

**BOARD AGENDA
HEARING
SIOUX CITY COMMUNITY SCHOOL DISTRICT
JUNE 22, 2009—6:00 P.M.**

- I. Call to Order**
- II. Roll Call of Members**
- III. Hearing and Discussion**

Notice was provided that a hearing would be held June 22, 2009, at 6:00 p.m. local time, for the purpose of receiving public input on the possible sale of the Hawthorne building

Any interested party may appear and file objections and any information for or against same will be heard on the above-named project with the final decision of the Board of Education a matter of record.

- IV. Recommendation**

That the Board of Directors approve the sale of the Hawthorne building to Amanda Boisen (Helping Hands Preschool and Childcare) in the amount of \$70,000.

- V. Adjourn**

**BOARD AGENDA
HEARING
SIOUX CITY COMMUNITY SCHOOL DISTRICT
JUNE 22, 2009—6:00 P.M.**

- I. Call to Order**
- II. Pledge of Allegiance**
- III. Roll Call of Members**
- IV. Hearing and Discussion**

Notice was provided that a hearing would be held June 22, 2009, at 6:00 p.m. local time, for the purpose of receiving public input on the North Middle School Easement Agreement with the City of Sioux City.

Any interested party may appear and file objections and any information for or against same will be heard on the above-named project with the final decision of the Board of Education a matter of record.

III. Recommendation

That the Board of Directors approve the North Middle School Easement Agreement with the City of Sioux City.

IV. Adjourn

**REGULAR MEETING
SIOUX CITY COMMUNITY SCHOOL DISTRICT
EDUCATION SERVICE CENTER
JUNE 22, 2009—6:00 P.M.**

- I. Call to Order**
- II. Roll Call of Members**
- III. Approval of Agenda**
- V. Citizen Input**

At this time, the Board of Directors invites individuals or delegations to come forward and speak on any issues related to school district operations that are not included on tonight's meeting agenda.

Citizen input on action and discussion items will be accepted at the time of discussion of each agenda item.

- VI. Consent Action Items**

- Part I**

- A. RECOMMENDATION:** That the Board of Directors approve the minutes of the June 8, 2009, board meeting; the Human Resources Report and the Finance Report.

- Part II**

- A. RECOMMENDATION:** That the Board of Directors approve for second and final reading Board Policies 401.6—Personnel Records; 501.3—School Attendance Areas; 501.4—Attendance Records; 501.5—Resident Students; 501.7—International Students and 603.11 (AR603.11)—Copyright Compliance.
 - B. RECOMMENDATION:** That the Board of Directors approve for first reading Board Policies 200—Name of School District; 200.2—Powers and Responsibilities of the Board of Directors; 200.6—Authority of Member; 200.7 (BR200.7)—Code of Ethics of the Board; 200.8—Board Orientation; 202.1—Development of Policy; 202.5—Administrative Action in Absence of Policy; 203.1—Board Committees; AR203.1—Board and Advisory Committees; delete as in 203.2; 203.2—Appointment of Members to Board Committees; 204.5—Organization of the Board of Directors; 204.9—Board Meetings/Agendas; AR204—Board

Meetings: delete as in 204.9; 204.12—School Board Minutes; 204.14—Notice for Board Meetings; AR421—Tobacco Free Schools; 451.54—Employee: Continuation of Health Insurance Plan; 501.4—Attendance Records; 501.5—Resident Students; 501.6—Non-Resident Students; AR504.12—Student Medication Administration and AR504.12 (E1 and E2); 504.16 (AR504.16)—Custody of Native American Students; 505.18 (AR505.18)—Student Records Access; 505.6—Guest Speakers; 505.19—Student Directory Information; 808.1—Care, Maintenance, and disposal of District Records; 851.1—Medicaid Claiming; 902.5—Disposition of Obsolete Equipment; 971.1—Naming School Facilities and 1004.12—Driving School-Owned Vehicles.

- C. RECOMMENDATION: That the Board of Directors approve for first reading Board Policy 100—Mission Statement and 100.01—Education Philosophy.
- D. RECOMMENDATION: That the Board of Directors approve the renewal of the Transition Alliance Partnership (TAP) agreement.

Part III

- A. RECOMMENDATION: That the Board of Directors approve the transportation settlement.

IX. Action Items

- A. Special Education Language Arts Materials Purchase—Jean Peters

RECOMMENDATION: That the Board of Directors approve the purchase of special education language arts materials.
- B. Lease Agreement With Western Iowa Tech Community College for Year 13 Program—Jean Peters/Gordon Winterlin

RECOMMENDATION: That the Board of Directors approve the lease agreement with WITCC for the Year 13 program.
- C. Voting Precincts for the 2009 School Board Election—Dr. Paul Gausman

RECOMMENDATION: That the Board of Directors take action regarding the request by County Auditor Patrick Gill to open only three polling places for the September school board election—East, North and West Middle Schools.

D. High School Science Lab Additions—Mel McKern

RECOMMENDATION: That the Board of Directors approve the plans and specs for the high school science lab additions and set a public hearing on this issue for July 20, 2009, at 6:00 p.m. local time.

X. Board Member Reports/Future Meetings

- ✧ The next meetings of the Board Policy/Human Relations Committee are scheduled for June 25 and July, 23, 2009, at 2:00 p.m., in the Education Service Center.
- ✧ The next meetings of the Communications Committee are scheduled for June 25 and July 23, 2009, at 4:00 p.m., in the Education Service Center.
- ✧ The next meeting of the Building Oversight Committee is scheduled for June 25, 2009, at 4:00 p.m., at Clark Elementary School.
- ✧ The next meeting of the Board Finance and Facilities Committee is scheduled for noon on July 14, 2009, in the Education Service Center.
- ✧ The next meeting of the Finance Oversight Committee is scheduled for August 24, 2009, at 8:00 a.m., at 613 Pierce Street.

XI. Superintendent Gausman's Report

- A. Certificate of Achievement for Excellence in Financial Reporting

XII. Discussion/Information

- A. Athletic Training Service Agreement With Siouxland Sports Medicine Foundation (CNOS)—William Stoneburg
- B. District Facility Options & Possible Replacement of Hobson Kitchen and the Education Service Center—Dr. Paul Gausman
- C. Board Policies: Discuss approval of 200.5—Board Vacancies and the deletion of 200.3—Elections and 200.4—Board Membership—Dr. Paul Gausman

XIII. Adjourn

**Sioux City Community School District
Executive Summary
North Middle School Easement Agreement, June, 2009**

Purpose:

The purpose of this agreement is to grant the City of Sioux City easement for utilities located on the North Middle School site. The agreement will grant access to the City for repairs that might be needed to said utilities.

**Contact: Mel McKern,
279-6651/203-1077**

Explanation:

The City of Sioux City paid for utilities to be extended across the North Middle School site to Buckwalter Drive at the time of construction of North Middle School.

- The City paid for the cost of the construction of the utilities.
- The agreement will give the City an easement to maintain the utilities in the future.
- This agreement should have been enacted at the time of construction of North Middle School. This was an oversight on behalf of the staffs of the District and the City.

This easement agreement will keep the records clear for the future maintenance of the utilities.

Recommendation:

The administration recommends that the Board of Directors approve this agreement at the June 22, 2009, board meeting, between the Sioux City Community School District and the City of Sioux City.

BERENSTEIN, MOORE, HEFFERNAN, MOELLER & JOHNSON, L.L.P.

ATTORNEYS AT LAW

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TELEPHONE: (712) 251-0020
 FAX: (712) 251-0436

WRITER'S E-MAIL

DMoore@Berensteinlawfirm.com

+ Also admitted in Nebraska
 + Also admitted in South Dakota

May 21, 2009

Mr. Mel C. McKern
 Director of Physical Operations
 Physical Operations Building
 2620 28th Street
 Sioux City, Iowa 51105

Re: Permanent Sanitary Sewer Easement/North Middle School Site

Dear Mel:

Enclosed please find the proposed Permanent Sanitary Sewer Easement for the North Middle School site which the City of Sioux City is requesting the District approve and execute. Will you please review this easement and, if you have no objections, we should ask the School Board to set a time and date for a hearing on approval of this easement.

Thank you.

Sincerely,



Dan A. Moore
 For the Firm

DAM:dak
 Enclosure

cc: Dr. Paul R. Gausman, Superintendent of Schools
 Alexandra B. Sprague, Board Secretary

COPY

Return to and Prepared By: Alan R. Hesse, City of Sioux City Real Estate Office, 405 6th St., Sioux City, Iowa (712) 279-6307

PERMANENT SANITARY SEWER EASEMENT

KNOW ALL MEN BY THESE PRESENTS THAT THE SIOUX CITY COMMUNITY SCHOOL DISTRICT IN THE COUNTIES OF WOODBURY AND PLYMOUTH, STATE OF IOWA, in consideration of special benefits and the sum of Mutual Benefits, receipt of which is herewith acknowledged, does hereby grant and convey to the City of Sioux City, Iowa an easement over and across the following real estate situated in Woodbury County, Iowa:

A strip of land 20 feet in width, over and across a portion of the SE1/4 of the NW1/4 of Section 10, Township 89 North, Range 47 West of the 5th P.M., Sioux City, Woodbury County, Iowa, said strip lying 10 feet on each side of an existing eight inch diameter sanitary sewer line, the centerline of which is described as follows:

Commencing at the northwest corner of the SE1/4-NW1/4 of said Sec. 10; thence South 48°31'06" East for a distance of 40.53 feet to the east line of Buckwalter Drive and to the Point of Beginning of said centerline; thence continuing South 48°31'06" East for a distance of 367.37 feet to the center of an existing manhole; thence South 35°00'00" East for a distance of 344.58 feet to the center of an existing manhole; thence South 35°00'00" East for a distance of 400.00 feet to the center of an existing manhole; thence South 03°23'33" East for a distance of 308.04 feet to the north line of Outer Drive North and to the Point of Termination of said centerline, the sidelines of said easement to be shortened or lengthened to intersect the east line Buckwalter Drive and the north line of Outer Drive North.

The purpose of this easement agreement is to construct, operate and maintain a Sanitary Storm Sewer. The Grantors herein retain the right to such use of the whole of said tract as is consistent with the exercise of said easement on the part of the said City in constructing, operating and maintaining said utility project.

In case the City shall cease to require said utility easement over said tract, then said easement shall cease and all rights herein granted shall revert to the Grantors herein or their assigns.

IN WITNESS WHEREOF, the parties hereto have set their hands this _____ day of _____, A.D., 2009.

CORPORATE CERTIFICATE OF ACKNOWLEDGMENT

STATE OF IOWA)
) SS
WOODBURY COUNTY)

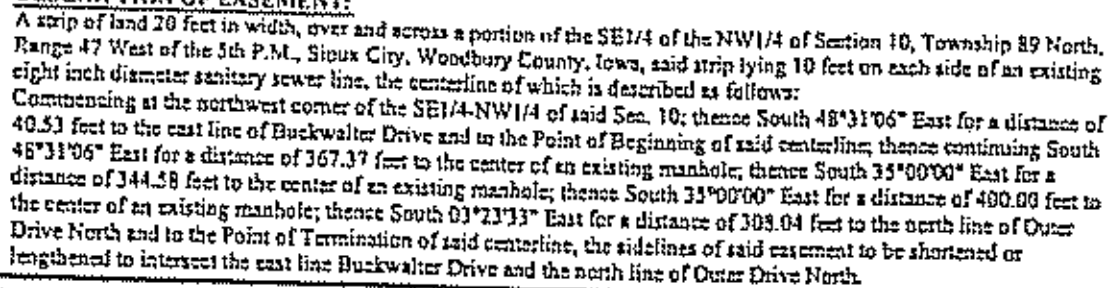
On this _____ day of _____, 2009, before me, a Notary Public in and for Woodbury County, State of Iowa, personally appeared _____, to me personally known, who being by me severally duly sworn did severally say that the said _____ is _____ and the said _____ is _____ of _____ a corporation duly organized and existing:

(the seal affixed to said instrument is the seal of said corporation)
(said corporation has no seal)

That the said instrument was signed, sealed and executed in behalf of said corporation by authority of its board of directors, and the said _____, acknowledged the said instrument and the execution thereof to be voluntary act and deed of said Corporation by him voluntarily executed.

