

Council School District #13

Policy Manual

Table of Contents

1000 SERIES—BOARD OF TRUSTEES

Continuity of the Board

Legal Status and Operation.....	1000
Organization and Classification.....	1010

School Board Elections

Membership	1100
Elections.....	1110
Candidate Edification.....	1110P
Taking Office.....	1120
Oath of Office	1120P
Resignation	1130
Vacancies	1140

Organization and Government of the Board

Annual Organization Meeting.....	1200
School Board Powers and Duties.....	1205
Qualifications, Terms, and Duties of Board Officers	1210
Clerk.....	1220
Duties of the Treasurer.....	1230
Duties of Individual Trustees.....	1240
Committees	1250
Authorization of Signatures and Electronic Signatures	1260

Governance

District Policy	1300
Administrative Procedures.....	1310
District Planning	1315
Management Rights	1320

Principals of Operations

Board/Staff Communications.....	1400
School Board Use of Email and Social Media.....	1405
Board/Superintendent Relationship	1410
Trustee Expenses	1420
Trustee Insurance.....	1430
Board Participation in Activities.....	1440

Board Meetings and Board Meeting Procedures

Board Meetings.....	1500
Board Meeting Procedure	1500P
Open Meeting Law Compliance and Cure.....	1510
Board Meeting News Coverage.....	1525

Board Ethics, Growth and Development	
Code of Ethics for School Board Members	1600
Trustee Conflict of Interest	1610
Trustee Spouse Employment	1615
Board Goals and Objectives.....	1620
Evaluation of Board	1630
Inservice Conference for Trustees	1640
Board Development Opportunities	1645
New Board Member Workshop.....	1650
2000 SERIES—INSTRUCTION	
Goals	2000
Curriculum	
Curriculum Development and Assessment.....	2100
Lesson Plan	2110
Program Evaluation and Diagnostic Tests	2120
K-3 Reading Intervention	2125
Research Studies	2130
Student and Family Privacy Rights.....	2140
Student and Family Privacy Rights – Consent Form.....	2140F
Copyright	2150
Copyright Compliance.....	2150P
Instructional Organization	
School Year, Calendar, and Instructional Hours	2200
School Closure	2210 & 2210P
Prekindergarten Programs.....	2220
Grade Organization.....	2230
Class Size.....	2240
Programs and Services	
Guidance and Counseling	2300
Nutrition Services	2305
Nutrition Education.....	2310
Physical Activity Opportunities and Physical Education	2315
Health Enhancement Education.....	2320
Driver Training Education	2325
Community and Adult Education	2330
Digital Citizenship and Safety Education	2335
Controversial Issues and Academic Freedom.....	2340
Parental Opt-Out Form for Sex Education.....	2340F
Speakers in the Classroom and at School Functions	2345
Controversial Speakers Procedure	2345P
Student Religious Activity at School.....	2350
Release Time.....	2355
Interscholastic Activities.....	2360
Participation of Private School Students in Federally Funded District Programs	2365
Homebound, Hospital, and Home Instruction	2370
Service Animals in Schools	2375
Head Start Program Coordination.....	2380

English Learners Program.....	<u>2385</u>
Education of Migratory Children Program	<u>2390</u>
Idaho Digital Learning Alliance Classes	<u>2395</u>
Special or Alternative Instruction	
<i>Special Education (RESERVED)</i>	<u>2400 & 2400P</u>
Section 504 of the Rehabilitation Act of 1973.....	<u>2410 & 2410P</u>
Parent and Family Engagement	<u>2420</u>
Parent and Family Engagement Guidelines.....	<u>2420P</u>
Parental Rights	<u>2425</u>
Gifted and Talented Program.....	<u>2430</u>
Advanced Opportunities	<u>2435</u>
Advanced Opportunities Participation Form	<u>2435F</u>
Online Courses and Alternative Credit Options	<u>2440</u>
Contracted Student Services	<u>2450</u>
Instructional Materials	
Library Materials	<u>2500</u>
Selection of Library Materials	<u>2510 & 2510P</u>
Curricular Materials	<u>2520</u>
Learning Materials Review.....	<u>2530</u>
Selection, Adoption, and Removal of Curricular Materials	<u>2540</u>
Field Trips, Excursions, and Outdoor Education.....	<u>2550</u>
Contests for Students	<u>2560</u>
Use of Commercially Produced Video Recordings	<u>2570</u>
Parental Opt-Out/Consent Form Regarding Movies.....	<u>2570F</u>
Use of Animals in Educational Programs	<u>2580</u>
District Procedure on Dissection of Animals.....	<u>2580P</u>
Student Permission for Exposure to Animal(s)	<u>2580F</u>
Grading and Promotion	
Promotion/Retention.....	<u>2600</u>
Advancement Requirements (6 through 9)	<u>2605</u>
Advancement Requirements (9 through 12)	<u>2610</u>
Grading and Progress Reports	<u>2620</u>
Parent-Teacher Conferences	<u>2625</u>
Homework.....	<u>2630</u>
Graduation	
High School Graduation Requirements	<u>2700 & 2700P</u>
Military Compact Waiver	<u>2705</u>
High School Graduation Requirements	<u>2710</u>
Participation in Commencement Exercises	<u>2720</u>
Accreditation	
Objectives	<u>2800</u>
3000 SERIES—STUDENTS	
Enrollment and Attendance	
Entrance, Placement, and Transfer	<u>3000</u>
Open Enrollment.....	<u>3010</u>
Open Enrollment Procedures	<u>3010P</u>
Open Enrollment Application Form	<u>3010F</u>

Enrollment and Attendance Records	3020 & 3020P
Part-Time Attendance/Dual Enrollment	3030
Compulsory Attendance.....	3040
Compulsory Attendance Prosecutor Letter Form	3040F1
Compulsory Attendance Prosecutor Referral Form.....	3040F2
Attendance Policy (Alternative 1)	3050A1
Attendance Policy (Alternative 2)	3050A2
Attendance Policy (Alternative 3)	3050A3
Attendance Policy (Alternative 4)	3050A4
Education of Homeless Children	3060
Students of Legal Age.....	3070
Nonresident Student Attendance Policy	3080
Foreign Exchange Students.....	3090A1
Foreign Exchange Students.....	3090A2
Programs for At-Risk/Disadvantaged Students	3100
Student Rights and Responsibilities	
Student Rights and Responsibilities.....	3200
Student Use of Buildings: Equal Access	3220
Student Clubs: Equal Access	3225
Student Clubs: Background	3225B
Student Club Risk Management Plan	3225F
Student Government	3230
Student Publications.....	3240
Distribution and Posting of Materials	3250
Student Dress	3255
Bring Your Own Technology Program.....	3260
Bring Your Own Technology Permission Form.....	3260F
Student Owned Electronic Communications Devices (Complete Ban)	3265A1
Student Owned Electronic Communications Devices (Devices Allowed).....	3265A2
District-Provided Access to Electronic Information, Services, and Networks.....	3270
Acceptable Use of Electronic Networks	3270P
Internet Access Conduct Agreement	3270F
District Provided Mobile Computing Devices (Allowed to Take Home)	3275A1
District Provided Mobile Computing Devices (Not Allowed to Take Home)	3275A2
Mobile Computing Device Agreement (Allowed to Take Home).....	3275FA1
Mobile Computing Device Agreement (Not Allowed to Take Home).....	3275FA2
Equal Education, Nondiscrimination, and Sex Equity	3280
Relationship Abuse and Sexual Assault Prevention and Response	3285
Sexual Harassment/Intimidation of Students.....	3290
Harassment Reporting Form for Students.....	3290F
Hazing, Harassment, Intimidation, Bullying, Cyber Bullying.....	3295 & 3295P
Complaint Form.....	3295F
Bullying Awareness Week.....	3296
Drug Free School Zone	3300
Prohibition of Tobacco Possession and Use	3305
Gangs and Gang Activity.....	3310
Substance and Alcohol Abuse	3320
Student Discipline.....	3330

Academic Honesty	3335
Corrective Actions and Punishment.....	3340 & 3340P
Use of Restraint, Seclusion, and Aversive Techniques for Students	3345
Detention.....	3350
Discipline of Students with Disabilities.....	3360
Student Sex Offenders	3365
Searches and Seizure.....	3370 & 3370P
Extracurricular and Co-Curricular Participation Policy	3380
Extra- and Co-Curricular Chemical Use Policy.....	3390
Extracurricular Activities Drug-Testing Program	3400
School Extracurricular Activity Consent Form	3400F
School Sponsored Student Activities.....	3410
Student Fund Raising Activities	3420
Distribution of Fund Drive Literature through Students.....	3430
Student Fees, Fines, and Charges/Return of Property	3440
Student Vehicle Parking	3450
Student Vehicle Parking Application.....	3450F
School-Related Foreign Travel by Students	3460
Student Protection	
Student Health/Physical Screenings/Examinations	3500
Concussion Protocol	3505
Acknowledgement of Receipt of Concussion Guidelines	3505F1
Authorization to Return to Play or Participate in Student Sports	3505F2
Student Medicines.....	3510
Authorization for Self-Administered Medication.....	3510F1
Indemnification/Hold Harmless Agreement for Self-Administration of Medication..	3510F2
Food Allergy Management	3515 & 3515P
Food Allergy Management—Background.....	3515B
Emergency Care Plan.....	3515F
Contagious or Infectious Diseases	3520
Immunization Requirements.....	3525
Suicide.....	3530
Emergency Treatment.....	3540
Student Interviews, Interrogations, or Arrests	3545
Student Arrest Form.....	3545F1
Student Interview Form	3545F2
Removal of Student During School Hours	3550 & 3550P
Video Surveillance.....	3560
Student-Tracking Safety Devices	3563
Termination of Driving Privileges	3565
Student Records	3570 , 3570P , & 3570F1
Permission to Use Likeness	3575F2
Student Data Privacy and Security	3575
Relations with Non-custodial Parents (More Detailed).....	3580A1
Relations with Non-custodial Parents (Less Detailed)	3580A2
Records of Missing Children	3610
Transfer of Student Records	3620

