

# District Information

## District Mission and Beliefs

The Des Moines Public Schools exist so that graduates possess the knowledge, skills and abilities to be successful at the next stage of their lives.

### MIDDLE SCHOOL PROGRAMS

2100 Fleur Drive  
Des Moines, Iowa 50321

Tim Schott.....Executive Director  
Corey Harris..... Director  
David Johns International Baccalaureate Director

### FREQUENTLY USED PHONE NUMBERS

|                                     |          |
|-------------------------------------|----------|
| Assessment.....                     | 242-7664 |
| Business and Finance .....          | 242-7745 |
| Community Education.....            | 242-8521 |
| Curriculum.....                     | 242-8170 |
| Elementary Department.....          | 242-7725 |
| ELL Department.....                 | 242-7691 |
| Enrollment Center                   | 242-7371 |
| Preschool.....                      | 242-7234 |
| ELL.....                            | 242-8102 |
| New Families                        | 242-7371 |
| Within District Transfer & OE ..... | 242-7353 |
| Student Placement.....              | 242-7354 |
| Food & Nutrition Management.....    | 242-7636 |
| High School Programs.....           | 242-7725 |
| Learning Supports.....              | 323-8644 |
| Middle School Programs.....         | 242-7725 |
| Special Education.....              | 242-7714 |
| Transportation                      | 242-7887 |

### DISTRICT WEBSITE

[www.dmschools.org](http://www.dmschools.org)

#### Middle School Hours

2018-2019 School Year

8:30 am – 3:25 pm

<https://www.dmschools.org/schools/school-hours-2/>

*This student handbook is intended to help acquaint families with our middle school programs. This handbook is not a contract, and the rules and guidelines described in this handbook are subject to change anytime without notice. Parents are encouraged to contact their school with any specific questions or other concerns.*

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### **Absences or Tardies**

Research has consistently shown that students who attend school regularly and on time usually experience greater academic success. Please make every effort to ensure your child's prompt and regular attendance.

There are times when children should not be in school because of illness, injury, or other reasons. It is the parent's responsibility to contact the school by 8:00 a.m. if a child will not be in school.

If your child is ill at school, a representative from the school will contact you. If a parent cannot be reached, the school will attempt to contact others listed on the emergency sheet. We will release students only to authorized individuals. Please update these phone numbers immediately if there are changes.

Children may be excused from participation in any activity that is contrary to your religious beliefs. Simply send a note to the school office listing activities in which your child should not participate. If your child must miss school for special religious instruction, services, or holidays, please send a note to the school office before the absence.

If your child needs to be excused from school for a doctor or dentist appointment, please let the office know in the morning. Please sign your child out when you leave and back in when you return.

For the complete Des Moines Public Schools attendance policy, please refer to Appendix B.

### **Adjusted dismissal**

Parents, please note the dates on the school calendar of scheduled adjusted dismissals and make arrangements for your child/children for those days. If necessary, help us be prepared and send us notes so the teachers and office personnel know what you want your child(ren) to do.

### **Care of School Property**

Staff, students, parents, and community take great pride in schools and their appearance. We expect students to take care of school property including their desks, chairs, books, lockers, and school equipment. We do not tolerate vandalism. We require parents to reimburse the school district for any school property their child may have intentionally damaged or destroyed.

### **Contacting Your Child at School**

If you need to contact your child during the school day, you may telephone, email, or visit the school office. To prevent disruption of the class, the office will deliver a message to your student.

### **Corporal Punishment, Restraint, and Physical Confinement and Detention**

State law forbids school employees from using corporal punishment against any student. School employees may use "reasonable and necessary force, not designed or intended to cause pain" to do certain things, such as prevent harm to persons or property.

State law also places limits on school employees' abilities to physically confine and detain and to physically restrain any student. The law limits why, how, where, and for how long a school employee may physically confine and detain and physically restrain a child. If a child is restrained, or confined and detained, the school must maintain documentation and must provide certain types of notice to the child's parent as required by Iowa Administrative Code Chapter 103.

### **Curriculum Guides**

Subject and grade level information can be found on the district website at [www.dmschools.org](http://www.dmschools.org)

### **Directory Information**

The Family Educational Rights and Privacy Act (FERPA) requires that the Des Moines Independent Community School District designate as “directory information” any personally identifiable information taken from a student’s educational records prior to making such information available to the public.

The Des Moines Independent Community School District has designated the following information as directory information:

1. Student’s name, address, telephone number, and e-mail address
2. Parent’s name, address and telephone number
3. Date and place of student’s birth
4. Curriculum (major field of study)
5. Year in school
6. Participation in recognized organizations, activities and sports
7. Weight and height of members of athletic teams
8. Degrees, awards and honors received
9. The most recent educational institution attended by the student
10. Photographs of the student
11. Date of attendance at the school district (general periods of time during which an individual attended or was enrolled in an educational agency or institution)

You as a parent, or eligible student, have the right to refuse the designation or release of any or all of the categories of personally identifiable information as directory information provided that you notify the School District in writing no later than September 10 of the current school year (or within two weeks of the date of enrollment in the District if such enrollment occurs after September 10). If no timely objection or refusal is received by the district, the District will presume that consent is given for the designation and release of the student’s directory information. For example, if a reporter takes pictures of student groups and identifies names, this would be permitted if a parent has not filed a refusal letter with the principal.

Note: Any information not designated by the District as directory information will be considered record under FERPA and may not be released to the public without prior parental or eligible student consent.

### **Education and Employment Equity**

We are committed to including people from all backgrounds in our schools. For the complete district policy on education and employment equity, please see Des Moines Public Schools Policies: Appendix B Code(s) 402.1, 402.2, 454, and 601.

### **Electronic Devices**

Electronic devices are to be used for educational purposes if taken to school. Use may be limited by building policies in certain instances or locations.

### **Emergency Drills**

To make sure that the children learn how to leave the building safely when they hear the fire alert signal, the school will conduct a fire drill once a month. In addition to monthly fire drills, the school will also conduct tornado drills. Each school has also designed a comprehensive evacuation plan in case of an emergency. Staff reviews the plan regularly.

### **Emergency Information**

Emergency Information is for your student’s protection. **Please update the emergency information as needed.** We must have a way to contact you or someone you have designated in case of an emergency. Let us know immediately of any changes in information such as your job location, childcare provider, phone numbers, or addresses. Be sure to include all names of individuals authorized to pick your child up from school.

### **Field Experiences**

Properly planned, well-conducted and carefully supervised field experiences are a vital part of the curriculum. Student trips allow students to learn from first-hand experiences and observations beyond the walls of the school building. They help students view the whole world as their learning environment. Parents will be notified when these experiences are scheduled.

It is district policy that pupils will not be permitted to leave school grounds for a field experience until a statement of permission from a parent is on file at school. A parent or guardian must grant permission for each field experience. Any exception to this would need to be approved by the principal. All school rules apply for field experiences, and any student who does not abide by the expectations will receive disciplinary action.

### **Food/Treats**

The risk of food borne illnesses is taken into account in the preparation and handling of food at school. The District uses guidelines that allow for school communities to enjoy food at school functions but to do so in a way that best minimizes the risks of spreading food borne illnesses. Copies of the district's food guidelines are available from the building principal or school nurse.

### **Fundraising**

Most schools conduct fund raising activities, often coordinated through PTA or PTO organizations, which are expected to adhere to Des Moines Public Schools Policies:

- Code 547.1 Fund-Raising
- Code 764 Food Items Offered or Sold

### **Handicapped Accessibility**

Persons with disabilities who need information about accessibility to the building or who need sign or language interpreters should contact the principal or the central administration office.

### **Health Information**

The district respects your child's privacy and takes measures to assure the security of student health records. Information regarding health problems that may affect student performance should be communicated directly to the school nurse. The school nurse may share educationally relevant health information according to Family Educational Rights Privacy Act (FERPA)

### **Illness/Injury**

Parents are required to complete health information on- each year to assist school staff in informing them of important information about their child's school health experiences. Parents are encouraged to notify the school of any changes to emergency contacts and health care providers so that school staff are best able to serve the needs of your child should they become ill or injured at school.

### **Immunizations**

For the safety of all, Iowa law requires that children have the required immunizations before entering school. A list of current immunization requirements can be obtained from the school nurse, Primary Care Provider or Polk County Public Health. The school nurse will review the records and work with you to ensure that your child has the immunizations required to attend school. Please provide the school with copies of these records as soon as possible so that the requirements to attend school can be met and loss of instruction can be avoided.

School Medication Guidelines/Drug Policy

Written parent/guardian consent is required for medications to be given at school. Medications must be in the original pharmacy container appropriately labeled with the students name and details for medication administration.

The school nurse will confer with the parent and the child’s doctor to determine the appropriate use of medications at school. Only appropriately trained school staff under the direction of the school nurse, are allowed to give medication at school.

With written parental permission, the school nurse may administer an age appropriate dose of Acetaminophen or Ibuprofen (up to a total of 5 doses per school year) without a doctor’s order. Treatment protocols used in determining the appropriateness of administering these medications are available for review through the school nurse). Cough drops and Chap Stick will be allowed in class. Teachers can refuse the privilege if misused.

Unless authorized by the school nurse, students may not be in possession of drugs of any kind while they are on school property. If students disobey this policy, they may be subject to disciplinary action.

Student Accident Insurance

The school does not carry individual accident insurance on students. If you are interested in information regarding how Parents are responsible for their children’s medical costs even if the child is injured while at school. The school does not carry individual accident insurance on students

Student Physicals/Health Screenings

Health physicals are recommended for students entering grades 6th and 9th. Students wishing to participate in athletics must have a current physical examination (within 13 months of participating in the sport) by an approved health care provider. Completed physical forms should be given to the school nurse.

Hearing, vision, dental and height/weight screenings are regularly provided, (contact the school nurse for a screening schedule). Parents will be notified about the results of these screenings only if problems requiring follow-up are noted. If you do not want your child to participate in the screening programs, please notify the school nurse.

Healthy Kids Act/Physical Activity Requirements:

In 2008, the Iowa Legislature enacted “The Healthy Kids Act,” requiring that all students in grades 6-12 engage in physical activity for a minimum of 120 minutes per week in which there are at least five days of school. The law also requires that we monitor how students fulfill this requirement. Parent(s)/Guardian(s) are to fill out the form provided during registration (see below for the form example) to account for the extra physical activity each student will be doing to fulfill this requirement.

Name of Student: \_\_\_\_\_ Grade: \_\_\_\_\_

School Activities that the student will be involved in during the 2018-2019 School Year:

| Activity      | Semesters | Activity        | Semesters | Activity     | Semesters |
|---------------|-----------|-----------------|-----------|--------------|-----------|
| Baseball      |           | Marching Band   |           | Trapshooting |           |
| Basketball    |           | Pom Squad       |           | Volleyball   |           |
| Bowling       |           | Show Choir      |           | Wrestling    |           |
| Cheerleading  |           | Soccer          |           | Other:       |           |
| Cross Country |           | Softball        |           |              |           |
| Drill Team    |           | Swimming        |           |              |           |
| Football      |           | Tennis          |           |              |           |
| Golf          |           | Track and Field |           |              |           |

Non-school activities (may include non-school sport teams, gymnastics, dance, individualized exercise program, etc.) that the student will be involved in during the current school year, including description of the activities estimated time student participates per week: (E.g. I attend private dance lessons 2x/week for a total of 100 minutes, plus I walk two miles every day for another 150 minutes each week.)

| Activity | Times Per Week | Hours Per Time | Total Per Week | Semesters |
|----------|----------------|----------------|----------------|-----------|
|          |                |                |                |           |
|          |                |                |                |           |

Signature of Student \_\_\_\_\_

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

Signature of Parent/Guardian \_\_\_\_\_

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

Signature of Designee *Tim Schott* \_\_\_\_\_

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

## **Homework**

There is a positive correlation between homework and student achievement. Homework may be assigned at all grade levels. Homework is assigned in order to:

- a) enable students to learn more about a topic that has been presented in class
- b) provide students with essential practice in needed skills
- c) enrich and extend school experiences
- d) allow the teacher to provide for individual differences
- e) help develop good work habits and responsibility
- f) assist students in learning to make wise use of time

## **Illegal Items in a Student's Possession**

In the interest of everyone's safety, students possessing illegal items, such as weapons and drugs, will be swiftly and firmly disciplined. It is important that students know the seriousness of these actions. All Des Moines Public Schools are Drug Free Zones. **Parents must share the responsibility** of telling their students that it is against the law and school board policy to distribute, dispense, manufacture, possess, use, or be under the influence of alcohol, illegal drugs, or look-a-like substances while at school or school activities. Likewise, students may not distribute, dispense, manufacture, possess, use, or be under the influence of tobacco, tobacco products or look-a-like substances.