WITNESS my official signature and seal of office the day and year last above written

EXHIBIT "A" (sheet 1 of 1)
EASEMENT DRAWING
FOR PERMANENT SANITARY
SEWER EASEMENT
CITY OF SIOUX CITY,
WOODBURY COUNTY, IOWA



DeWild Grant Reckert and Assoc. Co.
Consulting Engineers and Land Surveyors
5115 Whispering Creek Drive, Shoux City, Iowa
Tel. 712-218-1534 Fax 712-244-1707 51158

Date: 3/06/09
Drawn By: DAL Approved: DAL
Drawing - P:\F\BIDU\DAL\BIDU.dwg

Project No.
251045
Sheet
1 of 1

**Sioux City Community School District
Executive Summary**

Need Public Hearing to Consider Hawthorne School Sale

Purpose:

Call a Public Hearing for June 22, 2009 to consider a Purchase Offer for former Hawthorne Elementary School.

Explanation:

Contact: Bill Stoneburg 279-6662

The District has received a Purchase Offer from Amanda Boisen to purchase the former Hawthorne Elementary School Building. Boisen would use the building for a child care center. Purchase offer is \$70,000. Appraised value (LeGrand -2006) is \$125,000. Estimated cost of demolition and asbestos abatement is \$276,000.

Recommendation:

That the Board of Education calls for a Public Hearing on Monday, June 22, 2009, to consider the purchase offer.

BERENSTEIN, MOORE, HEFFERNAN, MOELLER & JOHNSON, L.L.P.

ATTORNEYS AT LAW

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EDMUND F. WELLS -
MITCHELL A. THERIAULT
ANGIE J. SCHNEIDERMAN +
KARLE E. HOLMGA
JASON GAICH
MARK COLE +
AMBER L. HEGARTY +

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MAILING ADDRESS:
P.O. BOX 1207
SIOUX CITY, IOWA 51102-1207
TELEPHONE: (712) 232-0222
FAX: (712) 232-0234

+ Also admitted in Nebraska
+ Also admitted in South Dakota

May 28, 2009

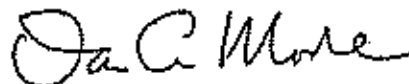
Mr. William K. Stoneburg
Chief Financial Officer
Sioux City Community School District
1221 Pierce Street
Sioux City, Iowa 51105

Re: Sale of Hawthorne Building to Amanda Boisen

Dear Bill:

Enclosed please find a copy of the Offer to Buy with my comments. Upon your review, please give me a call to discuss. Thanks.

Sincerely,



Dan A. Moore
For the Firm

DAM:dak

Enclosure

**OFFER TO BUY REAL ESTATE & ACCEPTANCE
(NON-RESIDENTIAL)**

I/we Amanda Boisen the undersigned BUYERS, or assignee, as stated in 20(1) hereby offer to buy and the undersigned SELLERS by their acceptance agree to sell the real property described below together with any easements and appurtenant servient estates, but subject to any reasonable easements of record for public utilities or roads, any zoning restrictions, customary restrictive covenants and mineral reservations of record, if any herein referred to as the "Property", upon the following terms and conditions provided BUYERS, on possession, are permitted to use the Property 4445 Cedar Lane City, South

Locally known as: ←

Legally described as: [Insert]

The parties acknowledge that the legal description set forth above may not be complete and, as a result, Purchaser(s) and Seller(s) shall cooperate in the review and production of a more accurate and complete legal description pertaining to the property, with it being the intention that purchaser purchase all of Seller(s) property associated with the above-described.

1. Price, as follows: PURCHASE PRICE. The Purchase Price shall be \$ 70,000 and the method of payment shall be as follows: \$ 1000 upon acceptance of this offer, to be deposited upon acceptance of this offer and held in trust by United Community as earnest money, and to be delivered to the SELLERS upon performance of SELLERS' obligations and satisfaction of BUYERS' contingencies, if any; and the balance of the Purchase, as follows: Cash at settlement of \$ 69,000

REAL ESTATE TAXES. N/A. The Property is currently exempt from taxes. Sellers shall pay the all real estate tax and personal property tax payable in 12 (if any) based on date of possession. Unless otherwise provided in this Agreement, SELLERS shall pay BUYERS at closing or BUYERS shall be given a credit for taxes to the date of possession based upon the last known actual net real estate taxes payable according to public record. However, if such taxes are based upon a partial assessment of the present property improvements or a changed tax classification as of the date of possession, such proration shall be based on the current levy rate, assessed value, legislative tax rollbacks and real estate tax exemptions that will actually be applicable as shown by the Assessor's records as of the date of possession.

2. SPECIAL ASSESSMENTS.

- A. SELLERS shall pay all Special Assessments that are attached to the property at the time of closing.
- B. (If A is satisfied) Then SELLERS shall pay at time of closing all installments of special assessments, which are a lien on the property, and if not paid, would become delinquent during the calendar year this offer is accepted and all prior installments thereof.
- C. SELLERS shall pay all charges for solid waste removal, sewage and maintenance that are attributable to SELLERS' possession, including those for which assessments arise after closing.
- D. Any preliminary or deficiency assessment which cannot be discharged by payment shall be paid by SELLERS through an escrow account with sufficient funds to pay such liens when payable, with any unused funds returned to SELLERS.
- E. BUYERS shall pay all other special assessments or installments not payable by SELLERS.

3. RISK OF LOSS AND INSURANCE. SELLERS shall bear the risk of loss or damage to the Property prior to closing or possession, whichever first occurs. SELLERS agree to maintain existing insurance and BUYERS may purchase additional insurance. In the event of substantial damage or destruction prior to closing, this Agreement shall be null and void; provided, however, BUYERS shall have the option to complete the closing and receive insurance proceeds regardless of the extent of damage. The property shall be deemed substantially damaged or destroyed if it cannot be restored to its present condition on or before the closing date.

4. POSSESSION AND CLOSING. If Buyers timely perform all obligations, possession of the property shall be delivered to Buyers on or before July 31, 2009 and any adjustments of rent, insurance, taxes, interest and all charges attributable to SELLERS' possession shall be made as of the date of possession. Closing shall occur after approval of title by BUYERS and vacation of the Property by SELLERS, but prior to possession by BUYERS. SELLERS agree to permit

✓ BUYERS to inspect the property within 48 hours prior to closing to assure that the premises are in the condition required by this Agreement. If possession is given on a day other than closing, the parties shall make a separate agreement with adjustments as of the date of possession. Settlement shall take place at _____

- A. Upon the delivery of the title transfer documents to BUYERS and receipt of all funds due at closing from buyers under the agreement.
- B. (If A is stricken) Upon the filing of the title transfer documents and receipt of all funds due at closing from BUYERS under the Agreement.

6. FIXTURES. Included with the Property shall be all fixtures that integrally belong to, are specifically adapted to or are a part of the real estate, whether attached or detached. BUYER shall be provided by SELLERS an inventory of furniture, fixtures, tools, equipment or other items that are to be sold with the subject property. If no such list is provided, whatever is in the building at time of acceptance of this offer shall be considered part of the building.

✓ The following items shall NOT be included: None?

7. CONDITION OF PROPERTY. The property as of the date of the Agreement, including buildings, grounds, and all improvements will be preserved by the SELLERS in its present condition until possession, ordinary wear and tear excepted.

- A. ~~BUYERS acknowledge that they have made a satisfactory inspection of the Property and are purchasing the Property in its existing condition. Seller makes no warranties, express or implied, as to the condition of the property.~~
- B. (If A is stricken) Within 30 days after the acceptance of the Agreement, BUYERS may, at their sole expense, have the property inspected by a person or persons of their choice to determine if there are any structural, mechanical, plumbing, electrical, environmental, or other deficiencies. Within this same period, the BUYERS may notify in writing the SELLERS of any deficiency. The SELLERS shall immediately notify the BUYERS in writing of what steps, if any, the SELLERS will take to correct any deficiencies before closing. The BUYERS shall then immediately in writing notify the SELLERS that (1) such steps are acceptable, in which case this Agreement, as so modified, shall be binding upon all parties; or (2) that such steps are not acceptable, in which case this Agreement shall be null and void, and any earnest money shall be returned to BUYERS.

✓ 8. ABSTRACT AND TITLE. SELLERS, at their expense, shall promptly obtain an abstract of the title to the Property continued through the date of acceptance of this Agreement, and deliver it to BUYERS attorney for examination. It shall show marketable title to SELLERS in conformity with this Agreement, Iowa law, and title standards of the Iowa State Bar Association. The SELLERS shall make every reasonable effort to promptly perfect title. If closing is delayed due to SELLERS inability to provide marketable title, this Agreement shall continue in force and effect until either party rescinds the Agreement after giving ten (10) days written notice to the other party. The abstract shall become the property of BUYERS when the Purchase Price is paid in full. SELLERS shall pay the costs of any additional abstracting and title work due to any act or omission of SELLERS, including transfers by or the death of SELLERS or their assignors. Unless stricken, abstract shall be obtained from an abstractor qualified by the Title Guaranty Division of the Iowa Housing Finance Authority.

✓ 9. SURVEY.

- A. If a survey is required under Chapter 354 SELLERS shall pay the cost thereof.
- B. BUYERS may, at BUYERS expense prior to closing, have the property surveyed and certified by a Registered Land Surveyor.
- C. If the survey shows an encroachment on the Property or if any improvements located on the Property encroach on lands of others, the encroachments shall be treated as a title defect.

10. ENVIRONMENTAL MATTERS.

- A. SELLERS warrant to the best of their knowledge and belief that there are no abandoned wells, solid waste disposal sites, hazardous wastes or substances, or underground storage tanks located on the Property, the Property does not contain levels of radon gas, asbestos or urea-formaldehyde foam insulation which require remediation under current governmental standards, and SELLERS have done nothing to contaminate the Property with hazardous wastes or substances. SELLERS warrant that the property is not subject to any local, state, or federal judicial or administrative action, investigation or

order, as the case may be, regarding wells, solid waste disposal sites, hazardous wastes or substances, or underground storage tanks. SELLERS shall also provide BUYERS with a properly executed GROUNDWATER HAZARD STATEMENT showing no wells, solid waste disposal sites, hazardous waste and underground storage tanks on the Property unless disclosed by SELLERS upon this offer.

- B. BUYERS may at their expense, within 30 days after the date of acceptance, obtain a report from a qualified engineer or other person qualified to analyze the existence or extent of any hazardous materials, substances, conditions or wastes located on the Property. In the event any hazardous materials, substances, conditions or wastes are discovered on the Property, BUYERS obligation hereunder shall be contingent upon the removal of such materials, substances, conditions or wastes or other resolution of the matter reasonably satisfactory to BUYERS. However, in the event SELLERS are required to expend any sum in excess of \$1,000 to remove any hazardous materials, substances, conditions or wastes, SELLERS shall have the option to cancel this transaction and refund to BUYERS all earnest money paid and declare this Agreement null and void. BUYERS shall pay the expense of any inspection. The expense of any action necessary to remove or otherwise make safe any hazardous material, substance, conditions or waste shall be paid by SELLERS, subject to SELLERS right to cancel this transaction as provided above.

11. DEED. Upon payment of the Purchase Price, SELLERS shall convey the Property to BUYERS by Warranty deed, free and clear of all liens, restrictions, and encumbrances except as provided in this Agreement. General warranties of title shall extend to the time of delivery of the deed excepting liens and encumbrances suffered or permitted by BUYERS.

12. JOINT TENANCY IN PROCEEDS AND IN REAL ESTATE. If SELLERS, immediately preceding acceptance of the offer, hold title to the Property in joint tenancy with full rights of survivorship, and the joint tenancy is not later destroyed by operations of law or by acts of the SELLERS, then the proceeds of this sale, and any continuing or recaptured rights of SELLERS in the Property, shall belong to SELLERS as joint tenants with full rights of survivorship and not as tenants in common; and BUYERS in the event of the death of any SELLERS, agree to pay any balance of the price due SELLERS under this contract to the surviving SELLERS and to accept a deed from the surviving SELLERS consistent with Paragraph 15.