4000 SERIES—COMMUNITY RELATIONS

Goals	4000
Public Participation	
Public Relations	4100
Public Participation in Board Meeting	4105
Request to Address the Board.....	4105F
Public Complaints.....	4110
Uniform Grievance Procedure	4120
Uniform Grievance Form.....	4120F
Public Access to District Website.....	4130
Website Accessibility and Nondiscrimination.....	4135
Visitors to the Schools	4140
Accommodating Individuals with Disabilities.....	4150
Parents Right-to-Know Notices	4160
District or School Operated Social Media	4170
Public Access	
School-Support Organizations	4200
Community Use of School Facilities	4210 & 4210P
Fee Schedule for Community Use of School Facilities	4210F1
Community Use of School Facilities	4210F2
Facilities Use Agreement.....	4210F3
Equipment Usage.....	4225
Use of School Property for Posting Notices	4230
Distribution of Fund Drive Literature through Students.....	4240
Educational Research in District Schools	4250
Records Available to Public.....	4260
District Record Request Form	4260F
Public Conduct	
Conduct on School Property	4300
Contact with Students	4310
Disruption of School Operations	4320
Spectator Conduct and Sportsmanship for Athletic and Co-Curricular Events.....	4330
Relations with Governmental Agencies	
Relations with the Law Enforcement and Child Protective Agencies.....	4400
Investigations and Arrests by Police.....	4410
Sex Offenders.....	4420 , 4420F1 & 4420F2
Gifts	
Public Gifts/Donations to the Schools	4500 & 4500P
Public Gifts to the Schools.....	4510
Soliciting and Accepting Grants or Donations	4520
Crowdfunding	4530
Crowdfunding Request Form.....	4530F
Volunteers	
Volunteer Assistance	4600 & 4600P
Volunteer Application.....	4600F1
Volunteer Confidentiality	4600F2

5000 SERIES—PERSONNEL

Goals	5000
Hiring	
Hiring Process and Criteria	5100
Procedures for Obtaining Personnel Records for Applicants	5100P1
Veterans Preference	5100P2
Authorization for Release of Information Form	5100F1
Request to Employer Form	5100F2
Request for Verification of Certificate Form.....	5100F3
Certificated Personnel Reemployment	5105
Informal Review	5107
Criminal History/Background Checks	5110
Equal Employment Opportunity and Non-Discrimination	5120
Reporting New Employees	5125
Administrative Leave.....	5130
Employee Rights, Responsibilities and Conduct	
Applicability of Personnel Policies.....	5200
Job Descriptions.....	5205
Work Day.....	5210
Assignments, Reassignments, Transfers.....	5220
Accommodating Individuals with Disabilities.....	5230
Health Examinations.....	5235
Sexual Harassment/Sexual Intimidation in the Workplace	5240
Sexual Harassment/Sexual Intimidation in the Workplace Acknowledgement	5240F
Certificated Staff Grievances	5250
Abused and Neglected Child Reporting	5260
Report of Suspected Child Abuse, Abandonment, or Neglect.....	5260F
Employee Responsibilities Regarding Student Harassment	5265
Personal Conduct	5270
Adult Sexual Misconduct.....	5275
Professional Standards Commission (PSC) Code of Ethics	5280
Solicitations.....	5285
Political Activity - Staff Participation.....	5290
Professional Employee Representation for Purposes of Negotiations.....	5295
Tobacco Free Policy	5310
Drug- and Alcohol- Free Workplace	5320
Drug and Alcohol Abuse Testing Program and Procedures	5320P
Drug and Alcohol Abuse Testing Acknowledgement	5320F1
Drug and Alcohol Abuse Testing Agreement.....	5320F2
Employee Use of Social Media Sites, Including Personal Sites	5325
Recommended Practices for Use of Social Media Sites.....	5325P
Employee Electronic Mail and On-Line Services Usage	5330
Employee Electronic Mail and On-Line Services Use Acknowledgement	5330F
Employee Use of Electronic Communications Devices (Take Home Allowed).....	5335A1
Employee Use of Electronic Communications Devices (No Take Home Allowed)....	5335A2
Employee Use of Electronic Communications Devices (Alt. Take Home Allowed)...	5335A3
Mobile Computing Device Agreement (Take Home Allowed).....	5335FA1
Mobile Computing Device Agreement (Take Home Not Allowed).....	5335FA2

Evaluation of Certificated Personnel	5340
Parent and Guardian Input Form	5340F
Certified Personnel Resignation (Release from Contract).....	5350
Dress and Appearance.....	5360
Nonschool Employment by Professional Staff Members	5370
Professional Research and Publishing	5380
Employment Referrals and Prevention of Sexual Abuse.....	5390
Whistleblowing.....	5395
Compensation and Benefits	
Leaves of Absence	5400
Proof of Illness.....	5405
Family Medical Leave	5410 & 5410P
Jury Duty.....	5412
Witness for Court Appearance Leave	5413
Long-Term Illness/Temporary Disability	5420 & 5420P
Insurance Benefits for Employees/Trustees.....	5430
School Holidays	5440
Vacation Leave	5450
Workers' Compensation Benefits	5460
Leaves of Absence – Military Leave	5470
Leadership Premiums.....	5480
<i>Certified Personnel Records</i>	
Personnel Records.....	5500
Procedures for Releasing Personnel Records to Hiring School Districts	5500P
Employee Health and Welfare	
Staff Health	5600
Prevention of Disease Transmission.....	5610
Employment Practices	
Substitutes.....	5700
Paraprofessionals, Teachers' Aides and Paraeducators	5710
Private Service Providers/Consultants.....	5725
Volunteer--Authorization to Release Information	5730
Reduction in Force.....	5740
Reduction in Force (Alternative 1)	5740A1
Reduction in Force (Alternative 2)	5740A2
Reduction in Force.....	5740PA2F
Employing Retired Teachers and Administrators.....	5750
Classified Employees	
Classified Employment, Assignment, and Grievance.....	5800
Classified Employee Grievance Procedure.....	5800P
Compensatory Time and Overtime/Classified Employees	5810
Employee Compensation by Annualized Election	5815A1
Employee Compensation Non-Annualized Election	5815A2
Notice of Election for Annualized Salary	5815F1
Notice of Salary Payments for Ten-Month Employees	5815F2
Evaluation of Non-Certificated Staff.....	5820
Evaluation of School Bus Drivers.....	5825
Drug and Alcohol Testing for Drivers.....	5830 & 5830P

6000 SERIES—ADMINISTRATION

Goals[6000](#)
Superintendent[6100](#)
 Board/Superintendent Relations[6100P](#)
District Organization.....[6200](#)
Administrative Staff
 Duties and Qualifications of Administrative Staff Other Than Superintendent[6300](#)
 Employment Restrictions for Administrative Personnel[6310](#)
 Evaluation of Administrative Staff[6320](#)
 Professional Growth and Development[6330](#)
Principals.....[6400](#)
 Parent and Guardian Input Form.....[6400F](#)

7000 SERIES—FINANCIAL MANAGEMENT

Goals[7000](#)
Equivalence in Instructional Staff and Materials.....[7010](#)
Budget
 Budget and Program Planning[7100](#)
 Budget Implementation and Execution.....[7110](#)
 Budget Adjustments.....[7120](#)
Accounting System
 Accounting System Design.....[7200](#)
 Fixed Assets and Management Discussion and Analysis (GASB Statement 34).....[7210](#)
 Fund Accounting System (GASB Statement 54).....[7215](#)
 Federal Grant Financial Management System.....[7218](#)
 Documentation and Approval of Claims[7220](#)
 Financial Fraud and Theft Prevention.....[7225](#)
 Financial Reporting and Audits[7230](#)
 Fiscal Accountability and IDEA Part B Funds[7235](#)
 Written Compensation Procedure (Time and Effort).....[7235P](#)
 Federal Funds Semi-Annual Certification Form.....[7235F1](#)
 Personnel Activity Report.....[7235F2](#)
 Multiple Cost Objective Time and Effort Certification.....[7235F3](#)
 Fiscal Accountability and IDEA Part B Funds[7235](#)
 Retention of Records Relating to Federal Grants[7237](#)
 Programs for Indian Children [7240](#) & [7240B](#)
 Federal Impact Funds.....[7240P](#)
 Student Activity Funds[7260](#)
 Property Records.....[7270](#)
Revenues.....[7300](#)
 Investment of Funds.....[7305](#)
 Advertising in Schools/Revenue Enhancement[7310](#)
 Allowable Uses for Grant Funds.....[7320](#)
 Determining Necessity and Reasonableness of Expenses[7320P1](#)
 Selected Items of Cost[7320P2](#)
Expenses
 Miscellaneous Procurement Standards[7400](#)

Federal Award Requirements	7400P1
Procurement Methods Under a Federal Award	7400P2
Requirements and Restrictions for Procurement Under a Federal Award.....	7400P3
General Procurement Standards for Federal Awards.....	7400P4
Public Works Contracting and Procurement.....	7405
Procuring Public Works, Services, and Personal Property	7405P
Public Procurement of Goods and Services	7407
Entering into Professional Service Contracts	7408
Acquisition of Real and Personal Property	7409
Petty Cash Funds.....	7410
Personal Reimbursements	7420
Travel Allowances and Expenses	7430
District Credit Cards	7440
District Credit Card Holder Agreement.....	7440F
Federal Cash Management Policy	7450
Timely Obligation of Funds.....	7450P1
Federal Program Income.....	7450P2
Federal Debarment and Suspension.....	7455
Fees	
New Fees or Increase of Fees	7500
Financial Emergency	
Declaration of Financial Emergency	7600
Declaration of Financial Emergency Resolution Form	7600FA1
Declaration of Financial Emergency Resolution Form	7600FA2
Declaration of Financial Emergency Procedure	7600P
Bond Account	7700
Bond Continuing Disclosure and Certification Requirements.....	7710
 8000 SERIES—NON-INSTRUCTIONAL OPERATIONS	
Goals	8000
Transportation	8100
Extracurricular Transportation.....	8105
Extracurricular Transportation Discipline	8105P
Extracurricular Transportation Liability Waiver	8105F
Safety Busing	8110
Hours of Service of Drivers	8115
Bus Routes, Stops, and Non-Transportation Zones	8120
Transportation of Students with Disabilities.....	8130
Student Conduct on Buses	8140
Unauthorized School Bus Entry.....	8150
Contracting for Transportation Services.....	8160
District-Owned Vehicles.....	8170 & 8170P
Driver Training and Responsibility	8180
Use of Wireless Communications Devices by Bus Drivers.....	8185
Emergencies Involving Transportation Vehicles.....	8190
District Vehicle Idling.....	8195
Wellness	
Local School Wellness.....	8200

