

EXHIBIT 302
BOARD POLICY
FIRST READING
REVISIONS

Board Policy Number 501

Student Attendance

It shall be the policy of the Marion Independent School District to encourage all students to graduate. Regular attendance is important to achieving this goal.

The staff should use resources available to meet the goal of achieving regular attendance for all students.

It is important that:

- Teachers let students know they want them in attendance every day.
- Parents and guardians are aware that teachers and administrators expect their help in seeing that students attend school daily.
- Students realize that valuable information and training is provided each day by the teachers, and they will miss important learning opportunities if they do not attend school daily.

The building principals will establish guidelines for dealing with students who are absent from school without a reasonable excuse. Disciplinary measure may include, but are not limited to, making up the time, in or out of school suspension, contacting the school truancy officer, and/or referral to special programs.

Adopted: February 14, 1980

Revised: December 3, 1987; December 14, 1998; January 23, 2006

Reviewed: November 28, 1990; March 22, 1993; January 26, 1998; April 28, 2008

Legal Reference: Code of Iowa 274.1; 279.8; 299.1, 2, 8

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Board Policy Number ~~501.14~~ 501.10

Tuancy - Unexcused Absences – Change to 501.10

Regular attendance by the students at school is essential for students to obtain the maximum opportunities from the education program. Parents and students alike are encouraged to ensure an absence from school is a necessary absence. Students shall attend school unless excused by the principal of their attendance center.

Tuancy is the failure to attend school for the minimum number of days established in the school calendar by the Board. Tuancy is the act of being absent or tardy without a reasonable excuse. Tuancy will not be tolerated by the Board.

Students are subject to disciplinary action for truancy including suspension and expulsion. It shall be within the discretion of the principal to determine, in light of the circumstances, whether a student may make up work missed because of truancy. Students receiving special education services will not be assigned to in-school suspension unless the goals and objectives of the student's Individualized Education Program are capable of being met.

If a student does not comply with compulsory attendance as outlined in Policy 501.12 3, the truancy officer shall investigate the cause for a student's truancy. If the truancy officer is unable to secure the truant student's attendance, the truancy officer shall refer the matter over to the county attorney.

The school will participate in mediation if requested by the county attorney. The superintendent shall represent the school district in mediation. The school district will monitor the student's compliance with the mediation agreement and will report violations of the mediation agreement to the county attorney.

If truancy continues after the above actions by school officials, the truancy officer and/or the county attorney, the matter will **may** be referred to the school Board for further action.

It shall be the responsibility of the superintendent, in conjunction with the principal, to develop administrative regulations regarding this policy. The administrative regulations shall indicate the disciplinary action to be taken for truancy.

Adopted: March 22, 1999

Revised:

Reviewed: April 28, 2008

**Legal Reference: Iowa Code §§ 279.11, 294.4; 299 (1995)
281 I.A.C. 12.2(4)**

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Board Policy Number 501.9 501.12

Pregnant Students – Change to 501.12

This- **The** Board recognizes the need for all resident students to attain a quality education and the right of a pregnant student to continue her participation in the Marion Independent School District. A pregnant student should consult with the building principal, **school nurse or health associate** or a member of the professional staff as soon as possible following medical confirmation of the pregnancy.

When in the opinion of the student's physician, her physical condition warrants it, the pregnant student may be excused from school. Provisions will be made for instruction during the period absent from school. The student will be permitted to re-enter school upon the recommendation of her physician.

Adopted: December 3, 1987

Revised: September 27, 1993; February 24, 1997

Reviewed: November 28, 1990; April 13, 1992; September 13, 1992; June 26, 2000; April 28, 2008

Legal Reference: Code of Iowa

Web Page posted on

Board Policy Number ~~506.4~~ 501.14

Open Enrollment Transfers – Change to 501.14

Starting with the 1990-91 academic year, the district shall participate in Open Enrollment both as a sending and receiving district.

Procedures as a Sending District - Transfers Out

Parents wishing to transfer students out of the district under the Open Enrollment Act of 1989, shall notify the superintendent of that intention no later than March 1 of the preceding school year. Open enrollment requests for entering kindergarten students only must be filed by September 1 of the year they are attending. Open enrollment requests qualifying under the "good cause" provision must be filed on or before ~~March 1~~ **September 1 unless another deadline.** Formal notification shall be made on forms prescribed by the Department of Education and available at the office of the superintendent.

The formal notification shall state that the parent intends to enroll the parent's child in a public school in another school district and shall describe the reasons that exist for enrollment in the receiving district that are not present in the district of residence. The Board shall send a copy of the form to the receiving school district within five days after its receipt.

Consideration will be given to the requests in chronological order.

Procedures as a Receiving District - Transfers In

Requests for transfers into the district under the Open Enrollment Act of 1989, shall be received by the superintendent no later than March 1 of the year preceding the year of desired enrollment. Open enrollment requests for entering kindergarten students only must be filed by September 1 of the year they are attending. Open enrollment requests that qualify under the "good cause" provision must be filed on or before March 1. Consideration will be given to the requests in chronological order, with special preference being given to students who are part of the same nuclear family of a student(s) already enrolled in the district.

In the event that one or more members of the same nuclear family submit requests for the same academic year, and insufficient classroom space exists in one or more of the grades requested, the Board, in its discretion, may waive the criteria for insufficient classroom space for those students affected in order to prevent the division of a nuclear family between two school districts.

The Board will not approve a student's request to allow the receiving district to enter the sending district for the purpose of transportation.

The following agreement between the Cedar Rapids Metropolitan School Districts regarding Open Enrollment is made a part of this Policy:

Cedar Rapids Metropolitan School Districts Open Enrollment Agreement

The following agreement between the Cedar Rapids Metropolitan School Districts is made a part of this policy and is as follows:

The Metropolitan Cedar Rapids School Districts believe that student choice of public schools they may attend is assured by Iowa Law, and that a spirit of cooperation should exist to meet the expressed needs of students, and maintain the fiscal integrity of each school district.

Agreement Provisions:

1. All Metro Districts, Cedar Rapids Community School District, College Community School District, Linn-Mar Community School District, and Marion Independent School District agree to establish March 1 of each year as the cut-off date for all internal open enrollment applications. This only applies to applications within these districts. Districts can make exceptions to deadline dates when both Agree that it is in the best interests of all concerned to do so.
2. The same deadline will apply to students who live in these districts and attend a private or parochial school.
3. Open enrollment applications can be denied to maintain desegregation plans, or because of other factors deemed appropriate by the administration and Board of the participating school districts.
4. The participating districts agree to delay billing for any student who enrolls in a school after the count on the ~~third Friday of September~~ **first of October**. The billing will occur the following year when the student is part of the enrollment count of the district allowing the district time to receive reimbursement for the student before paying for open enrollment to another district.
5. Students open enrolled from one Metro District to another will not have to reapply if they maintain attendance in the receiving school.
6. Students who temporarily reside in a Metro District (not more than forty (40) days) shall be allowed to attend a school in the district without completing an open enrollment application.
7. Students who move into a Metro district after March 1, and before June 1, will be allowed to complete an open enrollment application to another district during this time frame.
8. Students who change residences to another district during the last forty (40) days of a school year will be permitted to finish school in the district from which they came. The next school year they will attend school in the new district unless they complete an open enrollment application to another district before June 1st.
9. Any student who moves into a Metro District from outside the Metro area, prior to enrollment in their new resident district, may open enroll to another district at any time. That student will still be subject to the other provisions of this agreement.