13. JOINDER BY SELLER'S SPOUSE. SELLERS spouse, if not a titleholder immediately preceding acceptance, executes this Agreement only for the purpose of relinquishing all rights of dower, homestead and distributive share and agrees to execute the deed or real estate contract for this purpose.

14. STATEMENT AS TO LIENS. If BUYERS intend to assume or take subject to a lien on the Property, SELLERS shall furnish BUYERS with a written statement prior to closing from the holder of such lien, showing the correct balance due.

15. USE OF PURCHASE PRICE. At time of settlement, funds of the Purchase Price may be used to pay taxes and other liens and to acquire outstanding interests, if any, of others.

16. REMEDIES OF THE PARTIES.

- A. If Sellers fail to timely perform the Agreement, Buyers have the right to have all payments made returned to them.
- B. BUYER AND SELLERS are also entitled to utilize any and all other remedies or actions at law or in equity available to them, and the prevailing parties shall be entitled to obtain judgement for costs and attorney fees unless otherwise prohibited by law.

17. NOTICE. Any notice under this Agreement shall be in writing and be deemed served when it is delivered by personal delivery or mailed by certified mail, addressed to the parties at the addresses given below. *None shown.*

18. GENERAL PROVISIONS. In the performance of each part of this Agreement, time shall be of the essence. Failure to promptly assert rights herein shall not, however, be a waiver of such rights or a waiver of any existing or subsequent default. This Agreement shall apply to and bind the successors in interest of the parties. This Agreement shall survive the closing. This Agreement contains the entire agreement of the parties and shall not be amended except by a written instrument duly signed by SELLERS and BUYERS. Paragraph headings are for convenience of reference and shall not limit or affect the meaning of the Agreement. Words and phrases herein shall be construed as in the singular or plural number, and as masculine, feminine or neuter gender according to the context.

19. OTHER PROVISIONS. This offer subject to buyer's attorney's review and approval within 10 days from date of accepted offer. This offer is based on and subject to real estate rules, regulations, and law.

20. ADDITIONAL PROVISIONS.

N/A? →

N/A? →

At whose expense? →

At Buyer's expense →

*OTHER PROVISIONS:

- (1) This purchase offer is transferable and may be assigned to any nominee or to a 3rd party.
- (2) BUYER reserves the right to review all leases. Leases must be acceptable to BUYERS underwriting standards. BUYER reserves right to reject any and all unacceptable leases.
- (3) BUYER requests a detailed breakdown of all income and expenses, contracts and leases relative to the subject property. Review of said items constitutes a part of the 30 day due diligence prior to actual acceptance and transfer of the property.
- (4) Property inspections shall be completed within 30 days of acceptance. They shall include, but not be limited to HVAC, plumbing, electrical, structural, roof and environmental. Termite inspection shall be required. At Buyer's cost
- (5) BUYER requires a current appraisal that equals or exceeds the purchase offer. This must be completed prior to final approval and or settlement. At Buyer's cost
- (6) Mortgage Contingency: The obligation of BUYER to consummate the transaction contemplated hereby is expressly contingent upon BUYER being able to secure and close financing on terms and conditions acceptable to BUYER, in BUYER'S sole, exclusive, and unfettered discretion. BUYER agrees to apply for financing within 10 days of acceptance and to have obtained a financing commitment (subject to appraisal) within 20 days.
- (7) This is a legally binding agreement and must be approved by both the BUYERS and SELLERS attorneys.
- (8) BUYER requires completion of survey at SELLERS expense. See P 9 B.

with the prior written consent of Seller.

21. ACCEPTANCE

When accepted, this Agreement shall become a binding contract. If not accepted and delivered to BUYERS on or before the 2 day of June 2009 9:00 AM/PM, this Agreement shall be null and void and all payments made shall be returned immediately to Buyer. If accepted by SELLERS at a later date and acceptance is notified in writing, and then this contract shall be valid and binding.

Spell out - Buyer's expense and direction;

THIS IS A LEGALLY BINDING CONTRACT. IF NOT UNDERSTOOD, SEEK COMPETENT LEGAL ADVICE BEFORE SIGNING.

It is understood that the Buyer is represented by Andrew Kennedy of Realty Specialists Inc.

to be done to what? Timing?

BUYER (S)

SELLER (S)

Amanda Brice

By:

By:

Address

Print Name:

SS# or Fed ID# 483-02-5035

SS# or Fed ID#

Dated: 5-26-09

Acceptance Date:

Retention Date

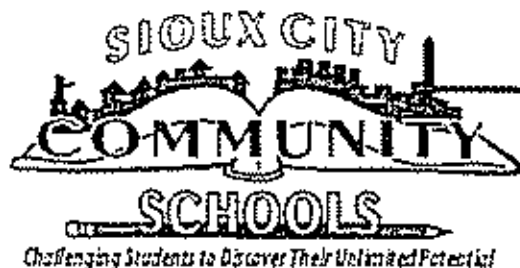
Counter Offer

→ Invert language regarding subject to Board approval. See next page.

This offer is contingent upon the Board action by the Seller's Board of Directors. If the Seller's Board of Directors does not take action to approve this offer, then it shall be null and void and any payments made by Buyer shall be returned to Buyer. This offer is also subject to all applicable laws relating to the disposition of property by school districts, including, but not limited to Iowa Code Sections 297.22 and 297.25.

Hawthorne School Legal Description (4405 Central Street):

Lots 10 to 28 inclusive, and Lot 29 except the North 16 feet, and the South 280 feet of the vacated North/South alley abutting said Lots, except the North 16 feet at the rear of said Lot 10, all in Block 25, Leeds, Second Filing, in the County of Woodbury and State of Iowa.



SIOUX CITY COMMUNITY SCHOOL DISTRICT

1301 Pierce Street • Sioux City, Iowa 51105
Phone: (712) 279-6692 • Fax: (712) 279-6672
www.siouxcityschools.org

Steve Crary
Director of Human Resources

TO: Dr. Paul R. Gausman, Superintendent
FR: Steve Crary, Director Human Resources
RE: Human Resources Staffing Report for Board Meeting 6-22-2009

NEW POSITIONS:

We continue to work hard on managing our staffing for next school year and hold onto the reductions through attrition. We now have 53 retirements/resignations. A preschool teacher is needed for the Irving preschool, budgeted by reducing a Year 13 Special Ed teacher. Riverside Elementary needs an Early Childhood Special Education Teacher whose position is offset by a Special Ed teacher reduction in another building. Two assistants are needed at Irving Preschool as well, one of which is offset by an assistant reduction and the other will be partially funded by SHIP. An MD assistant is also needed for EHS, which is offset by a teacher reduction in that program. The assistant positions are 6.5 hours each.

NEW HIRES:

Certified:

Name	Position	Salary	Effective
Kathy Schuver	NHS School Within School	\$42,420	August 17, 2009

Kathy earned her Bachelor of Arts Degree from Briar Cliff University, graduating Magna cum laude, and is working on her Masters Degree in Special Education from Morningside College, anticipating graduation in December. She has been working for SHIP in the Juvenile Court Services as the Education Coordinator and the Project Administrator for Youthbuild. (Position in the ILC program at NHS)

Heidi Anthony	Irving 4 th Grade	\$30,739	August 17, 2009
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Heidi graduated from Briar Cliff University as the Valedictorian with endorsements in Reading and Spanish. She has worked in the Beyond the Bell program and was a volunteer tutor in college and at Crescent Park Elementary School. (New position due to enrollment but offset by other elementary reductions)

Angela Helton	Leeds Kindergarten	\$34,428	August 17, 2009
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Angela has a Bachelor of Arts Degree from Southeastern University in Lakeland, Florida. Her major is Elementary Education with a minor in Early Childhood. She has been a substitute teacher for our district for the past year. (Replaces Curtis Taylor)

Suzanne Svitak Traveling Orchestra \$30,739 August 17, 2009
 Suzanne has a Bachelor of Music Education Degree from the University of Northern Iowa in Cedar Falls. She completed her student teaching experience at Osseo Senior High School in Osseo, Minnesota. Her student teaching at the middle school level was completed at Fred Moore Middle School in Anoka, Minnesota. **(Replaces Thomas Miller)**

Non-certified:

Name	Position	Salary	Effective
Maira Moreno	ESL School/Family Liaison	\$11.09/hr.	August 3, 2009

Maira has been working as a substitute in our district and previously worked for Prairie Pediatrics as a receptionist and billing clerk and at the Crittenton Center as a translator. She is a West High School graduate. **(Replaces Alejandra Munoz)**

Carmen Rush ESL School/Family Liaison \$11.09/hr. August 3, 2009
 Carmen graduated from Eastern New Mexico University with a degree in Business Administration and Marketing. She substituted as a Spanish teacher in the Kentucky School District. **(Replaces Gabriela Magana)**

Lorenza Jimenez Emerson ESL Tutor \$9.89/hr. August 19, 2009
 Lorenza has been subbing in this position the past year and previously subbed in the South Sioux City School District. **(Replaces Denise Melo)**

LEAVE OF ABSENCE:

Non-certified:

Name	Position	Reason	Effective
Twila Wikstrom	WMS Instructional Assistant	Medical	2009-2010 School Year

RESIGNATIONS:

Certified:

Name	Position	Years	Effective
Jodi Messerole	EHS Special Education	8 years	End of School Year
Lukas Warren	NHS Vocal Music	1 year	End of School Year
Chris Tee Weixelman	Irving Kindergarten	2 years	End of School Year

Non-certified:

Name	Position	Years	Effective
Kristin Van Peursem	From Leave of Absence Instructional Assistant	7 years	End of School Year

COACHES:

Resignations:

Name	Position	Effective
Jamie Snyder	WHS Tennis	June 11, 2009
Rochelle Babcock	WMS Cross County	End of Season
Rochelle Babcock	WMS Girls Basketball	End of Season

New Hires:

Name	Position	Salary	Effective
Adam Roupe	WHS Freshman Football	\$2,920	June 9, 2009

Adam is a non-contracted coach.

Damon Mothershed	WHS Assistant Varsity Football	\$3,996	June 9, 2009
Damon is a non-contracted coach.			
Jason Walding	WHS Assistant Varsity Football	\$3,996	June 9, 2009
Jason is a non-contracted coach.			
Joshua Malenosky	WHS Freshman Football	\$2,920	June 9, 2009
Joshua teaches Special Education at WHS.			
William Lyle	WHS Boys Golf	\$2,305	June 9, 2009
William is a non-contracted coach.			
Steven Watts	WHS Assistant Varsity Football	\$3,996	June 9, 2009
Steven teaches Science at WHS.			

Sioux City Community Schools

Date: June 22, 2009

To: Dr. Paul Gausman, Superintendent

From: William Stoneburg, Director of Finance

RE: Finance Report

Recommendation: That the Board approves the expenditures for May 29 – June 11, 2009 in the amount of \$ 1,207,080.59.