District Nutrition Committee	8210
Food Services	8220
Nutrition Standards	8230
Water Consumption/Water Bottle Policy	8235
School Meals.....	8240
Unpaid School Meal Charges	8245
Guidelines for Food and Beverages Sales	8250
Teacher-to-Student Incentive.....	8270
Emergencies	
Emergency and Disaster Preparedness	8300 & 8300P1
Explosion or Fallen Aircraft Procedure	8300P2
Hazardous Material Spill	8300P3
Bomb Threat	8300P4
Bomb Threat Report Form.....	8300P4F
Violent or Criminal Behavior	8300P5
Earthquake	8300P6
Severe Weather Emergency: Tornado or Lightning	8300P7
Natural Gas Leak	8300P8
Broken Water Main.....	8300P9
Automated External Defibrillators.....	8310 & 8310P
Automated External Defibrillators – Certified Users Form.....	8310F1
Automated External Defibrillators – Inspection and Inventory Form	8310F2
Automated External Defibrillators – Incident Report Form	8310F3
Fire Drills and Evacuation Plans.....	8320
Emergency Drills, Rules, and Procedures.....	8320P
Risk Management	8500
District Safety	8510
Inspection of School Facilities.....	8520
Property Damage	8530
Records Management.....	8600
Retention of District Records.....	8605
Health Insurance Portability and Accountability Act	8610
Computer Software	8700
Drones	8800
 9000 SERIES—SCHOOL FACILITIES	
Goals	9000
Use and Disposal of School Property	9100
Contractor License, Surety Bonds, and Insurance	9200
Operation and Maintenance of District Facilities	9300
Safety Program.....	9400
Security	9500
Facilities Operations	9600
Waste Management and Recycling.....	9610
District-Wide Asbestos Program	9700
Hazard Mitigation – Chemistry Lab Disposal	9705
Naming of School Facilities.....	9800A1

Naming of School Facilities.....	9800A2
Memorials on School Grounds Not Allowed.....	9805A1
Memorials on School Grounds	9805A2

Council School District No. 13

THE BOARD OF TRUSTEES

1000

Legal Status and Operation

The Board of Trustees of the Council School District is the governmental entity established by the State of Idaho to plan and direct all aspects of the District's operations to the end that students shall have ample opportunity to achieve their individual and collective learning needs and to provide a thorough system of education.

The District in its corporate capacity may sue and be sued and may acquire, hold, and convey real and personal property necessary to its establishment, extension, and existence. The District shall have authority to issue negotiable coupon bonds and incur such other debt in the amounts and manner as prescribed by law.

The policies of the Board define the organization of the Board and the manner of conducting its official business. The Board's operating policies are those the Board adopts from time to time to facilitate the performance of its responsibilities.

Legal Reference:	I.C. § 33-301	School Districts Bodies Corporate
	I.C. § 33-511	Maintenance of Schools
	I.C. § 33-512	Governance of Schools
	I.C. § 33-1612	Thorough System of Public Schools

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

THE BOARD OF TRUSTEES

1010

Organization and Classification

The legal name of this District is Council School District No.13, Adams County, State of Idaho. The District is classified as a K-12 school district giving instruction to pupils in grades K (kindergarten) through 12.

In order to achieve its primary goal of providing each child with the necessary skills and attitudes to become effective citizens, the Board shall exercise the full authority granted to it by the laws of the State of Idaho. Its legal powers, duties, and responsibilities are derived from the Idaho Constitution and State statutes and rules. Sources such as the school laws of Idaho and the rules and regulations of the State Board of Education delineate the legal powers, duties, and responsibilities of the Board.

Legal Reference: I.C. § 33-302	Classification of School Districts
I.C. § 33-305	Naming and Numbering School Districts
I.C. § 33-506	Organization and Government of Board of Trustees

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

THE BOARD OF TRUSTEES

1100

Membership

The District is governed by a Board of Trustees consisting of five Members. Each Member is to represent a different trustee zone unless a Trustee was appointed at-large to fill a Board vacancy. The Board's powers and duties include the broad authority to adopt and enforce all necessary policies for the management and government of the public schools. Except as otherwise provided by law, Trustees shall hold office for terms of four years until January 1 of the year in which Trustee's term expires.

All Trustees shall participate on an equal basis with other Members in all business transactions. Official action by Board Members must occur at a duly called and legally conducted meeting. A meeting of the Board means convening to make a decision or to deliberate toward a decision on any matter.

School Board Members, as individuals, have no authority over school affairs or personnel, except as provided by law or as authorized by the Board.

Legal Reference:	I.C. § 33-313	Trustee Zones
	I.C. § 33-501	Board of Trustees
	I.C. § 33-504	Vacancies on Boards of Trustees
	I.C. § 74-202	Open Public Meetings – Definitions

Policy History

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

THE BOARD OF TRUSTEES

1110

Elections

Elections conducted on behalf of the District are nonpartisan elections governed by the election laws of the State of Idaho and include the election of the Board Trustees, various public policy propositions, and advisory questions.

Board Trustee elections shall be held on the first Tuesday following the first Monday in November in odd-numbered years. Any person legally qualified to hold the position of school district trustee may file a declaration of candidacy for the office. The declaration must include the name of the candidate, the term for which declaration of candidacy is made, and include the signatures of not fewer than five School District electors residing in the trustee zone of which the candidate seeks election. Such declaration must be filed with the clerk of the District not later than 5:00 PM on the ninth Friday preceding the day of the election for the subject Trustee position. Any person seeking to become a write-in candidate must file a declaration of intent with the county clerk not later than 45 days before the election date and include the signatures of not fewer than five school district electors residing in the trustee zone of which the candidate seeks election.

If, after expiration of the date for filing written nominations, it appears that only one qualified candidate has been nominated for a position or if only one candidate has filed a write-in declaration of intent, no election shall be held for that position. The Board or the clerk, with the written permission of the Board, shall declare such candidate elected as a Trustee. The clerk shall immediately prepare and deliver to the person a certificate of election signed by him or her bearing the seal of the District. All other scheduled trustee elections will move forward under the regular procedures.

In each trustee zone, the person receiving the greatest number of votes cast within his or her zone shall be declared by the Board as the Trustee elected from that zone. If any two or more persons have an equal number of votes in any Trustee zone and a greater number than any other nominee in that zone the Board of Trustees shall determine the winner by a toss of a coin.

Legal Reference:	§ I.C. 33-401	Legislative Intent
	§ I.C. 33-501	Board of Trustees
	§ I.C. 33-502	Declaration of Candidacy for Trustees
	§ I.C. 33-502B	Board of Trustees – One Nomination – No Election
	§ I.C. 33-503	Election of Trustees – Uniform Date
	§ I.C. 34-1404	Declaration of Candidacy
	§ I.C. 34-1407	Write-in Candidates

Policy History:

Adopted on:

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Council School District No. 13

THE BOARD OF TRUSTEES

1110P

Candidate Edification

Candidates for appointment or election to the Board shall be urged to attend public meetings of the Board. All public information about the school system shall be made available to them. Additionally, the Board directs the Superintendent to cooperate impartially with all candidates in providing them with information about school governance, Board operations, and school programs.

Candidates in school district with 500 students or more should be informed of the requirement to file campaign finance disclosures and directed to the County Clerk's Office for information on the filing requirements and deadlines.

Notices of candidate meetings that are sponsored by impartial, nonpartisan organizations may be announced in District publications or be sent home with students. The following procedures shall be followed:

1. If a candidate is scheduled to appear or speak as a part of a school-sponsored program, all candidates for that position shall be invited to attend or to send representatives;
2. The school will not send home partisan materials through the students; and
3. The Superintendent shall invite all candidates to an information session. Each candidate will be given the same materials and information at these sessions.

Procedure History

Promulgated on:

Revised on:

Reviewed on:

Council School District No. 13

THE BOARD OF TRUSTEES

1120

Taking Office

At the time of nomination, election, or appointment, each Trustee shall be a school district elector of the District and a resident of the trustee zone from which nominated and elected or appointed.

Each Trustee shall qualify for and assume office on the next January 1 following his or her election or, if appointed, at the regular meeting of the Board of Trustees next following such appointment.

An oath of office shall be administered to each Trustee, whether elected, re-elected, or appointed. The oath may be administered by the clerk, or by a Trustee of the District. The records of the District shall show such oath of office to have been taken and by whom the oath was administered and shall be filed with the official records of the District.

Cross Reference: 1140

Vacancies

Legal Reference: I.C. § 33-501

Board of Trustees

I.C. § 33-504

Vacancies on Boards of Trustees

I.C. § 59-401

Loyalty Oath—Form

I.C. § 59-402

Time of Taking Oath

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

BOARD OF TRUSTEES

1120P

Oath of Office

An oath of office is required to be administered to each School Board Trustee, whether elected, re-elected, or appointed. The Trustee is required to take his or her oath within ten days after the Trustee has notice of his or her election or appointment, or within 15 days from the commencement of his or her term of office. Before any Trustee, elected or appointed, enters upon the duties of his or her office, he or she must take the following oath:

I do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of Idaho, and that I will faithfully discharge the duties of Trustee of the Council School District #13 according to the best of my ability.

The oath is required to be administered by the clerk or by a Trustee. Additionally, the records of the District are required to show that such oath of office has been taken and by whom the oath was administered. Finally, this information is required to be filed with the official records of the District.

A Trustee holds office from January 1 following their election in November until January 1 in the year in which his or her term of office expires, unless he or she:

1. Dies;
2. Resigns as Trustee;
3. Removes him or herself from the trustee zone of residence;
4. Is no longer a resident or school district elector of the District;
5. Refuses to serve as Trustee;
6. Fails to attend four consecutive regular meetings of the Board without an acceptable excuse to the Board of Trustees; or
7. Is recalled and discharged from office.

If the Trustee is appointed, he or she holds office from the time he or she takes the oath of office until January 1 in the year in which the original term of office to which he or she was appointed expires, unless he or she:

1. Dies;
2. Resigns as Trustee;
3. Removes him or herself from the trustee zone of residence;
4. Is no longer a resident or school district elector of the District;
5. Refuses to serve as Trustee;
6. Fails to attend four consecutive regular meetings of the Board without an acceptable excuse to the Board; or
7. Is recalled and discharged from office.

Procedure History

Promulgated on:

Revised on:

Reviewed on:

Council School District No. 13

THE BOARD OF TRUSTEES

1130

Resignation

Resignation of a Trustee, for whatever reason, must be submitted in writing to the clerk. The Board shall accept the resignation at any duly convened regular or special meeting and proceed to fill the vacancy as provided by statute and Board policy.

Trustees retiring from the Board may be recognized for their service to the District by presentation of a service plaque or other appropriate activities.

Legal Reference: I.C. § 33-504 Vacancies on Boards of Trustees
 I.C. § 59-902 Resignations

Policy History

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

THE BOARD OF TRUSTEES

1140

Vacancies

A vacancy shall be declared by the Board of Trustees within 30 days of when any of the following occurs: A Trustee:

1. Dies;
2. Resigns;
3. Removes him or herself from the trustee zone of residence;
4. No longer is a resident or school district elector of the District;
5. Refuses to serve as Trustee;
6. Fails to attend four consecutive regular meetings of the Board of Trustees without excuse acceptable to the Board; or
7. Is recalled and discharged from office.

A Trustee position also shall be vacant when an elected candidate fails to qualify.

A declaration of vacancy shall be made at any regular or special meeting of the Board when any of the above-mentioned conditions are determined to exist.

In the case of a trustee vacancy, the remaining Trustees shall fill the vacancy by appointment. The Board will receive applications from any qualified persons seeking to fill the position after suitable public notice. The Board will consider all applications from qualified persons seeking to fill the position in open session. The Board will appoint one candidate to serve for the balance of the unexpired term of office which was declared vacant. In the event the Board of Trustees is unable to appoint a Trustee from the zone vacated after 90 days from the date the Board declared the vacancy, the Board of Trustees may appoint a person at-large from within the boundaries of the School District to serve as the Trustee from the zone where the vacancy occurred. Otherwise, after 120 days of the declaration of vacancy, the county commissioners of the county in which the District is situated shall appoint a qualified person to fill such vacancy.

Cross Reference: 1240 Duties of Individual Trustees

Legal Reference:	I.C. § 33-501	Board of Trustees
	I.C. § 33-504	Vacancies on Boards of Trustees
	I.C. §74-206(1)(a)	Executive Sessions When Authorized

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

THE BOARD OF TRUSTEES

1200

Annual Organization Meeting

After the issuance of the election certificates to the newly elected Trustees in November and on the date of its regular January meeting, the Board shall elect from among its members a Chair and a vice chair to serve one year terms. The Board shall also elect a clerk and a treasurer, who may be Members of the Board of Trustees or, at the discretion of the Board, either or both positions may be selected from among competent and responsible persons outside the membership of the Board. The Board, in its discretion, may allow compensation for the clerk and for the treasurer if other than the county treasurer. If a Board Member is unable to continue to serve as an officer, a replacement shall be elected immediately. In the absence of both the Chair and the vice chair, the Board shall elect a chair pro tempore, who shall perform the functions of the Chair during the latter's absence. The clerk shall act as Board secretary.

The normal order of business shall be modified for the annual organizational meeting by considering the following matters after the approval of the minutes of the previous meeting:

1. Welcome and introduction of newly-elected Board Members by the current Chair;
2. Swearing in of newly-elected Trustees;
3. Call for nominations for Chair to serve during the ensuing year;
4. Election of a Chair;
5. Assumption of office by the new Chair;
6. Call for nominations for vice chair to serve during the ensuing year;
7. Election of a vice chair;
8. Election of a clerk; and
9. Election of a treasurer; and
10. Review the code of ethics.

Policies and bylaws shall continue from year to year until and unless the Board changes them.

Legal Reference: I.C. § 33-506 Organization and Government of Board of Trustees
 I.C. § 33-510 Annual Meetings – Regular Meetings – Board of Trustees

Policy History:

Adopted on:

Revised on:

Reviewed on:

School Board Powers and Duties

The Board shall concern itself primarily with broad questions of policy rather than with administrative details. The application of policies is an administrative task to be performed by the Superintendent and District staff, who shall be held responsible for the effective administration and supervision of the entire school system.

The Board, functioning within the framework of laws, court decisions, opinions of attorneys general, State Department of Education regulations, and similar mandates from the State and national levels of government, recognizing the authority of the State, fulfills its mission as the governing body of a political subdivision by acting as follows in the execution of its duties:

1. Enacting policy;
2. Adopting courses of study and providing instructional aides;
3. Employing all staff members and fixing and prescribing their duties;
4. Approving the budget, financial reports, audits, major expenditures, payment of obligations, and policies whereby the administration may formulate procedures, regulations, and other guides for the orderly accomplishment of business;
5. Estimating and seeking to provide funds for the operation, support, maintenance, improvement, and extension of the school system;
6. Providing for the planning, expansion, improvement, financing, construction, maintenance, use, and disposition of physical plants of the school system;
7. Prescribing the minimum standards needed for the efficient operation and improvements of the school system;
8. Evaluating the educational program to determine the effectiveness with which the schools are achieving the educational purpose of the school system;
9. Requiring the establishment and maintenance of records, accounts, archives, management methods, and procedures considered essential to the efficient conduct of school business;
10. Providing for the dissemination of information relating to the schools necessary for creating a well-informed public.

Legal Reference: I.C. § 33-313 Trustee Zones
 I.C. § 33-501 Board of Trustees
 I.C. § 74-202 Open Public Meetings – Definitions

Policy History

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

THE BOARD OF TRUSTEES

1210

Qualifications, Terms, and Duties of Board Officers

The Board officers are the Chair and vice chair. These officers are elected at the annual organizational meeting.

Chair

The Board elects a Chair from its members for a one year term. The duties of the Chair are to:

1. Preside at all meetings and conduct meetings in the manner prescribed by the Board's policies;
2. Make all Board committee appointments;
3. Sign all papers and documents as required by law and as authorized by the action of the Board; and
4. Close Board meetings as prescribed by Idaho law.

The Chair is permitted to participate in all Board meetings in a manner equal to all other Board members, including the right to participate in debate and to vote. The Chair may not make a motion, but may second motions.

Vice Chair

The vice chair shall preside at all Board meetings in the absence of the Chair, and shall perform all of the duties of the Chair in case of the Chair's absence or disability.

Legal Reference: I.C. § 33-506 Organization and Government of Board of Trustees

Policy History

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

THE BOARD OF TRUSTEES

1220

Clerk

The clerk of the Board shall have such duties as prescribed by the Board and the Superintendent. The clerk of the Board shall attend all meetings of the Board, unless excused by the Chair, keep an accurate record of the proceedings, and enter in said record all matters required by law or by the Board so to be entered. The clerk shall have custody of the records, books, and documents of the Board. In the absence or inability of the clerk to attend a Board meeting, the Board will designate a person to serve as temporary clerk for the meeting. The temporary clerk shall keep the record of the proceedings of the Board and certify the same to the clerk.

The clerk will make the preparations legally required for the notice and conduct of all District elections.

Legal Reference: I.C. § 33-506 Organization and Government of Board of Trustees
 I.C. § 33-508 Duties of Clerk

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

THE BOARD OF TRUSTEES

1230

Duties of the Treasurer

The treasurer shall have such duties as prescribed by the Board. The treasurer shall be placed under fidelity bond issued by a surety company authorized to do business in the State of Idaho in such amount as determined by the Board or under personal bond equal to twice such determined amount with at least two sureties who each shall qualify as in the case of sureties on the bonds of county officers.

The treasurer shall account for the deposit of all moneys of the District in accordance with the provisions of the public depository law, Chapter 1, Title 57, Idaho Code.

The Board may elect one or more assistant treasurers who shall have such duties as prescribed by the Board. Assistant treasurers shall act at and under the control, supervision, and direction of the treasurer.

Legal References: I.C. § 33-506	Organization and Government of Board of Trustees
I.C. § 33-509	Duties of the Treasurer
I.C. § 33-509A	Assistant Treasurers

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

THE BOARD OF TRUSTEES

1240

Duties of Individual Trustees

The authority of individual Trustees is limited to participating in actions taken by the Board as a whole when legally in session. Trustees shall not assume responsibilities of administrators or other staff members. Neither the Board nor staff shall be bound by an action taken or statement made by an individual Trustee except when such statement or action is pursuant to specific instructions and official action taken by the Board.

Each Trustee shall review the agenda and any study materials distributed prior to the meeting and be prepared to participate in the discussion and decision-making for each agenda item.

Each Member is obligated to attend both regular and special Board meetings. Whenever possible, each Trustee shall give advance notice to the Chair or Superintendent of the Trustee's inability to attend a Board meeting. A majority of the Board may excuse a Trustee's absence from a meeting if requested to do so.

Cross Reference: 1140

Vacancies

Legal Reference: I.C. § 33-506

Organization and Government of Board of Trustees

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

THE BOARD OF TRUSTEES

1250

Committees

Generally, the Trustees will function as a committee of the whole. Nevertheless, the Board may create Board committees as deemed necessary.

Standing committees of the Board may be created and their purpose defined by a majority of the Board. The Board Chair shall appoint Trustees to serve on such committees. Board committees shall be limited to less than half of the Board.

Advisory Committees

Advisory committees may be organized when appropriate. Both District-wide and at the school level, advisory committees shall function within the organizational frameworks approved by the Board. A staff member will be assigned to each group to help it carry out its functions. The composition of the advisory committees shall be broadly representative and shall take into consideration the specific task assigned to the committee. Only the Board shall have the authority to dissolve the committees it has created.

The Board will instruct each committee as to:

1. The length of time each member is invited to service;
2. The service the Board wishes the committee to render;
3. The resources the Board will provide;
4. The approximate dates on which the Board wishes to receive major reports;
5. Board policies governing citizens' committees and the relationship of these committees to the Board as a whole, individual Board members, the Superintendent, and other members of the professional staff; and
6. Responsibilities for the release of information to the press.

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

THE BOARD OF TRUSTEES

1260

Authorization of Signatures and Electronic Signatures

For the conduct of the business of the District, the Board may grant authority to specific staff to sign certain documents on behalf of the District.

The Chair, Superintendent, Business Manager, and Clerk are authorized to use a facsimile signature plate or stamp or other electronic signature as addressed herein.

Invoices

Staff employed by the District, in the following designated positions, are authorized to certify invoices for the District:

1. Business Manager; and
2. Superintendent.

Checks

The school principal is designated as the custodian of each school building activity fund. The Superintendent is designated as the custodian of all District petty cash accounts. Staff employed by the District, in the following designated positions, are authorized to sign on behalf of the Board checks drawn on any specific petty cash account:

1. Business Manager; and
2. Secretaries/Assistant Clerks.

Contracts for Goods, Services, and Leases

The Superintendent is authorized to sign on behalf of the Board contracts, leases, and/or contracts for goods and services for amounts under \$5,000 without prior approval of the Board. The types of goods and services contracted for must be preapproved by the Board.

Personnel Contracts

The Board Chair and clerk are authorized to sign personnel contracts and agreements of employment on behalf of the Board by facsimile signature or via electronic signature.

Negotiated Agreements

Negotiated agreements shall be signed for the District by the Board Chair and the clerk.

Electronic Signatures

Electronic signatures or digital signatures can take many forms and can be created using many different types of technology. For the purpose of this policy an electronic signature means any electronic identifier intended by the person using it to have the same force and effect as a manual signature.

District Use of Electronic Signatures

When not practical or possible to have an approved individual physically sign a document, and not otherwise prohibited by applicable laws, electronic signatures may satisfy the requirement of a written signature when transacting business with and/or for the District and/or with parents/guardians when the authenticity and reliability of such electronic signature(s) meets the provisions of this policy. In such instances, the electronic signature shall have the full force and effect of a manual signature.

In order to qualify for acceptance of an electronic signature the following additional requirements are applicable:

1. The electronic signature identifies the individual signing the document by his or her name and title;
2. The identity of the individual signing the document with an electronic signature is capable of being validated through the use of an audit trail;
3. The electronic signature, as well as the documents to which it is affixed, cannot be altered once the electronic signature is affixed. If the document needs to be altered, a new electronic signature must be obtained; and
4. The electronic signature conforms to all other provisions of this policy.

The District shall maintain District electronically signed records in a manner consistent with the District's document retention policies yet also capable of accurate and complete reproduction of the electronic records and signatures in their original form. Such retention should include a process whereby the District can verify the attribution of a signature to a specific individual, detect changes or errors in the information contained in the record submitted electronically and protect and prevent access and/or manipulation or access/use by an unauthorized person.

The District shall maintain a hardcopy of the actual signature of any District employee authorized to provide an electronic signature in connection with school board business.

Abuse of the electronic signature protocols by any District employee serves as grounds for disciplinary action up to and including termination.

Parent/Student Use of Electronic Signatures

With regard to documentation received by the District with an electronic signature from a parent/legal guardian, so long as the following provisions are met, the District may receive and accept such electronic signature as an original document:

1. Such communication with signature, on its face, appears to be authentic and unique to the person using such signature;
2. The District is unaware of any specific reason to believe that the signature has been forged;

3. The District is unaware of any specific reason to believe the document has been altered subsequent to the electronic signature; and
4. The signature is capable of verification.

The District's Superintendent or designee may, at their discretion, request that an original of the electronic communication, signed manually by hand, be forwarded to the District in a timely manner.

District personnel may periodically audit the authenticity of such signature via a security procedure including such acts as making follow-up inquiry to the individual/entity who has submitted an electronic signature.

Should it be discovered that a student has falsified a parent's electronic signature on an official District document, the student may be subjected to discipline and the District administration is authorized, at their discretion, to thereafter only accept manual signatures associated with any submitted school document.

Legal Reference: I.C. § 33-705 Activity Funds

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

THE BOARD OF TRUSTEES

1300

District Policy

The adoption of new policies and the revision and amending of existing policies shall be the sole responsibility of the Board of Trustees.

All policies shall conform to local, State, and federal laws as well as to the rules and regulations of the State Board of Education.

Adoption and Amendment of Policies

Proposed new policies and proposed changes in existing policies shall be presented in writing for reading and discussion at a regular or special Board meeting. Such proposals may be referred to the Superintendent for detailed study as needed prior to Board action on the proposal. The Board encourages the Superintendent to contact other experts to have potential policies researched. Interested parties, including any Board Member, citizen, or employee of the Board may submit views or present data or arguments, orally or in writing, in support of or in opposition to proposed policy. Any written statement by a person relative to a proposed policy or amendment should be directed to the District clerk prior to the second reading.

Proposed new policies and proposed changes in existing policies shall undergo a minimum of two readings in the following manner:

1. At a regular or special Board meeting the proposed new or amended policy shall be presented in writing for reading and discussion; and
2. The final vote for adoption shall take place not earlier than at the second reading of the particular policy.

Although approval of a new or amended policy requires a minimum of two readings, temporary approval may be granted by the Board in lieu of formal policy to meet emergency conditions or special events which will take place before formal action can be taken or the Board can take a majority vote to suspend the two reading requirement for warranted circumstances.

All new or amended policies shall become effective upon adoption, unless a specific effective date is provided in the motion for adoption.

Policies as adopted or amended shall be made a part of the minutes of the meeting at which action was taken and shall also be included in the District's policy manual. Policies of the District shall be reviewed biannually by the Board.

Administration in Absence of Policy

In cases where action must be taken before the next Board meeting and where the Board has provided no policies or guides for administrative actions, the Superintendent shall have to power to act.

His or her decisions, however, shall be subject to review by action of the Board at its next regular meeting. In addition, it shall be the duty of the Superintendent to inform the Board of such action and the need for policy.

Suspension of Policies

Under circumstances which require a waiver of a policy, policy may be suspended by a majority vote of the members present. In order to suspend a policy, all Trustees must have received written notice of the meeting which included a proposal to suspend the policies with an explanation of the purpose of such proposed suspension. If such a proposal is not made in writing in advance of the meeting, the policies may only be suspended by a unanimous vote of all Trustees present.

Policy Manuals

The Superintendent shall develop and maintain a current policy manual which contains the policies of the District. Each administrator, as well as staff, students, and other residents, shall have ready access to the manual. All policy manuals distributed to anyone shall remain the property of the District and shall be subject to recall at any time.

Legal References: I.C. § 33-506 Organization and Government of Board of Trustees
 I.C. § 33-512 Governance of Schools

Policy History:

Adopted on:

Revised on:

Reviewed on:

Administrative Procedures

The Superintendent shall develop such administrative procedures as are necessary to ensure consistent implementation of policies adopted by the Board.

When a written procedure is developed, the Superintendent shall submit it to the Board as an information item. Such procedures need not be approved by the Board, though they may be revised when it appears that they are not consistent with the Board's intentions as expressed in its policies. On controversial topics, the Superintendent may request prior Board approval.

Policy History

Adopted on:

Revised on:

Reviewed on:

District Planning

Each year, the Board of Trustees shall create a collaborative continuous improvement plan designed to improve student achievement in the District, assess and prioritize needs, and measure outcomes.

The Board shall work with the Superintendent to engage students, parents, teachers, administrators, and community members as appropriate in the planning process.

The annual continuous improvement plan shall:

1. Be data driven, specifically in student outcomes, and shall include but not be limited to analysis of demographic data, student achievement and growth data, graduation rates, and college and career readiness;
2. Set clear and measurable targets based on student outcomes;
3. Include a clearly developed and articulated vision and mission;
4. Include key indicators for monitoring performance; and
5. Include a report of progress toward the previous year's improvement goals.

Multiple measures shall be used to determine student readiness and improvement. At a minimum, the Board shall set a benchmark for each of the following metrics:

1. **Career and College Readiness:** The number and percentage of students meeting the college ready benchmark in mathematics and English Language Arts on a State recognized college entrance exam. Improvement shall be measured by year over year growth in the percentage of students meeting the college readiness benchmark.
2. **High School Readiness:** The number and percentage of students meeting proficient or advanced on the 8th grade Idaho Standards Achievement Test in mathematics and English language usage. Improvement shall be measured by year over year growth in the percentage of students scoring proficient or advanced.
3. **7th Grade Readiness:** The number and percentage of students meeting proficient or advanced on the 6th grade Idaho Standards Achievement Test in mathematics and English language usage. Improvement shall be measured by year over year growth in the percentage of students scoring proficient or advanced.
4. **4th Grade Reading Readiness:** The number and percentage of students reading at grade level on the spring 3rd grade statewide reading assessment. Improvement shall be measured by year over year growth in the percentage of students scoring at grade level.

5. **3rd Grade Reading Readiness:** The number and percentage of students reading at grade level on the spring 2nd grade statewide reading assessment. Improvement shall be measured by year over year growth in the percentage of students scoring at grade level.
6. **2nd Grade Reading Readiness:** The number and percentage of students reading at grade level on the spring 1st grade statewide reading assessment. Improvement shall be measured by year over year growth in the percentage of students scoring at grade level.
7. **1st Grade Reading Readiness:** The number and percentage of students reading at grade level on the spring kindergarten statewide reading assessment. Improvement shall be measured by year over year growth in the percentage of students scoring at grade level.

The Board may engage in planning training to assist in the process and the development of the plan. Qualified planning training may be reimbursable by the State through the process outlined in Idaho State Board of Education rule.

The Board shall continuously monitor progress towards the targets for student outcomes included in the plan by using relevant data to measure growth. Such progress shall be included in the Board's annual evaluation of the Superintendent.

The District plan shall be made available to the public by being posted on the District's website. The plan must be reviewed, updated annually, and posted no later than October 1 each year.

Cross Reference: 1645 Board Development Opportunities
 4130 Public Access to District Website

Legal Reference: I.C. § 33-320 Continuous Improvement Plans and Training
 IDAPA 08.02.01.801 Planning and Training

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

THE BOARD OF TRUSTEES

1320

Management Rights

Except where limited or restricted by a collective bargaining agreement, the Board retains the right to operate and manage its affairs in such areas as but not limited to:

1. The school calendar;
2. The procedures to use in handling public complaints about employees;
3. The nonteaching duties and responsibilities of teachers;
4. The procedure for conducting teacher evaluations;
5. When and under what circumstances a certificated employee will be placed on probation;
6. Establishment of contract notification dates;
7. Extracurricular assignments;
8. Personnel files;
9. Direction, employment, dismissal, promotion, transfer, assignment, and retention of employees;
10. Relieving employees from duties because of lack of work or funds and under conditions where continuation of such work would be inefficient and nonproductive;
11. Maintenance of the efficiency of District operations;
12. The methods, means, job classifications, and personnel by which District operations are to be conducted;
13. Any actions necessary to carry out the missions of the District in situations of emergency; and
14. Establishment of the methods and processes by which work is performed.

The Board reserves all other rights, statutory and inherent, as provided by State law. The Board also reserves the right to delegate authority to the Superintendent for the ongoing direction of all District programs.

Cross Reference: 6100

Superintendent-Board Relations

Legal Reference: I.C. § 33-514

I.C. § 33-514(2)(a)

I.C. § 33-515

I.C. § 33-515A

I.C. § 33-518

Issuance of Annual Contracts – Supports Programs –

Categories of Contracts – Optional Placement

Issuance of Limited Contract – Category 1 Contract

Issuance of Renewable Contracts

Supplemental Contracts

Employee Personnel Files

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

THE BOARD OF TRUSTEES

1400

Board/Staff Communications

Every reasonable means of communication is encouraged throughout the education community. Nevertheless, an organization must maintain some order and structure to promote efficient and effective communications.

Staff Communications to the Board

All official communications or reports to the Board from principals, supervisors, teachers, or other staff members shall be submitted through the Superintendent. This shall not deny any staff member's right to appeal to the Board administrative decisions, provided that the Superintendent shall have been notified of the forthcoming appeal and that it is processed according to the applicable procedures for complaints and grievances.

Board Communications to Staff

All official communications, policies, and directives of staff interest and concern will be communicated to staff members through the Superintendent. The Superintendent will employ all such media as are appropriate to keep staff fully informed of the Board's concerns and actions.

Visits to Schools

Trustees should be certain to visit each school of the District not less than once each school year to examine its condition and needs. Individual Board Members interested in visiting schools should, out of courtesy, make arrangements for visitations through the principals of the various schools. Such visits shall be regarded as informal expressions of interest in school affairs and not as "inspections" or visits for supervisory or administrative purposes.

Social Interaction

Staff and Board Members share a keen interest in the schools and education. When they meet at social affairs and other functions, informal discussion on such matters as educational trends, issues and innovations, and general District problems can be anticipated.

Policy History

Adopted on:

Revised on:

Reviewed on:

School Board Use of Email and Social Media

Use of email by Members of the Board will conform to the same standards of judgment, propriety, and ethics as other forms of School Board-related communication. Board Members will comply with the following guidelines when using email in the conduct of Board responsibilities:

1. The Board will not use email, communications via social media, or other electronic communications as a substitute for deliberations or voting at Board meetings or for other communications or business properly confined to Board meetings.
2. Board Members will be aware that email and email attachments received or prepared for use in Board business or containing information relating to Board business, regardless of whether sent or received on a school-owned computer or personally-owned computer, may be regarded as public records, which may be inspected by any person upon request, unless otherwise made confidential by law.
3. Board Members will note that individual postings made to social media sites should be considered carefully in light of how they would reflect on the poster, the Board of Trustees, and the District. Opinions expressed by staff on a social networking website have the potential to be disseminated far beyond the speaker's desire or intention, and could undermine the public perception of fitness of the individual to serve students' interests. Individual Board member postings are an act of the individual and are not an act of the Board.
4. Board members will avoid reference to confidential information about employees, students, or other matters in email communications because of the risk of improper disclosure and unsecure websites. Board Members will comply with the same standards as school employees with regard to confidential information.

Definitions

"Deliberation" is defined as the receipt or exchange of information or opinion relating to a decision, but shall not include informal or impromptu discussions of a general nature which do not specifically relate to a matter then pending before the public agency for decision.

Legal Reference: Title 74 Chapter 1 Public Records Act
I.C. § 74-202 Open Public Meetings – Definitions
Cowles Pub. Co. v. Kootenai Co. Bd. of County Commissioners, 144 Idaho
259 (2007).

Policy History:

Adopted on:
Revised on:
Reviewed on:

Council School District No. 13

THE BOARD OF TRUSTEES

1410

Board/Superintendent Relationship

The Board/Superintendent relationship is based on mutual respect for their complementary roles. The relationship requires clear communication of expectations regarding the duties and responsibilities of both the Board and Superintendent.

The Board hires, evaluates, and seeks the recommendations of the Superintendent as the District chief executive officer. The Board adopts policies necessary to provide the general direction for the District and to encourage achievement of District goals. The Superintendent develops plans, programs, and procedures needed to implement the policies and directs the District's day-to-day operations.

The Superintendent shall be employed for a term not to exceed three years and shall be the executive officer of the Board with such powers and duties as the Board prescribes. The Superintendent shall act as the authorized representative of the District whenever such is required.

The Board shall conduct an annual, written formal evaluation of the work of the Superintendent.

Cross Reference: 6100 Superintendent

Legal Reference: I.C. § 33-513 Professional Personnel

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

THE BOARD OF TRUSTEES

1420

Trustee Expenses

A Trustee shall not receive remuneration for service as a Trustee. However, each Trustee shall be compensated for actual expenses incurred for travel to, from, and attending meetings of the Board as provided herein. Reimbursement may be paid as the travel is assumed or may accumulate until the end of the fiscal year, at the discretion of the Trustee.

Expenses for Board Members at Out-of-District Meetings

Trustees normally attend workshops, training institutes, and conferences at both the State and national level. It is appropriate that Trustee expenditures at these out-of-District meetings be paid by the District from the general fund. It is the intent of the District to pay all legitimate costs for Trustees to attend out-of-District meetings, at the established rates for reimbursement set by the District, including the following:

1. Transportation as approved by the Board;
2. On-site transportation during the course of the meeting, such as bus, taxi, or rental car;
3. Hotel or motel costs for Trustee, as necessary;
4. Food costs as necessary;
5. Telephone services shall be provided for necessary communications with business or family, resulting from the Trustee being away from the Council School District; and
6. Incidental expenditures for tips and other necessary costs attributable to the Trustee's attendance at the meeting.

The District will not reimburse or pay for such items as liquor, expenses of a spouse, separate entertainment, or other unnecessary expenditures.

Depending upon circumstances and dollar values at issue, the District may be required to report reimbursements consistent with IRS regulations. Tax consequences may be applicable. However, if such a circumstance does occur, Board members would need to talk with their individual tax preparers regarding tax implications and possible deductions for expenses.

Cross Reference: 7430

Travel Allowances and Expenses

Legal Reference: I.C. § 33-506
I.C. § 33-701

Organization and Government of Board of Trustees
Fiscal Year – Payment and Accounting of Funds

Policy History

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

THE BOARD OF TRUSTEES

1430

Trustee Insurance

The District shall maintain sufficient insurance to protect the Board and its individual Members against liability arising from actions of the Board or its individual Members while each is acting on behalf of the District and within the Trustee's authority.

Legal Reference I.C. § 59-801 et seq. Surety Bond Act

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

THE BOARD OF TRUSTEES

1440

Board Participation in Activities

Members of the Board, collectively and individually, are encouraged to attend school activities, social functions, and instructional programs at no cost to the Trustees in order to view and observe such functions in operation. Attendance at such programs as musical presentations, speech activities, clubs, dramatic productions, and athletic events indicates interest in school affairs and provides opportunities for more comprehensive understanding of the total school program. Administration will provide appropriate communications to Trustees to keep them informed about activities they may wish to attend.

Policy History

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

BOARD OF TRUSTEES

1500

Board Meetings

Meeting Defined

A meeting is defined as the convening of the Board of Trustees to make a decision or to deliberate toward a decision on any matter. Trustees may participate in Board meetings via electronic means, including telephonic or video conferencing devices, provided at least one member of the Board of Trustees or Superintendent is physically present at the meeting location.

Regular Meetings

Unless otherwise specified, all meetings will be held in the high school library. Regular meetings shall be held at 6:00 PM on the second Monday of each month.

Emergency Meetings

In the event of an emergency involving possible personal injury or property damage, immediate financial loss, or the likelihood of injury, damage, or loss, the Board may meet immediately and take official action without prior notification when the notice requirements would make such notice impracticable or increase the likelihood or severity of such injury, damage, or loss, and the reason for the emergency is stated at the outset of the meeting.

Budget Meetings

No later than 28 days prior to its annual meeting, the Board shall have prepared a budget, in the form prescribed by the State Superintendent of Public Instruction, and shall hold a public hearing. At such public hearing or at a special meeting held no later than 14 days after the public hearing, the Board shall adopt a budget for the ensuing year. Notice of the budget hearing shall be posted and published as prescribed in Idaho Code. From the time noticed, a copy of the budget shall be available for public inspection during regular business hours.

Special Meetings

Special meetings may be called by the Chair or by any two Trustees. If the time and place of special meetings has not been determined at a meeting of the Board with all members present, then written notice of a special meeting, stating the purpose of the meeting, shall be delivered to each Trustee not less than 24 hours prior to the time of the meeting. Such written notice shall be posted conspicuously at the District Office and at least two or more public buildings within the District. Business transacted at a special meeting will be limited to that stated in the notice of the meeting.

Executive Sessions

Pursuant to Idaho Code, upon a 2/3 roll call vote recorded in the minutes of the meeting, the Board may hold an executive session after the Board Chair has expressly identified the specific legal

authorization for holding an executive session and provided sufficient detail to identify the general purpose and topic of the executive session. However, the information provided shall not compromise the purpose of going into an executive session.

An executive session may be held for, and only for, the following purposes:

1. To consider hiring a public officer, employee, staff member, or individual agent wherein the respective qualities of individuals are to be evaluated in order to fill a particular vacancy or need. Please note this does not apply to filling a vacancy in an elective office or deliberations about staffing needs in general.
2. To consider the evaluation, dismissal, or disciplining of; or to hear complaint or charges brought against a public officer, employee, staff member or individual agent, or a student.
3. To acquire an interest in real property that is not owned by a public agency.
4. To consider records exempt from public disclosure.
5. To consider preliminary negotiations involving matters of trade or commerce in which the Board is in competition with other governing bodies in other states or nations.
6. To communicate with legal counsel and to discuss any legal ramifications and/or legal options for pending litigation or possible legal controversies not yet being litigated, but imminently likely to be litigated. The presence of legal counsel at executive session is not sufficient to satisfy this requirement.
7. To communicate with a representative of the District's risk management or insurance provider to discuss a pending claim or prevention of a possible claim imminently likely to be filed. The presence of a risk management or insurance provider at executive session is not sufficient to satisfy this requirement.
8. To conduct deliberations regarding labor negotiations. *Note: The Board may still deliberate regarding labor negotiations and may caucus regarding negotiations in Executive Session. However, all actual negotiations between the parties; such as the exchange of offers, counteroffers, and exchange of documents; must be conducted in open session.*

Except for making a determination to place a certified professional employee on probation, no action may be held for the purpose of taking any final action or making any final decisions.

If only an executive session will be held, a 24 hour meeting and agenda notice shall include the date, time, place, items to be discussed, and the specific provision of law authorizing the executive session. The Board will not change the subject within the executive session to any subject not identified within the motion to enter executive session or to any topic for which an executive session is not provided.

Legal Reference: I.C. § 33-510 Annual Meetings – Regular Meetings – Board of Trustees

I.C. § 74-202	Open Public Meetings – Definitions
I.C. § 74-203	Governing Bodies—Requirement for Open Public Meetings
I.C. § 74-204	Notice of Meetings
I.C. § 74-205	Written Minutes of Meetings
I.C. § 74-206	Executive Sessions – When Authorized
I.C. § 74-206A	Negotiations in Open Session

Idaho Open Meeting Law Manual, July 2015

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

THE BOARD OF TRUSTEES

1500P

Board Meeting Procedure

Agenda

The agenda for any Board meeting shall be prepared by the Superintendent and Board Chair. Items submitted by the Board Chair or at least two Board Members shall be placed on the agenda. The clerk, administration, or patrons of the District may also suggest inclusions on the agenda. Such suggestions must be received by the Superintendent at least three days before the Board meeting, unless of immediate importance. Individuals who wish to address the Board must also notify the Superintendent, in writing, of the request. The request must include the reason for the appearance. Citizens wishing to make brief comments about school programs or procedures or items on the agenda need not request placement on the agenda, and must follow the procedure established for public input at Board meetings.

Regular Meeting Agendas

A 48 hour agenda notice shall be required in advance of each regular meeting. Notices and agendas must be posted in a prominent place at the principal office of the District or, if no such office exists, at the building where the meeting is to be held. All meeting notices and agendas must be posted on the District website.

Special Meeting Agendas

Special meetings require a 24 hour meeting and agenda notice. The agenda notice shall include at a minimum the meeting date, time, and place. The Board secretary or his or her designee shall maintain a list of the news media requesting notification of meetings and shall make a good faith effort to provide advance notification to them of the time and place of each meeting. All meeting notices and agendas must be posted on the District website.

Amending Agendas

An agenda may be amended provided that a good faith effort is made to include, in the original agenda notice, all items known to be probable items of discussion.

Amending the Agenda More than 48 Hours Before a Regular Meeting or 24 Hours Before a Special Meeting: If an amendment to an agenda is made after an agenda has been posted but 48 hours or more prior to the start of a regular meeting, or 24 hours or more prior to the start of a special meeting, then the agenda is amended upon the posting of the amended agenda.

Amending the Agenda Less than 48 Hours Before a Regular Meeting or 24 Hours Before a Special Meeting: If an amendment to an agenda is proposed after an agenda has been posted and less than 48 hours prior to a regular meeting or less than 24 hours prior to a special meeting but prior to the start of the meeting, the proposed amended agenda shall be posted but shall not become effective until a motion is made at the meeting and the Board votes to amend the agenda.

Amending the Agenda After the Start of a Meeting: An agenda may be amended after the start of a meeting upon a motion that states the reason for the amendment and states the good faith reason the agenda item was not included in the original agenda posting.

Negotiation Meeting Notices

Notice of all negotiation sessions between the District and the local education organization shall be posted at the earliest time practicable on the front page of the District's website. Additionally, if time permits, the District shall post notice of the negotiation sessions within 24 hours at the same physical locations the District uses for posting its regular meetings.

Order of Business

The order of business will be determined by the Board Chair and Superintendent with input from the Board. Upon consent of the majority of the Members present, the order of business at any meeting may be changed.

Consent Agenda

To expedite business at a Board meeting, the Board approves the use of a consent agenda, which includes those items considered to be routine in nature. Any item which appears on the consent agenda may be removed by a Member of the Board. It is strongly suggested that any Board Member who wishes to remove an item from the consent agenda give advance notice in a timely manner to the Board Chair and Superintendent. The remaining items will be voted on by a single motion. The approved motion will be recorded in the minutes, including a listing of all items appearing on the consent agenda.

Action Items

All agenda items that require a vote shall be identified on the agenda as such. Final action may not be taken on agenda item added after the start of a meeting unless an emergency is declared necessitating action at that meeting. The declaration and justification shall be reflected in the Board minutes.

Minutes

The clerk shall keep written minutes of all open Board meetings, which shall be signed by the Chair and the clerk. The minutes shall include:

1. The date, time, and place of the meeting;
2. The presiding officer;
3. Board Members recorded as absent or present;
4. All motions, resolutions, orders, or ordinances proposed and their disposition;
5. The results of all votes, and upon the request of a Member, the vote of each Member, by name;
6. Legal basis for recessing into executive session; and

7. Time of adjournment.

When issues are discussed that may require a detailed record, the Board may direct the clerk to record the discussion verbatim.

Unofficial minutes shall be delivered to Board Members in advance of the next regularly scheduled meeting of the Board. Minutes need not be read publicly, provided that Members have had an opportunity to review them before adoption. A file of permanent minutes of Board meetings shall be maintained in the office of the clerk, to be made available within a reasonable period of time after a meeting for inspection upon the request.

Minutes of Executive Session

The clerk shall keep written minutes of executive sessions. Said minutes shall be limited to a specific reference to the Idaho code subsection authorizing the executive session and sufficient detail to provide the general subject matter to identify the purpose and topic of the executive session. The roll call vote to go into executive session shall be recorded in the minutes. The minutes shall not contain information that would compromise the purpose of going into executive session.

Minutes of Negotiation Sessions

In all negotiation sessions between the District and the local education organization, the District shall cause to be taken written minutes. All documentation exchanged between the parties during a negotiation session, including all offers and counter-offers, shall be retained by the District and shall be subject to public writings disclosure laws.

Quorum

No business shall be transacted at any meeting of the Board unless a quorum of the Members is present. A majority of the full membership of the Board shall constitute a quorum, a majority of the quorum may pass a resolution.

Meeting Conduct and Order of Business

General rules of parliamentary procedure are used for every Board meeting. The most current edition of *Robert's Rules of Order* may be used as a guide at any meeting. The order of business shall be reflected on the agenda. The use of proxy votes shall not be permitted. Voting rights are reserved to those Board Members in attendance. Voting shall be by acclamation or show of hands.

Procedure History

Promulgated on:

Revised on:

Reviewed on:

Council School District No. 13

BOARD OF TRUSTEES

1510

Open Meeting Law Compliance and Cure

Formation of Public Policy at Open Meetings

The District recognizes that the formation of public policy is public business and shall not be conducted in secret. The District further recognizes the goal of the Open Meeting Law is compliance, and that in order to achieve compliance, the District must have the ability to correct any errors.

Violations

If an action, or any deliberation or decision-making that leads to an action, occurs at any meeting which fails to comply with the guidelines set forth in Idaho's Open Meeting laws, such action shall be null and void.

The Board may self-recognize an open meeting violation or receive written notice to the Clerk of the Board of an alleged violation. A civil complaint filed and served upon the Board may serve as written notice.

An individual Board member who conducts or participates in a meeting which violates the Open Meeting Law is subject to a civil penalty of up to \$250. A knowing violation is subject to a civil penalty of up to \$1,500. A second knowing violation within a twelve month time period is subject to a civil penalty of up to \$2,500.

Cure Provision

A violation may be cured by the Board upon:

1. The Board's self-recognition of a violation; or
2. Receipt by the Clerk of a written notice of an alleged violation. A civil complaint filed and served upon the Board may be substituted for other forms of written notice. Upon notice of an alleged open meeting violation, the Board shall have 14 days to respond publicly and either acknowledge the open meeting violation and state an intent to cure the violation or state that Board has determined that no violation has occurred and that no cure is necessary. Failure to respond shall be treated as a denial of any violation.

Following the Board's acknowledgment of a violation, the Board shall have 14 days to cure the violation by declaring as void all actions taken in violation of the Open Meeting Law.

Within 14 days of acknowledging the violation, and stating an intent to cure, the Board shall cure the violation by holding a properly noticed meeting to address the voided actions. The Board may then address the voided actions and lawfully take the desired action in accordance with the Open Meeting Law. Curing the violation in this manner bars any civil penalty for an unintentional violation. Private enforcement actions are stayed during the cure period.

Ratification

Any suit brought for the purpose of having an action or decision declared null and void must be commenced within 30 days of the decision or action that results from an open meeting violation. Actions taken in violation of the Open Meeting Law are not void unless they are challenged within 30 days. Even where an action is not challenged within 30 days, it is the best practice to cure any known violation by holding a meeting in accordance with the law to ratify a decision or action that results from an open meeting violation.

Legal Reference: I.C. § 74-201 Formation of Public Policy at Open Meetings
 I.C. § 74-202 Open Public Meetings – Definitions
 I.C. § 74-203 Governing Bodies—Requirement for Open Public Meetings
 I.C. § 74-204 Notice of Meetings
 I.C. § 74-208 Violations
 Idaho Open Meeting Law Manual, July 2015
 City of McCall v. Buxton, 146 Idaho 656 (2009).

Policy History:

Adopted on:

Revised on:

Reviewed on:

Board Meeting News Coverage

One of the paramount responsibilities of the Board of Trustees is to keep the public informed of its actions. Consequently, local news media representatives shall be welcome and encouraged to attend all regular and special meetings of the Board.

Broadcasting and Taping Of Board Meetings

Photographic and electronic audio and video broadcasting and recording devices may be used at regular and special Board meetings legally open to the public according to the following guidelines:

1. Photographs, broadcasting, and recording of meetings are permitted only when the District and the person(s) seeking to use cameras or broadcasting and/or recording devices have been informed that cameras or broadcasting and/or recording devices will be used. The District requests that notification occur at least 24 hours prior to the meeting in order to give the District time to accommodate the request or be prepared to make an official District copy of the video or audio recording. This time period could be subject to Board waiver, provided good cause is shown. All equipment setup shall take place prior to the commencement of the meeting, and all equipment removal will take place either during a recess or after conclusion of the meeting.
2. Persons operating cameras or broadcasting and/or recording devices must do so with a minimum of disruption to those present at the meeting. Specifically, the view between Trustees and the audience must not be obstructed, interviews must not be conducted during the meeting, and no commentary is to be given in a manner that distracts the Trustees or the audience.

The Board, or its representatives, will make the necessary arrangements to have audio and video recordings of regular meetings and any special meetings that it deems appropriate. Audio and video recordings are not to be considered part of the minutes of any meeting.

Legal Reference: I.C. § 33-510	Annual Meetings – Regular Meetings – Boards of Trustees
I.C. § 74-204	Notice of Meetings -- Agendas
I.C. § 74-205	Written Minutes of Meetings

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

THE BOARD OF TRUSTEES

1600

Code of Ethics for School Board Members

As a member of my local Board of Trustees, I will strive to improve public education, and to that end I will:

1. Attend all regularly scheduled Board meetings insofar as possible, having read my packet ensuring that I am informed about the issues to be considered at the meeting;
2. Recognize that the Board must comply with the Open Meeting Law and only has authority to make decisions at official Board meetings;
3. Make all decisions based on the available facts and my independent judgment, and refuse to surrender that judgment to individuals or special interest groups;
4. Understand that the Board makes decisions as a team. Individual Board Members may not commit the Board to any action unless so authorized by official Board action;
5. Recognize that decisions are made by a majority vote and the outcome should be supported by all Board Members;
6. Acknowledge that policy decisions are a primary function of the Board and should be made after full discussion at publicly held Board meetings, recognizing that authority to administer policy rests with the Superintendent;
7. Be open, fair, and honest; have no hidden agendas; and respect the right of other Board Members to have opinions and ideas which differ from mine;
8. Recognize that the Superintendent is the Board's advisor and should be present at all meetings, except when the Board is considering the Superintendent's evaluation, contract, or salary;
9. Understand the chain of command and refer problems or complaints to the proper administrative office while refraining from communications that may create conditions of bias should a District concern ever rise to the attention of the Board as a hearings panel;
10. Keep abreast of important developments in educational trends, research, and practices by individual study and through participation in programs providing such information;
11. Respect the right of the public to be informed about District decisions and school operations;
12. Understand that I will receive information that is confidential and cannot be shared;

13. Give staff the respect and consideration due skilled, professional employees and support the employment of those best qualified to serve as District staff, while insisting on regular and impartial evaluation of all staff;
14. Present personal criticism of District operations to the Superintendent, not to District staff or to a Board meeting;
15. Refuse to use my Board position for personal or family gain or prestige. I will announce any conflicts of interest before Board action is taken; and
16. Remember always that my first and greatest concern must be the educational welfare of the students attending the public schools.

Trustee Signature: _____ Date: _____

Policy History:

Adopted on:

Revised on:

Reviewed on:

Conflict of Interest

A Trustee may not:

1. Use the Trustee's official power to further the Trustee's own interests;
2. Have a pecuniary interest directly or indirectly, except a remote interest, in any contract or other transaction pertaining to the maintenance or conduct of the School District. A "remote interest" means:
 - A. The Trustee is a non-salaried employee of a nonprofit corporation; or
 - B. The Trustee is an employee or agent of a contracting party where the compensation of the Trustee as an employee or agent consists entirely of fixed wages or salary; or
 - C. The Trustee is a landlord or tenant of a contracting party; or
 - D. The Trustee is a holder of less than one percent of the shares of a corporation or cooperative contracting party;and the Trustee discloses such remote interest to the Board of Trustees;
3. Accept any reward or compensation for services rendered as a Trustee except as expressly provided by law;
4. Accept and award contracts involving the School District with businesses in which a Trustee or person related to him or her by blood or marriage within the second degree has a direct or indirect interest except when the procedures set forth in I.C. §§ 18-1361 or 18-1361A are followed;
5. Be involved in the employment of a relative related by affinity or consanguinity within the second degree. The Trustee shall be absent from the meeting while such employment is being considered and/or determined;
6. Employ the spouse of a Trustee when such employment requires or will require the payment or delivery of any School District funds, money, or property to such spouse except when the procedures set forth in I. C. § 33-507(3) are followed as outlined in Policy 1615;
7. Enter into a contract in the Trustee's individual capacity, the effect of which is to create a personal interest which may conflict with the officer's public duty;

8. Accept a bribe for money, a promise, a gift, or any other form of personal advantage or engage in a substantial financial transaction for the Trustee's private business purpose with a person whom the Trustee inspects or supervises in the course of official duties;
9. Be a purchaser or vendor at any sale or purchase made by the Trustee in the Trustee's official capacity;
10. Use public funds or property to obtain a pecuniary benefit for himself or herself;
11. Solicit, accept, or receive a pecuniary benefit as payment for services, advice, assistance, or conduct customarily exercised in the course of the Trustee's official business;
12. Use or disclose confidential information gained in the course of or by reason of the Trustee's official position or activities in any manner with the intent to obtain a pecuniary benefit for the Trustee or any other person or entity in whose welfare the Trustee is interested or with the intent to harm the District;
13. Appoint or vote for the appointment of any person related to him or her by blood or marriage within the second degree to any clerkship, office, position, employment, or duty, when the salary, wages, pay, or compensation of such appointee is to be paid out of public funds or fees of office; or appoint or furnish employment to any person whose salary, wages, pay, or compensation is to be paid out of public funds or fees of office, and who is related by either blood or marriage within the second degree to any other public servant making or voting for such appointment.

Relation by blood within the second degree includes grandparents and grandchildren. Laterally, it includes brothers and sisters.

Legal Reference:	I.C. § 18-1359	Use Public Position for Personal Gain
	I.C. § 18-1361	Self-Interest Contracts - Exception
	I.C. § 18-1361A	Non-compensated Appointed Public Servant – Relative of Public Servant – Exceptions
	I.C. § 33-507	Limitation Upon Authority of Trustees
	I.C. § 59-201	Officers Not to be Interested in Contracts
	I.C. § 59-202	Officers Not to be Interested in Sales

Policy History:

Adopted on:

Revised on:

Reviewed on:

Trustee Spouse Employment

It is generally unlawful for a Trustee to have their spouse employed by the District in any paying position whereby such employment would require the payment or delivery of any District funds, money, or property to their spouse.

However, Trustees in Districts that annually meet the following criteria may have a spouse employed in the District under the following conditions:

1. The District had a fall enrollment of 1,200 or fewer students in the prior school year;
2. The spouse will be employed in a nonadministrative position;
3. The position has been listed as open for application on the District's website or in a local newspaper for at least 60 days unless the opening occurred during the school year, in which case the position must have been listed as open for at least 15 days on the District's website or in a local newspaper;
4. No applications were received that met the minimum certification, endorsement, education, or experience requirements of the position except the Trustee's spouse; and
5. The Trustee abstained from voting in the employment of the spouse and was absent from the meeting while such employment was being considered and determined.

The above five criteria must be met in each subsequent school year in which the Trustee's spouse is employed. Additionally, the following provisions are applicable in such situations:

1. Throughout the course of the spouse's employment, the Trustee shall abstain from voting in any decision that affects the compensation, benefits, individual performance evaluation, or disciplinary action relating to the spouse and shall be absent from the meeting while such issues are being considered. Such limitation shall include a prohibition on voting and attendance with regard to the following subject matters:
 - A. Negotiations regarding compensation and benefits;
 - B. Discussion and negotiation with District benefits providers; and
 - C. Any matters relating to the spouse and letters of reprimand, direction, probation, or termination.
2. Regardless of spouse employment status, the Trustee may participate in deliberations and vote upon the District's annual fiscal budget and annual audit report;
3. Should the spouse of a Trustee be hired as a certificated teacher, notwithstanding any other policy or law to the contrary, such spouse may only be employed under a Category 1 annual contract pursuant to section 33-514A, Idaho Code, and so long as the status of

Trustee and spouse employee remains, shall not progress to subsequent contract stages with the District.

Legal Reference: I.C. § 33-507 Limitation Upon Authority of Trustees

Policy History:

Adopted on:

Revised on:

Reviewed on:

Board Goals and Objectives

Each year, the Board will formulate annual objectives for the District and have available a written comprehensive philosophy of education with goals which reflect the District's philosophy of education. The philosophy of education and goals shall be in writing and shall be available to District staff and to the public. To this end the Board will:

1. Periodically set performance objectives for the Board itself and evaluate their accomplishments;
2. Establish practical and simple goals and conduct a concrete review annually of performance against these goals;
3. Manage the school system in accordance with Board policy; and
4. Maintain two-way communication with the public served by the schools.

At the conclusion of the year, the Superintendent shall submit a report to the Board which shall reflect the degree to which the annual objectives have been accomplished. