designee's discretion, the student may be allowed to confront witnesses against the student or present witnesses on behalf of the student.

Notice of the out-of-school suspension will be mailed no later than the end of the school day following the suspension to the student's parents and the Superintendent. A reasonable effort is made to personally notify the student's parents, and such effort is documented by the person making or attempting to make the contact. Written notice to the parents will include the circumstances which led to the suspension and a copy of the Board policy and rules pertaining to the suspension.

Expulsion

Expulsion means an action by the Board to remove a student from the school environment, which includes, but is not limited to, classes and activities, for a period of time set by the board. See Policy #5201.

Interim Setting by School Personnel

A student entitled to special education services may be placed in an interim alternative educational setting. This action taken is a valid option only for students entitled to

special education and only if the problem behavior was drug-related, weapon-related, or resulted in serious bodily injury. The maximum duration of this action is forty-five (45) days per incident.

Action Pending

A Principal or designee may use additional time for investigation or decision-making regarding the administrative action to employ.

Apology

The student may be required to submit an apology to another student, adult, or the school body regarding misbehavior. This apology may be written, verbal or communicated electronically as directed by the Principal or designee.

Bus Suspension

Students who violate rules established for appropriate behavior for school bus passengers may be denied opportunity to ride the bus for a specific period of time. Students who have lost the privilege of riding the bus may be required to attend sessions designed to reteach bus behaviors to regain bus privileges. These sessions may be held during the school year or summer months.

Board Hearing

The student may be required to go before the Dubuque Community School District Board of Education for determination of the consequences to behavior.

Community Service

The student may be assigned duties directly related to the offense or infraction in the student's school building, in district facilities, on district buses/vehicles, or in the community.

Conference with Student

Student meeting with administrator, staff, and/or parent (in any combination).

Conflict Resolution/Mediation

The student may be assigned participation in the process of conflict resolution or mediation facilitated by school officials, students, or community agencies agreeable to school officials to identify causes of unacceptable behavior, to examine alternative behaviors and to develop a plan of action to resolve the conflict.

IEP Meeting

The student's IEP team may be called together for a meeting to determine if the student's actions are related to the identified disability, and if determined, the appropriate measures to take to prevent the behavior from re-occurring.

Individualized Behavior Support Plan

The student may spend time in a specified area away from scheduled activities/classes to utilize/and or receive support to utilize behavior strategies identified in a documented individualized student behavior support plan.

Individualized Instruction

The Principal or designee may assign individualized

instruction specifically related to the student's problem behaviors.

Letter Sent

A letter or another form of communication to the student's parents/guardians may be sent explaining the student's behavior and suggestions for improvement.

Loss of Privilege

A student may be denied privileges and access to equipment, specified areas, or events. For athletics see Policy #5305.

Mentoring

An adult mentor, including school officials and community members, may be used as a means of offering students support in adjusting their behavior.

Parent Contact

Contact with parent(s) or guardian(s) may be by phone, email, or person to person and is designed to provide notification of and/or discuss the problem behavior.

Physical Restraint

Physical restraint or seclusion may be utilized to prevent or terminate an imminent threat of bodily injury to the student or others; to prevent serious damage to property of significant monetary value or significant nonmonetary value or importance; when the student's actions are seriously disrupting the learning environment; or when it is necessary to ensure the safety of the student and others. All physical restraints and seclusions will be conducted and documented according to Policy #5203.

Police Intervention

School officials may call upon the police department to assist in situations involving illegal student behavior or where the immediacy, severity or chronic nature of the behavior poses a serious threat to staff or other students.

Probation

Probation is conditional suspension of a penalty for a set period of time. Probation may be imposed by the Principal or designee for infractions of school rules which do not warrant the necessity of removal from school.

The Principal or designee will conduct an investigation of the allegations against the student prior to imposition of probation. The investigation will include, but not be limited to, written or oral notice to the student of the allegations against the student and an opportunity to respond. Written notice and reasons for the probation will be sent to the parent(s) or guardian(s).

Referral to Outside Agencies

School officials may use a referral to external agencies to bring special expertise or resources to the modification of student behavior.

Removal from a Class

Principal or designee may remove a student from a segment (class) of the school day or activity for the duration of a semester or trimester if the student's behavior is deemed substantially disruptive following

several other intervention measures by school officials. The student may be assigned to a similar class.

Restitution

A student may be required to restore stolen or damaged property to its original state or engage in activities designed to restore the good order and effective management of the school.

Saturday School

A student may be required to attend classes/make up work on a Saturday. A student may also be required to attend a Saturday session to re-learn bus safety expectations/guidelines.

Search and/or Seizure

School district authorities may, without a search warrant, search students or protected student areas based on a reasonable and articulable suspicion that a school district policy, rule, regulation or law has been violated. School authorities may seize any illegal, unauthorized or contraband materials discovered in the search. See Policy #5201.

Student Responsibility Plan

Students, in cooperation with school staff, will develop a written plan to be used to correct an infraction. This will include desired behavior, action steps, and timeline.

Time in Office

A student may be required to spend time in the office away from scheduled activities/classes.

Time Out/Detention

Detention means the student's presence is required during non-school hours for disciplinary purposes. The student can be required to appear prior to the beginning of the school day, after school has been dismissed for the day, or on a non-school day. Whether a student will serve detention, and the length of the detention, is within the discretion of the licensed employee or the school principal disciplining the student. A detention may be considered a time out if it is given during the school day (e.g. lunch detention) and the student is away from scheduled activities/classes.

PHYSICAL RESTRAINT #5203

Chapter 5: STUDENT PERSONNEL
Section 3: STUDENT DISCIPLINE

In order to provide for the safety and security of all students, an employee may use reasonable and necessary force, not designed or intended to cause pain, in order to accomplish any of the following:

- to quell a disturbance or prevent an act that threatens physical harm to any person;
- to obtain possession of a weapon or other dangerous object within a student's control;
- for the purposes of self-defense or defense of others as provided for in Iowa Code section 704.3;
- for the protection of property as provided for in Iowa Code section 704.4 or 704.5;
- to remove a disruptive student from class or any area of school premises or from school-sponsored activities off school premises when other less restrictive alternatives are not feasible;
- to protect a student from the self-infliction of harm;
- to protect the safety of others.

In addition, no employee is prohibited from using incidental, minor, or reasonable physical contact in order to maintain order or control.

Reasonable physical force should be commensurate with the circumstances of the situation. The following factors should be considered in using reasonable physical force for the reasons stated in this policy:

1. the size and physical, mental, and psychological condition of the student;
2. the nature of the student's behavior or misconduct provoking the use of physical force;
3. the means or method used in applying the physical force;
4. the potential of injury to the student which may result from use of physical force;
5. the motivation of the school employee using physical force.

The principal or designee shall attempt to notify a student's parent or guardian on the same day the student is subjected to physical restraint or physical confinement, and will send written documentation within three school days.

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

Note: Physical restraint should not be confused with corporal punishment. Corporal punishment is defined as the intentional physical punishment of a student and is prohibited. This includes the use of unreasonable or unnecessary force or physical contact made with the intent to harm or cause pain.

Adopted: June 8, 2009
Reviewed: May 6, 2014
Revised: July 20, 2020

ADMINISTRATIVE GUIDELINES FOR USE OF PHYSICAL RESTRAINT #5203 A1

In implementing this policy, staff members will comply with the guidelines listed below.

1. Any physical force or contact employed in the restraint or confinement of a student must be reasonable and necessary under the circumstances.
2. No employee shall inflict, or cause to be inflicted, any intentional physical (or corporal) punishment upon a student.
3. If a student is physically confined in a room or area where the student's egress is restricted, the conditions of the confinement must meet all requirements of Iowa Code 281-103.6.
4. The Iowa Department of Education's rules prohibit the use of prone restraint except in an emergency situation and the "public agencies" must take immediate steps to terminate the prone restraint, subrule 103.8(1).
5. The principal or designee shall attempt to notify a student's parent or guardian on the same day the student is subjected to physical restraint or physical confinement.
6. Students will be checked by a school health professional after incidents of physical restraint or confinement.
7. The student's parent or guardian must be provided a written copy of the documentation relating to physical restraint, or confinement, as required by law postmarked within three school days of the occurrence. Reports of physical restraint, confinement or detention will also be filed with the superintendent or designee at the same time documentation is sent to parents/guardians.
8. While an employee may use reasonable and necessary force for the reasons outlined in this policy, it is expected that school employees, before using physical restraint or physical confinement, shall receive adequate and periodic training, which shall be documented and include training relating to this policy, these guidelines, and applicable Iowa law. Training will include positive behavior interventions and supports, alternatives to seclusion and restraint, crisis prevention and intervention, crisis de-escalation techniques, team debriefing, and the safe and effective use of physical restraint and confinement.

PARTICIPATION CODE FOR ACTIVITIES #5305

NOTE: This policy is scheduled for review and possible revision in the 2023-2024 school year. Please see www.dbqschools.org/schoolboard for the most current version of the policy.

Chapter 5: STUDENT PERSONNEL
Section 4: STUDENT ACTIVITIES

BELIEF STATEMENTS

The Dubuque Community School District offers a variety of activities designed to enhance education by promoting additional interests and abilities in students during their school years and for a lifetime. The District believes that:

Participation in school activities is a privilege, conditioned upon meeting the eligibility criteria established by the board, administration, and individual activity coaches and sponsors.

Students who participate in activities serve as ambassadors of the school district throughout the calendar year, whether away from or at school.

Students who wish to exercise the privilege of participating in school activities must conduct themselves as good citizens both in and out of school at all times. They must serve as positive role models to other students and members of the community.

The middle schools and high schools will enforce the following policies and procedures for participation in activities. Activities include athletics, cheerleading, vocal and instrumental music, speech, and drama. Students participating in other activities such as student council, yearbook, newspaper, or school sponsored groups are covered by Policy 5200, Student Behavior: Expectations and Consequences, and bylaws of the sponsoring group.

ACADEMIC ELIGIBILITY

High Schools

To be eligible for an activity, a student must:

1. Be enrolled or dual-enrolled in school.
2. Be enrolled in at least four classes at all times.
3. Be under 20 years of age if participating in athletics, music or speech activities.
4. Be enrolled in high school for eight semesters or less if participating in athletics, music, or speech activities.
5. Have not been a member of a college athletic team nor trained with a college squad, nor participated in a college contest, nor engaged in that sport professionally.
6. Have met all district-to-district open enrollment requirements.

A student in grades 9 through 12 whose transfer between district high schools occurred due to a request for open enrollment is ineligible to compete at the varsity (“varsity” means the highest level of competition offered by the school) level for the first 90 school days of the transfer. This period of ineligibility may not apply if:

1. It is determined that the student was subjected to a founded incident of harassment and bullying which prompted the request for open enrollment.
2. It is determined that there are extenuating circumstances, which have been previously communicated to school staff, that substantially interfere with the student's ability to participate in or benefit from the activities provided by a school.

- a. A request identifying extenuating circumstances must be made to the Director of Activities and Athletics within 5 days of the approved open enrollment.
- b. Within seven days the Director of Activities and Athletics will convene the Review Committee comprised of district staff, not associated with the situation, to receive information from the student, parents/guardians, school staff and other pertinent individuals.
- c. The Review Committee can make the following recommendations:
 - i. Maintain the period of ineligibility for the full 90 school days.
 - ii. Reduce the period of ineligibility.
- d. The decision of the Review Committee shall only be based on the information shared at the appeal.
- e. The Review Committee shall report their decision to the Director of Activities and Athletics who will inform the student and parents/guardians of the decision.

Special education students or students covered by a Section 504-B plan that is directly related to their course work shall not be denied eligibility on the basis of scholarship if the student is making progress, as determined by the school officials, towards the goals and objectives on the student's IEP or accommodation plan.

Coursework taken under the provisions of Iowa Code Chapter 261C, Postsecondary Enrollment Options, shall be used in determining eligibility.

Grades will be checked four times per year: At the end of the first nine weeks, at the end of the first semester, at the end of the third nine weeks, and at the end of the second semester.

If a student is not passing all subjects at the end of the first nine (9) weeks of either semester, the school will provide appropriate interventions and academic supports.

A. Athletics

1. If a student is not passing all subjects at the end of a grading period (semester), the student is ineligible for the first period of thirty (30) consecutive calendar days in the interscholastic athletic event in which the student is a contestant. Start Date as defined by IGHSAU/IHSAA.