Stipulations:

1. The purpose of this agreement is to simplify and create consistent administrative procedures to process open enrollment applications in the participating districts.
2. This agreement will remain in force until a modification is necessary or the parties decide to rescind it.
3. The Superintendents of the respective districts shall execute the administration of this agreement and resolve conflicts that occur.

Adopted: September 28,, 1989

Revised: November 22, 1993; February 24, 1997; December 19, 2005

Reviewed: June 26, 2000; April 28, 2008

Legal Reference: Iowa Code § 139.9, 274.1, 279.11, 281.1, .3, .8, .18, 299.1 (1989)

470 Iowa Admin. Code 7

281 Iowa Admin. Code 11.2(10)-(11), 11.4(13)

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Board Policy Number 501.8 501.21

Shared-Time Students – Change to 501.21

Marion resident students enrolled in a private school may attend the Marion Independent Schools on a shared-time basis, provided that (1) courses to be taken in the public school are not offered in the home institution; and (2) any prerequisites for such courses have been satisfied.

The Board of Directors has the authority to govern and regulate the attendance of shared-time students in the public school. Students attending a non-accredited private school must dual-enroll with Marion Independent School District to take advantage of this policy. Students attending accredited private schools will be assessed course fees established by the Superintendent.

Adopted: December 3, 1987

Revised: October 11, 1993

Reviewed: November 28, 1990; January 26, 1998; April 28, 2008

Legal Reference: Code of Iowa 257.26; 442.4

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Board Policy Number 501.1A– 501.22

Home School Assistance Program – Change to 501.22

The Board of Directors, recognizing alternatives to education outside the formal public school system, authorizes the establishment of a home school assistance program. This program will assist students receiving competent private instruction by providing licensed employees of the school district to assist the parent, guardian or legal custodian in the education of the student.

The Board understands that there are structural differences in comparing the educational experience of home schooled students to that of traditional public school students. A non-exhaustive list of examples of such differences includes student schedules, educational resources and curriculum materials, parents as primary educators, professional development of primary educators, activities, programs, governmental regulations, graduation policy, etc. In view of these structural differences, the home school assistance program director shall have the authority, with the approval of the superintendent, to develop and budget for programs meeting the unique needs of home schooled students enrolled in the assistance program.

The parent, guardian or legal custodian registering for the home school assistance program will agree to comply with the requirements established by the faculty of the program.

Students registered for the home school assistance program will be counted in the ~~basic~~ **certified** enrollment.

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

Adopted: February 24, 1997

Revised: April 25, 2005

Reviewed: June 26, 2000; April 28, 2008

Legal Reference: Iowa Code §§ 279.8; 299A (1995)

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Board Policy Number ~~501.14~~ 501.24

School Calendar – Change to 501.24

The school district's academic calendar shall accommodate the educational program of the school district. The calendar shall be for a minimum of 190 days and include, but not be limited to, the days for student instruction, staff development and in-service, and time for teacher conferences.

The school academic year for students shall be a minimum of 180 days in the school calendar, except for seniors who shall be in attendance a minimum of 175 days and will conclude their senior year with the graduation ceremony. The school academic year for students shall begin each year in the week in which September 1 falls **unless a waiver has been approved**. School district personnel may be required to report to work at the school district prior to this date.

It shall be the responsibility of the Superintendent to develop the school calendar for recommendation, approval, and adoption by the Board annually.

The Board may amend the official school calendar when the Board considers the change to be in the best interests of the school district's educational program.

Adopted: March 12, 1981

Revised: July 13, 1989; October 11, 1993; February 24, 1997

Reviewed: June 26, 2000; April 28, 2008

Legal Reference: Iowa Code §§ 20.9, 279.10, 442.26A (1989)

670 Iowa Admin. Code 3.2(11), 3.3(5)

281 Iowa Admin. Code 12.2(1), .2(2) (new standards)

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Board Policy Number ~~506.4~~ 501.25

Class Size - Class Grouping – Change to 501.25

The size of each class shall depend upon the type of instruction needed to assist each student to develop his/her academic and occupational capacities to the utmost. Effective staff utilization shall also be considered in organizing and scheduling classroom instruction.

It shall be within the sole discretion of the Board to determine the size of classes and to determine whether class grouping shall take place. The Board shall review the class sizes annually.

It shall be the responsibility of the superintendent to make a recommendation to the Board on class size based upon the budget of the school district, the qualifications of and number of certified personnel, and other factors deemed relevant by the Board.

Class enrollments for Special Education shall not exceed those levels established by state standards **and service delivery plan**.

Adopted: September 28, 1989

Revised: December 13, 1990

Reviewed: March 22, 1993; January 26, 1998; April 28, 2008

Legal Reference: Iowa Code §§279.8; 280.3 (1989)

Web Page posted on

Board Policy Number ~~502.6~~ 502.4

Student Complaints and Grievances – Change to 502.4

It is the goal of the Board to resolve student complaints at the lowest organizational level.

If the complaint cannot be resolved by a licensed employee, the student may discuss the matter with the principal within 5 **business** days of the employee's decision. If the matter cannot be resolved by the principal, the student may discuss it with the superintendent within 5 **business** days after speaking with the principal.

If the matter is not satisfactorily resolved by the superintendent, the student may ask to have the matter placed on the Board agenda of a regularly scheduled Board meeting in compliance with Board policy.

Adopted: November 24, 2003

Revised:

Reviewed: April 28, 2008

Legal Reference: Iowa Code § 279.8 (2003)

Cross-Reference:

204.9 Agenda Format

Web Page posted on

Board Policy Number 502.4- 502.6

Weapons in School – Change to 502.6

School district facilities and/or school-sponsored events are not an appropriate place for weapons or dangerous objects. For purposes of this policy "weapons and/or dangerous objects" include any and all objects intended to be used or used in such a fashion as to cause or threaten to cause injury to another. This would include, but not be limited to, objects such as knives, facsimiles of guns, etc., as well as other objects such as broken bottles or baseball bats used to cause or threaten to cause injury.

Students bringing weapons, or who are knowingly in possession or control of a weapon, on school district grounds, facilities, school vehicles and/or school-sponsored events, shall be disciplined up to and including expulsion. ~~The principal may allow authorized persons to display weapons or other dangerous objects for educational purposes. Such a display shall also be exempt from this policy.~~ **Parents of students found to possess weapons, dangerous objects or look-a-likes on school property are notified of the incident. Possession or confiscation of weapons or dangerous objects will be reported to law enforcement officials, and students will be subject to disciplinary action including suspension or expulsion.**

Weapons under the control of law enforcement officials are exempt from this policy. The principal may allow authorized persons to display weapons, other dangerous objects or look-a-likes for educational purposes. Such a display will also be exempt from this policy. It is the responsibility of the superintendent, in conjunction with the principal, to develop administrative regulations regarding this policy.

School district facilities and/or school-sponsored events are not an appropriate place for firearms. For purposes of this policy, the term "firearm" includes any weapon which is designed to expel a projectile by action of an explosive, the frame or receiver of any such weapon, a muffler or silencer for such a weapon, or any explosive, incendiary or poison gas.

Students bringing a firearm, or who are knowingly in possession or control of a firearm, on school district grounds, facilities, school vehicles and/or school-sponsored events shall be expelled for not less than twelve months. It shall be the responsibility of the superintendent in conjunction with the principals to develop administrative regulations regarding this policy. Such regulations shall include procedures for school officials to report all alleged violations of this policy to local law enforcement agencies.

Adopted: November 28, 1990

Revised: March 22, 1999 (409.2 - deleted)

Reviewed: January 26, 1998; April 28, 2008

Legal Reference: Goals 2000: Educate America Act, Public Law 103-227, 108 Stat. 125 (1994)

McClain vs Lafayette County Board of Education, 673

F. 2d 106 (5th Cir 1982)

Iowa Code §§ 279.8, 724 (1993); 280.21(b); 280.17(a)

Cross-Reference: 502 Student Conduct

Web Page posted on

Board Policy Number ~~505.54~~ 502.8

Search and Seizure – Change to 502.8

All school property is held in public trust by the Board of Directors. School authorities may, without a search warrant, search a student, student lockers, desks, work areas or student automobiles under certain circumstances to maintain order and discipline in the schools, promote the educational environment, and protect the safety and welfare of students and school personnel. School authorities may seize any illegal, unauthorized or contraband materials discovered in the search. Items of contraband may include but are not limited to nonprescription controlled substances, apparatus used for the administration of controlled substances, alcoholic beverages, tobacco, weapons, explosives, poisons and stolen property. Such items are not to be possessed by a student anywhere on the school premises **while they are on school district property or on property within the jurisdiction of the school district; while on school owned and/or operated school or chartered vehicles; while attending or engaged in school activities; and while away from school grounds if misconduct will directly affect the good order, efficient management and welfare of the school district. The furnishing of a locker, desk or other facility or space owned by the school and provided as a courtesy to a student, even if the student provides the lock for it, will not create a protected student area and will not give rise to an expectation of privacy with respect to the locker, desk, or other facility.**

School authorities may conduct periodic assessments ~~of all school lockers.~~

A school authority may search an individual student or a protected student area under the following conditions:

1. There is a reasonable suspicion that a criminal offense or a school rule or regulation bearing on school order has been violated.
2. There is a reasonable belief that the search will produce evidence of such violation.
3. The suspicion and belief described above is particular to the student to be searched.

Under no circumstances may a search be made which is unreasonable in light of the age of the student, the non-seriousness of the violation, the sex of the student, or the nature of the suspected violation. A school authority shall not conduct a search that involves a strip search, a body cavity search or the use of a drug-sniffing animal to search a student's body. The search of a student by a school authority not of the same gender as the student is prohibited.

Adopted: July 12, 1984

Revised: July 28, 1988; February 24, 1997

Reviewed: April 13, 1992; March 22, 1993; June 26, 2000; April 28, 2008

Legal Reference: U.S. Constitutional Amendment IV

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

Cason v. Cook, 810 F. 2d 188 (8th Cir. 1987), cert. den., 482

U.S. 930 (1987)

Iowa Code ch 808A (1995)

Iowa Code ch. 808A (Supp 1995)

281 I.A.C. 12.3 (8)

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Board Policy Number 502 503.1

Student Conduct – Change to 503.1

The superintendent of schools with the assistance of his/her professional staff shall be responsible for establishing regulations affecting student conduct which could result in student suspension or expulsion and a procedure for dealing with alleged violations.

The Board of education shall provide for notice of all policies and regulations affecting student conduct which could result in suspension or expulsion to be given to students, parents, school district patrons, and employees. Publication of such rules and regulations in student handbooks shall be considered adequate notice.

The principal of each school building may temporarily suspend a student for a period not to exceed 3 5 school -days for disciplinary reasons by following the due process procedures. The superintendent may extend a suspension upon the principal's request, for a total of no more than 10 days. The president of the Board shall be advised immediately and in writing of extended suspensions. Readmission of the student after short-term suspension will be done by the building principal. The Board shall hold sStudents are -responsible for the learning activities missed during the period of a suspension.

A student who commits an assault against an employee on school district property or on property within the jurisdiction of the school district; while on school-owned or school-operated chartered vehicles; while attending or engaged in school district activities will be suspended by the principal. Notice of the suspension is sent to the Board president. The Board will review the suspension to determine whether to impose further sanctions against the student which may include expulsion. Assault for purposes of this section of this policy is defined as:

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

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

Removal from the classroom means a student is sent to the building principal's office. It is within the discretion of the person in charge of the classroom to remove the student.

Detention means the student's presence is required during non-school hours for disciplinary purposes. The student can be required to appear prior to the beginning of the school day, after school has been dismissed for the day, or on a non-school day.

Whether a student will serve detention, and the length of the detention, is within the

discretion of the licensed employee or the building principal disciplining the student.

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

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

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

The Board may, by a majority vote of the members present at a hearing to determine the severity of the alleged misconduct, expel a student from school. The legal grounds for expulsion are: (1) immorality; (2) violations of rules and regulations set or approved by the Board; (3) evidence that the presence of the student is detrimental to the best interests of the school. Students expelled from school shall be considered for readmission only by the Board of Directors.

Following the suspension of a special education student, an informal evaluation of the student's placement will take place. The Individual Education Program (IEP) is evaluated to determine whether it needs to be changed or modified in response to the behavior that led to the suspension.

If a special education student's suspensions, either in or out of school, equal ten days on a cumulative basis, a staffing team will meet to determine whether the IEP is appropriate.

The minimal due process procedures include the right of students to:

1. Be given oral and written notice of the alleged misconduct,
2. Be given the opportunity to admit or deny such allegations,
3. Be given an explanation of the evidence against the student if he/she denies the allegations,
4. Be given an opportunity to explain the situation.