Weapons are not allowed on school grounds or at school activities with the exception of weapons in the control of law enforcement officials or those being used for educational purposes and approved by the principal.

**Under Federal and State Law, any student bringing a firearm to school or possessing a firearm at school will be suspended and recommended for expulsion for not less than one year.**

For more information, refer to Student Discipline Code and Procedures, Appendix A

## **Library Use Permission**

Students who are registered in the Des Moines Public Schools may check out the allotted number of books from their school's library. No fees will be charged for using the school library, and no fines will be charged for overdue books. However, only students who return their books will have the privilege of continued checkout.

Schools will charge a reasonable fee for lost or damaged books and school property.

Any parent who wishes to rescind the library privilege for a child may contact the principal in writing.

## **Lunch and Breakfast Programs**

All Des Moines Public Schools serve lunch and breakfast daily. Students can download a monthly menu, the menu is also posted on the district website ([www.dmschools.org](http://www.dmschools.org)) under departments/operations/food & nutrition. The menu can also be found on the dmschools homepage as well as most individual schools' webpage. You can also access menus using the DMSchools app.

Each student has a meal account with a number that is entered when food is purchased. Money may be deposited by cash or check made payable to (school name) cafeteria or by going to [www.myschoolbucks.com](http://www.myschoolbucks.com) and setting up an account to pay for meals using a credit or debit card. The easiest way to get connected to the "myschoolbucks" site is through the Food & Nutrition homepage. Students must have money in their account to purchase an individual milk or an extra entrée even if the student qualifies for free or reduced meals or eats a CEP (community eligible provision) school. By setting up an online account you will be able to view what your child has purchased and also set up email notifications to alert you when your child's balance is low.

Schools will publish new lunch and breakfast prices each year and parents should annually consider completing an Iowa eligibility application. Children whose families complete an Iowa eligibility application annually may qualify for free or reduced price meals. Eligibility is based on household income.



Children who were approved for free or reduced meals during the previous school year will continue to be eligible for free or reduced meals for the first 30 days of the new school year. However, if an application is not completed by the end of the first 30 days they will be required to pay for meals until another application is completed and approved.

<https://www.dmschools.org/departments/operations/food-nutrition/pay-for-school-meals-online/>

Therefore, it is recommended that a new application be completed at the beginning of each school year.

An application may be completed at any time during the school year. If your household income declines you are encouraged to complete an application at that time. If a change is reported that will increase benefits that change will be made. An increase in income does not need to be reported until the following school year.

Students requiring special dietary accommodations should contact the school nurse. A special diet form (available on the district website) also needs to be completed and signed by a physician.

### **Policy**

Students are encouraged to participate in a wide variety of non-academic activities designed for middle school students. Athletics, dramatics, publications, music and other activities develop leadership, citizenship, and character as well as special abilities which may be of value vocationally or for future leisure activities. In addition, much pleasure is derived from actual participation. The activities program is organized so that each student should try to take part in at least one activity.

Students who choose to participate in extra-curricular activities are expected to meet all commitments as determined by Des Moines Public Schools and the middle school of attendance. Students participating in school activities are expected to be in school for at least the last half of the day on the day of the event in order to participate in the school activity.

Participation in extra-curricular activities is a privilege to be earned by not only demonstrating a particular talent or ability, but also by demonstrating lawful and reasonable conduct. Students must exhibit acceptable behavior while at school or involved in a school activity (including riding the school bus). Unacceptable behavior such as described in this handbook, can result in suspension or exclusion from any activity. All students are expected to practice good sportsmanship and maintain proper behavior at all times.

### **--Student Activities**

#### **Athletics (7<sup>th</sup> and 8<sup>th</sup> grade only)**

Cross Country (Boys and Girls)

Football (Boys)

Volleyball (Girls)

Swimming (Boys and

Girls) Wrestling (Boys and

Girls) Basketball (Boys

and Girls) Track (Boys and

Girls)

Soccer (Boys and Girls)

Cheerleading (Girls)

#### **Other Activities (6<sup>th</sup> - 8<sup>th</sup> grade)**

Music

Drama

Debate

Journalism

Cheerleading (\*\*depends on the school)

Student Government

**\*All sixth grade students will have the opportunity to participate in intramurals.**

### **Open Enrollment**

As a resident of Des Moines and Iowa, you have several open enrollment options for your child. Your child may attend the neighborhood school, attend another school within the district (*Within District Open Enrollment*), or seek to attend school in another district (*Between District Open Enrollment*). Parents seeking to open enroll their student to a school other than their neighborhood school must complete an application form. Approvals are not automatic, and some restrictions may apply. The District may reject a within-district application if the number of students in that grade level is too high. Within District and Between District applications may also be denied if the enrollment or release of a student will adversely affect implementation of the district's diversity plan.

Students and their parents who have planned to attend a school other than their home school should begin to consider the implications of open enrollment denials. We encourage students to become familiar with their home school, its students, and its activities.

Applications for open enrollment must be made between July 1 and March 1 of the preceding school year.

Applications may be obtained at the student's home school or the district's main offices, 901 Walnut Street, Des Moines, IA 50309. For a copy of this year's open enrollment policy and deadlines, talk to your building principal or call the Open Enrollment Department at 242-7707.

### **Parent-Teacher Association (Organization) Information**

Most schools have a parent-teacher organization. Each school's parent group has the option of belonging to the local, state, and/or national organization. Most organizations meet monthly and offer a variety of activities and services that are supportive to schools. Everyone can be a member of PTA or PTO, which brings together home, school, and community interests...serving as a voice for children. Contact your local school for information about their parent-teacher organization.

### **School Bus Rules**

The Des Moines Public School District intends to provide safe transportation for all students eligible for bus service. It is imperative that students conduct themselves so that the bus driver's attention is on driving. Students who do not obey bus rules will be subject to disciplinary action.

Please review and explain the following expectations to your children and be sure they understand and follow these rules.

1. Obey the driver at all times.
2. Be on time for the bus, both morning and afternoon.
3. Wait for the bus at a safe distance from the curb.
4. Stay seated until time to get off the bus.
5. Store all carry-on items out of the aisle.
6. Keep your hands, arms, head and personal belongings inside the bus at all times.
7. Keep noise at a reasonable level. Conversations should be in normal tones. Silence must be observed while crossing railroad tracks.
8. Refrain from using profanity (by word or gesture).
9. Wrestling among students or throwing objects is prohibited.
10. Do not damage the bus or seat covers.
11. Smoking, igniting any item, or use of a controlled substance is prohibited.
12. Maintain a tidy bus; no littering.
13. Eating on the bus is allowed, if permitted by the driver.
14. Enter and leave the bus in an orderly manner; no pushing, shoving, or running.

Students violating the rules governing students riding school buses or the District Discipline Policy may be subject to the following disciplinary action:

1. Verbal reprimand
2. Conference with the student
3. Seat assignment
4. Referral to building administrator
5. Parent/student/administrator conference
6. Suspension from the bus

### **School Closing or Early Dismissal**

The Des Moines School District provides a recorded message that is updated if there are cancellations or delays. If school is delayed or canceled due to severe weather or some other emergency, the decision will be announced to the Des Moines radio and television stations.

When a decision is made by the superintendent to dismiss early or start late, each school receives instructions by telephone. Therefore, it is very important that parents tune to a news station when there is a question about school dismissing early, instead of calling the school. The school telephone lines need to be clear for directions from the superintendent. Parents may consult the district's website at [www.dmschools.org](http://www.dmschools.org).

To prepare your children for such events, teach them what you want them to do if school is dismissed early.

### **Sex Offender Registry**

Access the website [www.iowasexoffenders.com](http://www.iowasexoffenders.com) for a complete listing of sex offenders.

### **Sexual Harassment Policy**

To protect the rights of every individual, sexual harassment will not be tolerated. For the complete district policy regarding sexual harassment, please refer to Appendix A.

### **Smoking Policy**

All Des Moines Public Schools facilities are completely smoke free.

### **Staff/Parent/Student E-Mail Guidelines**

#### *Privacy Statement, Information Sharing and Disclosure, & Conditions for the Use of E-mail*

Des Moines Public Schools will use reasonable means to protect the security and confidentiality of e-mail information sent and received. However, we cannot guarantee the security and confidentiality of e-mail communication, and will not be liable for improper disclosure of confidential information that is not caused by an employee's intentional misconduct. Thus, consent to the use of e-mail is implied when the e-mail address is provided.

It is our policy to treat all information that you provide to us as confidential. We will not disclose information about you to any third parties.

#### *Where Can E-mail Addresses Be Located?*

- Each school's web site is directed to have a current "Staff Listing" page. The school web sites can be located by clicking on the School Directory tab of the Des Moines Public Schools' website (<http://www.dmschools.org>).
- In the Contact Directory tab of the DMPS web site (<http://www.dmschools.org>) an "Employee E-mail Listing" link is present from which to search.

#### *Risk of Using E-Mail*

Transmitting information by e-mail has some risks. These include, but are not limited to:

- E-mail can be circulated, forwarded and stored in paper and electronic files.
- Backup copies of e-mail may exist even after the sender or recipient has deleted his/her copy.

- E-mail can be intercepted, altered, forwarded, or used without authorization or detection.
- E-mail is easier to falsify than handwritten or signed documents.
- E-mail senders can easily misaddress an e-mail.
- E-mail can be used as evidence in court.
- E-mail is public information.

### Teacher/Parent Code of Conduct Response

#### Time

Staff members will respond to e-mail messages in a reasonable amount of time. This will usually be within 24- 48 hours during the normal work week and by Monday afternoon for those messages sent Friday, Saturday or Sunday. Staff will not be expected to spend their limited time at home communicating online.

In the event that e-mail volume is unusually high or the staff member is unavailable, s/he may set up an “Out of Office” message to indicate when messages will be returned.

Parents should be ready to live by the same rules. If staff members are expected to return messages in a timely fashion, then parents should answer pleas for help from the teacher, club sponsor, or other school leaders in a timely manner as well.

#### Conduct

- Parent consent to use e-mail may be withdrawn in writing or by contacting the school’s office manager stating you no longer want to receive information via e-mail. DMPS also reserves the right to remove you from our e-mail database and will notify you in writing.
- For matters of controversy or real distress, e-mail is not a good communication tool. When a serious matter that is upsetting the student, parent, or staff member must be discussed, use e-mail to set up a face-to-face appointment. Hostile e-mail will only exacerbate the situation and make all parties defensive. Issues of significant concern are best left to a personal meeting, which the use of e-mail can facilitate.
- Expectations of civility in communications are the same for e-mail as for face-to-face communication. Respect for one another should be evident in tone and language as well as content. Unfortunately, e-mail does not convey tone and affect and may cause the message to seem abrupt or confrontational when used in haste or anger.
- A barrage of e-mails should not occur to the point that e-mail is no longer a solution to communication, but harassment.

### **Student Photos**

Each year, during registration at most schools, a photographer is present to take student pictures. Price and package information will be sent home each fall.

### **Student Records/Right to Review Records**

Parents or guardians have the right to inspect and review the educational records of their child upon request. Non-custodial parents have the same right to inspect and review student records as custodial parents unless there is a specific court order to the contrary. The district will obey all court orders relating to custody issues and parental rights.

Therefore, the rights afforded parents under this policy may be limited in any individual situation. **It shall be the responsibility of a parent requesting any action by the school district relative to the rights of custodial and non-custodial parents to provide the school district with a copy of a current court order, decree or other documentation supporting the action requested.**

If you have questions, contact your building principal. For a copy of the District’s complete records policy, please call the Records Department at 242-7833.

### **Visitors**

We believe the most successful education of children depends on effective parent involvement, and we welcome you to

visit. Before visiting any classrooms, we ask that you please stop in the office to sign in. The sign-in process allows us to know who is in the building and helps protect everyone in the school from strangers.

If you would like to have a special conference, please call in advance for an appointment.

Please note that other children visiting school, with or without parents can be a distracting influence in the classroom. If possible, please make arrangements for younger children to be cared for when you are making a planned visit

**Volunteers**

Volunteers are an important component of a successful school program. We welcome parents and other adults who are willing to give their time and talents to others. Students and staff appreciate the effort and sacrifice from our special friends, our school volunteers. Please call your local school to receive more information. Each school establishes guidelines for the effective use of volunteers.

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# Appendix A

## Student Discipline Code and Procedures

### Philosophy for Discipline

Discipline in the Des Moines Public Schools is a joint responsibility that should be shared by school staff, students, and their families. It is designed to promote behavior that will enable students to function successfully in their educational and social environments. The *District Discipline Code* is to be applied consistently and uniformly throughout the District so that students are treated fairly and equitably. The *District Discipline Code* is developed to help students understand their obligations to others in the school setting, and is reflective of the concern for the dignity and growth potential of each student as well as the commitment to the safety interests of all students, staff and the community.

### Student Misconduct

The *District Discipline Code* provides a description of a broad range of behavior considered to be student misconduct. The behavior described should be viewed as representative of the misconduct that most frequently causes a disruption to the orderly educational process.

The acts of misconduct listed in Levels I, II, III, IV are not inclusive. The student who commits an act of misconduct that may be classified into any of the four levels will be subject to disciplinary action by the classroom teacher, dean of students, vice principal, or principal. Des Moines Public Schools administration reserves the right to make final decisions regarding disciplinary consequences.

### General Discipline Guidelines for Assessing Penalties

The District may impose disciplinary consequences for conduct that interferes with the educational environment. When administering discipline, district personnel shall adhere to the following general guidelines:

1. Discipline shall be administered when necessary to protect students, school employees, or property and maintain essential order and discipline.
2. Students shall be treated fairly and equitably. Discipline shall be based on a careful assessment of circumstances of each case. Factors that will be considered in the administration of student discipline and factors that will be considered in determining the length of any suspension, alternate educational placement, or expulsion may include but are not limited to:
  - a. Seriousness of offense
  - b. Student's age and intent or lack of intent at the time the student engaged in the conduct.
  - c. Student's disciplinary history
  - d. Student's attitude
  - e. Potential effect of the misconduct on the school environment
  - f. State law requirements for certain disciplinary consequences
  - g. Whether the facts of the case warrant consideration of self-defense as a mitigating factor in the assessment of the punishment
  - h. Whether the student has a disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct.
3. Serious offenses are those that substantially disrupt or materially interfere with the orderly process in the classroom, DMPS transportation, the school, or any school-related activity and may include persistent misbehavior of Level II or higher misconduct. An administrator may find, on the basis of the facts and circumstances of the case, that a Level III offense constitutes a serious offense. Finally, a finding that a student has engaged in any offense listed as an offense under Level III or Level IV constitutes a finding that the student has engaged in serious misbehavior.

### Definitions



1. AEP (Alternate Educational Placement): Students are placed in an educational setting determined by the District for a period not to exceed two academic semesters. However, if it is determined that the student is a threat to the safety of other students or a threat to District employees and it is determined that placement is in the best interest of the student, then the student's placement may be for a longer duration. In that situation, there is no limitation on the length of placement of a student in an AEP. Students are placed on a behavior improvement contract during their period of alternate educational placement. Serious violations of the discipline policy by students during the period of placement may result in a recommendation for expulsion.
3. Expulsion: The Board of Directors for the District may, by a majority vote, expel a student from school for a violation of the regulations or rules established by the Board, or when the presence of the student is detrimental to the best interest of the school. When a student is expelled he or she is not eligible to receive educational services from the District. The period of expulsion will not exceed two academic semesters.
4. Persistent: More than one instance of similar type misconduct.
5. Possession: Actual care, custody, control, or management. A student shall be considered to be in possession of any substance or object prohibited or regulated by the Discipline Policy if the substance or object is (1) on the student's person or in the student's personal property, such as the student's clothing, purse, book bag, or backpack; (2) in any private vehicle used by the student for transportation to or from school or school-related activities, such as an automobile, truck, motorcycle, or bicycle; or (3) in any school property used by the student, such as a locker or desk.
6. Serious Offenses: Substantial disruption or material interference with the orderly process in the classroom or school building.

### **General Procedures for Resolving School Problems**

School problems can best be resolved at the campus level, where problems start. In order to resolve problems, parents, guardians, or students can meet with a teacher at appropriate times to discuss existing problems. If the parents, guardians, or students are dissatisfied with the teacher's decision or explanation, they can meet with the building administrator to review the area of concern.

If further assistance is needed, then parents, guardians, or students can meet with the executive director and/or regional superintendent. Parents, guardians, and students who wish to appeal the Alternate Educational Placement or who wish to appeal an expulsion should refer to the section of the *Code* relating to procedures for appropriate guidance.

### **Rights and Responsibilities in Discipline**

#### **Parents/Guardians**

##### **Have a responsibility to:**

1. Assist school staff by sharing ideas for improving your child's learning and preventing or resolving student discipline problems.
2. Provide supervision for the child's health, physical and emotional well-being, and ensure prompt and regular attendance.
3. Provide the school with documentation for absences or tardiness.
4. Help enforce student compliance with school rules and expectations.
5. Attend parent conferences.
6. Provide appropriate supervision of students before and after school.
7. Review and discuss this document with students, as well as other similar materials such as school handbooks.

##### **Have a right to:**

1. Receive regular official reports of the child's academic progress and attendance.
2. Make recommendations and give ideas for educational planning.
3. Participate in conferences with teachers and/or the administration.

4. Receive explanations from teachers for child's grades.
5. Read all school records pertaining to their child, within appropriate guidelines.
6. Obtain further clarification, upon request, on any rights referred to in this handbook.
7. Whenever possible, receive information in a language they can understand.

## **Students**

### **Have a responsibility to:**

1. **Attend school regularly, arrive on time, bring appropriate materials and be prepared to participate in class.**
2. **Do homework.**
3. Strive for academic growth.
4. Respect the rights, feelings, and property of fellow students, parents/guardians, school personnel, visitors, guests, and school neighbors.
5. Conduct themselves properly on school grounds, school buses, at bus stops, at any school-related activities, and in the classroom so as not to interfere with the rights of others.
6. Follow discipline guidelines adopted by the school and the District.
7. Read and understand the *District Discipline Code and Procedures*.
8. Report violations of school rules.
9. Report any incidents of verbal or physical threats, bullying, or abuse.

### **Have a right to:**

1. **Discuss educational concerns with teachers and other school staff.**
2. Receive a copy of the *District Discipline Code and Procedures*.
3. Receive fair discipline without discrimination.
4. Access their own records within appropriate guidelines.
5. Receive information in a language they can understand.

## **Schools**

### **Have a responsibility to:**

1. Educate all students.
2. Treat all students with respect.
3. Provide a safe and orderly environment for learning.
4. Administer appropriate discipline procedures when student behavior prohibits learning or causes an unsafe and/or disorderly environment.
5. Provide due process to students and families in the administration of the discipline procedures.
6. Invite and welcome community members into the school.

### **Have a right to:**

1. Take the necessary steps to ensure a safe, orderly, and supportive environment.
2. Assign students to particular school programs and activities.
3. Engage parents in problem solving throughout the three stages (preventive, supportive instruction, corrective action) of student discipline.

## **Levels of Offense/Overview**

Acts of misconduct are categorized into the following four levels of offense:

### **Level I — Teacher Response:**

Offenses that generally occur in the classroom and can be corrected by the teacher.

### **Level II — Administrator Assisted:**

Offenses that are more serious in nature or a continuance of Level I misconduct.

### **Level III — Administrator Response:**

Offenses that seriously disrupt the educational process in the classroom, in the school, or at school-related activities, or a continuance of repeated Level II misconduct. A finding that a student has engaged in a Level III offense may constitute a serious offense.

### **Level IV — District Response:**

Offenses that threaten to disrupt the orderly educational process of the classroom or school or offenses that demonstrate the student's presence is detrimental to the best interests of the school. A finding that a student has engaged in an offense listed under Level IV constitutes a finding that the student has engaged in serious misbehavior which may require alternate educational placement or recommendation for expulsion for serious offenses. A student may be disciplined for violating Level IV offenses if the misbehavior occurs on school property or at a school-sponsored or school-related activity regardless of whether the event is on or off school property.

### **Anti-Bullying/Harassment Procedure**

**Nondiscrimination:** No student in the Des Moines Independent Community School District shall be excluded from participation in, be denied the benefits of, or be subjected to discrimination in the District programs on the basis of race, color, creed, sex, religion, marital status, ethnic background, national origin, disability, sexual orientation, gender identity, or socio-economic background. The District will provide educational programs and opportunities for students as needed on the basis of individual needs, interests, abilities, and potential.

**Harassment and Bullying Prohibited:** Harassment and bullying of students is against federal and state law, and against the policy and procedures of the District. The District is committed to maintaining an educational environment free of any form of bullying or harassment by or toward students, parents/guardians, employees, and volunteers while in school, at a school sponsored activity, or at any school sponsored function. The District prohibits harassment or bullying based on the student's actual or perceived race, color, creed, sex, age, religion, marital or familial status, ethnic background, national origin, ancestry, physical or mental ability or disability, sexual orientation, gender identity, physical attribute, political party preference, political belief, or socio-economic background or familial status. Acts of harassment or bullying may be treated as grounds for discipline. Discipline may include suspension or expulsion of a student, termination of an employee, and exclusion of a volunteer from District activities or school premises.

**Harassment and Bullying Defined:** Any communication toward a student including electronic (such as e-mails or instant messages), telephonic, written or verbal communication, or any physical act or conduct that is based on an actual or perceived trait or characteristic that creates or could reasonably be expected to create an objectively hostile school environment is prohibited. An objectively hostile school environment is created if the act or conduct:

- places the student in reasonable fear of harm to the student's person or property; or
- has a substantially detrimental effect on the student's physical or mental health; or
- has the effect of substantially interfering with the student's academic performance; or
- has the effect of substantially interfering with the student's ability to participate or benefit from the District services, activities, or privileges.

Examples of prohibited behavior may include but are not limited to the following:

- unwelcome touching;
- inappropriate or demeaning remarks, jokes, stories, activities, symbols, signs, or posters;
- implied or explicit threats concerning grades, awards, property, or opportunities;
- requiring explicitly or implicitly that a student submit to harassment or bullying as a term or condition of the student's participation in any educational program or activity.

**Sexual Harassment Defined:** The District is committed to maintaining an educational environment free of

any form of sexual harassment. All employees, volunteers, and students must avoid any action or conduct which could reasonably be perceived as sexual harassment. It shall be a violation of these procedures for any person to harass a student through conduct or communications of a sexual nature as defined by this procedure. Sexual harassment shall consist of unwanted sexual advances, requests for sexual acts or favors, and other verbal or physical conduct of a sexual nature when:

- submission to such conduct is made explicitly or implicitly a term or condition of the student's educational opportunities or benefits; or
- submission to or rejection of such conduct by a student is used as the basis for educational decisions affecting that student; or
- such conduct has the purpose or effect of substantially interfering with a student's education by creating an intimidating, hostile, or offensive educational environment.

Sexual harassment may include but is not limited to the following:

- requests or pressure for sexual activity;
- unwelcome touching;
- other verbal or physical conduct of a sexual nature, such as inappropriate jokes, symbols, signs or posters of a sexual nature;
- repeated remarks to or about a person with sexual or demeaning implications.

(Note: Any sexual overtures made by a staff member to a student whether welcome or unwelcome, shall be grounds for discipline, including termination. See Administrative Procedures Manual Series 400, Code 407.)

**Complaint Procedures:** Any person alleging a violation of these procedures may file a complaint using the *Complaint Procedures* of Series 400, Code 407, which is also described in the Employee Handbook. Employees who are aware of harassment or bullying shall file a written complaint or shall report the conduct to a principal or to the District Investigations Specialist at 242-7841. The complainant may bypass any step of the complaint procedure where the person against whom the complaint is to be lodged is the alleged perpetrator. Series 400, Code 407 shall govern the investigation of alleged cases of physical or sexual abuse, including sexual harassment, of students by staff members.

The complainant may be required to complete a written form and to turn over copies of evidence of discrimination, harassment, or bullying including, but not limited to letters, e-mails, tapes, signs, and pictures. The investigator shall promptly begin an investigation and proceed to completion. Both the complainant and alleged perpetrator will be given an opportunity to give a statement. District employees, students, parents, and volunteers shall fully and fairly cooperate in the investigation. A written investigation report shall be completed, and a summary of the report, including a finding that the complaint was founded, unfounded, or inconclusive, will be forwarded to the complainant, to the parent or guardian, and to the alleged perpetrator. The investigator will consider the totality of the circumstances presented in determining whether the conduct objectively constitutes discrimination or harassment.

The right to confidentiality, of both the complainant and the accused, will be respected consistent with the District's legal obligations, and with the necessity to investigate the allegations of misconduct and to take corrective action when this conduct has occurred.

**No Retaliation:** No person shall retaliate against a student or other person because the student or other person has filed a discrimination or harassment complaint, assisted or participated in an investigation, or has opposed language or conduct that violates these procedures, as long as the participation or action was done in good faith. Persons who engage in retaliation or who knowingly file false complaints or give false statements in an investigation shall be subject to discipline up to and including suspension, expulsion, or termination of employment.

**Corrective Action:** The District will take action to halt any improper discrimination, harassment or bullying and will take other appropriate corrective actions, including disciplinary measures, which may include discharge, suspension, expulsion, or exclusion of a perpetrator to remedy all violations of these procedures.

**Notification:** Notice of these procedures shall be communicated to staff, students, and parents of the District and

to the District community. It shall be included in handbooks including those for students, staff and volunteers, on the District's web site, and shall be published in any manner as deemed appropriate.

**Training:** The District shall educate staff, parents, and students about harassment and bullying, effective methods of prevention, and what to do in the event of such actions. The District shall participate in assessments of the effectiveness of these procedures and education programs and shall make reports as required.

**Other Agencies:** Students, parents, and employees may also contact the Iowa Civil Rights Commission, the Des Moines Human Rights Commission, the Region VII Office for Civil Rights within the United States Department of Education in Kansas City, Missouri, or the United States Equal Employment Opportunity Commission in Milwaukee, Wisconsin, for assistance.

### **Anti-Hazing Procedure**

**Hazing Prohibited:** Certain forms of hazing are illegal and subject to criminal sanctions in the state of Iowa. All forms of hazing are prohibited by the District both on and off District property. Hazing is a practice that diminishes the integrity of individuals and their teams, activities, and organizations. Hazing has no place in our society, particularly in an educational environment. The District is committed to emphasizing that all teams, activities, and organizations be made safe, educational, and constructive. Therefore, in support of the District's commitment to the mental, emotional and physical well-being of every student, hazing in any form is prohibited, and its practices in any manner are condemned.

**Hazing Defined:** Hazing occurs when an action is taken against a person for the purpose of initiation or admission into, or affiliation with any organization, team, or activity operating in connection with the District, and the action either results in or is reasonably likely to have the effect of endangering the physical or mental health of the person, or humiliating, intimidating, or demeaning the person.

Hazing includes, but is not limited to, any type of physical brutality such as whipping, beating, striking, branding, placing a harmful substance on or in the body; any physical activity such as sleep deprivation, exposure to the elements or confinement in a particular space; any activity involving consumption of food, liquid, alcoholic beverage, drug, or other substance that subjects a student to an unreasonable risk of harm; wearing of public apparel that is conspicuous or intended to embarrass or humiliate by drawing undue attention; or any activity that induces, causes, or requires a student to perform a duty or task that involves the commission of a crime.

Hazing shall not include any activity or conduct that furthers the legitimate curricular or extracurricular goals in a manner that is appropriate and customary for similar school programs.

**Complaint Procedures:** Any person alleging a violation of this *Procedure* may file a complaint using the *Complaint Procedures* of Series 400, Code 407, which is also described in the Employee Handbook. Employees who are aware of hazing shall file a written complaint or shall report the conduct to a principal or to the District Investigations Specialist at 242-7841. The complainant may bypass any step of the complaint procedure where the person against whom the complaint is to be lodged is the alleged perpetrator.

The investigator shall promptly begin an investigation and proceed to completion. Both the complainant and alleged perpetrator(s) will be given an opportunity to give a statement. District employees, students, parents, and volunteers shall fully and fairly cooperate in the investigation. A written investigation report shall be completed, and a summary of the report, including a finding that the complaint was founded, unfounded or inconclusive will be forwarded to the complainant, to the parent or guardian, and to the alleged perpetrator. The investigator will consider the totality of the circumstances presented in determining whether the conduct objectively constitutes hazing.

The right to confidentiality, of both the complainant and the accused, will be respected consistent with the District's legal obligations, and with the necessity to investigate the allegations of misconduct and to take

corrective action when this conduct has occurred.

**No Retaliation:** No person shall retaliate against a student or other person because the student or other person has filed a hazing complaint, assisted or participated in an investigation, as long as the participation or action was done in good faith. Persons who engage in retaliation or who knowingly file false complaints or give false statements in an investigation shall be subject to discipline up to and including suspension, expulsion, or termination of employment.

**Corrective Action:** The District will take action to halt any hazing and will take other appropriate measures which may include for students disciplinary actions including but not limited to suspension from school, removal or suspension from participation in athletic events or extra-curricular activities, or referral to an appropriate law enforcement agency. Should a staff member participate in, or condone, or fail to take reasonable measures to halt hazing activity of which he or she is aware, or about which he or she should have known; disciplinary measures will be taken up to and including termination.

**Notification:** Notice of this procedure shall be communicated to staff, students, and parents of the District and to the District community. It shall be included in handbooks including those for student, parents, and staff, on the District's Web site, and shall be published in any such manner as deemed appropriate.

## **Levels of Student Misconduct and Intervention Options**

### **Level I**

**Teacher Response:** Violation of Classroom or Transportation Rules

Each teacher or staff member establishes the rules for the classroom and for school-related activities. Much behavior can be managed by the classroom teacher. The teacher may use any of the disciplinary options listed below in maintaining classroom discipline.

### **Level I Acts of Misconduct May Include but Are Not Limited to:**

1. **Violations of rules** or procedures established by the teacher
2. **Refusal to participate** in classroom activities
3. **Unexcused tardiness** to class
4. **Failure to be prepared** by bringing required classroom materials or assigned work to class or failure to return written communications between home and school
5. **Cheating, plagiarism**, or copying the work of other students
6. **General misbehavior**, such as eating in class, horseplay, making excessive noise, or violating campus dress codes
7. **Disruptive or noncompliant behavior** on a school bus or at a school bus stop
8. **Failure to protect or use of other student's passwords** regarding computer accounts
9. **Any other act that disrupts** the classroom or interrupts the operation of the class

### **Intervention Options/Responses:**

- Verbal correction
- Teacher-student conference
- Parent contact: confirm actual contact has been made with parent either via phone call or in writing •  
Student-counselor conference
- Detention (maintained by teacher) before or after school
- Other appropriate in-class disciplinary actions
- Restriction of school-bus privileges by the bus operator

### **Procedures:**

1. Any staff member who observes a student violating class rules may correct the student.
2. A record of the offenses and disciplinary actions should be maintained by the teacher or staff member.
3. The teacher should discuss the misbehavior with the parent, an administrator, or support personnel.

4. Level I behavior violations and intervention options/responses are not limited to those provided. Serious or repeated violations may result in a more severe response or referral to Level II.
5. A Level I appeal may be made to the building administrator. The decision of the building administrator is final regarding Level I appeals.

## **Level II**

### **Administrator Assisted:**

Some infractions will result in a referral to an administrator or support staff within the school. The disciplinary response depends on the offense committed, the student's previous actions, and the seriousness of the misbehavior. Level II acts of misconduct include those student acts that interfere with the orderly educational process in the classroom, on school property, or at a school sponsored event. A teacher who observes a student engaged in Level II or higher misconduct will complete a discipline/referral form for the principal or other appropriate administrator/support staff. The principal or appropriate administrator will forward report to the parent or guardian.

### **Level II Acts of Misconduct May Include but Are Not Limited to:**

1. **Repeated Level I violations**
2. **Leaving without permission** including classroom or school grounds
3. **Unexcused absences** including cutting class
4. **Smoking/Tobacco** — using, or possessing tobacco or tobacco products
5. **Forgery** — changing school records or documents or signing a parent's name on school documents
6. **Selling or soliciting unauthorized merchandise** on school campus without the authorization of the building principal
7. **Profanity**, vulgar language, or obscene gestures
8. **Inappropriate display of affection**
9. **Posting or distributing unauthorized materials** on school grounds
10. **Failure to abide by rules and regulations** at extracurricular activities or at co-curricular activities such as field trips
11. **Loitering** in unauthorized areas
12. **Use or operation of electronic communication systems** (i.e., cell phones, or any other type of electronic communication system) or iPods, Mp3 players, personal radios or personal music devices on school campuses or at functions during school hours with the final determination of the limits made at the individual campus level
13. **Cafeteria disturbance**
14. **Refusal to comply with a school's mandatory dress code policy**
15. **Major physical contact**
16. **Disruptive behavior** on a school bus or at a school bus stop
17. **Violation of the District's Acceptable Use policy**
18. **Sending or forwarding inappropriate e-mail**, including e-mail containing offensive language, untruthful statements, junk e-mail, chain letters, or jokes that results in a disruption to the educational environment
19. **Other acts interfering with the orderly educational process** in the classroom or the school

### **Intervention Options/Responses:**

- Parental contact by phone and written or oral notification to parent or guardian
- Required administrator/student/parental conference
- Detention or placement in in-school suspension
- Exclusion from extracurricular activities, such as field trips, and commencement exercises/award ceremonies
- Removal of school transportation privileges
- "Behavior" or "conduct" contracts
- Suspension of transportation privileges
- Suspension for up to three school days per occurrence

- Revocation of within-District open enrollment status for the following school year
- Any other appropriate disciplinary actions determined by the administration

**Procedures:**

1. Referral to administrator.
2. Administrator confers with student and/or teacher to establish appropriate action.
3. Written or oral notification of action is sent to parent. Notification is sent to the teacher indicating action taken.
4. Discipline Referral is retained by the administrator.
5. Level II behavior violations and intervention options/responses are not limited to those provided.
6. Repeated violations shall result in a more severe response and/or referral to Level III.
7. A Level II appeal may be made to the building principal. The decision of the building principal is final regarding Level II appeals.

**Level III: Administrator Response**

Level III acts include misconduct for which an administrator may suspend the student, place the student into in-school suspension, or any other disciplinary action deemed appropriate by the School Administrator or designee. The principal or other appropriate administrator makes the disciplinary determination on the basis of the severity of the misconduct.

**Level III Acts of Misconduct May Include but Are Not Limited to:**

1. **Chronic or repeated Level I and/or Level II offenses**
2. **Fighting**, which is defined as two or more students mutually engaging in offensive physical contact
3. **Possession of matches or other flammable materials**
4. **Gambling**
5. **Stealing/theft** of property in an amount under \$500
6. **Truancy** including but not limited to repeated instances of cutting class
7. **Weapons/Ammunition possession** including but not limited to:
  - a. knife, which includes razor blades, utility knives, X-ACTO knives, or other objects that are designed to cut
  - b. fireworks, “poppers,” smoke or stink bombs, or any other pyrotechnic device that may be used to disrupt the educational process
  - c. live ammunition or bullets
  - d. BB guns, pellet guns, or air rifles, electric stun guns or other protective devices designed to administer an electric shock
  - e. replica of a gun that is sufficiently similar in appearance to a real gun such that, if pointed or shown to another person, a reasonable person may believe the student to be in possession of a firearm
8. **Persistent disruptive behavior** on a school bus
9. **Interfering with school authorities**, failing to comply with reasonable requests of school personnel, defiance of the authority of school personnel, and/or display of disrespect toward school personnel or campus visitors
10. **Disruptive demonstration** that substantially disrupts or materially interferes with school activities. This includes such acts as boycotts, sit-ins, trespassing, and walkouts.
11. **Harassment/Indecent exposure/unsolicited sexual proposal.** Harassment includes threatening to cause harm or bodily injury to another student, engaging in sexually intimidating conduct or causing unwanted sexual advances, causing physical damage to the property of another student, subjecting another student to physical confinement or restraint, or maliciously taking any action that substantially harms another student’s physical or emotional health such that it has the purpose or effect of substantially interfering with a student’s education by creating an intimidating, hostile or offensive educational environment.



12. **Participation in an illegal organization** or other criminal combination prohibited by law that is defined as an organization composed at least in part of students and that seeks to perpetuate itself by recruiting members from the students enrolled in school on the basis of the decision of its membership rather than on the free choice of a student in the school who is qualified by the rules of the school to fill the special aims of the organization. Participation includes indirect participation such as recruiting and indirect guidance or leadership of the activities, wearing dress or attire or possession of paraphernalia of such illegal organizations.
13. **Intimidation, extortion or bullying**, which includes any communication toward a student including electronic, telephonic, written or verbal communication, or any physical act or conduct that is based on an actual or perceived trait or characteristic that creates or could reasonably be expected to create an objectively hostile school environment.
14. **Hazing**, which includes any action taken against a person for the purpose of initiation or admission into, or affiliation with any organization, team, or activity operating in connection with the District, and the action either results in or is reasonably likely to have the effect of endangering the physical or mental health of the person, or humiliating, intimidating, or demeaning the person.
15. **Vandalism** resulting in the destruction or defacing of any district property such as graffiti. This includes but is not limited to rendering computers or related equipment inoperable or damaging them by erasing data with magnets; intentionally introducing viruses, worms, or Trojans; or tampering with programs or data without authority.
16. **Continued violation of the District's Acceptable Use Policy.**
17. **Possession or use of any prescription or nonprescription drug, medicine, vitamins, or other chemical** in violation of the Guidelines for Dispensing Medications at School.
18. **Possessing alcohol or a controlled substance or drug paraphernalia**
19. **Under the influence of alcohol or a controlled substance**
20. **Possession of inhalant.** Engaging in conduct that contains the elements of an offense relating to an amusable or volatile chemical or possession of inhalant paraphernalia.
21. **Burglary** of a DMPS facility or committing burglary on DMPS property.
22. **False report against a staff member** knowingly made and that is later determined to be unsubstantiated at the conclusion of any investigation initiated as a result of the report
23. **False alarm or report, or terroristic threat.** Terroristic threat is defined as threatening to commit violence or harm to any person or property with intent to cause an emergency response or that places any person in fear of imminent serious bodily injury; or interrupting the occupation or use of a building, room, place of assembly, or place to which the public has access by threats of violence or other means, or causing impairment or interruption of public communications, public transportation, the public water, gas, or power supply, or other public service.
24. **Making a "hit list,"** in which a student makes a list of people to be harmed by means of a firearm, a knife, or any other object to be used with the intent to cause bodily harm.
25. **Retaliation against any school employee** such as intentionally or knowingly threatening to harm another by an unlawful act in retaliation for that person's performance of his or her official duties, unless the student engages in conduct punishable as a felony in retaliation against a person, in which case the student may be expelled under Level IV.
26. **Felony conduct.** There are two instances of felony conduct for which a student must be referred to an AEP. The placement made in accordance with this section shall be for any period considered necessary on the basis of the circumstances and facts known; however, the student shall still receive a review of the placement after the time designated by the behavior improvement contract. The circumstances include:
  - a. Engaging in any conduct punishable as a felony while on campus, at a school-related function or activity.
  - b. While enrolled in DMPS and regardless of the location of the offense, receiving deferred judgment or a finding by a court or jury of delinquent conduct, or the reasonable belief of the principal that the student has committed one of the following felony crimes: murder; manslaughter; voluntary manslaughter; false imprisonment; kidnapping; aggravated kidnapping; indecency with a child; any degree of sexual assault; injury to a child, elderly

individual, or disabled individual; abandoning or endangering a child; terroristic threat; or tampering with a consumer product, regardless of where the offense occurs.

27. **Assisting (directly or indirectly) with the promotion of any prohibited behavior** under this *Discipline Code*.
28. **Other acts of serious misconduct** that disrupt the school environment in the classroom and/or school.

The terms of a placement in an Alternate Educational Placement (AEP) under this required placement section, as well as under Level III, prohibit the student from attending or participating in any school activities.

#### **Intervention Options/Responses:**

- Required administrator/student/parent conference
- Restitution or restoration, as applicable, for vandalism to property
- Exclusion from extracurricular activities, such as field trips, and commencement exercises/award ceremonies
- Placement of the student into in-school suspension
- Revocation of within-District open enrollment status for the following school year
- Suspension for up to three school days per occurrence
- Removal of transportation services for up to one year
- Restriction or removal of computer-use privileges for up to one year
- Referral for placement in Alternate Education Placement (AEP) (suspension not to exceed 10 school days)
- Referral for counseling services regarding substance abuse assessment
- Any other appropriate disciplinary actions determined by the administration

#### **Procedures:**

1. Referral to administrator.
2. Administrator confers with student and parent about the misconduct. The student is given an opportunity to explain the incident. The administrator determines misconduct.
3. Repeated violations shall result in a more severe response and/or referral to Level IV.
4. Administrator determines whether the student engaged in Level III misconduct that is serious in nature that warrants a referral for an AEP. If administrator determines that the student engaged in a serious offense then administrator contacts central office administration to start AEP referral process. When the student is recommended for an AEP, the parent shall be given a letter stating the reasons for the placement. In determining the length of the placement, the administrator shall consider such factors as seriousness of the offense, student's age, frequency of misconduct, student's attitude, potential effect of the misconduct on the school environment, state law requirements for certain disciplinary consequences, and whether the facts of the case warrant consideration of self-defense as a mitigating factor in the assessment of any punishment.
5. Special Education students may not be placed in an alternate educational placement unless the IEP Committee determines that it is educationally appropriate and that the student has engaged in conduct for which referral to an alternate educational placement is authorized.
6. Administrative representatives from sending and receiving schools meet with parent or guardian to review AEP and student behavior improvement contract.
7. A Level III appeal may be made within five days in writing to the district office. Parent/Guardian will receive decision of district administration within three business days of receiving the appeal. The decision of the district administration is final regarding Level III appeals.
8. District administration will review student progress with schools to determine student placement following completion of AEP. After assessing the student's progress, those in attendance may decide that the student (1) remain in the AEP; (2) be removed from the AEP and placed in a non-disciplinary alternate educational program to more appropriately address the student's needs; or (3) may return to the sending campus or the campus to which the student is presently zoned.

#### **Level IV: District Response**

Offenses that threaten to disrupt the orderly educational process of the classroom or school or offenses that demonstrate the student's presence is detrimental to the best interests of the school. A finding that a student has engaged in an offense listed under Level IV constitutes a finding that the student has engaged in serious misbehavior which may require alternate educational placement or recommendation for expulsion for serious offenses. A student may be disciplined for violating Level IV offenses if the misbehavior occurs on school property or at a school-sponsored or school-related activity regardless of whether the event is on or off school property.

Students receiving Special Education services that commit a Level IV offense shall be recommended for alternate educational placement pursuant to the procedures set forth in the preceding section.

**Level IV Acts of Misconduct Include the Following Acts That May Result in Required Alternate Education Placement or Recommendation for Expulsion:**

1. **Threat with a weapon.** This involves the display or use of a weapon (including but not limited to replica guns) with the perceived intent to inflict harm or injury to another person while on school property, at a school-sponsored event, or while away from school grounds if such conduct directly affects students or staff.
2. **Firearm/Dangerous weapon.** A dangerous weapon includes any instrument designed primarily to use in inflicting death or injury upon a human being or animal, and which is capable of inflicting death upon a human being when used in the manner for that it was designed. This also includes any instrument of any sort whatsoever which is actually used in such a manner as to indicate that the person using it intends to inflict death or serious injury upon another, and which is capable of inflicting death upon a human being. Dangerous weapons include, but are not limited to, any dangerous weapon as described in Iowa Code Section 702.7 (2007), pistol, revolver, or other firearm, dagger, razor, stiletto, switchblade knife, knife having a blade exceeding five (5) inches in length, or any portable device or weapon directing an electric current, impulse, wave, or beam that produces a high-voltage pulse designed to immobilize a person.
3. **Distribution of a controlled substance.** The sale or dissemination of a controlled substance while on school property or at a school sponsored event.
4. **Possession with intent to distribute.** Possession of a specified amount of a controlled substance as identified in Iowa Code Chapter 124. The District shall rely on the School Resource Officers or other investigating police officer to advise if the amount of a controlled substance in the student's possession meets the "intent to distribute" standard.
5. **Arson.** Causing a fire or explosion, or placing any burning or combustible material, or any incendiary or explosive device or material, in or near any property with the intent to destroy or damage such property, or with the knowledge that such property will probably be destroyed or damaged, is arson, whether or not any such property is actually destroyed or damaged.
6. **Assault** which is defined as an act intended to result in physical contact that will be painful, injurious, insulting or offensive, coupled with the apparent ability to execute the act.
7. **Assault of Staff Member resulting in bodily injury.**
8. **Sexual Assault.** Any sex act between persons if the act is done by force or against the will of the other. If the consent is obtained by threats of violence or if the act is done while the other is under the influence of a drug inducing sleep or the person is in a state of unconsciousness, the act is done against the will of the other.
9. **Habitual Disruptive Behavior.** Continued serious and persistent violations of Level III offenses.

**Expulsion Procedures:**

1. Referral to administrator.
2. Administrator confers with student and parent about the misconduct. The student is given an opportunity to explain the incident.
3. The administrator determines misconduct.
4. Administrator determines whether the student engaged in Level IV misconduct that is serious in nature that warrants a recommendation for expulsion. If administrator determines that the student engaged in

- violation of a Level IV offense, then administrator contacts district administration and general counsel to start the expulsion referral process.
5. When a student is recommended for expulsion, the social worker from the school will be assigned to assist the student and his or her family throughout the expulsion process and will also be present at the expulsion hearing. The student and his or her parent/guardian will be notified of the time and place of the hearing and shall be given a packet of information at least 48 hours before the expulsion hearing that contains the supporting documentation as to why the administration is recommending the student be expelled.
  6. A panel comprised of at least four members of the Board of Directors shall make the determination whether or not to expel a student from school. The Board of Directors is provided with the same packet of information regarding the documentation supporting the administration's recommendation for expulsion as the student and his or her parent/guardian.
  7. The panel of Board of Directors shall meet to conduct a hearing regarding the recommendation for expulsion and the hearing shall occur within ten (10) school days after the student's suspension from school.
  8. At the hearing, an administrator will present the information to the Board that supports the administration's recommendation for expulsion.
  9. The student's family or representative will have a chance to provide information that rebuts the information provided by the administration or to present new information that either demonstrates the student did not engage in the conduct for which he or she is accused, or any mitigating information. Student witnesses are not allowed to be present at the hearing on behalf of either the student or the district.
  10. After the panel of the Board of Directors receives information on behalf of the district administration and on behalf of the student, the panel will meet in an executive closed session to discuss the evidence. The panel will then reconvene in open session to act on the recommendation of expulsion.
  11. The student and his or her family will be notified of the decision in a timely manner.
  12. If the Board acts to deny the expulsion, the student will be placed in a school by district administration.
  13. If the Board acts to expel, the student will be required to follow all recommendations of the expulsion.
  14. At the conclusion of the expulsion period, district administration will ensure that the conditions of reinstatement have been met and determine appropriate school placement.
  15. Iowa law provides for the appeal of a school board determination to expel a student to the Iowa State Department of Education. The phone number is (515) 281-8661.

**Series 500, Code 520, Title: School Discipline, IV: Restraint and Physical Force**

Restraint is the act of physically controlling or directing the actions of a student. Teachers and administrators and other staff are authorized to use reasonable and appropriate means of restraint as may be necessary to prevent a student from harming himself or herself or another, or to prevent a breach of discipline, to compel compliance with the discipline policy. Restraint should not cause serious or permanent harm.

Intentional physical punishment of a student is specifically prohibited. Teachers, administrators and other staff are authorized to use reasonable force, however, in self-defense, defense of another, to quell a disturbance, to prevent an act that threatens harm, to compel compliance with the discipline policy or to remove a disruptive student.

An employee of the Des Moines Independent Community School District shall not inflict, or cause to be inflicted, corporal punishment upon a student. "Corporal punishment" is the intentional physical punishment of a student. "Corporal punishment" includes the use of unreasonable and unnecessary physical force, or physical contact made with the intent to harm or cause pain. August 7, 2001

## Appendix B

### Security Cameras in Schools and Buses Series 700, Code 781

Title: Security Cameras in Schools and Buses

It is the policy of the Des Moines Public Schools to create and maintain a safe school and work environment. Security cameras (closed circuit television systems – CCTV) are installed within school buildings and buses as well as the exterior of buildings. Security cameras monitor school property, assisting administrators in detecting and deterring unacceptable behavior or activities and otherwise enforcing district rules. Camera systems also provide a historical record to facilitate investigations.

At the beginning of each school year, the Superintendent or a designee shall provide notification to students, parents, and staff that security cameras are in place and that cameras will monitor and record behavior in and around school buildings and within school buses. Staff notification of security cameras shall be clearly stated in any employee handbook.

All actions or conversations are subject to being recorded. Employees, students and others found to have tampered with or disabled cameras or systems shall be subject to discipline including termination of employment and possible legal action and restitution.

Security cameras are used to accomplish three important goals in the Des Moines Public Schools:

- To enhance the safety of students and staff
- To protect school property against theft or vandalism
- To assist in the identification of intruders and persons endangering the health, well-being or safety of school community members

Administrative Regulations:

The district's collection of personal information using CCTV systems enables the district to comply with its responsibilities as set out in Iowa Code Chapter 279, as well as the discharge of duties by its employees.

The district will act in a responsible manner with respect to the notice, access, disclosure, retention, security and disposal of the personal information that is collected, in accordance with Iowa's Open Records Act. Additionally, the district will follow the Federal Education Right to Privacy Act (FERPA) rules and regulations as it relates to video considered to be part of a student education record.

The following principles shall govern the use of CCTV systems in Des Moines Public Schools: Only individuals authorized by the Superintendent designee in accordance with policy shall have access to video monitors or be permitted to operate the controls, and only after signing the district's acceptable use policy.

Access will be used to assist and support the investigation of serious incidents. Access will also be used by the Administration or its designee for purposes of regular system checks.

- The Chief Operations Officer [COO] or a designee will approve the location or relocation of cameras on Des Moines Public Schools property. Cameras must not be relocated without the express written permission of the COO or a designee.
- Cameras will be operated continuously. All recorded images are the property of the school district.
- Cameras will monitor common areas and school buses but will not monitor for example: the inside of changing rooms, locker rooms or restrooms.
- In order to ensure continuity of the images and protection of recorded data, the video recorder/server must be stored in a secure location. Web based recording will have restricted access.
- Video surveillance shall not be used for evaluative observations of staff. The district may use video surveillance of students, staff and others to detect or deter criminal offenses that occur in view of the camera. Video recordings of students, staff, or others may be reviewed or audited for the purpose of determining adherence to district policies, procedures and work rules. Videos determined to be part of a student education record will be subject to FERPA rules and regulations.

## **PROCEDURES**

Series 700

Code 781

The Board's collection of personal information using CCTV systems enables the Board to comply with its responsibilities as set out in Iowa Code Chapter 279, as well as the discharge of duties by its employees.

Camera system users and the Board will act in a responsible manner with respect to the notice, access, disclosure, retention, security and disposal of the personal information that is being collected, in accordance with Iowa's Open Records Act and FERPA

The following principles shall govern the use of CCTV systems in Des Moines Public Schools: The use and maintenance of security cameras shall comply with Policy 781

- The Chief Operations Officer [COO] or designees will review camera recordings within the buildings to assist and support the investigation of serious incidents and regular system checks. Designees may include, but are not limited to, security and technology staff.
- The only school personnel who may use the CCTV system in the schools are the Superintendent of Schools or designees, the building Principals, Vice-Principals, deans, school improvement leaders, campus monitors, and the School Resource Officer, and only then in the furtherance of their duties with the district. School resource officers may share video with each other as part of their job duties; however, they are not allowed to share video with other DMPD officers without district authorization. For example, an SRO for one high school may share video with an SRO from another school if the video involves students from both schools. However, they cannot turn the video over to DMPD for further action without district authorization.
- Director of Transportation and consultation of General Counsel will be responsible for review of camera recordings on school buses and will determine when recordings shall be shared with appropriate school administration.

To request access to district video click [here](#)

- Remote access will be used to assist and support investigation of serious incidents and regular system checks. Cameras must not be relocated without the express written permission of the COO or a designee.
- Cameras will be operated continuously. All recorded images are the property of the district and can be subject to FERPA laws and regulations.
- Notice signs will be installed where video surveillance systems exist.
- Cameras will not monitor the inside of changing rooms, locker rooms or restrooms.
- Video surveillance shall not be used for evaluative staff performance.
- Administrators will conduct system reviews to ensure that cameras are not used for any disapproved purpose. Any inadvertent disclosure of personal information collected by video surveillance will be reported to the Board and Superintendent for further action.

### **How to request a video**

*Building level request:*

Requests will be made using a web-based form called FormSite. To expedite the request, and ensure the data meets the system size requirements, the request will need to have the following information:

1. Date
2. Locations (i.e. North Hallway outside classroom 2030, cafeteria, or North side of building). It is preferable to have the camera name. For example, if it is labeled NW hallway within Milestone, that should be in the request
3. Specific Times. Video files are very large, and the more time requested, especially from multiple cameras, the larger the file. When these files are too large they may not save properly, and could lead to lost data. To prevent this, please be as specific as possible, such as 8:05-8:56 am, on cameras w,x,y,z, will ensure we can better manage the video.
4. Provide a description of the incident, such as vandalism, fight, theft, etc. This will help determine the appropriate video is being saved. If we know what we are looking for we can also look for additional footage that may be relevant.
5. Please note, the video will be trimmed down to the incident only. There is not enough storage to save video that does not apply to the requested incident. If you need video outside of the incident, please indicate why that is necessary.

#### Police or Insurance Request:

A link for requesting video will be located on the website (enter location, I recommend the security page). If the video request is denied because FERPA applies, a response will be sent to the original requestor stating denial, and the video will have an evidence lock placed on it. The necessary documentation can be sent by clicking reply to the follow-up email. Any video falling under FERPA will require a subpoena or written parental authorization for release. If more than one student is involved in the video then all parents must provide a written authorization to release the video.

All other entities or individuals requesting data can submit a public records request.

#### **Guidelines of record retention:**

##### *Video Request Timeline and Details*

Video is retained for a minimum of 7 days unless there is equipment malfunction. Every effort will be made to locate and save requested data; however, to ensure a video request is properly processed, all requests should be made within 3-4 days of the incident if possible. This timeframe provides adequate time to locate and save the requested data. Data not requested in a timely manner may not be available; however, every effort to retrieve the data will be made.

##### *Retention Time*

When a request is made, an evidence lock will be placed on the video and it will be saved for 60 days from the date of request. If a subpoena, parental authorization, or request for an extension is not received in writing within the 60 day timeframe, the video will be automatically deleted. Any video turned over to police for evidence will be archived for 1 year and then deleted. Contact information for submitting necessary documentation, as well as extension requests, will be included in a follow-up email received after the initial request is made.

It is possible the police will not have obtained a subpoena within the 60 days, but feel they will need the video for evidence in future court proceedings. In these situations, the district, upon written request, will export the data and save it for 1 year. Upon receipt of the subpoena, the video will be turned over the police. If a request has not been made to keep the video within the 1 year time-frame, the video will be deleted.

**Appendix C**  
**Attendance Procedures**  
**Series 500, Code 503,**

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Attendance is the foundation for learning and achievement. If children do not show up for school regularly, they miss out on fundamental reading and math skills and the chance to build a habit of good attendance that will carry them into post-secondary opportunities. Excused and unexcused absences count toward a student's total absence minutes.

Parents should make every attempt to notify the school in a timely manner when their child will be gone from school.

Teachers will take attendance within the first 20 minutes of class. High School and Middle School teachers will update attendance at the end of each class.

**Excused Absences**

Excused absences are defined as:

- Medical appointment (notes are encouraged)
- Medical injury
- Illness excused by parent/guardian
- Illness excused by health care provider
- Other than medical/illness. Examples: a religious holiday; court; death or illness in immediate family; other as approved by school administrator, such as college visits, weather related incidents
- In-school and Out-of-school suspensions

**Unexcused Absences**

Unexcused absences are defined as all other absences. Examples include skipping school, babysitting, family vacations, gone without contact.

When a student reaches 10 days absent (excused and unexcused) during a school year, for any reason, a school may request, in writing, that a parent provide medical excusal documentation for further absences. Medical excusals may be provided by the school nurse or doctor's office. If the student continues to be absent without medical excusal, the absences will be considered unexcused. Schools must provide this request in writing using the 10 day letter.

**Late to school/Early leave/Tardy to class**

Elementary/Middle School –

- Students who arrive to school up to 60 minutes after the first bell will be considered late to school.
- Students who arrive more than 61 minutes after the first bell will be considered absent, the number of minutes will accumulate to an overall total minutes absent.
- Students who leave school before the last bell of the day will be considered absent for the time missed, the number of minutes will accumulate to an overall total minutes absent.

High Schools-

- Students who arrive to class before the end of the period will be considered tardy.
- Students who have missed an entire class period will be considered absent for the entire period.
- Students who leave school before the last bell of the day will be considered absent for the time missed, the number of minutes will accumulate to an overall total minutes absent.



In middle and high school, when a student is tardy to class, teachers will mark them tardy and in the comments section, enter the appropriate tardy code T1, T2 or T3.

- T1 = student arrives in the first 10 minutes of class
- T2 = student arrives 11-30 minutes late to class
- T3 = student arrives 31 minutes or more late to class

Schools will determine their response to tardies. Examples include loss of privileges, attendance contracts, detention, etc.

### **Excessive and Consecutive Absences**

Excessive absences are defined as five or more absences (excused and/or unexcused) in a semester. Building-based teams will review student attendance data on all students who have excessive absences and provide appropriate intervention as needed.

Consecutive absences are defined as full days in a row and are unexcused.

Schools will determine their response to absences. Examples include loss of privileges, attendance contracts, detention, etc.

Parents/Guardians will be formally notified of absences (including excused and unexcused) within each semester in the following manner:

| <b>Protocol for Response to Absences per semester (Elementary &amp; Middle School)</b> |  |
|--|--|
| Daily/unexcused  | Office Manager/Attendance Clerk calls/emails   |
| Daily/unexcused  | Automated Dialer calls   |
| 5 days excessive /consecutive  | Teacher will make contact with parents-phone call home/email/messenger   |
| 7 days excessive /consecutive  | Tier 2 team will review for interventions  |
| 10 days excessive /consecutive   | Schools will send out letters, at team's discretion upon review of attendance, to indicate further action required which may include, parent meeting request, required excusal by a health care provider, truancy court filing |
| 11 days consecutive  | Student will be unenrolled K-6, dropped 7-8  |

| <b>Protocol for Response to Excessive Absences per semester (High School)</b> |   |
|---|---|
| Daily/unexcused   | Automated Dialer calls AM or PM   |
| 5 days excessive /consecutive   | Teacher will make contact with parents-phone call home/email/messenger  |
| 7 days excessive /consecutive   | Tier 2 team will review for interventions   |
| 10 days excessive /consecutive  | Schools will send out letters, at team's discretion upon review of attendance to indicate further action is required which may include: parent meeting request, required excusal by a health care provider, truancy court filing. |

| <b>Protocol for Notification of Consecutive Unexcused day absences (High School)</b> |                           |
|--|---------------------------|
| Daily  | Automated Dialer Am or Pm |
| 7 days   | JCSL phone call           |
| 8 days   | JCSL phone call           |
| 9 days   | JCSL phone call           |
| 10 days  | JCSL phone call           |
| 11 days  | Student will be dropped   |

## Appendix D

### Education Equity and Employment Statement

It is the policy of the Des Moines Community School District not to illegally discriminate on the basis of race, color, national origin, sex, disability, religion, creed, age (for employment), marital status (for programs), sexual orientation, gender identity and socioeconomic status (for programs) in its educational programs and its employment practices. There is a grievance procedure for processing complaints of discrimination. If you believe you have (or your child has) been discriminated against or treated unjustly at school, please contact the Dr. Anne Sullivan at 2323 Grand Avenue, Des Moines, IA 50312, (515) 242-7911, [anne.sullivan@dmschools.org](mailto:anne.sullivan@dmschools.org).

In addition, the District prohibits hostile work and learning environment harassment toward employees or students that are not allegations of discrimination. Complaints of hostile work or learning environment harassment may be filed with Dr. Anne Sullivan, Human Resources Department, at 2323 Grand Ave, Des Moines, Iowa 50312, (515) 242-7911.

The district is committed to maintaining a learning and working environment free of any form of sexual harassment toward personnel and students on school grounds, on school time, at a school-sponsored activity or in a school-related context.

#### COMPLAINT PROCEDURE

This complaint procedure has been developed to handle complaints of discrimination, harassment, or sexual harassment. Employees, applicants for employment, parents, students, and volunteers can file a complaint. Briefly, the complaint procedure includes the following steps:

1. Complainants may talk to their building principal or immediate supervisor to try to resolve the problem informally. If the complaint is based upon the conduct of the Complainant's principal or immediate supervisor, the Complainant may contact that person's immediate supervisor. Complaints should be reported as soon as possible after the event giving rise to the complaint.
2. If the Complainant prefers to proceed with a formal complaint, or if the matter has not been informally resolved, he or she may file a complaint with the District General Counsel or the General Counsel Investigations Specialist based on the allegation. Formal complaints should be filed by the Complainant within 30 days after the event giving rise to the complaint or it is determined the complaint cannot be informally resolved.
3. Within 10 working days, the appropriate investigator will begin the investigation. An investigation will include taking a written statement from the Complainant, the Respondent(s) named in the complaint, and those witnesses who have been identified who have relevant information pertaining to the complaint. Relevant documentation will also be collected and considered. During the investigation, a Respondent may elect to have a union representative, friend, counsel or any other individual present during interviews and subsequent meetings.
4. Within 30 working days, the investigator shall complete the investigation and issue a written report making findings with respect to the individual allegations set out in the complaint and rendering an ultimate finding as to whether the greater weight of the evidence, based on the entire record, indicates the District's policies have been violated. Under some circumstances, when many individuals are involved in the investigation or an extensive legal review must be done, the investigator will inform the Complainant of the expected date of completion beyond the 30 working days.
5. The District prohibits retaliation against an individual for filing a complaint. Any individual

intentionally providing false information in a complaint investigation may be subject to disciplinary action.

In the event the investigator finds:

- A. No violation of District policy, the findings will be shared by the investigator with the Complainant and the Respondent.
- B. A violation of the District's policies or no violation of the District's policies but other inappropriate behavior on the part of the Respondent, the findings will be provided:
  - 1) By the investigator to the Complainant and the Respondent; and
  - 2) By the investigator to Respondent's principal or the immediate supervisor, the director responsible for Respondent, and a representative of Human Resources Management. The Human Resources representative will inform the Respondent of any decision regarding disciplinary action.
  - 3) If disciplinary action is warranted, documentation of the disciplinary action will be placed in the employee's file or the student's file. All other information regarding the case will be kept in confidential files.
  - 4) The District has no jurisdiction to take disciplinary action over parents and volunteers. However, steps will be taken to ensure individuals do not continue to violate nondiscrimination policies on district property, school-related activities.

The complaint will be closed after the investigator has provided the information to the Complainant and the Respondent unless, within ten days of receipt of the final investigative report, either side files a written appeal to the superintendent setting out the reason(s) why they believe the decision should not stand.

In the event of an appeal, the Superintendent/designee shall review the written record and may meet with the appealing party. The Superintendent/designee may affirm, reverse, modify or remand the matter for further proceedings and shall, within twenty (20) days of the written appeal, provide the decision in writing to the appealing party.

Except in the event of a termination of a certified employee, the Superintendent's/designee's decision shall be final. A parent or guardian who disagrees with the school district's decision regarding a student's identification, evaluation or educational placement of program accommodations under Section 504 of the Rehabilitation Act of 1973 has a right to an impartial, third party hearing. They may contact the District Human Resources Department, 2323 Grand, Des Moines, Ia 50312 to use the internal complaint procedure. However the Complainant may seek legal advice of his or her choosing or file a formal complaint with the Des Moines Human Rights Commission, Iowa Civil Rights Commission, the Equal Employment Opportunity Commission, or other agencies. If the Complainant seeks other avenues of redress, the District may choose not to conduct its internal complaint procedures.

References : Board Policies  
Series 400 Code 402, 402.1, 406 and 407  
Series 600 Code 601

Legislation  
Title IX of the 1972 Education Amendments  
Section 504 of the Rehabilitation Act of 1973  
American Disabilities Act of 1990  
Iowa Civil Rights Act

**STUDENT HANDBOOK**  
**LANGUAGE GENDER IDENTITY**  
**Appendix E**  
**Statement of Non-Discrimination**

*The Des Moines Independent Community School District does not discriminate on the basis of race, color, national origin, gender, disability, religion, creed, age (for employment), marital status (for programs), sexual orientation, gender identity and socioeconomic status (for programs) in its educational programs and its employment practices.*

The District strives to create a supportive environment for its students. Discrimination, harassment, and bullying of students for any reason, including on the basis of gender identity and/or sexual orientation are prohibited by state law and District policy. Students who believe they have experienced or witnessed discrimination, bullying, or harassment should refer to page 19 of this handbook to learn how to file or make an internal complaint.

Complaints of discrimination or harassment based on a student's actual or perceived gender identity or sexual orientation must be handled in accordance with District Policy no. 507.

**Definitions**

1. Gender identity: A person's gender-related identity, which may be the same as or different from the person's sex assigned at birth.
2. Transgender: an umbrella term used to describe a person whose gender identity or gender expression is different from that traditionally associated with the assigned sex at birth.
3. Sexual orientation: an individual's enduring pattern of physical, romantic, or other attraction to another person. Sexual orientation is not the same as gender identity.

**Privacy**

In accordance with the Family Educational Rights and Privacy Act (FERPA), only those District employees with a legitimate educational interest are permitted to access a student's records. Absent consent from the parent or adult student (18 years or older), information contained in a student's records, including information regarding a student's sex, sexual orientation, gender identity, or transgender status may only be disclosed under the limited circumstances set forth in FERPA.

Students have the ability to discuss and express their gender identity openly and decide when, with whom, and how much of their private information to share with others. Schools should work closely with the student and parent(s)/guardian(s) to devise an appropriate plan regarding the confidentiality of the student's gender identity.

**Requesting Support**

The District recognizes that it is a highly personal decision for a student to determine whether they identify with a different gender than their sex assigned at birth. Students are encouraged to speak with a building administrator or guidance counselor if they need support or accommodations at school.

In some cases, transgender students may not want their parents to know about their transgender status. These situations must be addressed on a case-by-case basis and will require schools to balance the goal of supporting the student with the requirement that parents be kept informed about their children. The paramount consideration for school officials in such situations will be the health and safety of the student.

### **Student Names and Pronouns**

Every student is entitled to be addressed by the name and pronoun that correspond to the student's identity including gender identity that is consistently asserted at school. Students are not required to obtain parental consent or a court-ordered name or gender change as a prerequisite to being addressed by the name and pronoun that correspond to their gender identity. Teachers and school staff should be made aware of and honor a student's request to be referred to by their preferred name and gender that correspond to their gender identity.

### **District-Maintained Records**

The District may be required to maintain certain records including the student's name and sex assigned at birth (including, but not limited to, the student's permanent record). These records will only be maintained and used as required by law, policy, or rule, and will only be disclosed in accordance with such law, policy, or rule.

Any student, regardless of gender identity, must file appropriate court documents to get their legal name changed in their permanent record. Under the Family Educational Rights and Privacy Act ("FERPA"), a parent or eligible student may ask to have the student's education records amended if they are inaccurate, misleading, or in violation of a student's privacy rights. The District will respond to requests to amend information in student records for transgender students consistent with how other students' records are amended.

Other than documents where the student's name and sex assigned at birth are required to be listed, any reference to the student's name and gender should match the gender identity of the student.

Student "directory information," as defined by FERPA, is information that may generally be disclosed without prior consent from the parent or eligible student. Directory information is defined by District policy and families must receive notice each year of their rights under FERPA. Directory information shall not be used by the District in any way that intrudes on the privacy interests of students with respect to gender identity.

### **Restrooms and Locker Rooms**

Administrators should discuss options available to the student and parent(s), including the use of the restroom or locker room of the gender with which the student identifies. While open discussions about safety, comfort-levels, and other situations are helpful, the student should be allowed to use the facility that corresponds to the student's gender identity. Students, including but not limited to transgender students, who are uncomfortable using a restroom deemed available for more than one person or for a particular gender should be provided with a safe alternative, such as a single gender-neutral restroom. Transgender students will not be required to use a separate or single-use facility if they do not voluntarily wish to do so.

In locker rooms that involve undressing in front of others, any student who voluntarily wishes to have additional privacy, regardless of that student's sex or gender identity, will be provided with an accommodation that best meets the needs and privacy concerns of that student. These accommodations may include, but are not limited to:

1. Use of a private area in a larger room such as a bathroom stall in a multi user restroom, an area separated by a curtain, or a nurse's or PE instructor's office.
2. A separate changing schedule, before or after other students use the facility.

### **Extra-Curricular Activities and Interscholastic Sports**

The District encourages participation in District-sponsored activities for all students regardless of their gender identity. In general, student will participate in sex segregated interscholastic sports consistent with their gender identity. However, participation in interscholastic sports may be subject to the rules and requirements of the Iowa High School Athletic Association and/or the Iowa Girls High School Athletic Union. Participation in activities and sports will be determined on a case-by-case basis by a

team consisting of the appropriate Executive Director, Principal, and Activities Director of the school. If there is no Activities Director

assigned to the school, the Executive Director shall choose one from another school within the District.

### **Physical Education/Gym Class**

Transgender students shall not be denied the opportunity to participate in physical education, nor shall they be forced to have physical education outside of the regularly scheduled class time. In general, students should be permitted to participate in gender-segregated recreational gym and physical education classes in accordance with their gender identity.

### **Student Dress**

Students are allowed to dress in clothing consistent with their gender identity, including at school-sponsored special events (e.g., Prom).

### **Notification**

Each building Principal or designee is responsible for ensuring that school staff and students are familiar with these guidelines

### **Questions/Inquiries**

Questions about these guidelines, please call Office of Schools, 515-242-7725.

**Appendix F**  
**Allegations of Abuse of a Student by School Employees**  
**Level I and Level II Investigators 2010-2011**

The district will respond promptly to allegations of abuse of students by school employees by investigation or arranging for investigation of any allegation. The district will take appropriate disciplinary action when abuse is found. (Chapter 102, Rules Department of Education)

Allegations of abuse of students by school employees will be referred directly to the Director of Human Resources Management.

**Please contact the District Human Resources Department, Investigations Specialist with concerns at (515) 242-7911.**

**Appendix G**

**Section 504 of the Rehabilitation Act of 1973**

**Parent Notice**

Section 504 of the Rehabilitation Act of 1973 prohibits discrimination against persons with a disability in any program receiving federal financial assistance. In order to fulfill obligations under Section 504, the Des Moines School District has the responsibility to avoid discrimination in policies and practices regarding its personnel and students. No discrimination against any person with a disability should knowingly be permitted in any of the programs and practices of the school system.

The Des Moines Independent Community School District has the responsibilities under Section 504, which include the obligations to identify, evaluate, and, if the student is determined to be eligible under Section 504, to afford access to appropriate educational services.

If the parent or guardian disagrees with the determination made by the professional staff of the school district, he/she has a right to a hearing with an impartial hearing officer.

The Family Educational Rights and Privacy Act (FERPA) also specifies rights related to educational records. This Act gives the parent or guardian the right to:

1. inspect and review his/her child's educational records;
2. make copies of these records;
3. receive a list of the individuals having access to those records;
4. ask for an explanation of any item in the records;
5. ask for an amendment to any report on the grounds that it is inaccurate, misleading, or violates the child's rights; and
6. a hearing on the issue if the school refuses to make the amendment.

Please contact Student and Family Services with questions, Des Moines Independent Community School District, at 2323 Grand Ave, Des Moines, Iowa 50312, or call 242-7714 to make the arrangements.

## **Appendix H**

### **Homeless Definition March, 2010**

**Definition:**

“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 who 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 the lack of alternative adequate accommodations; is living in an emergency or transitional shelter; is abandoned in a hospital; or is 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 who qualifies as homeless because the child or youth is living in circumstances described in paragraphs “1” through “3” above.



# Appendix I

## Network Agreement

### Introduction

These procedures are applicable to all student use of Network and Internet systems while using school district property at any location or during school activities at any location.

All use of educational technology must be in support of education and research and be consistent with the mission of the district. In addition, educational technology may only be used in a manner consistent with federal and state law, license agreements and district policy.

### Access

Network and Internet access is a privilege which requires a high level of personal responsibility and may be denied due to inappropriate use. Inappropriate use shall include but not be limited to:

1. Using the district system for commercial and/or personal purposes.
2. Using the system to transmit inaccurate information.
3. Using the system to send, receive or view objectionable material.
4. Damaging the security system.
5. Using another individual's system account.
6. Forging or attempting to forge electronic mail messages.
7. Attempting to read, delete, copy or modify electronic mail of other system users.
8. Misusing electronic mail retention guidelines.
9. Exceeding resource quotas or disk usage quotas.
10. Failing to conduct virus checks on downloaded material.
11. Vandalizing the system.
12. Violating the copyright laws.
13. Failing to follow network etiquette procedures.
14. Submitting false or misleading information to obtain or retain access to the system.
15. Accessing the system in any manner inconsistent with the mission of the school district.
16. Interfering with official school district communications

The network administrators may withdraw access at any time as required. The administration, faculty and staff of the district may request the network administrator to deny, revoke or suspend specific system user access.

Students under the age of 18 must have the written approval of a parent or guardian. A signed Individual System User Release Form must be on file with the district. Student privileges will be granted only for one academic year. Access privileges will be indicated on the student's ID card. A signature on the Individual System User Release Form indicates that the person signing the permission form has read and understood any supplemental information which may be provided with the permission form.

### Security and Usage Guidelines

Appropriate language will be used in electronic mail and other electronic communications.

System users will be respectful of others' opinions.

System users will not seek information on, obtain copies of, or modify files, other data, or passwords belonging to other system users, or misrepresent other system users, or attempt to gain unauthorized access to the system.

Communications may not be encrypted so as to avoid security review.

Personal information such as addresses and telephone numbers will remain confidential when communicating on the system. Students will never reveal such information without permission from their teacher or other adult.

Students will never make appointments to meet people in person that they have contacted on the system without district and parent permission.

Students will notify their teacher or other adult whenever they come across information or messages that are dangerous, inappropriate or make them feel uncomfortable.

A system user guide will be published and available for student distribution.

All Internet account holders are responsible to notify a system administrator or building administrator promptly upon discovery of any suspected security breach.

The district unconditionally reserves the right for authorized personnel to review system use and file content. The district reserves the right to remove a system user account on the system or to disconnect any system user to prevent unauthorized activity.

### Copyright

One of the most important issues to be addressed and taught to students is the issue of copyright and the related areas of trademark and licensing.

System users may download material for their own use in accordance with applicable copyright laws, district policy and administrative regulations. The Fair Use doctrine allows an individual to reproduce portions of copyrighted work for non-commercial purposes, in some instances. Reproduction beyond fair use requires the permission of the copyright holder or authorized person. The permission must be specified in the document or must be obtained directly from the author in accordance with applicable copyright laws, district policy and administrative regulations. Violations of copyright law could lead to civil liability with excessive penalties.

System users may upload public domain programs to the system. System users may also download public domain programs for their own use or non-commercially redistribute a public domain program. System users are responsible for determining whether a program is in the public domain.

### Liability

Access by the district to the system will be through the establishment of individual accounts. The use of the accounts constitutes acceptance of the account and agreement by the system user to abide by the rules of conduct and to assume responsibility for the content of that account.

The district does not warrant that the functions and services performed by or the information or software contained in the educational technology resources will meet the system user's requirements or that the system will be uninterrupted or error-free, or that defects will be corrected. The district's system is provided on an "as is, as available" basis. The district does not make any warranties, whether expressed or implied including, without limitation, those of merchantability and fitness for a particular purpose with respect to any services provided by the system and any information or software contained therein.

Student permission forms shall include a provision that the student and his/her parents or guardians will hold the district harmless from student violations of copyright laws, software licensing requirements, student access of inappropriate materials, violations by the student of others' rights to confidentiality, free speech and privacy, and damage to systems accessed by the student.

### Discipline

Appropriate discipline for student violations will be determined by the building principal or the principal's designee. Violations of the acceptable use guidelines, any district policy or procedure, or any federal or state law, rule or regulation may result in disciplinary action up to and including expulsion. Disciplinary action will be taken in a manner consistent with the student discipline policy. Violations which may be criminal will be referred to appropriate law enforcement officials.

## Appendix J

### Search and Seizure May 2013

#### **Code 519**

#### **Title: Search by School Staff Relating to Students, Protected Student Areas, Lockers, Desks, and Other School Facilities or Spaces**

The superintendent shall implement search procedures by school staff relating to students, protected student areas, lockers, desks and other facilities or spaces that are consistent with Iowa Code Chapter 808A.

The Superintendent has adopted the following administrative procedures addressing searches by school staff:

#### **Series 500**

#### **Code 519**

#### **Title: Search by School Staff Relating to Students, Protected Student Areas, Lockers, Desks, and Other School Facilities or Spaces**

##### I. Searches of a student or protected student area.

A. A school official may search an individual student and a protected student area if:

1. The official has reasonable grounds for suspecting that the search will produce evidence that a student has violated or is violating either the law, or a school rule or regulation, or any other reasonable expectation of student conduct, and
2. The search is conducted in a manner which is reasonably related to the objectives of the search and which is not excessively intrusive in light of the age and gender of the student and the nature of the infraction.

B. All searches of students or protected student areas must be reasonably related in scope to the circumstances which gave rise to the need for the search and based upon consideration of relevant factors which include, but are not limited to, the following:

1. The nature of the violation for which the search is being instituted.
2. The age and gender of the student who may be searched, and
3. The objectives to be accomplished by the search.

C. If a student is not or will not be present at the time a search of a protected student area is conducted, the student shall be informed of the search either prior to or as soon as is reasonably practicable after the search is conducted.

##### II. Inspections of lockers, school desks and other provided spaces.

A. School officials may conduct periodic inspections of all, or a randomly selected number of, school lockers, desks, and other facilities or spaces owned by the school and provided as a courtesy to students. Periodic Inspections of school lockers, desks, or other facilities or spaces owned by the school and provided as a courtesy to a student may be conducted by a drug/contraband sniffing animal

B. The furnishing of a school locker, desk, or other facility or space owned by the school and provided as a courtesy to a student shall not create a protected student area, and shall not give rise to an expectation of privacy on a student's part with respect to that locker, desk, facility, or space. Allowing a student to use a separate lock on a locker, desk, or other facility or space owned by the school and provided to the student shall not give rise to an expectation of privacy on a student's part with respect to that locker, desk, facility, or space.

C. Students are permitted to park on school premises as a matter of privilege, not a right and parking provided as a courtesy to students. The interior of a student's automobile on the school premises may be searched without a search warrant if there is reasonable suspicion that a student has violated or is violating the law, or has illegal, unauthorized, or contraband items contained inside.

D. Each year when school begins, all district schools shall provide written notice to all students and the students' parents, guardians, or legal custodians, informing them that school officials may conduct periodic inspections of school lockers, desks, and other facilities or spaces owned by the school and provided as a courtesy to students without prior notice. An inspection under this policy shall either occur in the presence of the student whose locker is being inspected or in the presence of at least one other person.

### III. Prohibited Searches.

A. School officials shall not conduct a search which involves:

1. A strip search.
2. A body cavity search.
3. The use of a drug/contraband sniffing animal to search a student's body
4. The search of a student by a school official not of the same sex as the student.

### IV. Definitions.

A. "Protected student area" includes, but is not limited to:

1. A student's body.
2. Clothing worn or carried by a student.
3. A student's pocketbook, briefcase, duffel bag, book bag, backpack, knapsack, or any other container used by a student for holding or carrying personal belongings of any kind and in the possession or immediate proximity of the student.

B. "School official" means licensed school employees, including but not limited to principals, vice principals, deans of students, teachers, counselors and social workers, and also means unlicensed school employees employed for security or supervision purposes such as campus monitors.

## **Appendix K**

### **DMPS Social Media Guidelines**

Des Moines Public Schools recognizes the growing importance of social media and web 2.0 tools as a means of communications, including its use for personal and educational purposes, and acknowledges that its employees have the right under the First Amendment to speak out on matters of public concern. DMPS encourages the appropriate use of social media as a means to communicate, whether as an individual or as a school or related program if such use would be helpful in reaching out to the district's various constituencies.

However, the District has the right to regulate the speech of employees in specific circumstances. Accordingly, it is essential that employees conduct themselves in such a way that their personal and/or educational use of social media does not adversely affect their position with the District.

The purpose of these guidelines is to establish protocols for the use of social media by employees and to outline expectations for its use. Social media includes websites such as Facebook, Twitter, Tumblr, or other social media and web 2.0 tools.

### Expectations for the personal use of social media

- Refrain from accepting current DMPS students as “friends” on personal social networking sites.
- Be aware that people classified as “friends” have the ability to download and share your information with others.
- Remember that once something is posted to a social networking site it may remain available online even if you think it is removed.
- Assume that anything you post to a personal social media site can be accessed by anyone and will be available forever.
- Set and maintain appropriate social networking privacy settings.
- Never use a social media site to discuss a DMPS student or employee in a way that is or could be perceived as derogatory, critical or in any manner that could be considered libelous.

### Expectations for the educational use of social media

- All DMPS policies and state laws on the use of district-owned hardware, software and networks apply, as relevant, to the use of social media for a DMPS school, class or program.
- Notify your supervisor and the Office of Community Relations if you wish to establish a social media site for a school, class or program.
- If using Facebook, create an organization page for your school, class or program; do NOT use a personal Facebook page for school-related purposes (the Office of Community Relations can provide guidance on how to do this).
- Establish expectations for acceptable use on your social media site (see example at end of document).
- Do not post anything that advocates for or against a political candidate or initiative.
- Do not post images that include students without parental release forms on file.
- Pay close attention to the site's security settings and allow only approved participants access to the site.
- Behavior that is inappropriate in the classroom should be considered inappropriate online.

### Expectations for all use of social media

- DMPS employees’ online behavior should reflect the same standards of honesty, respect and consideration they adhere to in their face-to-face interactions
- Do not submit or post confidential or protected information about the District, its students, alumni or employees. You should assume that most information about a student is protected from disclosure by both federal law (the Family Educational Rights and Privacy Act (FERPA) and state law (Iowa Code Section 22.7(1)). Disclosure of confidential or protected information may result in liability for invasion of privacy or defamation and result in disciplinary action up to, and including, discharge from employment.
- Report, as required by law, any information found on a social networking site that falls under the mandatory reporting guidelines.
- Do not use language that could be considered defamatory, obscene, proprietary, or libelous. And exercise caution with regards to exaggeration, colorful language, guesswork, copyrighted materials, legal conclusions, and derogatory remarks or characterizations.
- Consider whether a particular posting puts your professional reputation and effectiveness as a DMPS employee at risk.
- Be cautious of security risks when using third-party applications that work with the social networking site.
- Run updated malware protection to avoid infections of spyware and adware that social networking sites might place on your personal computer.
- Be alert to the possibility of phishing scams that arrive through a social media site.

### Establishing a district-related social media site

Anyone who wishes to establish a social media site for a DMPS office, school, class or program must first notify their supervisor and contact the Office of Community Relations. If you have questions, would like to start a social media initiative on behalf of a district entity, or have content you would like posted to the district's social media pages please contact:

- Phil Roeder: 515-242-8153 or [phillip.roeder@dmschools.org](mailto:phillip.roeder@dmschools.org)
- Amanda Lewis: 515-242-8162 or [amanda.lewis@dmschools.org](mailto:amanda.lewis@dmschools.org)

NOTE: If you create a Facebook page for a school, please add both Phil Roeder and Amanda Lewis as an “administrator” to your page.

### Acceptable Use Guideline Example

Des Moines Public Schools has created this Facebook page to serve as an additional means to share news, provide information, and facilitate communications within our school district community. We thank all of the Facebook users who “like” our page and contribute to our online community. Messages posted to this Facebook page do not necessarily represent the views of Des Moines Public Schools. Des Moines Public Schools reserves the right to remove comments and/or report users who post comments which, in the school district's sole discretion, bully, intimidate, or harass any individual; contain obscenity, nudity or gratuitous violence; are commercial solicitations; are factually erroneous, libelous, or wildly off-topic; are from anonymous blog trolls; or that otherwise violate State law, school district policy, or Facebook's Statement of Right