

**IN THE COURT OF APPEALS OF IOWA**

No. 7-855 / 07-0175  
Filed December 12, 2007

**JEFF SIMMONS and LOIS SIMMONS,**  
Plaintiffs-Appellants,

**vs.**

**SIOUX CITY COMMUNITY SCHOOL DISTRICT,**  
Defendant-Appellee.

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Appeal from the Iowa District Court for Woodbury County, Michael S. Walsh, Judge.

The plaintiffs appeal from the district court's order granting summary judgment in favor of the defendant. **AFFIRMED.**

Robert Green, Sioux City, for appellant.

Sharese Manker of Klass Law Firm, L.L.P., Sioux City, for appellee.

Considered by Vogel, P.J., and Mahan and Zimmer, JJ.

**VOGEL, P.J.**

Jeff and Lois Simmons brought an action against the Sioux City Community School District claiming, among other things, they suffered damages arising from the arrest and detention of their daughter following an incident which occurred during the school day. The School District answered that the lawsuit was frivolous, and asserted other affirmative defenses. The district court granted summary judgment in favor of the School District, noting the plaintiffs agreed with the School District's Statement of Undisputed Facts.

We review the district court's grant of summary judgment for correction of errors at law. Iowa R. App. P. 6.4; *Stevens v. Iowa Newspapers, Inc.*, 728 N.W.2d 823, 827 (Iowa 2007). The district court ruled that the School District did not have a duty to notify<sup>1</sup> the Simmons of their daughter's arrest and further that there was no evidence of damages, specifically any deprivation of their parental rights or relationship with their daughter. Additionally, the district court ruled that as the suit was brought by Lois and Jeff in their individual capacities, they did not have standing to assert a claim based upon a violation of their daughter's due process rights. Because we agree with the district court's fact finding and application of the law, we affirm pursuant to Iowa Court Rule 21.29(1)(a), (d), and (e).

**AFFIRMED.**

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<sup>1</sup> We note that after the Simmons' daughter arrived at juvenile detention, multiple attempts were made to notify the Simmons.