B. Music

1. If at the end of any grading period (semester) a participant receives a failing grade in any course for which credit is awarded, the participant is ineligible to participate in any competitive event sanctioned by the IHSMA or any IHSMA sponsored event that is non-graded (event doesn't affect course GPA) within a period of 30 consecutive calendar days. Students receiving a failing grade are ineligible to participate in non-graded music events which are not sponsored by the IHSMA (e.g. Musical). The period of ineligibility will begin with the first school day following the day grades are issued by the school district.
 - a. Students receiving a failing grade are ineligible to participate in non-graded music events which are not sponsored by the IHSMA (e.g. Musical).

C. Speech & Theater

1. If at the end of any grading period (semester) a participant receives a failing grade in any course for which credit is awarded, the participant is ineligible to participate in any event sanctioned by the IHSSA or IHSSA sponsored event within a period of 30 consecutive calendar days. Students receiving a failing grade are ineligible to participate in speech and theater events, which are not sponsored by the IHSSA. The period of ineligibility will begin with the first school day following the day grades are issued by the school district.
 - a. Students receiving a failing grade are ineligible to participate in speech and theater events, which are not sponsored by the IHSSA.

MIDDLE SCHOOLS

Any student who wishes to participate in activities must meet the scholarship requirements after each of the marking periods (Progress Reports and Report Cards)

A. Athletics

Marking periods will be checked for eligibility every 20 calendar days.

- a. Students with one (1) failing grade will be on probation for competitions/performances until the next marking period.
 - i. If acceptable progress is achieved, the student will no longer be on probation and will be considered in good standing.
 - ii. If acceptable progress is not achieved, the student will become ineligible for competitions/performances until acceptable progress is achieved.
 - Acceptable progress is determined by administrator/activities director.
- b. Students with two (2) or more failing grades will be ineligible for competitions/performances until acceptable progress is achieved.
 - i. All failing grades must meet acceptable progress in order to return to competitions/performances.

B. Fine Arts

Marking periods will be checked for eligibility every 20 calendar days.

1. Musical
30 calendar days prior to the first performance students with 2 or more failing grades may be ineligible for one or all performances.
2. Extra- Curricular Musical Activities
Students with 1 failing grade will be on probation for competitions/performances until the next marking period.
 - If acceptable progress is achieved, the student will no longer be on probation and will be considered in good standing.
 - If acceptable progress is not achieved, the student will become ineligible for competitions/performances until acceptable progress is achieved.
 - Acceptable progress is determined by administrator/activities director.

Special education students or students covered by a Section 504-B plan that is directly related to their course work shall not be denied eligibility on the basis of scholarship if the student is making progress, as

determined by the school officials towards the goals and objectives on the student's IEP or accommodation plan.

ATTENDANCE

In order to participate in practice or in a contest/event on that day a student must attend the last three (3) periods of his/her school schedule. However, the student may be granted permission to participate by the Assistant Principal - Activities/Athletics or designee upon review of the reason for absence. Students are expected to be in attendance for all classes on the day following a contest/event.

CONDUCT

Students participating in the Activities Program are expected to observe the DCSD Student Behavior Policy 5200 as well as the following:

Participants must refrain from -

1. Possession, use, purchase or sale of tobacco products, regardless of the student's age.
2. Possession*, consumption, or purchase of alcoholic beverages. (Consumption includes having the odor of alcohol on one's breath.)
3. Possession*, use, or purchase of illegal drugs or the unauthorized possession, use, or purchase of otherwise lawful drugs (including steroids), look-alike drugs, or drug paraphernalia.
4. Sale, distribution of, or providing location for the illegal consumption of controlled substances or alcohol. (Such a violation will carry a third offense penalty.)
5. Being in a car or in attendance at a social function or party where alcohol or other illegal drugs are illegally available to or being consumed illegally by minors.
6. Engaging in any act that would be grounds for arrest or citation in the criminal or juvenile court system, excluding minor traffic offenses, regardless of whether the student was cited, arrested, convicted or adjudicated for the act(s). Examples include, but are not limited to theft, possession of stolen property, vandalism.
7. Inappropriate or offensive behavior. Non-exclusive examples include fighting, insubordination, refusing to cooperate with authorities, teachers, or school administrators, hazing or harassment of others, or any behavior that is not in the best interest of the district. Hazing is defined as any humiliating or dangerous activity expected of a new or potential member of a group regardless of the individual's willingness to participate.

*Possession in numbers 2, 3 and 5 is considered to be any presence while illegal transportation and/or consumption is taking place with knowledge that the illegal activity is occurring and failure to leave the location.

CONSEQUENCES

When the administration has reasonable grounds to believe that a student has violated the above conduct rules, the following procedures may be followed:

1. Administrator and student conference. Communication with Parent/guardian

2. Suspension from a number of regularly scheduled contests/performances
 - A. First offense – Consult tables for specific penalty
 - B. Second offense – Consult tables for specific penalty
 - C. Third – One calendar year
 - D. Fourth Offense- Loss of extra-curricular participation
3. Communication to parent /guardian and coach/sponsor

Successful completion of a suspension includes the following guidelines:

1. If the student is currently involved in an activity, the suspension begins immediately and includes only those dates in which the student could or would have been a participant. State sponsored dates are included in the suspension. The suspension includes all scheduled events at the student's current level of competition.
2. If the suspension is not completed during a current activity, it will carry over to the next activity in which the student participates. No awards will be given until the suspension is completed.
3. To avoid participating in an activity for the purpose of fulfilling a suspension, the student must complete the season in good standing.
4. A student involved in two or more activities which occur simultaneously will be suspended from both (all) of them. (Consult tables)
5. The participant must attend all practices/rehearsals / contests during the period of suspension.
6. Violations will not be carried over as part of the record when the student moves from eighth to ninth grade. Prior violations will be carried over from ninth through twelfth grade.
7. In those activities that receive academic credit, suspension shall not affect the student's grade.
8. The penalties listed above are not exclusive. In addition to or in lieu of such penalties, a student may be denied the privilege to participate on a temporary or permanent basis.

REDUCTION IN PENALTY

1. Admission Prior To Determination: Self-reporting of any behavior that could be construed as a violation of the Participation Code prior to knowledge of civil or school authorities may result in the suspension being reduced by one half. The purpose of this option is to provide a mechanism in which the student can receive assistance.
2. Evaluation and Treatment: A student who has a violation of the alcohol, tobacco, or drug provisions of the Participation Code may elect to seek an evaluation performed outside school and, if recommended, treatment from a recognized substance facility at the student or student's parent/guardian's expense. If the student seeks the evaluation, agrees to waive confidentiality, and allows the facility to report the recommendations for treatment, the student's suspension may be reduced by one half upon written confirmation of participation in the treatment program.
3. Behavior: Students who have violated provisions regarding inappropriate or offensive behavior may seek to reduce the penalty by entering into a Behavior Contract. The contract shall be in writing and could include apologies to affected parties and restitution where appropriate. Signatures of student, parent(s), coach/sponsor, and administrator are required. The reduction shall not exceed one-third of the penalty.

4. After the 4th offense and a 365-day no participation suspension, the student may be reinstated by the following guidelines
 - a. Zero conduct violations in the last 365 days;
 - b. Must be following all guidelines of the Iowa High School Athletic Association/Iowa Girls Athletic Union;
 - c. Must have remaining eligibility.

APPEAL PROCEDURE

1. District Level Hearing
 - a. Date of request – Within 5 school days of notification of parents by principal/designee. Request should be made in writing to District Activities Director.
 - b. Date of hearing – Within 7 days from the day the request is received, unless an extension is mutually agreed upon.
 - c. Participants – Student, parent(s)/guardians, Administrative Review Board (Superintendent or designee, two administrators from schools other than the school from which the appeal is filed, two coaches from schools other than the school from which the appeal is filed).
 - d. Procedure
 - i. The hearing will be held in private. The Board may limit attendance to allow orderly procedure.
 - ii. A record of the hearing shall be made by tape recorder. The tape shall be kept by the district for a minimum of 30 days and shall be made available to student or parent(s)/guardians upon request.
 - iii. The principal or designee shall present evidence in behalf of the recommendation for suspension.
 - iv. The student, student's parent(s)/guardians, or attorney shall present the student's version of or refutation of the allegation through explanation, documents, witnesses.
 - v. Witnesses at the hearing or persons, whose testimony has been submitted, in written form, shall be subject to cross-examination by any party as is necessary for a full disclosure of the facts.
 - vi. The decision of the Administrative Review Board shall be based only on evidence introduced at the hearing.
 - e. Results
The Administrative Review Board shall report the decision to the District Activities Director who will inform the student and parent(s)/guardians of the decision.

Revised: March 14, 2004
Revised: July 17, 2017
Revised: August 13, 2018
Revised: January 11, 2021

Cross Reference:
6209, 6210, 6213

ADMINISTRATIVE GUIDELINES FOR PARTICIPATION CODE FOR ACTIVITIES #5305 A1

SUSPENSIONS

Athletics

High School

SPORT	FIRST OFFENSE	SECOND OFFENSE
	(Dates on Schedule)	(Dates on Schedule)
Baseball	5	10
Basketball/Cheerleading	5	10
Bowling	3	6
Cross Country	2	4
Football/Cheerleading	2	4
Golf	3	6
Soccer	3	6
Softball	5	10
Swimming	3	6
Tennis	3	6
Track	4	8
Volleyball	4	8
Wrestling/Cheerleading	4	8

Middle School

SPORT	FIRST OFFENSE	SECOND OFFENSE
	(Dates on Schedule)	(Dates on Schedule)
Basketball	2	4
Cross Country	2	3
Dance	1	2
Football	1	3
Track	1	3
Volleyball	2	5
Wrestling	1	3

When a reduction of penalty occurs, the remaining penalty will be rounded up. (Ex. 5 game suspension, reduced to 2 ½, penalty would be 3 games)

*Suspensions from a second offense are in addition to suspensions from a first offense.

Music

High School

Dubuque Community School District students involved in curricular music groups will be expected to participate in all graded (curricular) performances of the music group. Violations of the Participation Code for Activities will cause students to be withheld from the non-graded/extra-curricular portion of the music group's performance schedule at the same rate as that of activities that are totally non-graded/extra-curricular.

Occasionally, students who participate in graded (curricular) music groups also participate in non-graded (extra-curricular) activities such as sports or clubs. Students participating in both graded and non-graded groups will be expected to participate

in the graded (curricular) performances and suspended from the non-graded/extra-curricular performances as a result of the code violation.

Music/Speech/Theatre

Middle School/High School

ACTIVITY

Band, Color Guard, Orchestra, & Vocal Music

- FIRST OFFENSE: Extra-Curricular Event
- SECOND OFFENSE: Next 2 Extra-Curricular events

Musical

- FIRST OFFENSE: One performance
- SECOND OFFENSE: Two performances

Speech/Theatre

High School

ACTIVITY

Speech

Individual Events

- FIRST OFFENSE:
 - Removal from event.
 - Pay entry fee.
- SECOND OFFENSE:
 - Removal from event – Not allowed to audition or participate in the next speech event.
 - Pay entry fee.
 - Lose consideration for awards.

Large Group

- FIRST OFFENSE:
 - Prior to fourth week of rehearsal – Removal from event.
 - Pay portion of entry fee.
 - After third week of rehearsal – Student is allowed to perform but not allowed to audition for speech next event.
- SECOND OFFENSE:
 - Removal from event.
 - Lose consideration for awards.
 - Not allowed to audition for or participate in next speech/theatre event.
 - Pay portion of entry fee.

Theatre

Fall/Spring Production

- FIRST OFFENSE:
 - Prior to third week of rehearsal – Removal from show.
 - After third week of rehearsal – Allowed to perform but cannot audition for next theatre event.
 - Lose consideration for awards.
- SECOND OFFENSE:
 - Prior to third week of rehearsal – Removal from show.
 - After third week of rehearsal – Allowed to perform but cannot audition for next two theatre events.
 - Lose consideration for awards.

Unscripted

- FIRST OFFENSE:
 - Removal from next two performances.
 - Removal from leadership positions.
 - Cannot audition for next speech/theatre event.
- SECOND OFFENSE:
 - Removal from Troupe for remainder of the school year.
 - Lose consideration for awards.

STUDENT RESPONSIBLE USE OF TECHNOLOGY #5504

Chapter 5: STUDENT PERSONNEL
Section 6: MISCELLANEOUS RELATED MATTERS

Purpose

The purpose of the District's Responsible Use policy is to educate students about digital citizenship.

Students shall ensure technology is used in a responsible, efficient, ethical, safe, and legal manner, and that such use is in support of the district's education and business objectives.

The policy is meant to educate students on how to prevent unauthorized access and other unlawful activities by users online, prevent unauthorized disclosure of or access to sensitive information, and to comply with legislation including, but not limited to, the Children's Internet Protection Act (CIPA), Children's Online Privacy Protection Act (COPPA) and Family Educational Rights and Privacy Act (FERPA). Furthermore, the policy clarifies the educational purpose of District technology. Students' Internet activities will be monitored by the District to assist in restricting students from accessing inappropriate sites that have visual depictions that include obscenity, pornography or are otherwise harmful to minors.

As used in this policy, "user(s)" includes anyone using computers, Internet, email, and all other forms of electronic communication or equipment provided by the District (the "network") regardless of the physical location of the user. The policy applies even when District-provided equipment (laptops, tablets, etc.) is used off District property. Additionally, the policy applies when non-District devices access the District network or their own private network on District property.

The District uses technology protection measures to block or filter access, as much as reasonably possible, to visual and written depictions that are obscene, pornographic, or harmful to minors over the network. The District can and will monitor users' online activities and access, review, copy, and store or delete any communications or files and share them with adults as necessary. Users should have no expectation of privacy regarding their use of District equipment, network, and/or Internet access or files, including email in accordance with Freedom of Information Act (FOIA) and Federal Rules of Civil Procedure (FRCP). All information on the District's computer system is considered a public record. Whether there is an exception to keep some narrow, specific content within the information confidential is determined on a case by case basis.

As social media use continues to grow, social media awareness and education is crucial to effectively navigating and productively participating in such online spaces. Participating online with an audience beyond the classroom provides an opportunity to engage with others and experience diverse perspectives. Teaching students to be critical consumers and creators of online material will help them be better positioned for college and career success. Students need guidance on how to responsibly and productively participate online to begin

establishing a positive digital footprint. Social media is comprised of online platforms where users engage one another and share information and ideas through text, video, or pictures. To be responsible social media users, students and staff will understand the different types of social media available and ways to engage in safe and productive ways online. Staff are encouraged to use professional and ethical judgement when friending or following students on social media. If staff require the need to communicate with students via social media, it is recommended that they use professional accounts or universal platforms.

Online Learning Platforms - It is important to embrace technology that can foster a creative, interactive learning environment for students, and facilitate employee professional development and collaboration. The use of online platforms to host remote interaction between students and employees and to facilitate learning is encouraged in the district.

While student and employee instruction and communication using virtual and online platforms provides a wide array of learning opportunities, it is imperative that employees and students recognize that the use of such platforms is a privilege. Training related to the use of online learning platforms will be provided to employees and students.

The district shall carefully safeguard the right of students and employees to learn and teach in a respectful environment regardless of the method. All instruction and communication through online learning platforms should be appropriate to the age and ability of the participants. Students and employees should be aware that online platforms may be monitored by the district. Verbal and written communication occurring on these platforms may be recorded and stored by the district in accordance with applicable laws.

Any verbal or written communication that is deemed to be inappropriate on these platforms will subject the student and/or employee to the same disciplinary measures that would exist if the interaction took place through traditional in-person learning. Students and employees who have concerns about the proper use of these platforms are encouraged to speak with their teachers or school principal.

The District will take all necessary measures to secure the network against potential cyber security threats. This may include blocking access to District applications, including, but not limited to, email, data management and reporting tools, and other web applications.

Student Responsibility for Positive Digital Citizenship

I am responsible for practicing positive digital citizenship.

- I will practice positive digital citizenship, including appropriate behavior and contributions on websites, social media, discussion boards, media sharing sites, and all other electronic communications, including new technology.
- I will be honest in all digital communication.

- I understand that what I do and post online must not disrupt school activities or compromise school safety and security.

I am responsible for keeping personal information private.

- I will not share personal information about myself or others including, but not limited to, names, home addresses, telephone numbers, birth dates, or visuals such as pictures, videos, and drawings unless used for appropriate/applicable school-related function (e.g. student publication, sporting events, and other activities).
- I will not meet anyone in person that I have met only on the Internet without prior consent of my parent or legal guardian.
- I will be aware of privacy settings on websites that I visit.

I am responsible for my passwords and my actions on District accounts.

- I will not share any school or District usernames and passwords with anyone.
- I will not access the account information of others.
- I will log out of unattended equipment and accounts in order to maintain privacy and security.

I am responsible for my verbal, written, and artistic expression.

- I will use school appropriate language in all electronic communications, including email, social media posts, audio recordings, video conferencing, and artistic works.
- I am responsible for treating others with respect and dignity.
- I will not send and/or distribute hateful, discriminatory, or harassing digital communications, or engage in sexting.
- I understand that bullying in any form, including cyberbullying, is unacceptable, as outlined in District policy 1001.

I am responsible for accessing only educational content when using District technology.

- I will not seek out, display, or circulate material that is hate speech, sexually explicit, or violent.
- I understand that any exceptions must be approved by a teacher or administrator as part of a school assignment.
- I understand that the use of the District network for illegal, political, or commercial purposes is strictly forbidden.

I am responsible for respecting and maintaining the security of District electronic resources and networks.

- I will not try to get around security settings and filters, including through the use of proxy servers to access websites blocked by the District.
- I will not install or use illegal software or files, including copyright protected materials, unauthorized software, or apps on any District computers, tablets, smartphones, or other new technologies.
- I know that I am not to use the Internet using a personal data plan at school, including personal mobile hotspots that enable access on District equipment.
- I will not use the District network or equipment to obtain unauthorized information, attempt to access information protected by privacy laws, or impersonate other users.
- I will not engage in acts of vandalism, mischief, tampering, theft and other criminal acts through the use of Network/Internet or other electronic communication services and/or the data infrastructure hardware and wiring used to access these services.

I am responsible for taking all reasonable care when handling District equipment.

- I understand that vandalism in any form is prohibited.
- I will report any known or suspected acts of vandalism to the appropriate authority.
- I will respect my and others' use and access to District equipment.

I am responsible for respecting the works of others.

- I will follow all copyright (<http://copyright.gov/title17/>) guidelines.
- I will not copy the work of another person and represent it as my own and I will properly cite all sources.
- I will not download illegally obtained music, software, apps, and other works.

I will abide by all laws, this Responsible Use policy and all other District policies.

Consequences for Irresponsible Use

Misuse of District devices and/or networks may result in restricted access. Failure to uphold the responsibilities listed above is misuse. Such misuse may also lead to disciplinary and/or legal action against students, including suspension, expulsion, or criminal prosecution by government authorities. The District will attempt to tailor any disciplinary action to the specific issues related to each violation.

Disclaimer

The District makes no guarantees about the quality of the services provided and is not liable for any claims, losses, damages, costs, or other obligations arising from use of the network or District accounts. Users are responsible for any charges incurred while using District devices and/or networks. The District also denies any liability for the accuracy or quality of the information obtained through user access. Any statement accessible online is understood to be the author's individual point of view and not that of the District, its affiliates, or employees.

Summary

All users are responsible for practicing positive digital citizenship. Positive digital citizenship includes appropriate behavior and contributions on websites, social media, discussion boards, media sharing sites and all other electronic communications, including new technology. It is important to be honest in all digital communications without disclosing sensitive personal information. What District community members do and post online must not disrupt school activities or otherwise compromise individual and school community safety and security. At all times, in and out of school, social media use on district devices is covered by this policy.

This Responsible Use policy applies to all students enrolled in the Dubuque Community School District. Additionally, all existing policies and behavior guidelines that cover student conduct on the school premises and at school-related activities similarly apply to an online environment

Adopted: November 10, 1997
Revised: August 14, 2017/September 18, 2017
Revised: October 12, 2020

PARENT AND FAMILY ENGAGEMENT IN TITLE I BUILDINGS #6202

Chapter 6: EDUCATIONAL PROGRAM
Section 3: INSTRUCTIONAL ARRANGEMENTS

It is the policy of the Dubuque Community School District that parents/guardians of participating children shall have the opportunity to be involved jointly in the development of the district plan and in the district's review process for the purpose of school improvement. Recognizing that parental involvement is the key to academic achievement, we seek to involve parents/guardians in an effective home-school partnership that will provide the best possible education for our students. The district provides coordination, technical assistance and other supports necessary to aid in the planning and implementation of parent involvement activities. The district encourages parent involvement and supports this partnership through providing information about standards and assessments; providing training and materials for parents/guardians to help their children; educating school personnel about involving parents and the value of parent contributions; and developing roles for community organizations and businesses to work with parents/guardians and schools.

1. This jointly developed and agreed upon written policy is distributed to parents/guardians of participating Title I children through the parent-student handbook, which is made available to every family via the district's website. Printed copies of the handbook may be requested from any school or from the Forum. In school-wide buildings, this will include all parents. (ESSA Section 1116(a)(2))
2. The district will provide technical assistance and support to schools in planning and implementing effective parent and family engagement activities to improve student academic achievement and school performance through professional development regarding parent and family engagement. The district will partner with community groups as a means to engage families more creatively and successfully. (ESSA Section 1116(a)(2)(B))
3. The district will work to find ways to work cooperatively with other federal, state, and local programs. The Title I program will work with local public preschool programs, Headstart programs, local library programs, and special education programs (IDEA). The district coordinates with the local food pack program to offer support to students that are food insecure, especially over the weekends. (ESSA Section 1116(a)(2)(C))
4. The district conducts an annual evaluation of the content and effectiveness of the Parent and Family Engagement policy. The evaluation includes parents/guardians in a meaningful manner. In addition to surveys, the district uses focus groups and open discussion groups for this evaluation. Parents and families have a voice. The evaluation tools and methods identify the type and frequency of school-home interactions and the needs of parents/guardians have to better support and assist their children in learning. The evaluations will target at least three key areas: barriers, ability to assist learning, and successful interactions. (ESSA Section 1116(a)(2)(D)(i-iii))
5. The district uses the findings for the annual evaluation to design evidenced-based strategies for more effective parent and family engagement. The evaluation results will help uncover best practices that are working and adapt those ideas to the district and individual school needs. (ESSA Section 1116(a)(2)(E))
6. The district involves parents/guardians in activities of the school. The district has established a parent advisory committee comprised of a sufficient number and representative group of parents/guardians to adequately represent the needs of the population, revise, and review the Parent and Family Engagement plan. (ESSA Section 1116(a)(2)(F))
7. At least one annual meeting will be held to inform parents/guardians of the school's participation in the Title I program and to explain the requirements of the program and their right to be involved. All Title I elementary buildings will hold an annual meeting in the fall. Notification will be sent to parents/guardians. (ESSA Section 1116(c)(1))
8. Parent and family meetings, including parent conferences, will be held at different times during the day and Title I funds may be used to pay reasonable and necessary expenses associated with parent and family engagement activities, including transportation, childcare, or home visit expenses to enable parents/guardians to participate in school-related meetings and training sessions. (ESSA Section 1116(c)(2))
9. The district will involve parents/guardians in the planning, review, and improvement of the school's Title I program through participation in stakeholder groups and in-person meetings where parents/guardians give input and feedback. (ESSA Section 1116(c)(3))
10. In a school-wide program plan, parents/guardians are asked to be involved in the joint development of the building's school-wide plan through in-person meetings, surveys and electric feedback as appropriate. Applies only to Title I schools operating a school-wide program. (ESSA Sections 1116(c)(3) and 1114))
11. Parents/guardians of participating children are given assistance in understanding the Title I program, with timely information about the Title

I program. Through annual meetings and parent-teacher conferences, the school will provide parents and family members of participating children with a description and explanation of the curriculum in use at the school, the forms of academic assessment used to measure student progress, and the proficiency levels students are expected to meet. Parents/guardians receive an explanation of the school's performance profile, the forms of academic assessment used to measure student progress, and the expected proficiency levels in the annual progress report distributed to all stakeholders in the spring of the year, through individual reports given to parents/guardians at conference time, and through report cards. (ESSA Section 1116(c)(4)(A) & (B))

12. If requested by parents/guardians, the school will provide opportunities for regular meetings to formulate suggestions and to participate, as appropriate, in decisions relating to the education of their children, and respond to any such suggestions as soon as practicably possible. (ESSA Section 1116(c)(4)(C))
13. If the school-wide plan under Section 1114(b) is not satisfactory, parents/guardians of participating students may comment. Comments may be made in writing to the school principal. (ESSA Section 1116(c)(5))
14. A jointly developed school/parent compact outlines how parents/guardians, the entire school staff, and students all share responsibility for improved student achievement. The compact also describes the means by which the school and parents/guardians will build and develop a partnership to help children achieve our local high standards. It is distributed in the parent-student handbook and is reviewed at the annual meetings. (ESSA Section 1116(d))
15. Parents/guardians will be notified of this policy in an understandable and uniform format and, to the extent practicable, provided in a language the parents/guardians can understand. The policy will be provided in English, Spanish and Marshallese and will be free of educational jargon. (ESSA Section 1116(b)(1))
16. In order to ensure effective involvement of parents/guardians and to support a partnership among the school involved, parents/guardians, and the community to improve student academic achievement, each school and local educational agency shall:
 - a. Provide assistance to parents/guardians in understanding challenging state academic standards, state and local academic assessments, the requirements of this part, and how to monitor a child's progress

- b. and work with educators to improve the achievement of their children;
- b. Provide materials and training to help parents/guardians to work with their children to improve their children's achievement, such as literacy training and using technology (including education about the harms of copyright piracy), as appropriate, to foster parental involvement;
- c. Educate teachers, specialized instructional support personnel, principals, school leaders, and other staff, with the assistance of parents/guardians, in the value of contributions of parents/guardians, and in how to reach out to, communicate with, and work with parents/guardians as equal partners, implement and coordinate parent programs, and build ties between parents/guardians and the school;
- d. Coordinate and integrate parent involvement programs and activities with other federal, state, and local programs, including public preschool programs, and conduct other activities, such as parent/guardian resource centers, that encourage and support parents/guardians in more fully participating in the education of their children;
- e. Ensure that information related to school and parent programs, meetings, and other activities is sent to the parents/guardians of participating children in a format and, to the extent practicable, in a language the parents/guardians can understand; and
- f. Provide such other reasonable support for parental involvement activities under this section as parents/guardians may request. (ESSA Section 1116(e)(1-14))

17. The school, to the extent practicable, will provide opportunities for the informed participation of parents/guardians (including parents/guardians who have limited English proficiency, parents/guardians with disabilities, and parents/guardians of migratory children) by providing information and school reports required under Section 1111 in a format and language the parties can understand. (ESSA Section 1116(f)).

Adopted: October 12, 2020

COMPETENT PRIVATE INSTRUCTION #6220

Chapter 6: EDUCATIONAL PROGRAM
Section 3: INSTRUCTIONAL ARRANGEMENTS

Students who are 6 years old by September 15th and under the age of 16 by September 15th are required to attend school. Students between these ages may be exempted from this state attendance requirement if they are receiving competent private instruction or Independent Private Instruction (home schooling) under the provisions of Iowa law.

Adopted: March 11, 1996
Revised: April 19, 2010
Revised: March 14, 2016
Revised: December 13, 2021

ADMINISTRATIVE GUIDELINES #6220 A1

Independent Private Instruction

Iowa law provides that students may receive independent private instruction (IPI) as an alternative to attending an accredited public or private school. The superintendent may request a report from a parent, guardian, or legal or actual custodian identifying the primary instructor, location, name of authority responsible for the IPI, and the name of the student(s) responsible for the IPI, and the name of the student(s) enrolled. The district must still comply with the requirements of truancy law. Although Iowa code does not require that IPI paperwork, is filed with the district, doing so meets the requirement of the Compulsory Attendance Law (Iowa Code section 299.1).

Competent Private Instruction

Iowa law provides that students may receive competent private instruction as an alternative to attending an accredited public or private school. A parent, guardian, or legal custodian receiving competent private instruction must notify the resident school district by September 2 of each school year that the student will be receiving such instruction by filing Form A per guidelines outlined in the Iowa Department of Education Private Instruction Handbook with the Dubuque Community Schools home school coordinator, The Forum, 2300 Chaney Road, Dubuque, Iowa, 52001-3095.

All mandatory items on the form must be completed by the parent, guardian, or legal custodian in order for the report to be in compliance with the law.

Parent, guardian, or legal custodian of students receiving competent private instruction are expected to comply with the rules and regulations of the Iowa Code.

Dual Enrollment:

The parent, guardian, or legal custodian of a child of compulsory attendance age who is receiving competent private instruction may enroll the child under dual enrollment. Those desiring dual enrollment shall notify the district no later than September 15 of the school year for which dual enrollment is sought.

Dual enrolled students may enroll in a total of three-quarters of instruction by way of the district's academic programs and have at least one-quarter of the student's instruction by the way of competent private instruction. Form A must be filed for all dual enrolled students. Students requesting an academic class and/or an activity need to meet participation requirements (see Policy #5305) in order to be included in the class or activity. If dual enrolled, annual assessment is required. The Dubuque Community School District home school coordinator offers standardized testing sessions each spring. All spring testing dates and times must be published by October 1st of each school year.

Students receiving competent private instruction may open enroll in another district for dual enrollment. The parent, guardian, or legal custodian must notify the superintendent by the legal deadline that the student will request open enrollment.

Home School Assistance Program

Parent, guardian, or legal custodian of students receiving competent private instruction who wish to receive services of the district's home school assistance program must:

1. Complete Form A for competent private instruction and provide two copies for the district's home-schooling coordinator within the deadlines specified by code.
2. Meet with the home school assistance program teacher with the enrolled student at least four times per quarter during the period of instruction. Two of these visits need to be face-to-face with the student; the other two may be phone visits.

The responsibilities of the home school assistance program teacher include:

1. Assisting parent, guardian, or legal custodian in locating/using resources.
2. Administering standardized tests to students in the spring and fall of the school year.
3. Providing input and feedback to parent, guardian, or legal custodian regarding the lesson plans of the enrolled students.

The responsibilities of the parent, guardian, or legal custodian of student(s) receiving services from the home-schooling assistance program teacher include:

1. Being in attendance at and prepared for the four required quarterly meetings with the home school assistance program teacher.
2. Providing a safe environment that is conducive for instruction during the home school assistance program teacher's four required quarterly meetings.
3. Demonstrating that the student(s) is making adequate progress on learning goals and objectives that align with the student's age and expected grade placement. The home-schooling assistance program teacher must be properly licensed and is limited to serving 40 students or 20 families at one time.

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Procedures and Qualifications for Regular Enrollment

Students who have previously received competent private instruction, and/or independent private instruction who are seeking regular enrollment in the district will be admitted to school as designated by district policies and guidelines.

Credit Evaluation

Students at all levels will receive grades only for work performed while enrolled in Dubuque public schools. Grades from private instruction will not be included in grade point averages or class rank and will not be listed on the transcript.

Graduation Credits

Regardless of the admission level status, the student must earn the number of credits in the subjects required by Board Policy #6210 to receive a Hempstead or Senior High School diploma. The principal or designee may grant credit(s) toward attainment of the diploma after verifying that a student's previous instruction in a specified subject area met comparable time requirements for a credit, after reviewing the lesson plans for comparability to courses in the Board approved registration guide, and upon the student's demonstrating competency in the subject area(s) through criterion and performance testing. Credits accepted through this administrative process will be noted on the transcript as "Home School Credit". These credits will not be used in the computation of GPA or class rank. These accepted credits may be used to fulfill establish district graduation requirements.

Home school and dual enrolled credit will not be considered toward fulfillment of graduation requirements until the student is enrolled as a full-time student.

Diploma Eligibility:

In order to receive a Hempstead or Senior diploma, a student who has been receiving competent private and/or independent private instruction must have earned 10.8 credits at Hempstead or Senior; fulfilled graduation credit requirements as specified in Board Policy #6210; and attended Hempstead or Senior fully enrolled (Policy #6209) for two consecutive semesters immediately prior to graduation.

Scholastic Achievement and Honors:

Students enrolled full time in any Dubuque public school will be eligible for honors and scholarships as defined by the honors and scholarship programs.

Students may receive recognition for scholastic achievement only by virtue of courses taken at the appropriate school. A parent, guardian, or legal custodian who wishes to have the student receive honors or scholarships is responsible for contacting the school to find out the requirements for the honors or scholarships and for having the student comply with the enrollment and performance requirements necessary for eligibility.

Home School Limitations:

1. Students in home school or dual enrolment are not eligible for dual enrollment in more than one school.
2. Students seeking dual enrollment or full-time enrollment coming from home school will be subject to a review of prior disciplinary stipulation and full accountability of previous educational experiences. Any previous disciplinary determinations may be re-imposed at the discretion of the enrolling school.

Appeal Process:

The home-schooling coordinator will establish a review committee composed of district and building administrators and teachers as a response to any parent appeal of home school related decisions made at the building level. The members and size of the committee will be determined by the nature of the decision being appealed. The parent, guardian, or legal custodian of the student will have the right to make a final appeal to the Dubuque Community School District Board of Education. The decision by the Dubuque Community School District Board of Education may be appealed to the State of Iowa Board of Education pursuant to Iowa Code Section 290.1.

Student Fees

Fees will be charged according to the fee schedule adopted annually by the Board of Education.

UNPAID MEAL ACCOUNTS #7002

Chapter 7: AUXILIARY SERVICES
Section 1: FOOD AND NUTRITION

The policy of the Dubuque Community School District is to offer breakfast and lunch to all students within the district. As a student's account approaches a zero balance or becomes negative, the attached administrative guidelines will apply.

Each school will:

- Not deny students meals because of low account balances;
- Not allow students to purchase a la carte when their meal account is at zero balance;
- Allow a student to charge meals up to a negative balance of \$9.45. After the charge limit is reached, an alternate entrée, fruit and milk will be offered for breakfast and lunch until the charges are paid in full. This alternate offering will not be charged to the student's account.
- Students who decline the alternate entrée, fruit and milk, and take the regular meal, will be charged for a full price meal. Parents will be responsible for the charges to the student's account.

Adopted: May 8, 2017
Revised: July 15, 2019
Revised: September 12, 2022

the cash register when the balance falls below \$9.00.

- Parents will receive low balance notification via email through the Meal Magic system.
- Parents will receive a weekly letter when accounts fall into a negative balance.

Employees

- Employees may also establish meal accounts. An employee's meal account balance may not fall below zero.
- Employees will receive low balance notification through the Meal Magic system.

Outstanding Meal Accounts

- The Food and Nutrition Department will make every attempt to notify families of outstanding accounts through email, telephone calls or letters sent via US mail. The department will make every effort to work out a payment plan or help families apply for assistance.

ADMINISTRATIVE GUIDELINES FOR UNPAID MEAL ACCOUNTS #7002 A1

Elementary School

- Once students have reached a zero balance, they may charge any combination of meals (breakfast or lunch) up to a negative balance of \$9.45
- When the negative \$9.45 charge limit is reached, an alternate sandwich, fruit and milk will be offered for lunch, and cereal, fruit and milk for breakfast, until the charges are paid in full. This alternate lunch or breakfast will not be charged to the student's account.
- Payment envelopes indicating the student's account balance, for those accounts with less than \$5.00, will be sent home with the students on a weekly basis.
- Parents will receive low balance notification via email through the Meal Magic system.
- Parents will receive a weekly letter when accounts fall into a negative balance. Once an account falls over \$15.00, a phone call will be made as needed.

Middle School/High School

- Students may charge any combination of meals up to a negative balance of \$9.45.
- Snack or a la carte items may only be purchased with a positive account balance.
- When the negative \$9.45 charge limit is reached, an alternate sandwich, fruit and milk will be offered for lunch, and cereal, fruit and milk for breakfast, until charges are paid in full. This alternate lunch or breakfast will not be charged to the student's account.
- If a student with a negative balance attempts to purchase a la carte items with cash, the money must first be applied to the negative balance.
- Students are verbally notified of their account balance at

PUBLIC CONDUCT ON SCHOOL PREMISES #9005

Chapter 9: BUILDINGS AND SITES
Section 1: MAINTENANCE AND OPERATIONS

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 Policy 5200. 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, activity sponsors and officials of 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 other individuals will not be tolerated.

- Verbal or physical conduct of individuals that interferes with the performance of students, school officials, employees, officials, or 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, or activity sponsors of sponsored or approved activities or at 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 remains 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.

This policy will be published annually in each school's student/parent handbook.

Adopted: December 13, 1999
Revised: February 11, 2008
Reviewed: April 7, 2014
Reviewed: July 15, 2019