

Policy 200.3 POWERS OF THE BOARD OF DIRECTORS

The board of the New Hampton Community School District, acting on behalf of the school district, shall have jurisdiction over school matters within the territory of the school district.

The board is empowered to make policy for its own governance, for employees, for students and for school 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 school district.

The board has these powers and all other powers expressly granted to it in federal and state law as well as the powers that can be reasonably implied from the express powers.

Legal Reference:

Board of Directors of Ind. School Dist. of Waterloo v. Green, 259 Iowa 1260, 147 N.W.2d 854 (1967).

[Iowa Code §§ 28E; 274.1-2; 279.8](#) (2005).

[281 I.A.C. 12.1\(2\)](#).

1990 Op. Att'y Gen. 66.

Cross Reference:

210 Board of Directors' Management Procedures

Approved May 2015 Reviewed April 2015 Revised March 1997

New Hampton Community School District

Policy 215 PUBLIC PARTICIPATION IN BOARD MEETINGS

The board recognizes the importance of citizen participation in school district matters. In order to assure citizens are heard and board meetings are conducted efficiently and in an organized manner, the board shall set time aside for citizen participation, either at a specific time during the meeting or during the discussion of agenda items. Citizens wishing to address the board on a certain agenda item must notify the superintendent prior to the board meeting. Citizens wishing to present petitions to the board may do so at this time. The board, however, will only receive the petitions and not act upon them or their contents. The board has the discretion to limit the amount of time set aside for public participation.

If the pressure of business or other circumstances dictate, the board president may decide to eliminate this practice. The board president will recognize these individuals to make their comments at the appropriate time. The orderly process of the board meeting shall not be interfered with or disrupted. Only those speakers recognized by the board president shall be allowed to speak. Comments by others are out of order. If disruptive, the individual causing disruption may be asked to leave the board meeting.

Individuals who have a complaint about employees may bring their complaint to the board only after they have followed board policy addressing citizens' complaints. Students who have a complaint may only bring their complaint to the board after they have followed board policy addressing students' complaints.

Legal Reference:

[Iowa Code §§ 21; 22; 279.8](#) (2005).

Cross Reference:

104 The People and Their School District

205.1 Board Security and Protection

214 Board of Directors' Meeting Agenda

216 Public Hearings

402.5 Public Complaints About Employees

Approved November 2017 Reviewed October 2017 Revised March 1997

New Hampton Community School District

Regulation 215.1R1 GENERAL COMPLAINTS BY CITIZENS

The board recognizes that concerns regarding the operation of the school district will arise. The board further believes that constructive criticism can assist in improving the quality of the education program and in meeting individual student needs more effectively. The board also places trust in its employees and desires to support their actions in a manner which frees them from unnecessary or unwarranted criticism and complaints.

Procedures for dealing with complaints concerning programs or practices should be governed by the following principles:

- where action/investigation is desired by the complainant, or where it seems appropriate, the matter should be handled as near the source as possible;
- complaints should both be investigated and, if possible, resolved expeditiously;
- complaints should be dealt with courteously and in a constructive manner; and,
- individuals directly affected by the complaint should have an opportunity to respond.

Specific procedures for handling complaints may be established in policies. The board, consistent with its board policy-making role, will deal with complaints concerning specific schools, programs or procedures only after the usual channels have been exhausted. Complaints regarding employees or complaints by students will follow the more specific policies on those issues.

When a complaint requiring attention is received by the board or a board member it will be referred to the superintendent. After all of the channels have been exhausted, the complainant may appeal to the board by requesting a place on the board agenda or during the public audience portion of the board meeting. If the complainant appeals to the board, the appeal shall be in writing, signed and explain the process followed by the complainant prior to the appeal to the board. It is within the board's discretion to determine whether to hear the complaint.

Legal Reference:

[Iowa Code §§ 21; 22; 279.8](#) (2005).

Cross Reference:

104 The People and Their School District

205.1 Board Security and Protection

214 Board of Directors' Meeting Agenda

216 Public Hearings

402.5 Public Complaints About Employees

Approved November 2017 Reviewed October 2017 Revised March 1997

New Hampton Community School District

Policy 502.5 FREEDOM OF EXPRESSION

Student expression, other than student expression in student-produced official school publications, made on the school district premises or under the jurisdiction of the school district or as part of a school-sponsored activity may be attributed to the school district; therefore, student expression must be responsible. Student expression must be appropriate to assure that the students learn and meet the goals of the school activity and that the potential audience is not exposed to material that may be harmful or inappropriate for their level of maturity.

Students will be allowed to express their viewpoints and opinions as long as the expression is responsible. The expression shall not, in the judgment of the administration, encourage the breaking of laws, defame of persons, be obscene or indecent, or cause a material and substantial disruption to the educational program. The administration, when making this judgment, shall consider whether the activity in which the expression was made is school-sponsored and whether review or prohibition of the students' speech furthers an educational purpose. Further, the expression must be done in a reasonable time, place, and manner that is not disruptive to the orderly and efficient operation of the school district.

Students who violate this policy may be subject to disciplinary measures. Employees shall be responsible for insuring students' expression is in keeping with this policy. It shall be the responsibility of the superintendent to develop administrative regulations regarding this policy.

Legal Reference:

[U.S. Const. amend. I.](#)

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

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

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

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

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

[Iowa Code §§ 279.8; 280.22; 282.3](#) (2005).

Cross Reference:

502 Student Rights and Responsibilities

504 Student Activities

603.9 Academic Freedom

904.5 Distribution of Materials

Approved October 2018 Reviewed September 2018 Revised June 2008

New Hampton Community School District

Policy 606.4 SCHOOL CEREMONIES AND OBSERVANCES

The school district will continue school ceremonies and observances which have become a tradition and a custom of the education program. These include, but are not limited to, reciting the Pledge of Allegiance and observance of holidays, such as Christmas, Halloween and Easter, by programs and performances. Such ceremonies or observances shall have a secular purpose and shall not advocate or sponsor a particular religion.

Students who do not wish to participate in these activities may be silent during the ceremony or observance or receive permission from the principal to be excused from the ceremony for religious reasons in compliance with board policy.

Legal Reference:

[U.S. Const. amend. I.](#)

[Lee v. Weisman](#), 112 S.Ct. 2649 (1992).

[Lemon v. Kurtzman](#), 403 U.S. 602 (1971).

Graham v. Central Community School District of Decatur County, 608 F.Supp. 531 (S.D. Iowa 1985).

[Iowa Code § 279.8](#) (2005).

Cross Reference:

603 Instructional Curriculum

604.5 Religious-Based Exclusion From A School Program

Approved April 2019 Reviewed March 2019 Revised _____

New Hampton Community School District