Adopted: March 12, 1981

Revised: July 13, 1989; October 25, 1993; December 14, 1998

Reviewed: September 13, 1993; January 26, 1998; April 28, 2008

Legal Reference: Code of Iowa 21.5 279.8; 279.9; 282.4, 5, 708.1 (2009)

Cross-Reference: 503.2 Student Activities/Organizations

Web Page posted on

Administrative Regulation Number 502-R 503.1R1-5

Student Discipline – Change to 503.1R1-5

Part I: Prohibition of Serious Student Misconduct Disruption of School

A student shall not by use of violence, force, noise, coercion, threat, intimidation, fear, passive resistance, or any other act intentionally cause the substantial and material disruption or obstruction of any lawful mission, process; or function of the school. Neither shall the student engage in such conduct for the purpose of causing the substantial and material disruption or obstruction of any lawful mission, process, or function of the school if such a disruption or obstruction is reasonably certain to result. Neither shall the student urge other students to engage in such conduct for the purpose of causing the substantial and material disruption or obstruction of any lawful mission, process, or function of the school if a substantial and material disruption or obstruction is reasonably certain to result from the student's urging.

While this list is not intended to be exclusive, the following acts (when done for the purpose of causing a substantial and material disruption or obstruction of any lawful mission, process, or function of the school) illustrate the kinds and types of offenses encompassed here:

1. Occupying any school building, school grounds, or part thereof with the intent to deprive others of its use.
2. Blocking the entrance or exit of any school building or corridor or room.
3. Setting fire to or substantially damaging any school building or property.
4. Causing to discharge, displaying, or threatening use of firearms, explosives, or other weapons on the school premises for any unlawful purposes.
5. Prevention of or attempting to prevent by physical act the convening or continued functioning of any school, class, or activity or of any lawful meeting or assembly on the school campus.
6. Preventing students from attending a class or school activity.
7. Except under the direct instructions from the principal (or a person to whom the principal has delegated authority), blocking normal pedestrian or vehicular traffic on a school campus.
8. Continuously and intentionally making noise or acting in a manner so as to interfere seriously with the teacher's ability to conduct the class.

Damage or Destruction of School District Owned Property

A student shall not intentionally cause or attempt to cause substantial damage to school property or steal or attempt to steal school property.

Damage or Destruction of Private Property

A student shall not intentionally cause or attempt to cause substantial damage to private property on the school ground, during a school activity, function, or event off the school grounds.

Assault On A School District Employee

A student shall not cause or attempt to cause a physical injury or intentionally behave in such a manner which could reasonably cause physical injury to a school district employee:

1. on the school grounds during and immediately before or immediately after school hours
2. on the school grounds at any other time when the school is being used by a school group
3. off the school grounds at a school activity, function, or event
4. in any building or classroom owned or leased or borrowed by the school district
5. **in bus or school vehicle**

Neither self-defense, nor action taken in the reasonable belief that action was necessary to defend or protect another person, shall be considered an "intentional act."

Physical Abuse of a Student or Other Person Not Employed by the School District

A student shall not intentionally do serious bodily injury to any person:

1. on the school grounds during and immediately before or immediately after school hours
2. on the school grounds at any other time when the school is being used by a group
3. off the school grounds at a school activity, function, or event
4. in any building or classroom owned or leased or borrowed by the school district
5. **in bus or school vehicle**

Neither self-defense, nor action taken in the reasonable belief that action was necessary to defend or protect another person, shall be considered an "intentional act."

Weapons and Dangerous Instruments

A student shall not knowingly possess, handle, or transmit any object that can reasonably be considered a weapon:

1. on the school grounds during and immediately before or immediately after school hours
2. on the school grounds at any other time when the school is being used by a school group
3. off the school grounds at a school activity, function, or event
4. in any building or classroom owned or leased or borrowed by the school district
5. **in bus or school vehicle**

This rule does not apply to normal school supplies like pens, pencils, or compasses, but it does apply to any firearm, any explosive (including fire crackers), any knife (~~other than a small penknife~~), and other dangerous objects of no reasonable use to the student at school or on the school grounds.

Narcotics, Alcoholic Beverages, Tobacco, and Stimulant Drugs

A student shall not use tobacco products in any form, nor knowingly possess, use, transmit, or be under the influence of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, alcoholic beverage or intoxicant of any kind:

1. on the school grounds during and immediately before or immediately after school hours
2. on the school grounds at any other time when the school is being used by a school group
3. off the school grounds at a school activity, function, or event
4. in any building or classroom owned or leased or borrowed by the school district
5. **in bus or school vehicle**

Use of a drug authorized by a medical prescription from a registered physician shall not be considered a violation of this rule.

Repeated School Violations

A student shall not repeatedly fail to comply with the directions of teachers, student teachers, substitute teachers, teacher aides, principals, associate principals, or other authorized school district personnel during any period of time when the student is properly under the authority of school personnel.

Part II: Procedural Code for Dealing with Alleged Violations

Section 1: Coverage

Alleged misconduct of student shall be dealt with by the principal or his/her designee (future reference to "principal" will also refer to any other school administrator to whom they may delegate their authority):

1. whenever a teacher considers a problem of classroom discipline to be so serious as to warrant the principal's attention.
2. whenever the alleged misconduct constitutes a violation of the rules that govern serious misconduct.
3. whenever the principal deems it advisable that he/she deal personally with the misconduct.

Section 2: Principal's Investigation

In the dealing with alleged misconduct, the principal shall investigate the incident and hear all available accounts of it. The student shall be encouraged to present any defense he/she thinks relevant. If the student requests that other witnesses be questioned, the principal should talk to them if possible. If the student makes a reasonable claim of other defensive matter that, if true, would free him/her from blame but is not immediately available, the principal should postpone disciplinary action for a reasonable time until such evidence may be presented.

Section 3: Limitation on Principal's Power to Suspend

If the principal investigates a student's alleged misconduct and decides to take disciplinary action, he/she must investigate and take action on all alleged misconduct known to him/her at that time. The most serious action that the principal can take on his/her own authority for any and all misconduct by a particular student, known to him/her at any one time, is to give three (3) day suspension. If he/she thinks that additional penalties are appropriate, he/she may seek the approval of the superintendent as outlined in Section 8.

Section 4: Summary Suspensions

If the principal witnesses, or has reported to him/her, any serious student misconduct and if, in his/her professional judgment, the removal of the student(s) is necessary to prevent material disruption of school or to restore order or to protect persons in the school or on the school grounds, he/she may immediately suspend the student for three (3) days. In such cases the principal is not required to conduct the investigation described in Section 2 before he/she suspend; however, he/she shall carry out such investigations and decide on any additional disciplinary action, if any, by the end of the school day which follows a summary suspension.

Section 5: Short-Term Suspension

A short-term suspension is a denial to the student of the right to attend school and to take part in school sponsored activities for any period of time up to and including ~~three (3)~~ **five (5)** school days. The principal may invoke a short-term suspension only after investigating the misconduct and only for the following reasons:

1. A violation of the school Board rules prohibiting serious student misconduct as defined in Part I of this policy
2. Misconduct of the same type as prohibited in Part I but which is not, in his/her professional judgment, as serious as the stated misconduct
3. Misconduct that is prescribed by rules adopted by the school Board covering minor misconduct. (Item (c) assumes that the school principal has the school's student handbook or rules approved by the school Board.)

Section 6: Sending a Suspended Student Home During the School Day

When a student is suspended, the principal shall attempt to reach the student's parents or legal guardian (if the student is under the age of 18) to inform them of the school's action. If the principal cannot reach the parents or legal guardian, the student must stay in school or on the school grounds in a place designated by the principal until the close of the school day.

If, in the professional judgment of the principal, the continued presence of the student in the school or on the school grounds presents a danger to others or would substantially disrupt the operation of the school, the principal may cause a student to leave the school and grounds before a contact is made with a parent or legal guardian; however, due consideration shall be given to the age of the student.

Section 7: Notice of Suspension and Provision for Conference

When a student is suspended, the principal shall:

1. send a statement to the student's parents or legal guardian, the superintendent of schools, and the president of the school Board fully describing the student's misconduct, the action taken, and the reason for the action.
2. hold a conference with the student's parents or legal guardian before or at the time the student returns to school.
3. secure and file written documentation of the misconduct.

Section 8: Initiating Long-Term Suspension or Expulsion

1. Decision to Seek Suspension for a Period of Time Over Five (5) Days or Expulsion. If the principal, after investigation, decides that a penalty more severe than any within his/her own authority is warranted, he/she shall make an appropriate recommendation to the superintendent before the end of the school day following the day of the alleged misconduct.
2. Sanctions Before Referral to Superintendent. Nothing in paragraph (a) above prohibits the principal from invoking a short-term suspension or other sanctions within his/her powers before referring the student to the superintendent.
3. Written Notice of the Request for Long-Term Suspension or Expulsion shall be given to the superintendent and president of the school Board. Such notice shall contain the findings of the principal's investigation, his/her recommendation, and the prior discipline record of the student.

Section 9: Chronic Offenders

If a student has been suspended for more than a total of five (5) school days during a semester, the principal may refer the student to the superintendent under Section 8 above.

Adopted: June 10, 1982

Revised: August 9, 1990

Reviewed: January 26, 1998

Web Page posted on

Board Policy Number ~~502.4~~ 503.4

Good Conduct Rule – Change to 503.4

Students who participate in extracurricular activities serve as ambassadors of the school district throughout the calendar year whether at or away from school. Students who wish to have the privilege of participating in school extracurricular activities and other school-sponsored activities, must conduct themselves in accordance with Board policy, "Student Conduct" throughout the calendar year.

Students disciplined under the good conduct rule shall receive appropriate due process in concert with the nature of the misconduct. It shall be the responsibility of the principal to maintain a record of violations of the good conduct policy and supporting administrative regulations.

It shall be the responsibility of the superintendent, in conjunction with the principals, to develop administrative regulations regarding conduct for each-school activities.

Adopted: July 13, 1989

Revised: December 14, 1998

Reviewed: September 13, 1993; January 26, 1998; April 28, 2008

Legal Reference: Bunger v. Iowa High School Athletic Assn., 197 N.W.2d 555 (Iowa 1972)

In re Jason Clark, 1 D.P.I., App. Dec 167 (1978)

Iowa Code §280.13, .13A (1989)

670 Iowa Admin. Code 3.5(2), 9.

670 Iowa Admin. Code 4.3(8) (new standards)

Cross-Reference: 503.2 Student Activities/Organizations

Web Page posted on

Board Policy Number ~~502.3~~ 503.5

Use of Physical Force – Change to 503.5

Physical force shall not be used to discipline, as the Board believes it does not deter disruptive behavior. However, reasonable physical force may be used upon a student with or without advance notice when the use of such force is deemed prudent by a reasonable person for the purposes of:

- Quelling a disturbance or preventing an act that threatens physical harm to any person.
- Obtaining possession of a weapon or other dangerous object within a pupil's control.
- Self-defense or defense of others as provided for in Iowa Code section 704.3.
- Removing a disruptive pupil from class or any area of school premises or from school-sponsored activities off school premises.
- Protecting a student from the self-infliction of harm.
- Protecting the safety of others.

Reasonable physical force used should be commensurate with the circumstances of the situation. The following factors should be considered in determining what is reasonable physical force

- The size and physical, mental and psychological condition of the student.
- The nature of the student's behavior or misconduct provoking the use of physical force.
- The instrumentality used in applying the physical force.
- The extent and nature of resulting injury to the student, if any.
- The motivation of the school employee using physical force.

Upon request, the student's parents shall be given an explanation of the reasonable physical force.

Adopted: November 28, 1990

Revised: April 27, 1992; March 20, 2000

Reviewed: October 11, 1993; January 26, 1998; April 28, 2008

Legal Reference: 280.21 I.A.C. 12.3(6); 103

Iowa Code §§279.8; 280.21 (1999)

1980 Op. Att'y Gen. 275

Ingraham v. Wright, 430 U.S. 651 (1977)

Goss v. Lopez, 419 U.S. 565 (1975)

Tinkham v. Kole, 252 Iowa 1303, 110 N.W.2d 258 (1961)

Lai v. Erickson, PTPC Admin. Doc. 83-12 (1983)

Web Page posted on

Board Policy Number 503.6 504.5

Interscholastic Competition – Change to 504.5

The Board will support the approved extra-curricular programs for the school district.

The Superintendent of Schools with the assistance of his/her professional staff will establish the appropriate regulations which shall govern student participation.

Students may participate in interscholastic athletic, music, speech, drama, and other contests or events approved by the administration. Any such event must be directed or guided by professional school personnel.

No secondary student shall participate in an organized athletic practice or contest without filing a doctor's certificate of good health.

Adopted: February 14, 1980

Revised: December 14, 1998

Reviewed: November 12, 1987; March 22, 1993; January 26, 1998; April 28, 2008

Legal Reference: Code of Iowa

Web Page posted on

Board Policy Number 503.4 504.11

Student Social Events – Change to 504.11

All social events shall be under the control and supervision of professional-school personnel. Approval for an event shall be secured from the principal of the building involved before any public announcement is made. Hours and activities related to social events shall be reasonable and proper as determined by the administration. Rules of behavior shall be the same as at any in-school activity or event.

Adopted: February 14, 1980

Revised: December 3, 1987

Reviewed: November 28, 1990; March 22, 1993; January 26, 1998; April 28, 2008

Legal Reference: Code of Iowa

Web Page posted on

Board Policy Number ~~503.7~~ 504.12

Student Attendance at Events Outside of School – Change to 504.12

Events in which students participate during school hours or as representatives of the school at places outside of the school, shall be sponsored and supervised by professional-school personnel. Rules and behavior shall be the same as for any in-school activity or event.

Adopted: December 3, 1987

Revised:

Reviewed: November 28, 1990; March 22, 1993; January 26, 1998; April 28, 2008

Legal Reference: Code of Iowa 280.14

Web Page posted on

Board Policy Number 503.8 505.3

Student Awards – Change to 505.3

Any regularly enrolled student may be considered for honors or awards given by the school, **community organizations or MISD Foundation**. Qualifications for such awards shall be established by professional school personnel who have been delegated the responsibility by the Superintendent of Schools or the building principal.

Adopted: December 3, 1987

Revised:

Reviewed: November 12, 1987; November 28, 1990; March 22, 1993; January 26, 1998; April 28, 2008

Legal Reference: Code of Iowa

Web Page posted on

Board Policy Number ~~505.4~~ 505.7

Commencement – Change to Policy 505.7

Students who have successfully completed high school shall be granted diplomas. Attendance at commencement exercises is optional. If students desire to be excused from graduation activities, they shall notify the high school principal in advance.

The Board of ~~Directors~~ may exclude students from participation for violation of rules established for the orderly governance of the school.

Adopted: February 14, 1980

Revised: July 28, 1988

Reviewed: April 13, 1992; March 22, 1993; January 26, 1998; May 5, 2008

Web Page posted on

Communicable Diseases – Students – Change to 507.3

I. IMMUNIZATIONS

All students enrolled in the Marion Independent Schools shall provide evidence that they have been immunized against mumps, chicken pox, diphtheria, pertussis, tetanus, poliomyelitis, rubeola and rubella, and any other infectious diseases required by law, unless they meet exceptions outlined in Section 139.9 of the Code of Iowa.

II. INFECTIOUS AND CONTAGIOUS DISEASE CONTROL

The term "communicable disease" shall mean an infectious or contagious disease spread from person to person or animal to person or as defined by the State Department of Health. As soon as parents know that their child has a communicable disease, they should notify the school nurse and/or principal. Students with communicable diseases are to be excluded from school for the period of time that their condition may endanger the health of others. A signed permit from a doctor may be required for re-entry if so designated by the building administrator.

III. PREVENTION AND CONTROL

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

IV. SCHOOL ATTENDANCE FOR STUDENTS WITH AIDS (ACQUIRED IMMUNE DEFICIENCY SYNDROME)

A student with AIDS should be able to attend school as long as they are physically able to perform the tasks assigned to them and as long as their attendance does not create a ~~substantial~~ **documented potential** risk of transmission of the infection to other students or to district employees.

The health risk to immunosuppressed students is determined by their personal physician. The health risk to others in the school district environment from the presence of a student with a communicable disease is determined on a case-by-case basis by the student's personal physician, a physician chosen by the school district or public health officials.

The district staff and administration shall develop guidelines concerning the management, exclusion, re-entry, and associated treatment of students and staff who have AIDS. In-service education of appropriate school personnel should ensure that proper medical and current information about AIDS is available.

V. CONFIDENTIALITY OF INFORMATION

Health data of individual students is considered as private information, and is generally not to be disseminated to the public, to students, or to school employees.

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

Adopted: February 14, 1980

Revised: July 13, 1989; February 24, 1997

Reviewed: March 22, 1993; June 26, 2000; May 5, 2008

Legal Reference: School Board of Nassau County v. Arline, 107 S. Ct. 1123 (1987)

Iowa Code Chapter 139 (1989)

29 U.S.C.S. §§701 et seq.

45 C.F.R. 84.3

470 Iowa Admin. Code 1.2-1.5, 7, 146.1(2)

281 Iowa Admin. Code 12.3(9) (new standards).

670 Iowa Admin. Code 22.15-22.17

Cross-Reference:

504.21 School Attendance for Students with AIDS

203.6 Review of Administrative Regulations

Web Page posted on

Administrative Regulation Number 504.7-R 507.5R1-2

Emergency Plans - Change to 507.5R1-2

1. Early Dismissal

If such conditions develop during the time school is in session and early dismissal is determined necessary, building administrators will be notified immediately, and announcements will be made through the local radio and TV media.

Parents may pick up their children early if they wish, or in the case of high school students driving cars, may request their early dismissal.

2. Emergency "Take Cover" Procedures

In the event of an approaching tornado, schools will follow Linn County Office of Civil Defense instructions. Should that office broadcast a "take cover" directive, the following procedure is to be followed:

a. Where To Take Cover

1. An area below ground level without windows.
2. An area below ground level even though it has some windows.
3. An area at ground level with narrow span and no outside walls.
4. Narrow span areas such as corridors, but not near outside doors.

In taking cover, civil defense authorities recommend the following protective tornado position:

1. Two children seated back to back with the knees drawn to the chest; forehead on knees-head encircled by arms protecting the face, or kneeling with head down to knees, with hands clasped over neck.
2. For best protection, stay away from windows. Remain near an inside wall on the lower floors and basement areas when possible. Avoid the use of auditoriums or gymnasiums.

The Linn County Civil Defense Director notes that in Iowa, school buildings destroyed by tornadoes have been found to have center corridors virtually untouched and had students been located in this area, their injuries would have been minimal.

Student Riot-Disturbance Guidelines

The following guidelines shall be implemented in case of a large scale disturbance in a school:

In the event of a disturbance, the Riot-Control Center will be the Principal's Office.

1. No hall passes will be issued.
2. Ignore fire alarm until notification is given over the P.A. that there is a bona fide fire drill.
3. Signal not to change classes - "classes are extended until further notice." At this time, the bells will be turned off.
4. Remove Strangers.
Riots- Extreme disturbances are usually incited and motivated by individuals who are not members of a particular organization or school. Do not allow strangers to be in the building without permission from the office. Every staff member should be instructed to notify the office whenever strange characters are seen in the building. If visitors do not leave upon the request of the principal or individual in charge, the police should be called immediately. Any charges against intruders must be made by the building principal.
5. When a disturbance has started - or is anticipated:
 - a. Notify:
 1. Marion Police - 377-1511 or 911
 2. Central Office - 377-4691
 - b. Gathering students
Reasonable effort is to be made to discourage any large group(s) of students to gather in one place **during a disturbance**.
6. Teachers' Responsibilities
The responsibility of teaching staff at and during a riot- **disturbance** is vital. Teachers are to lock classroom doors to prevent intruders from possible entry. If students are kept in the individual classrooms, the possibility of a disturbance is reduced.

Teachers should discourage any gathering of large groups of students, and encourage the presence of reason and judgment, and resolution of any perceived problems through negotiation and compromise.

7. Other Buildings

If a ~~riot~~ **disturbance** occurs in any school building in the district, doors in all other schools are to be keyed back to prevent outsiders from entering the building without proper identification and validity of purpose.

Adopted: February 14, 1980

Revised: June 1, 1989

Reviewed: January 26, 1998

Web Page posted on

Board Policy Number ~~504.9~~ 507.6

Student Insurance Program – Athletic – Change to 507.6

It is the policy of the Board of Directors that all students participating in school athletic programs be covered by insurance (accident insurance or health and accident insurance). Parents ~~may purchase accident insurance from the program selected by the school district or~~ **shall** provide proof that the student is adequately insured by ~~another~~ **a** policy.

Adopted: February 14, 1980

Revised: July 28, 1998

Reviewed: April 13, 1992; March 22, 1993; January 26, 1998; April 28, 2008

Legal Reference: Code of Iowa

Web Page posted on

Board Policy Number 605.6 (Replaces 602.14)

APPROPRIATE USE OF COMPUTERS, COMPUTER NETWORK SYSTEMS, AND THE INTERNET

The Board of Directors of the Marion Independent School District is committed to making available to students and staff members access to a wide range of electronic learning facilities, equipment, and software, including computers, computer network systems, and the internet. The goal in providing this technology and access is to support the educational objectives and mission of the Marion Independent School District and to promote resource sharing, innovation, problem solving, and communication. The District's computers, computer network, and/or internet connection is not a public access service or a public forum. The District has the right to place reasonable restrictions on the material accessed and/or posted through the use of its computers, computer network, and/or internet connection.

Access to the District's computers, computer network systems, and the internet shall be available to all students and staff within the District. However, access is a privilege, not a right. Each student and staff member must have a signed acceptable use agreement on file prior to having access to and using the District's computers, computer network systems, and the internet. The amount of time and type of access available for each student and staff member may be limited by the District's technology and the demands for the use of the District's technology. Even if students have not been given access to and/or use of the District's computers, computer network systems, and the internet, they may still be exposed to information from the District's computers, computer network systems, and/or the internet in guided curricular activities at the discretion of their teachers.

Every computer in the District having ~~internet~~ access **to the internet through the district's internet access** shall not be operated unless internet access from the computer is subject to a technology protection measure (i.e. filtering software). The technology protection measure employed by the District shall be designed and operated with the intent to ensure that students are not accessing inappropriate sites that have visual depictions that include obscenity, child pornography or are otherwise harmful to minors. The technology protection measure may only be disabled for an adult's use if such use is for bona fide research or other lawful purposes.

The technology coordinator may close a user account at any time as required and administrators, faculty, and staff may request the technology coordinator to deny, revoke or suspend user accounts. Any user identified as a security risk or having a history of problems with computer systems may be denied access to the District's computers, the District's computer network systems, and the internet. Students and staff members will be instructed by the District's technology coordinator or other appropriate personnel on the appropriate use of the District's computers, computer network systems, and the internet.

The use of the District's computers, computer network systems, and internet access shall be for educational purposes only. Students and staff members shall only engage in appropriate, ethical, and legal utilization of the District's computers, computer network systems, and internet access. Student and staff member use of the District's computers, computer network systems, and

internet access shall also comply with all District policies and regulations. The following rules provide guidance to students and staff for the appropriate use of the District's computers, computer network systems, and internet access. Inappropriate use and/or access will result in the restriction and/or termination of the privilege of access to and use of the District's computers, computer network systems, and internet access and may result in further discipline for students up to and including expulsion and/or other legal action and may result in further discipline for staff members up to and including termination of employment and/or other legal action. The District's administration will determine what constitutes inappropriate use and their decision will be final. Inappropriate use includes, but is not limited to a violation of the following rules:

-Do not make or disseminate offensive or harassing statements or use offensive or harassing language including disparagement of others based on age, color, creed, national origin, race, religion, marital status, sex, sexual orientation, gender identity, physical attributes, physical or mental ability or disability, ancestry, political party preference, political belief, socioeconomic status, or familial status. Do not swear, use vulgarities or any other inappropriate language. Be polite and follow the same privacy, ethical, educational, and other considerations observed regarding other forms of communication.

-Do not access, create or disseminate any material that is obscene, libelous, indecent, vulgar, profane or lewd; any material regarding products or services that are inappropriate for minors including products or services that the possession and/or use of by minors is prohibited by law; any material that constitutes insulting or fighting words, the very expression of which injures or harasses others; and/or any material that presents a clear and present likelihood that, either because of its content or the manner of distribution, will cause a material and substantial disruption of the proper and orderly operation and discipline of the school or school activities, will cause the commission of unlawful acts or will cause the violation of lawful school regulations.

-Do not disseminate or solicit sexually oriented messages or images.

-Do not transmit your credit card information or other personal identification information, including your home address or telephone number from any District computer. Do not publish personal or private information about yourself or others on the internet without prior written permission. Do not repost a message that was sent to you privately without permission of the person who sent the message. If any information is to be provided regarding students, it should be limited to the student's first name and the initial of the student's last name only. Do not arrange or agree to meet with someone met online.

-Do not use the District's computers and/or computer network systems to participate in illegal activities. Illegal activities include, but are not limited to, gambling, fraud, and pornography.

-Do not subscribe to or access listservs, bulletin Boards, online services, e-mail services, social networking sites (i.e. xanga, myspace, facebook) or other similar services without prior permission from the technology coordinator or other appropriate personnel.

-Do not use, possess or attempt to make or distribute illegal/unauthorized copies of software or other digital media. Illegal/unauthorized software or other digital media means any software or other digital media that has been downloaded or copied or is otherwise in the user's possession or being used without the appropriate registration and/or license for the software or in violation of any applicable trademarks and/or copyrights, including the payment of any fees to the owner of the software or other digital media.

-Do not alter, modify, corrupt or harm in any way the computer software stored on the District's computers or computer network systems. Do not install any software on the hard drive of any District computer or on the District's computer network systems or run any personal software from either floppy disk, CD-ROM, DVD, flash drives or other storage media or alter or modify any data files stored on the District's computers or computer network systems without prior permission and supervision from the technology coordinator or other appropriate personnel.

-Do not download any programs or files from the internet without prior permission from the District's technology coordinator or other appropriate personnel. Any programs or files downloaded from the internet shall be strictly limited only to those that you have received permission from the technology coordinator or other appropriate personnel to download.

-Do not use any encryption software from any access point within the District.

-Do not access the internet from a District computer using a non-District internet account.

-Do not share a personal user account with anyone. Do not share any personal user account passwords with anyone or leave your account open or unattended.

-Do not access the District's computers or computer network systems or use the District's internet connection from a non-District computer without prior authorization from the technology coordinator or other appropriate personnel.

-Do not use an instant messenger service or program, internet relay chat or other forms of direct electronic communication or enter a chat room while using the District's computers, computer network systems, and/or the District' internet connection.

-Do not disable or circumvent or attempt to disable or circumvent filtering software.

-Do not play any games or run any programs that are not related to the District's educational program.

-Do not vandalize the District's computers or its computer network systems. Vandalism is defined as any attempt to harm, modify, deface or destroy physical computer equipment or the computer network and any attempt to harm or destroy data stored on the District's computer equipment or the computer network or the data of another user. All users are expected to immediately report any problems or vandalism of computer equipment to the administration, the technology coordinator or the instructor responsible for the equipment.

-Do not commit or attempt to commit any act that disrupts the operation of the District's computers or computer network systems or any network connected to the internet, including the use or attempted use or possession of computer viruses or worms or participation in hacking or other unlawful/inappropriate activities on line. Users must report any security breaches or system misuse to the administration or technology coordinator. Do not demonstrate any security or other network problems to other users; give your password to another user for any reason; and/or use another individual's account. Do not attempt to log on to any device as a system administrator.

-Do not use the network in such a way that you would disrupt the use of the network by other users or would waste system resources (e.g. listening to internet radio, printing web pages without prior permission from the technology coordinator or other appropriate personnel, staying on the network longer than is necessary to obtain needed information).

-Do not use the District's computers and/or computer network systems for any commercial or for-profit purposes, personal or private business, (including but not limited to shopping or job searching), product advertisement or political lobbying.

-Do not use the District's computers, computer network systems, and/or the internet to access, download, transmit, and/or disseminate any material in violation of any federal or state law, copyrighted material, obscene material, hate literature, material protected by trade secret, computer viruses and/or worms, offensive material, spam e-mails, any threatening or harassing materials, and/or any material that will cause a material and substantial disruption of the proper and orderly operation and discipline of the school or school activities. If a user encounters potentially inappropriate information, the user shall immediately terminate contact with such information and notify the technology coordinator or other appropriate personnel of the contact with inappropriate information.

-Do not plagiarize information accessed through the District's computer, computer network systems, and/or the internet. Students and staff shall obtain permission from appropriate parties prior to using copyrighted material that is accessed through the District's computer, computer network systems, and/or the internet.

Although reasonable efforts will be made to make sure students will be under supervision while on the network, it is not possible to constantly monitor individual students and what they are accessing on the network. Some students may encounter information that may not be of educational value and/or may be inappropriate. If a student encounters such information, the student should terminate access to the information immediately and notify supervisory personnel or other appropriate personnel of what occurred.

Students will be able to access the District's computers and computer network systems, including use of the internet, through their teachers and/or other appropriate supervisors. Individual electronic mail addresses will not be issued to students. Students will not be allowed to use e-mail except under very specific, limited educational circumstances. If a student has an electronic mail address

that has been set up outside of school, the student will not be permitted to access that e-mail account or use that address to send and receive mail at school.

Parents will be required to sign a permission form to allow their students to access the District's computers, computer network systems, and the internet. Students and staff members will sign a form acknowledging they have read and understand the District's policies and regulations regarding appropriate use of the District's computers and computer network systems, that they will comply with the policies and regulations, and understand the consequences for violation of the policy or regulations. Prior to publishing any student work and/or pictures on the internet, the District will obtain written permission from the student's parents to do so.

The District has the right, but not the duty, to monitor any and all aspects of its computers, computer network systems, and internet access including, but not limited to, monitoring sites students and staff visit on the internet and reviewing e-mail. The administration and the technology coordinator shall have both the authority and right to examine all computer and internet activity including any logs, data, e-mail, computer disks and/or other computer related records of any user of the system. The use of e-mail is limited to District and educational purposes only. Students and staff waive any right to privacy in anything they create, store, send, disseminate or receive on the District's computers and computer network systems, including the internet.

No warranties, expressed or implied, are made by the District for the computer technology and internet access being provided. Although the District has taken measures to implement and maintain protection against the presence of computer viruses, spyware, and malware on the District's computers, computer network systems, and internet access, the District cannot and does not warranty or represent that the District's computers, computer network systems or internet access will be secure and free of computer viruses, spyware or malware at all times. The District, including its officers and employees, will not be responsible for any damages including, but not limited to, the loss of data, delays, non-deliveries, misdeliveries or service interruptions caused by negligence or omission. Individual users are solely responsible for making backup copies of their data. The District is not responsible for the accuracy of information users access on the internet and is not responsible for any unauthorized charges students or staff members may incur as a result of their use of the District's computers, computer network systems, and/or internet access. Any risk and/or damages resulting from information obtained from the District's computers, computer network systems, and/or internet access is assumed by and is the responsibility of the user.

Students, parents, and staff members may be asked from time to time to sign a new consent and/or acceptable use agreement to reflect changes and/or developments in the law or technology. When students, parents, and staff members are presented with new consent and/or acceptable use agreements to sign, these agreements must be signed for students and/or staff to continue to have access to and use of the District's computers, computer network systems, and the internet.

The interpretation, application, and modification of this policy are within the sole discretion of the Marion Independent School District. Any questions or issues regarding this policy should be

directed to the Superintendent, any building principal or the technology coordinator. The Board of Directors will review and update this policy as necessary.

STAFF ACCEPTABLE USE AGREEMENT

I hereby certify that I have received, read, and understand the Marion Independent School District's Appropriate Use of Computers, Computer Network Systems, and the internet policy. I accept full responsibility for my use of the District's computers, computer network systems, and the internet through the District in accordance with the terms, conditions, and guidelines as stated by the District in its policies and regulations and as set out in federal and state law. I understand that violation of these provisions will result in the restriction and/or termination of my ability to use the District's computers, computer network systems, and internet access and may result in further discipline up to and including termination of my employment with the District and/or other legal action.

I will not hold the District responsible in any way for materials accessed through the District's computers, computer network systems, and/or the District's internet access. I relieve the Marion Independent School District and its officers and employees from any and all financial responsibility that may be incurred by my use of the District's computers, computer network systems, and the internet.

NEW EXHIBIT 605.6E2

Code 605.6E2

Laptop Computer Acceptance Form

I understand that the laptop computer and related equipment I am being issued is the property of the Marion Independent School District. I agree to all of the terms and conditions in the Marion Independent School District policy on appropriate use of computers, computer network systems, and the internet. I will return the laptop computer and any related equipment I am issued in the same condition in which I receive it, excluding normal wear and tear and accidental damage.

I understand that I am responsible for any damage or loss of any component of the laptop computer and/or related equipment I am issued excluding normal wear and tear and accidental damage. In case of damage or loss, I agree that I will replace any damaged or lost component and/or equipment with components and/or equipment of equal value and functionality as approved by the District's administration.

Name _____ Date _____

Computer Serial # _____

Computer/Equipment Description and Serial # _____