The breakdown is as follows:

Sales Tax Fund	
May 29 – June 4 Accounts Payable	186,867.22
June 5 – 11 Accounts Payable	53,387.65
General Fund (and others)	
May 29 – June 4 Accounts Payable	373,636.45
June 5 – 11 Accounts Payable	382,967.44
School Nutrition Fund	
May 29 – June 4 Accounts Payable	25,661.95
June 5 – 11 Accounts Payable	78,136.33
Activity Fund	
May 29 – June 4 Accounts Payable	80,546.74
June 5 – 11 Accounts Payable	25,876.81
Total	1,207,080.59

Sioux City Community Schools									
Cash Disbursements									
Date	Activity Fund	General and		Sales Tax		School Nutrition		TOTAL	
		Other Funds	Funds	A/C Pay	P/R	A/C Pay	P/R		
7/3/2008	\$42,608.31	\$1,095,691.26		\$141,701.31		\$991.82		\$1,281,052.70	
7/10/2008	\$24,532.93	\$147,872.71		\$54,559.02		\$52,935.40		\$279,900.06	
7/17/2008	\$3,042.55	\$359,630.85		\$115,280.28		\$10,598.48		\$488,552.16	
7/24/2008	\$20,839.22	\$265,246.88		\$2,462,861.20		\$6,559.71		\$2,755,507.01	
7/31/2008	\$24,022.47	\$366,211.97		\$1,878.39		\$3,025.60		\$8,159,189.88	
July voids/receipts	-\$2,547.66	-\$117,748.42		-\$1,200,000.00		-\$149.60		-\$1,320,445.68	
July Wells CC bill		\$79,691.85				\$1,009.60		\$80,701.45	
8/7/2008	\$15,309.83	\$1,268,554.24		\$139,333.30		\$21,561.92		\$1,444,759.29	
8/14/2008	\$31,425.41	\$312,880.33		\$701,212.77		\$11,105.31		\$1,056,631.82	
8/21/2008	\$20,585.10	\$357,774.32		\$22,989.02		\$2,332.96		\$403,681.40	
8/28/2008	\$59,783.68	\$954,261.58		\$105,776.15		\$112,543.40		\$9,304,691.40	
Aug Wells CC bill		\$101,920.79				\$3,901.65		\$105,822.44	
Aug voids/receipts	-\$101.46	-\$8,738.18						-\$8,839.64	
9/4/2008	\$44,127.07	\$362,864.09		\$1,131,169.01		\$144,024.73		\$1,682,104.90	
9/11/2008	\$35,009.22	\$246,408.70		\$70,033.29		\$60,343.23		\$411,794.53	
9/18/2008	\$70,133.46	\$345,354.00		\$253,123.92		\$90,570.03		\$759,181.41	
9/25/2008	\$40,194.18	\$347,765.61		\$270,175.30		\$116,051.50		\$9,136,251.11	
Sept Wells CC bill		\$106,588.46				\$1,429.44		\$107,937.90	
Sept voids/receipts	-\$767.50	-\$19,952.98		-\$250.00				-\$20,980.46	
10/2/2008	\$39,671.86	\$398,331.55		\$6,981.20		\$87,315.61		\$532,300.22	
10/9/2008	\$58,512.06	\$167,858.83		\$158,916.55		\$50,238.05		\$443,523.49	
10/16/2008	\$73,080.87	\$214,838.06		\$43,784.34		\$74,681.77		\$406,985.04	
10/23/2008	\$65,959.58	\$453,013.65		\$742,390.58		\$93,606.16		\$1,355,059.97	
10/30/2008	\$92,946.05	\$261,082.67		\$35,388.99		\$101,358.79		\$9,456,560.20	
Oct voids/receipts	-\$1,087.19	-\$1,154.45		-\$11,822.00		-\$118.27		-\$14,102.91	
Oct Wells CC bill		\$200.14				\$4,385.30		\$86,380.78	
11/6/2008	\$46,094.56	\$440,255.18		\$62,173.20		\$111,452.20		\$659,975.14	
11/13/2008	\$40,002.73	\$226,975.34		\$6,244.30		\$65,041.62		\$338,263.09	
11/20/2008	\$85,222.14	\$680,106.56		\$175,917.26		\$120,660.58		\$1,041,906.54	
11/26/2008	\$51,634.62	\$206,228.17		\$56,587.87		\$104,235.66		\$9,330,076.06	
Nov Wells CC bill		\$100,124.34				\$2,596.65		\$102,720.99	
Nov voids/receipts	-\$1,738.25	-\$16,246.53						-\$17,984.78	
12/4/2008	\$42,404.20	\$246,901.38		\$40,015.64		\$49,556.25		\$378,877.47	
12/11/2008	\$83,778.46	\$331,122.18		\$1,654.00		\$80,653.37		\$497,208.01	

12/18/2008	\$65,388.33	\$614,324.83	\$8,757,021.05	\$20,999.77	\$3,449.04	\$113,302.21	\$234,325.70	\$9,800,811.73
Dec voids/receipts	-\$1,536.61	-\$100.00		-\$192,900.00				-\$194,536.61
Dec Wells CC bill	\$393.48	\$72,196.97				\$1,987.84		\$74,578.29
SUBTOTAL	\$1,169,881.84	\$11,029,688.22	\$50,036,974.64	\$5,416,174.60	\$21,049.54	\$1,709,267.97	\$1,011,669.01	\$70,394,705.08
1/8/2009	\$55,463.78	\$394,082.09		\$17,378.81		\$19,126.30		\$486,051.06
1/15/2009	\$42,135.97	\$444,584.29		\$121,533.93		\$132,876.38		\$741,130.57
Jan Wells CC bill		\$58,413.15		\$118.31		\$3,889.23		\$62,220.69
1/22/2009	\$32,361.76	\$474,481.22		\$18,739.94		\$84,769.70		\$610,352.62
1/29/2009	\$54,933.40	\$655,165.55		\$27,061.07		\$26,718.04		\$10,357,324.00
Jan voids/receipts	-\$425.44	-\$11,206.90						-\$11,632.34
2/5/2009	\$31,612.27	\$250,990.22		\$152,755.51		\$44,768.59		\$480,116.59
2/12/2009	\$32,471.94	\$559,857.22		\$14,919.00		\$2,049.55		\$609,297.71
2/19/2009	\$56,761.50	\$460,600.72		\$30,630.75		\$151,978.22		\$699,971.25
Feb Wells CC bill	\$503.99	\$50,121.24				\$2,907.05		\$53,532.20
2/26/2009	\$52,780.64	\$298,220.41		\$19,762.50		\$93,100.10		\$9,477,464.80
Feb voids/receipts		-\$8,407.09						-\$8,407.09
3/5/2009	\$48,300.90	\$620,247.72		\$326,978.17		\$73,261.75		\$1,008,788.54
3/12/2009	\$48,427.86	\$406,324.36		\$45,230.50		\$118,623.76		\$618,006.48
3/19/2009	\$59,460.04	\$272,050.61		\$12,563.75		\$73,696.42		\$417,770.82
3/26/2009	\$34,008.04	\$661,704.02		\$136,319.37		\$85,473.99		\$9,095,338.38
Mar Wells CC bill		\$42,902.08				\$1,634.80		\$44,536.88
Mar voids/receipts	-\$1,275.63	-\$10,048.53		-\$5,362.62				-\$16,690.78
4/2/2009	\$42,106.23	\$341,152.06		\$587,245.24		\$57,201.58		\$1,027,705.11
4/9/2009	\$38,360.01	\$185,295.76		\$24,730.47		\$44,849.22		\$293,241.46
4/16/2009	\$55,317.82	\$228,745.97		\$11,228.00		\$183,043.74		\$458,335.33
Apr Wells CC bill	\$5.94	\$52,726.51				\$1,805.91		\$54,538.36
4/23/2009	\$68,471.34	\$249,363.02		\$1,920.00		\$42,223.15		\$361,977.51
4/30/2009	\$67,899.02	\$203,289.84		\$201,911.79		\$63,259.51		\$10,003,347.96
Apr voids/receipts	-\$12,362.94	-\$3,408.13						-\$15,771.07
5/7/2009	\$46,605.68	\$369,613.15		\$27,965.50		\$70,587.23		\$505,861.50
5/14/2009	\$46,432.02	\$454,209.78		\$8,800.00		\$133,229.44		\$642,671.24
May Wells CC bill	\$159.00	\$42,389.85				\$2,131.39		\$44,600.24
5/21/2009	\$48,821.03	\$540,981.05		\$13,194.50		\$119,348.82		\$721,525.40
5/28/2009	\$53,564.98	\$99,763.79		\$84,494.21		\$44,801.16		\$9,439,357.13
May voids/receipts	-\$25.08	-\$2,467.38						-\$2,492.38
6/4/2009	\$80,546.74	\$373,636.45		\$186,867.22		\$25,661.95		\$560,712.36
6/11/2009	\$25,878.81	\$382,967.44		\$53,387.65		\$78,136.33		\$540,368.23

SUBTOTAL	\$1,108,595.56	\$9,129,250.34	\$45,075,341.33	\$2,120,373.57	\$17,599.70	\$1,760,944.19	\$1,215,651.07	\$60,427,755.76
Fiscal YTD	\$2,252,600.59	\$19,775,971.12	\$95,112,315.97	\$7,483,160.59	\$38,549.24	\$3,392,075.83	\$2,227,320.08	\$130,282,093.41

Board Policy Document

STAFF PERSONNEL

Series 400

(MAY 2009)

Policy Title: Personnel Records

Code Number: 401.6

Jim Daane's Recommendation: The Director of Human Resources is responsible for maintaining appropriate policies with respect to retention, access, disclosure and maintenance of all personnel records, in compliance with state and federal law.

All requests for access to personnel records should be directed to the Director of Human Resources.

Board members will only be permitted access to an employee's file only when it is necessary in conducting Board business, which necessity shall be determined by the Board President, subject to appeal to the full Board.

All personnel records shall be permanently retained in accordance with recommended employment record retention periods and access to same shall be determined in accordance and shall be retained as to comply with state and federal law. All requests for access to personnel records should be directed to the Human Resources Department. The Director of Human

First Adoption: August 27, 1995

Revision Adoption: January 26, 1999/May 11, 2004

Legal Reference: Iowa Code Chapter 22, 91B, Americans with Disabilities Act, Family and Medical Leave Act.
Clymer v. City of Cedar Rapids, 601 N.W. 2nd (Iowa 1999) Des Moines Independent Comm. School District v. Des Moines Register and Tribune Company, 487 N.W. 2d 666 (Iowa 1992)
City of Sioux City v. Greater Sioux City Press Club, 421 N.W. 2nd 895 (Iowa 1988)

Board Policy Document

Resources is responsible for maintaining appropriate policies with respect to retention, access, disclosure and maintenance of such records.

Board members will generally only have access to an employee's file when it is necessary in conducting Board business.

First Adoption: August 27, 1995
Revision Adoption: January 26, 1999/May 11, 2004
Legal Reference: Iowa Code Chapter 22, 91B, Americans with Disabilities Act, Family and Medical Leave Act.
Clymer v. City of Cedar Rapids, 601 N.W. 2nd (Iowa 1999)
Des Moines Independent Comm. School District v. Des Moines Register and Tribune Company, 487 N.W. 2^d 666 (Iowa 1992)
City of Sioux City v. Greater Sioux City Press Club, 421 N.W. 2nd 895 (Iowa 1988)

Board Policy Document

STUDENT PERSONNEL

Series 500

(APRIL 2009)

Policy Title: School Attendance Areas

Code Number: 501.3

Attendance areas and boundaries for each attendance center shall be established upon recommendation of the Superintendent and approval of the Board.

Students moving to another attendance area within the District after March 1 may remain in the school from which they are moving until the end of the year, if they so desire. At other times, they shall transfer to the new attendance area school, or secure a special permit as outlined in Board Policy 501.8. Students who transfer to a school outside their attendance area are responsible for furnishing their own school transportation unless waived by the District.

First Adoption: June 26, 1984

Revision Adoption: April 11, 1995/March 28, 2000/December 16, 2003

Legal Reference:

Board Policy Document

STUDENT PERSONNEL

Series 500

Policy Title: Attendance Records

Code Number: 501.4

Each Principal shall ensure that attendance records are maintained and monitored. ~~Attendance reports shall be made to the central administrative office.~~

District procedures shall be established to define student attendance. Such procedures minimally shall be in conformity with prevailing Iowa statute and Department of Education procedures, and will be used consistently across the District.

Attendance for students receiving homebound instruction shall be kept by their assigned school.

All transfers of pupil records shall comply with the Family Education Rights and Privacy Act (FERPA) of 1974 (Public Law 93-380).

First Adoption: June 26, 1984
Revision Adoption: April 11, 1995/March 28, 2000/August 15, 2000/November 26, 2002/December 16, 2003
Legal Reference:

STUDENT PERSONNEL

Series 500

Policy Title: Resident Students ~~Residency of Students~~

Code Number: 501.5

Children who are residents of the School District community will attend the School District without paying tuition.

The residence of a student means the place, abode, or dwelling of the student. Generally, the legal dwelling of minors is the same as their parents. A student may establish a dwelling with someone other than the parents and attend public school in the School District without paying tuition if the primary purpose for residing in the School District is not for the purpose of obtaining a free public education. Further, students who have reached the age of majority and who are still eligible to attend an Iowa secondary school may declare their residence independent of the residence of the parents.

Each case involving the bona fide residence of a student will be decided upon its individual merits by the Superintendent.

~~A resident is a student who physically resides in the District and who meets any of the following conditions:~~

- ~~• Is in the District for the purpose of making a home and not solely for school purposes. This requirement applies to students who live with guardians as well as students who live with their parents.~~
- ~~• Meets federal definition of a "homeless individual." (See Board Policy 604.12 Homeless Children and Youth.)~~

First Adoption: June 26, 1984

Revision Adoption: September 13, 1994/August 18, 1998/August 27,
2002/December 16, 2003

Legal Reference: Iowa Code §§257.6; 282.2, .6, .7; 285.4 (2007)

Board Policy Document

- ~~• Lives in a residential correctional facility, juvenile detention center or foster care in the District.~~
- ~~• Is considered an alien, legal or illegal, and is living with their families within the boundaries of the District.~~

~~Emanipated minors, or students who have reached the age of majority and who are still eligible to attend an Iowa secondary school, may declare their residence independent of the residence of the parents.~~

~~Each case involving the bona fide residence of a student will be decided upon its individual merits, first by the school principal, subject to the review of the Superintendent or his/her designee.~~

Board Policy Document

STUDENT PERSONNEL

Series 500

(APRIL 2009)

Policy Title: International Students

Code Number: 501.7

International students may be enrolled and attend school within the designated attendance area of their host family without tuition if they are recommended by recognized international programs or an approved local organization, and a host family resides within the boundaries of the District, and meet the entrance requirements as stated in Board Policy 501.2.

First Adoption: June 26, 1984
Revision Adoption: May 23, 1995/March 28, 2000/December 16, 2003
Legal Reference:

Board Policy Document

EDUCATIONAL PROGRAMS

Series 600

(APRIL 2009)

Policy Title: Copyright Compliance

Code Number: 603.11

The Board recognizes that federal law makes it illegal to duplicate copyrighted materials without authorization of the holder of the copyright, except for certain exempt purposes. Severe penalties may be imposed for unauthorized copying or using of audio visual or printed materials and computer software, unless the copying or using conforms to the "fair use" doctrine.

Under the "fair use" doctrine, unauthorized reproduction of copyrighted materials is permissible for such purposes as criticism, comment, news reporting, teaching, scholarship or research. If duplicating or changing a product is to fall within the bounds of fair use, these four standards must be met for any of the foregoing purposes:

- A. THE PURPOSE AND CHARACTER OF THE USE. The use must be for such purposes as teaching or scholarship and must be nonprofit.
- B. THE NATURE OF THE COPYRIGHTED WORK. Staff may make single copies of the following for use in research, instruction or preparation for teaching: book chapters; articles from periodicals or newspapers; short stories, essays or poems; and charts, graphs, diagrams, drawings, cartoons or pictures from books, periodicals, or newspapers in accordance with these guidelines.
- C. THE AMOUNT AND SUBSTANTIALITY OF THE PORTION USED. In most circumstances, copying the whole of a work cannot be considered fair use; copying a small portion may be if these guidelines are followed.

First Adoption: March 25, 1997
Revision Adoption: September 10, 2002
Legal Reference: P.L. 94-553 Federal Copyright Law of 1976
(U.S. Code, Title 17)

Board Policy Document

- D. THE EFFECT OF THE USE UPON THE POTENTIAL MARKET FOR OR VALUE OF THE COPYRIGHTED WORK. If resulting economic loss to the copyright holder can be shown, even making a single copy of certain materials may be an infringement, and making multiple copies presents the danger of greater penalties.

While the District encourages its staff to enrich the learning programs by making proper use of supplementary materials, it is the responsibility of District staff to abide by the District's copying procedures and obey the requirements of the law. In no circumstances shall it be necessary for District staff to violate copyright requirements in order to perform their duties properly. The District cannot be responsible for any violations of the copyright law by its staff.

Any staff member who is uncertain as to whether reproducing or using copyrighted material complies with the District's procedures or is permissible under the law should contact the Superintendent or the person designated as the copyright compliance officer. For the purposes of this policy, the copyright compliance officer shall be either the Director of Technology or the Head Teacher for Media, as a staff member may choose. The copyright compliance officer will also assist staff in obtaining proper authorization to copy or use protected material when such authorization is required.

Any district designated copyright compliance officer in need of legal advice shall request such advice through the Superintendent's Office.

Board Policy Document

EDUCATIONAL PROGRAMS

Series 600

Policy Title: Copyright Compliance

Code Number: AR603.11

Staff may make copies of copyrighted District materials that fall within the following guidelines. Where there is reason to believe the material to be copied does not fall within these guidelines, prior permission shall be obtained from the principal. Staff members who fail to follow this procedure may be held personally liable for copyright infringement.

Under the "fair use" doctrine, unauthorized reproduction of copyrighted materials is permissible for such purposes as criticism, comment, news reporting, teaching, scholarship or research. Under the fair use doctrine, each of the following four standards must be met in order to use the copyrighted document:

- A. Purpose and Character of the Use – The use must be for such purposes as teaching or scholarship.
- B. Nature of the Copyrighted Work – The type of work to be copied.
- C. Amount and Substantiality of the Portion Used – Copying the whole of a work cannot be considered fair use; copying a small portion may be if these guidelines are followed.
- D. Effect of the Use Upon the Potential Market for or value of the Copyrighted Work – If resulting economic loss to the copyright holder can be shown, even making a single copy of certain

Board Policy Document

materials may be an infringement, and making multiple copies presents the danger of greater penalties.

Authorized Reproduction and Use of Copyrighted Material Reminders

- A. Materials on the Internet should be used with caution since they may, and likely are, copyrighted.
- B. Proper attribution (author, title, publisher, place and date of publication) should always be given.
- C. Notice should be taken of any alterations to copyrighted works, and such alterations should only be made for specific instructional objectives.
- D. Care should be taken in circumventing any technological protection measures. While materials copied pursuant to fair use may be copied after circumventing technological protections against unauthorized copying, technological protection measures to block access to materials may not be circumvented.

~~Authorized Reproduction and Use of
Copyrighted Material in Books and Periodicals~~

In preparing for instruction, a teacher may make or have made a single copy of:
the following:

- A. A chapter from a book;
- B. An article from a newspaper or periodical;
- C. A short story, short essay, or short poem; or,

First Adoption: March 25, 1997
Revision Adoption: September 24, 2002
Legal Reference:

Board Policy Document

- D. A chart, graph, diagram, drawing, cartoon or picture from a book, periodical or newspaper.

A teacher may make multiple copies not exceeding more than one per pupil, for classroom use or discussion if the copying meets the tests of "brevity, spontaneity and cumulative effect" set by the following guidelines (Each copy must include the notice of copyright present in the original work.):

A. Brevity

1. A complete poem, if less than 250 words, and if printed on not more than two pages, may be copied in its entirety; excerpts from longer poems cannot exceed 250 words;
2. Complete articles, stories or essays of less than 2,500 words may be copied. Excerpts from prose works of not more than 1,000 words or 10 percent of the work—whichever is less—may be copied, but in any event, a minimum of 500 words may be copied;
3. Each numerical limit set forth above may be expanded to permit the completion of an unfinished line of a poem or an unfinished prose paragraph;
4. One chart, graph, diagram, drawing, cartoon or picture per book or periodical issue may be copied;
5. "Special" works cannot be reproduced in full under any circumstances; however, an excerpt of not more than two published pages containing not more than 10 percent of the words in the text of such special work may be reproduced. What constitutes a "Special" work is not clearly defined; however, special works include children's books combining poetry, prose or poetic prose with illustrations and which are less than 2,500 words in their entirety. For a further discussion on what constitutes a "Special" work, see Agreement on Guidelines for classroom copying in not-for-print educational institutions with respect to books and periodicals.

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- B. Spontaneity—Copying should be at the “instance and inspiration” of the individual teacher; and the inspiration and decision to use the work and the moment of its use for maximum teaching effectiveness are so close in time that it would be unreasonable to expect a timely reply to a request for permission.
- C. Cumulative Effect—Teachers are limited to using copied material for only one course in the school in which copies are made. No more than one short poem, article, story, essay or two excerpts from the same author may be copied, and no more than three works or excerpts can be copied from a collective work or periodical volume during one class term. Teachers are limited to nine instances of multiple copying for one course during one class term. The numerical limitations set forth above do not apply to current news periodicals, newspapers, and current news sections of other periodicals.

Performances by teachers or students of copyrighted dramatic works without authorization from the copyright owner are permitted as part of a teaching activity in a classroom or instructional setting. All other performances require permission from the copyright owner.

Notwithstanding any of the foregoing, the copyright law prohibits using copies to create, replace, or substitute for anthologies, compilations, or collective works. There shall be no copying of or from works intended to be “consumable” in the course of study or of teaching. “Consumable” works include: workbooks, exercises, standardized tests, test booklets, and answer sheets. Teachers cannot substitute copies for the purchase of books, publishers’ reprints, or periodicals, nor can they repeatedly copy the same item from term-to-term. Copying cannot be directed by a “higher authority,” and students cannot be charged more than the actual cost of photocopying.

Teachers may use copyrighted material in overhead or opaque projectors for instructional purposes.

Authorized Reproduction and Use of Copyrighted Materials in the Library

A library may make a single copy or three digital copies (containing the notice of copyright present on the original work) of:

First Adoption: March 25, 1997
Revision Adoption: September 24, 2002
Legal Reference:

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- A. ~~An unpublished work which is in its collection solely for purposes of preservation and security or for deposit for research use in another qualified library or archives; or~~
- B. A published work in order to replace it because it is damaged, deteriorated, lost, or stolen, provided that an unused replacement cannot be obtained at a fair price.
- C. A work that is being considered for acquisition, although use is strictly limited to that decision. Technological protection measures may be circumvented for purposes of copying materials in order to make an acquisition decisions.

A library may provide a single copy of copyrighted material to a student or staff member at no more than the actual cost of photocopying. The copy must be limited to one article of a periodical issue or a small part of other material, unless the library finds that the copyrighted work cannot be obtained elsewhere at a fair price. In the latter circumstance, the entire work may be copied. In any case, the copy shall contain the notice of copyright present in the original work and the student or staff member shall be notified that the copy is to be used only for private study, scholarship, or research. Any other use may subject the person to liability for copyright infringement and the library shall not make a copy if it has notice of any other use. ~~The foregoing reproduction right shall not apply to musical works, motion pictures, or other audio-visual works (other than an audio visual work dealing with news), or pictorial, graphic, or sculptural works (other than pictorial or graphic works published as illustrations, diagrams, or similar adjuncts to works of which copies are reproduced hereunder).~~

~~At the request of a teacher, copies may be made for reserve use. The same limits apply as for single or multiple copies designated in "Authorized Reproduction and Use of Copyrighted Material in Print."~~

Authorized Reproduction and Use of Copyrighted Music or Dramatic Works

For academic purposes, other than performance, teachers may make a single copy of an entire performable unit (section), movement, aria, etc. from a printed

Board Policy Document

musical work that is (1) confirmed by the copyright proprietor to be out of print or (2) unavailable except in a larger work, for purposes of preparing for instruction.

A teacher may make multiple copies not exceeding one copy per pupil for classroom use of an excerpt of not more than 10 percent of a printed musical work if it is to be used for academic purposes other than performance, provided that the excerpt does not comprise a part of the whole musical work which would constitute a performable unit such as a selection, movement, or aria. In an emergency, a teacher may make and use replacement copies of printed music for imminent musical performances when the purchased copies have been lost, destroyed, or are otherwise not available, provided that purchased copies shall be substituted in due course.

A teacher may make and retain a single recording of student performances of copyrighted material when it is made for purposes of evaluation or rehearsal.

A teacher may make and retain a single copy of excerpts from recordings of copyrighted musical works ~~owned by the school or the individual teacher~~ for use as aural exercises or examination questions.

A teacher may edit or simplify purchased copies of music provided that the fundamental character of the music is not distorted. Lyrics shall not be altered or added if none exist.

Copying cannot be used to create, replace, or substitute for anthologies, compilations, or collective works; copying of consumable works is prohibited. Copying for the purpose of performance is prohibited, except in the case of an emergency as set forth above, and copying for the purpose of substituting for the purchase of music is prohibited, except as set forth in the first and second paragraphs above. All copies must include the copyright notice appearing on the printed copy.

Performance by teachers or students of copyrighted musical works is permitted without the authorization of the copyright owner as part of a teaching activity in a classroom or instructional setting. The purpose shall be instructional rather than for entertainment.

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If the requirements of the foregoing paragraph are not satisfied, performances of non-dramatic musical works which are copyrighted are permitted without the authorization of the copyright owner, provided that:

- A. The performance is not for a commercial purpose;
- B. None of the performers, promoters, or organizers are compensated; and
- C. There is no direct or indirect admission charge; or (2) Admission fees are used for educational or charitable purposes only; provided that the copyright owner has not objected to the performance.

All other musical performances require permission from the copyright owner.

Off-Air Recording of Copyrighted Programs

Television programs, excluding news programs, transmitted by commercial and non-commercial television stations for reception by the general public without charge (hereinafter referred to as "broadcast programs") may be recorded off-air simultaneously with broadcast transmission (including simultaneous cable retransmission) and retained by a school for a period not to exceed the first forty-five (45) consecutive calendar days after date of recording. Upon conclusion of this retention period, all off-air recordings must be erased or destroyed immediately. Certain programming such as that provided on public television may be exempt from this provision; check with the teacher librarian.

Off-air recordings may be used once by individual teachers in the course of relevant instructional activities, and repeated once only when instructional reinforcement is necessary in classrooms and similar places devoted to instruction, during the first ten (10) consecutive school days in the forty-five (45) calendar day retention period. "School days" are school session days—not counting weekends, holidays, vacations, examination periods, or other scheduled interruptions.

Off-air recordings may be made only at the request of and used by individual teachers, and may not be regularly recorded in anticipation of requests. No

Board Policy Document

broadcast program may be recorded off-air more than once at the request of the same teacher, regardless of the number of times the program may be broadcast.

A limited number of copies may be reproduced from each off-air recording to meet the legitimate needs of teachers under these guidelines. Each additional copy shall be subject to all provisions governing the original recording.

After the first ten (10) consecutive school days, off-air recordings may be used up to the end of the forty-five (45) calendar day retention period only for teacher evaluation purposes, i.e., to determine whether or not to include the broadcast program in the teaching curriculum. Permission must be secured from the publisher before the recording can be used for instructional purposes or any other non-evaluation purpose after the ten (10) day period.

Off-air recordings need not be used in their entirety, but the recorded programs may not be altered from their original content. Off-air recordings may not be physically or electronically combined or merged to constitute teaching anthologies or compilations.

All copies of off-air recordings must include the copyright notice on the broadcast program as recorded.

**Authorized Reproduction and Use of
Video Rentals or Videos Purchased for Home Use Only**

Videos may only be rented for classroom use from agencies or companies, which allow for such use. Many retail video rental stores have strict license agreements prohibiting use with large, non-home audiences. These restrictions may also apply to the use of videos purchased for home use. Staff is expected to review and honor these agreements.

It is important to understand the difference between "public performance" and "home use." The copyright owner has exclusive rights to perform the work publicly and display the work publicly. Therefore, care needs to be taken that a "home use only" video does not become a "public performance" at school.

In order for a school to use a video without paying royalties for a public performance, ALL FOUR of these criteria must be met:

First Adoption: March 25, 1997
Revision Adoption: September 24, 2002
Legal Reference:

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- A. The use must take place in a classroom or similar place of instruction.
- B. The use must be part of the regular instructional process and must not be merely for entertainment or reward.
- C. The use must be in the course of face-to-face teaching activities.
- D. The video must be a lawfully made or acquired copy.

The above criteria must also be met in order to broadcast a "home use only" video over the school's closed circuit video system.

**Authorized Reproduction and Use of
Copyrighted Computer Software and CD-ROM Products**

Schools have a valid need for high-quality software at reasonable prices. To assure a fair return to the authors of software programs, the District shall comply with the copyright laws and any usage agreements that are applicable to the acquisition of software programs.

To this end, the following guidelines shall be in effect:

- A. All copyright laws and license agreements between the vendor and the District shall be observed;
- B. Staff members shall take reasonable precautions to prevent copying or the use of unauthorized copies on school equipment, to avoid the installation of privately purchased software on school equipment and to avoid the use of single copy software or CD-ROM products across a network with multiple users unless such use is permitted by the applicable license agreement;
- C. A back-up copy shall be purchased for use as a replacement when a program is lost or damaged. If the vendor is not able to supply such, the District shall make a back-up program in accordance with the terms of the applicable license agreement or 17 U.S.C. and 117 and attest that the program will be used for replacement purposes only; and

Board Policy Document

- D. The Principal is authorized to sign a software license agreement on behalf of the school. A copy of said agreement shall be retained by the Principal, and a copy sent to the Director of Technology.

**Authorized Reproduction and Use of
Copyrighted Information in a Multimedia Presentation**

Fair Use Guidelines for Educational Multimedia

~~Educators or students need not write for permission if their presentation falls within the specific multimedia fair use guidelines. Educators and students are advised to note that if there is a possibility that their own educational multimedia project incorporating copyrighted works under fair use could later result in broader dissemination, whether or not as a commercial product, it is strongly recommended that they take steps to obtain permissions during the developmental process for all copyrighted portions rather than waiting until after completion of the project.~~

~~Fair use ends when the multimedia project creator (educator or student) loses control of the project's use, such as when it is accessed by others over the Internet.~~

Students may incorporate portions of copyrighted materials in producing educational multimedia projects such as videos, slideshows, podcasts and web sites for a specific course, and may perform, display or retain the projects.

~~To this end, the following guidelines shall be in effect:~~

- A. ~~Students and teachers must include on the opening screen of their programs and materials that their presentation has been prepared under the fair use exemption of the U.S. Copyright Law and is restricted from further use.~~
- B. ~~Students may incorporate portions of lawfully acquired copyrighted works when producing their own educational multimedia projects for a specific course.~~

First Adoption: March 25, 1997
Revision Adoption: September 24, 2002
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- C. ~~Students may perform and display their own multimedia projects and may use them in their portfolios.~~
- D. ~~Educators may incorporate portions of lawfully-acquired copyrighted works for their own teaching in support of curriculum-based instructional activities.~~

Educators may perform and display their own multimedia projects to students in these situations in support of curriculum-based instructional activities. These projects may be used:

- A. In face to face instruction
- B. ~~In demonstrations of how to create multimedia~~
~~productions and presentations; including at conferences~~
- C. ~~In assignments to students for directed self-study~~
- D. For remote instruction to students enrolled in courses as long as the distribution signal is limited
- E. ~~Over a if the network used to access the multimedia project that cannot prevent duplication of copyrighted material for fifteen days. students or educators may use the projects over an otherwise secure network for a period of only 15 days after its initial real-time remote use in the course of instruction or 15 days after its assignment for directed self-study. after that, students, enrolled in the course, may place one of the two copies on reserve in a media center for on-site use. After fifteen days a copy may be saved onsite only; or,~~
- F. ~~retain their multimedia project in their personal portfolios~~

Educators and students must acquire copyright permission if the project is for commercial reproduction and distribution. Even for educational uses, educators and students must acquire permission for all copyrighted works before replicating beyond the limitations presented in these guidelines.

Board Policy Document

~~H. Educators and students may not use their projects over electronic networks, except as outlined above, without acquiring copyright permission.~~

Fair use does not include posting a student or teacher's work on the Internet if it includes portions of copyrighted materials. Permission to copy shall be obtained from the original copyright holder(s) before such projects are placed online. The opening screen of such presentations shall include notice that permission was granted and materials are restricted from further use.

The following limitations restrict the portion of any given work that may be used pursuant of fair use in an educational multimedia project:

- A. Motion media: ten percent or three minutes, whichever is less;
- B. Text materials: ten percent or 1,000 words, whichever is less;
- C. Poetry: an entire poem of fewer than 250 words, but no more than three poems from one author or five poems from an anthology. For poems of greater than 250 words, excerpts of up to 250 words may be used, but no more than three excerpts from one poet or five excerpts from an anthology;
- D. Music, lyrics and music video: Up to ten percent, but no more than thirty seconds. No alterations that change the basic melody or fundamental character of the work;
- E. Illustrations, cartoons and photographs: No more than five images by an artist, and no more than ten percent or fifteen images whichever is less from a collective work;
- F. Numerical data sets: Up to ten percent or 2,500 field or cell entries, whichever is less;

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Copying Limitations

Circumstances will arise when staff are uncertain whether or not copying is prohibited. In those circumstances, the Superintendent or designated copyright compliance officer should be contacted. The following prohibitions have been expressly stated in guidelines agreed to by representatives of educators and authors/publishers:

- A. Reproduction of copyrighted material shall not be used to create or substitute for anthologies, compilations, or collective works.
- B. Unless expressly permitted by agreement with the publisher and authorized by District action, there shall be no copying from copyrighted consumable materials such as workbooks, exercises, test booklets, answer sheets, and the like.
- C. Staff shall not:
 - 1. Use copies to substitute for the purchase of books, periodicals, music recordings, computer software, or other copyrighted material except as permitted by District procedure;
 - 2. Copy or use the same item from term to term without the copyright owner's permission;
 - 3. Copy or use more than nine instances of multiple copying of protected material for one course in any one term;
 - 4. Copy or use more than one short work or two excerpts from works of the same author in any one term; or
 - 5. Copy or use protected material without including the notice of copyright present in the original work and the following is a satisfactory notice: NOTICE: THIS MATERIAL MAY BE PROTECTED BY COPYRIGHT LAW (Title 17, U.S. Code).

See Board Policies 603.10 and 603.11.

First Adoption: March 25, 1997
Revision Adoption: September 24, 2002
Legal Reference:

Board Policy Document

BOARD OF DIRECTORS

Series 200

Policy Title: Name of School District

Code Number: 200

The District is declared a school corporation by the name of "The Sioux City Community School District in the counties of Woodbury and Plymouth, State of Iowa," and commonly referred to as the "Sioux City Community School District." The Sioux City Community School District shall hereafter be referred to as the "District."

First Adoption: September 22, 1992
Revision Adoption: August 12, 1997/April 30, 2002
Legal Reference:

Board Policy Document

BOARD OF DIRECTORS

Series 200

Policy Title: Powers and Responsibilities of the Board of Directors

Code Number: 200.2

The Board is authorized to govern the School District which it oversees. As the governing Board of the School District, the Board has three duties to perform: legislative duty, executive duty and evaluative duty.

As a representative of the citizens of the School District community, the Board is responsible for legislating policy for the School District. As a policy-making body, the Board has jurisdiction to enact policy with the force and effect of law for the management and operation of the School District.

It is the responsibility of the Board, under the Board's executive duty, to select its chief executive officer, the Superintendent, to operate the School District on the Board's behalf. The Board delegates to the Superintendent its authority to carry out Board policy, to formulate and carry out rules and regulations and to handle the administrative details in a manner which supports and is consistent with Board policy.

The Board has a responsibility to review the education program's performance under its evaluative duty. The Board regularly reviews the education program and ancillary services. The review includes a careful study and examination of the facts, conditions and circumstances surrounding the amount of funds received or expended and the education program's ability to achieve the Board's educational philosophy and goals for the School District.

First Adoption: September 22, 1992

Revision Adoption: September 9, 1997/July 15, 2003

Legal Reference: Code of Iowa 264,1l 268,1m 268,7m 268,29l 279,12
(2007); 281 IAC 12.3(s); ~~Constitution of the State of Iowa;~~
~~Iowa Administrative Code~~

Board Policy Document

~~The Board of Directors of the Sioux City Community School District, acting on behalf of the District, shall have jurisdiction over school matters within the territory of the District.~~

~~The Board is empowered to make policy for its own governance, for employees, for students, and for District facilities. The Board is also empowered to enforce its policies. The Board may, through its quasi-judicial power, conduct hearings and rule on issues and disputes confronting the District. The Board has these powers and all other powers expressly granted to it in federal and state law, as well as implied powers as necessary to make available the powers expressly conferred and essential to effectuate the purpose of the Board.~~

First Adoption: September 22, 1992
Revision Adoption: September 9, 1997/July 15, 2003
Legal Reference: Code of Iowa 264,11 268,1m 268,7m 268,29l 279,12
(2007); 281 IAC 12.3(s); Constitution of the State of Iowa,
Iowa Administrative Code

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BOARD OF DIRECTORS

Series 200

Policy Title: Authority of Member

Code Number: 200.6

Members of the Board shall have authority only when acting as a Board legally in session. The Board shall in no way be bound by any statement or action on the part of an individual member, except when such statement or action is in pursuance of specific instruction of the Board.

First Adoption: September 22, 1992
Revision Adoption: August 12, 1997/April 30, 2002
Legal Reference:

Board Policy Document

BOARD OF DIRECTORS

Series 200

Policy Title: Code of Ethics of the Board

Code Number: 200.7

Board members are public officials who should strive to perform all the duties of office in an ethical manner.

Board members should operate within the Code of Ethics established by the Iowa Association of School Boards.

See Board Rules 200.7 (BR200.7).

First Adoption: September 22, 1992
Revision Adoption: September 9, 1997/May 28, 2002
Legal Reference: ~~Iowa Code 68B.2A, 279.7A, 301.28~~ Iowa Code Chapter
21.6(3)(d); 68B; 69; 277.28; 279.7A, 279.8; 301.28 (2007)

Board Policy Document

BOARD OF DIRECTORS

Series 200

JANUARY 2008—DAANE

Policy Title: Code of Ethics

Code Number: BR200.7

Board members' actions, verbal and nonverbal, reflect the attitude and the beliefs of the District. Therefore, Board members must conduct themselves professionally and in a manner fitting to their position.

Each Board member shall follow the Code of Ethics stated in this policy.

AS A SCHOOL BOARD MEMBER:

1. I will listen.
2. I will respect the opinion of others.
3. I will whenever possible recognize the integrity of my predecessors and associates and the merit of their work.
4. I will be motivated only by an earnest desire to serve my District and the children of my District community in the best possible way.
5. I will not use the District or any part of the District program for my own personal advantage or for the advantage of my friends or supporters.
6. I will vote for a closed session of the Board if the situation requires it, but I will consider "star chamber" or "secret" sessions of Board members unethical.
7. I will recognize that to promise in advance of a meeting how I will vote on any proposition which is to be considered is to close my mind and agree not to think through other facts and points of view which may be presented in the meeting.

First Adoption: September 9, 1997

Revision Adoption: May 28, 2002

Legal Reference: ~~Iowa Code 68B.2A, 279.7A, 301.28~~ Iowa Code Chapter 21.6(3)(d); 68B; 69; 277.28; 279.7A, 279.8; 301.28 (2007)

Board Policy Document

8. I will expect, in Board meetings, to spend more time on education programs and procedures than on business details.
9. I will recognize that authority rests with the Board in legal session and not with individual members of the Board, except as authorized by law.
10. I will make no disparaging remarks, in or out of the Board meeting, about other members of the Board or their opinions.
11. I will express my honest and most thoughtful opinions frankly in Board meetings in an effort to have decisions made for the best interests of the children and the education program.
12. I will insist that the members of the Board participate fully in Board action and recommend that when special committees are appointed, they serve only in an investigative and advisory capacity.
13. I will abide by majority decisions of the Board.
14. I will carefully consider petitions, resolutions, and complaints and will act in the best interests of the District.
15. I will not discuss the confidential business of the Board with those who have no legal right of access to that business. ~~In my home, on the street, or in my office; the place for such discussion is the Board meeting.~~
16. I will endeavor to keep informed on local, state, and national educational developments of significance so I may become a better Board member.

IN MEETING MY RESPONSIBILITY TO MY SCHOOL DISTRICT COMMUNITY:

1. I will consider myself a trustee of public education and will do my best to protect it, conserve it, and advance it, giving to the children of my District community the educational facilities that are as complete and adequate as it is possible to procure within the financial resources of the District. ~~provide.~~
2. I will consider it an important responsibility of the Board to interpret the aims, methods, and attitudes of the District to the community.
3. I will earnestly try to interpret the needs and attitudes of the District community and do my best to translate them into the education program of the District.
4. I will attempt to procure adequate financial support for the District.
5. I will represent the entire District rather than individual electors, patrons, or groups.

First Adoption: September 9, 1997

Revision Adoption: May 28, 2002

Legal Reference: ~~Iowa Code 68B.2A, 279.7A, 301.28~~ Iowa Code Chapter 21.6(3)(d); 68B; 69; 277.28; 279.7A, 279.8; 301.28 (2007)

Board Policy Document

6. I will not regard District facilities as my own private property but as the property of the people.

First Adoption: September 9, 1997

Revision Adoption: May 28, 2002

Legal Reference: ~~Iowa Code 68B.2A, 279.7A, 301.28~~ Iowa Code Chapter
21.6(3)(d); 68B; 69; 277.28; 279.7A, 279.8; 301.28 (2007)

Board Policy Document

IN MY RELATIONSHIP WITH SUPERINTENDENT AND EMPLOYEES:

1. I will function, in meeting the legal responsibility that is mine, as a part of a legislative, policy-forming body, not as an administrative officer.
2. I will recognize that it is my responsibility, together with that of my fellow Board members, to see the District is properly run and not to run it them myself.
3. I will expect the District to be administered by the best-trained technical and professional people it is possible to procure within the financial resources of the District.
4. I will recognize the Superintendent as executive officer of the Board.
5. I will work through the administrative employees of the Board, not over or around them.
6. I will expect the Superintendent to keep the Board adequately informed through oral and written reports.
7. I will vote to employ employees only after the recommendation of the Superintendent has been received.
8. I will insist that contracts be equally binding on teachers and the Board.
9. I will recognize ~~give the Superintendent's authority power commensurate with the Superintendent's responsibility~~ and will not in any way interfere with, or seek to undermine, the Superintendent's authority.
10. I will give the Superintendent friendly counsel and advice.
11. I will present any personal criticism of employees to the Superintendent.
12. I will refer complaints to the proper administrative officer.

TO COOPERATE WITH OTHER SCHOOL BOARDS:

1. I will not employ a Superintendent, Principal, or Teacher who is already under contract with another District without first securing assurance from the proper authority that the person can be released from the contract.
2. I will consider it unethical to pursue any procedure calculated to embarrass a neighboring board or its representatives.
3. I will not recommend an employee for a position in another school district unless I would employ the employee under similar circumstances.
4. I will answer all inquiries about the standing and ability of an employee to the best of my knowledge and judgment, with complete frankness.

First Adoption: September 9, 1997

Revision Adoption: May 28, 2002

Legal Reference: ~~Iowa Code 68B.2A, 279.7A, 301.28~~ Iowa Code Chapter 21.6(3)(d); 68B; 69; 277.28; 279.7A, 279.8; 301.28 (2007)

Board Policy Document

5. I will associate myself with board members of other school districts for the purpose of discussing school district issues and cooperating in the improvement of the education program.

I have read and understand BR200.7 (Board of Education Code of Ethics), and agree to uphold the intent of this code. (This will be signed by November 1 of each year.)

Board Member Signature

First Adoption: September 9, 1997
Revision Adoption: May 28, 2002
Legal Reference: ~~Iowa Code 68B.2A, 279.7A, 301.28~~ Iowa Code Chapter 21.6(3)(d); 68B; 69; 277.28; 279.7A, 279.8; 301.28 (2007)

Board Policy Document

BOARD OF DIRECTORS

Series 200

Policy Title: Board Orientation

Code Number: 200.8

During the period of their candidacy, all candidates will be urged to attend, and be welcomed at, public meetings of the Board. All public information about the school system will be made available to them.

The Board considers it important that a new member be knowledgeable about school governance and operations, and insofar as possible, prepared to discuss and cast informed votes on matters before the Board—from the time he or she is sworn into office.

It is recommended that new Board member orientation include as many of the following activities as is practicable:

1. An orientation meeting with the Superintendent and the Board President;
2. Meetings with District directors, as the Superintendent in conjunction with individual board members deem useful;
3. An orientation to Board policies and administrative procedures;
4. An opportunity to attend workshops conducted by the Iowa Association of School Boards.

Board Policy Document

BOARD OF DIRECTORS

Series 200

Policy Title: Development of Policy

Code Number: 202.1

~~Policy statements may be proposed to the Board Policy Committee by individual members of the Board, administration, School District personnel, students, or any other member of the School District community. Proposed policy statements or ideas must be submitted to the Board Policy Committee through the office of the Superintendent or Board members in order to be placed on the agenda of a Board of Directors meeting. It shall be the responsibility of the Superintendent to bring these proposals to the attention of the Board.~~

~~Now and/or revised board policies must be presented to the Board of Directors for discussion and two readings prior to adoption. Board policies with no revisions must be presented to the Board of Directors for discussion and one reading prior to adoption.~~

The Board has jurisdiction to legislate policy for the School District with the force and effect of law. Board policy provides the general direction as to what the Board wishes to accomplish and why it wishes to accomplish it while allowing the Superintendent to implement Board policy.

The written policy statements contained in this manual provide guidelines and goals to the citizens, administration, employees and students in the School District community. The policy statements are the basis for the formulation of regulations by the administration. The Board will determine the effectiveness of the policy statements by evaluating periodic reports from the administration.

Policy statements may be proposed by a Board member, administrator, employee, student or member of the School District community. Proposed

First Adoption: October 13, 1992
Revision Adoption: September 9, 1997/May 28, 2002
Legal Reference: Iowa Code §§274.1-.2, 279.8, 280.12 (1989)

Board Policy Document

policy statements or ideas will be submitted to the Superintendent's Office for possible placement on the Board agenda. It is the responsibility of the Superintendent to bring these proposals to the attention of the Board.

The complete set of board policies, as currently adopted, shall be available on the Internet on the School District's website (www.sioux-city.k12.ia.us)

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BOARD OF DIRECTORS

Series 200

Policy Title: Administrative Action in Absence of Policy

Code Number: 202.5

When there is no board policy in existence to provide guidance on a matter, the Superintendent is authorized to act appropriately under the circumstances surrounding the situation keeping in mind the educational philosophy and financial condition of the School District.

It is the responsibility of the Superintendent to inform the Board of the situation and the action taken and to document the action taken. If needed, the Superintendent will draft a proposed policy for the Board to consider.

~~The Superintendent is authorized to decide on a course of action when there is no board policy to provide guidance keeping in mind the educational philosophy of the District.~~

First Adoption: October 13, 1992
Revision Adoption: September 9, 1997/May 28, 2002
Legal Reference: Iowa Code §279.8 (1989)

Board Policy Document

BOARD OF DIRECTORS

Series 200

Policy Title: Board Committees

Code Number: 203.1

The Board shall act as a committee of the whole. The Board may establish standing committees in order to further its business.

Ad hoc committees may be created by a majority of the Board to carry out specific functions where deemed advisable and expeditious. Such committees shall be disbanded upon completion of their assignments.

Committees shall have no power to commit the Board or District to any course of action, except as specifically directed by the Board. They may act only in a deliberative, advisory or investigatory capacity. All recommendations of committees shall be presented and acted upon by the Board at regular or special Board meetings. Written recommendations by the committees shall be included in the Board packet along with rationale and pertinent information.

Public notice shall be given for all Board committee meetings in accordance with established procedures and requirements of law. Board committee meetings are subject to the open meetings law.

A complete and accurate set of minutes for each committee meeting shall be recorded under the direction of the committee chairperson.

Minutes shall include:

1. A record of all actions taken by the committee, including the vote thereon.

First Adoption: October 13, 1992
Revision Adoption: January 27, 1998/April 12, 2005
Legal Reference:

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2. A summary of discussion as related to information used to help make determinations.

Written minutes of each meeting shall be prepared as soon as possible. Copies of the minutes shall be provided to the committee members for their approval.

Copies of approved committee meeting minutes will go to all Board members for their information and will be filed in the Board Secretary's Office. Committee minutes will not be published.

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DELETE AS IN 203.2

BOARD OF DIRECTORS

Series 200

Policy Title: Board and Advisory Committees

Code Number: AR203.1

Members of Board-appointed advisory committees shall be recruited and appointed in the following manner:

- The Board Secretary shall publish a request for volunteers for each new committee or for vacancies on existing committees.
- The notice shall be made not more than ten (10) working days after the Board has voted to establish a committee or at least thirty (30) days prior to the annual reappointment of a Board committee.
- The Board Secretary may publish new committee openings in *The Sioux City Journal* for at least one week to include a Sunday with a deadline for application. Application forms will be available from the Board Secretary.
- Board members shall appoint members through the usual nomination and voting procedures available according to Robert's Rules of Order. Applicants for committee service need not be present to be appointed. The Board reserves the right to interview applicants.

First Adoption:	October 13, 1992	1
Revision Adoption:	July 23, 1996/January 26, 2000/April 12, 2005	
Legal Reference:	In accordance with Board Policy or applicable state or federal statutes; state, and/or federal laws	

Board Policy Document

- The Board President or other designated Board member will convene and preside at the Organizational Meeting of any newly appointed Board committee.
- For advisory committees (example: District Advisory Committee, Equity Committee, Building Oversight Committee, Finance Oversight Committee), one-third of the membership shall be appointed annually. If necessary, lots will be drawn to select the one-third and members will be rotated until all are on a three-year rotation.

First Adoption:	October 13, 1992	2
Revision Adoption:	July 23, 1996/January 26, 2000/April 12, 2005	
Legal Reference:	In accordance with Board Policy or applicable state or federal statutes; state, and/or federal laws	

Board Policy Document

BOARD OF DIRECTORS

Series 200

Policy Title: Appointment of Members to Board Committees

Code Number: 203.2

Members of all Board-appointed committees established by the Board of Education shall be recruited and appointed in the following manner:

1. The Board Secretary shall publish a request for volunteers for each new committee or for vacancies on existing committees.
2. The notice shall be made not more than ten (10) working days after the Board has voted to establish a committee or at least thirty (30) days prior to the annual re-appointment of a Board committee.
3. The Board Secretary shall publish new committee openings in *the Sioux City Journal* for at least one week to include a Sunday with a deadline for application. Application forms will be available from the Board Secretary.
4. Board members shall appoint members through the usual nomination and voting procedures available according to Robert's Rules of Order. Applicants for committee service need not be present to be appointed. The Board reserves the right to interview applicants.
5. The Board President or other designated Board member will convene and preside at the Organizational Meeting of newly appointed board committees.
6. For standing committees, one-third of the membership shall be appointed annually. If necessary, lots will be drawn to select the one-third and members will be rotated until all are on a three-year rotation.

First Adoption: October 13, 1992

Revision Adoption: July 23, 1996/January 26, 2000/February 27, 2006

Legal Reference: in accordance with Board Policy or applicable state or federal statutes. State, and/or federal laws.

Board Policy Document

7. The Board President, with notice to the Board, may appoint members to fill unexpired terms of standing committee members who have resigned or otherwise fail to complete their committee term.

First Adoption: October 13, 1992
Revision Adoption: July 23, 1996/January 26, 2000/February 27, 2006
Legal Reference: in accordance with Board Policy or applicable state or federal statutes. State, and/or federal laws.

Board Policy Document

BOARD OF DIRECTORS

Series 200

Policy Title: **Organization of the Board of Directors**

Code Number: **204.5**

The Board is organized for the purpose of setting policy and providing general direction for and oversight of the District. The Board shall hold its organizational meeting each year at the first regular meeting following the canvass of votes. The retiring Board shall transfer materials, including the Board Policy Manual, and responsibility to the new Board.

At this meeting, the Board will elect a President, who will hold office for one year. Once elected, the President will be entitled to vote on all matters before the Board.

The election of the President and Vice President of the Board shall comply with the requirements of the open meetings law.

Meeting Procedure

The organizational meeting of the Board will be held in two parts: the final meeting of the retiring Board, and the organizational meeting of the new Board.

1. Final Meeting of the Retiring Board

- a. Call to order
- b. Pledge of Allegiance
- c. Roll call
- d. Approval of agenda
- e. Minutes of previous meeting(s)
- f. Routine action items

First Adoption: July 12, 1983
Revision Adoption: November 13, 1995/January 11, 2000
Legal Reference: Code of Iowa 279.1

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- g. Action items
- h. Review of election results
- i. President's comments
- j. Adjournment of retiring Board, "sine die"

2. Organizational Meeting of the New Board

- a. Call to order
- b. Roll call
- c. Oath of office administered by Board Secretary
- d. Appointment of President Pro-tem
- e. Permanent organization of the Board

- 1) Permanent organization of the Board will be effected by electing a President and Vice President from the members of the Board. The President and Vice President shall take office immediately.

The mechanics of the election of the President can be by open nomination or by ballot as the Board prefers. A motion may be presented to determine which method shall be used.

Nominations will be taken for the office of President. When the nominations are completed, voting will take place. If no nominee receives a majority of the vote, the Board will vote again. Nominees may remove their names at any time during the process. Voting continues until a nominee receives four or more votes. A similar procedure will be followed for the election of the Vice President.

- f. Adjourn

Vacancies in Officer Positions

The filling of vacancies for officer positions is covered by state statute (279.3 and 279.5).

First Adoption: July 12, 1983
Revision Adoption: November 13, 1995/January 11, 2000
Legal Reference: Code of Iowa 279.1

Board Policy Document

BOARD OF DIRECTORS

Series 200

Policy Title: **Agenda-for-Board Meetings/Agendas**

Code Number: **204.9**

Regular Meetings

Regular meetings of the Board shall be held on the second and fourth Monday of each month unless otherwise designated.

All meetings shall be held in the meeting place officially designated by the Board, which shall be the Education Service Center, unless otherwise approved by the Board in regular session. Regular meetings shall begin at 6:00 p.m.

Public notice of each regular meeting of the Board shall be provided.

Special Meetings

Special meetings may be called by vote of the Board, or called by the President, or by the Secretary upon the request of a majority of the members of the Board.

The agenda for all special meetings shall be limited to that item or items for which the special meeting is called.

Emergency Meetings

The Board may meet on an emergency basis without a twenty-four hour advance notice for good cause when the notice requirements are impossible or impractical. However, the Board shall give as much advance notice of an emergency meeting as is reasonably possible. The minutes of the meeting shall specify the reason for the emergency meeting.

Closed Sessions of the Board

First Adoption: July 12, 1983
Revision Adoption: August 12, 1997/April 30, 2002
Legal Reference:

Board Policy Document

A specific motion stating the reason for the closed meeting must be made and seconded, followed by a two-thirds affirmative roll call vote of the total membership of the Board or all members present. The Board may enter into a closed session for the following reasons:

1. To review or discuss records which are required or authorized by state or federal law to be kept confidential or to be kept confidential as a condition for that governmental body's possession or continued receipt of federal funds.
2. To discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation.
3. To discuss whether to conduct a hearing or to conduct hearings to suspend or expel a student, unless an open session is requested by the student or a parent or guardian of the student if the student is a minor.
4. To avoid disclosure of specific law enforcement matters, such as current or proposed investigations, inspection or auditing techniques or schedules, which if disclosed would enable law violators to avoid detection.
5. To evaluate the professional competency of an individual whose appointment, hiring, performance or discharge is being considered when necessary to prevent needless and irreparable injury to that individual's reputation and that individual requests a closed session.
6. To discuss the purchase of particular real estate only where premature disclosure could be reasonably expected to increase the price the governmental body would have to pay for that property. The minutes and the tape recording of a session closed under this paragraph shall be available for public examination when the transaction discussed is completed.
7. Any other matters for which closed sessions are permitted by law.

Board Policy Document

The vote of each member on the question of holding the closed session, and the reason for holding the session, shall be announced publicly in open session and entered in the minutes. Final action on all matters discussed in closed session shall be taken in open session.

All closed sessions shall be tape recorded and have detailed minutes kept. The tape recordings shall be kept for one year from the date of the meeting. Real estate related minutes and tapes must be released after the transaction is complete.

Exemptions to the Open Meetings Law

A meeting that is exempt from the open meetings law can be held without public notice, and may be separate from any open public meeting.

The Board may meet at any time to discuss negotiation strategy regarding a certified bargaining unit, to discuss negotiation strategy for groups of employees not included in a certified bargaining unit, and to conduct a private hearing relating to the recommended termination of a teacher's contract and the teacher request said private hearing.

There are no legal requirements for any type of a record to be maintained of the negotiation strategy sessions. The private hearing in the teacher's contract termination shall be recorded verbatim by a certified shorthand reporter.

An agenda with appropriate enclosures will be prepared and delivered or mailed to each Board member by the Superintendent. These should reach the members of the Board sufficiently in advance of the meeting to allow adequate time for study and review.

The agenda for each regular and special meeting shall be posted at the administrative office at least 24 hours prior to the time of said meeting. The agenda shall also be widely distributed to staff, to citizens requesting it, and to the news media.

Action on any item can only take place with items on the agenda as published. These provisions do not preclude the taking of testimony at regularly scheduled meetings on matters not on the agenda, which any member of the public may wish to bring before the Board, provided that no action is taken by the Board on such matters at that same meeting.

Board Policy Document

Individuals or groups who wish to place an item on the agenda should do so by writing the Superintendent of Schools, Administrative Service Center, 1221 Pierce Street, Sioux City, Iowa 51105. Requests should include name, address, telephone number, organization represented, purpose of the presentation, and pertinent background information. To be included on the regular meeting agenda, requests must be received by the Superintendent no later than 4:00 p.m. on the Thursday preceding the Tuesday meeting. Items received after that time will not be considered until the next Board meeting, except upon the recommendation of the President or by a majority of the Board members present.

Board Agendas

An agenda with appropriate attachments will be prepared and delivered or mailed to each Board member by the Superintendent's Office. These should reach the members of the Board sufficiently in advance of the meeting to allow adequate time for study and review.

The agenda for each regular and special meeting shall be posted at the administrative office at least 24 hours prior to the time of said meeting. The agenda shall also be widely distributed to staff, to citizens requesting it, to the news media and placement on the district website.

Action on any item can only take place with items on the agenda as published. These provisions do not preclude the taking of testimony at regularly scheduled meetings on matters not on the agenda, which any member of the public may wish to bring before the Board, provided that no action is taken by the Board on such matters at that same meeting.

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First Adoption: July 12, 1983
Revision Adoption: August 12, 1997/April 30, 2002
Legal Reference:

Board Policy Document

DELETE AS INCLUDED IN 204.9

BOARD OF DIRECTORS

Series 200

Policy Title: Board Meetings

Code Number: AR204

Regular Meetings

Regular meetings of the Board shall be held on the second and fourth Tuesday of each month unless otherwise designated.

All meetings shall be held in the meeting place officially designated by the Board, which shall be the Education Service Center, unless otherwise approved by the Board in regular session. Regular meetings shall begin at 6:00 p.m.

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First Adoption: October 13, 1992

Revision Adoption: January 27, 1998/January 27, 2004

Legal Reference:

Board Policy Document

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2. To discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation.
3. To discuss whether to conduct a hearing or to conduct hearings to suspend or expel a student, unless an open session is requested by the student or a parent or guardian of the student if the student is a minor.
4. To avoid disclosure of specific law enforcement matters, such as current or proposed investigations, inspection or auditing techniques or schedules, which if disclosed would enable law violators to avoid detection.
5. To evaluate the professional competency of an individual whose appointment, hiring, performance or discharge is being considered when necessary to prevent needless and irreparable injury to that individual's reputation and that individual requests a closed session.
6. To discuss the purchase of particular real estate only where premature disclosure could be reasonably expected to increase the price the governmental body would have to pay for that property. The minutes and the tape recording of a session closed under this paragraph shall be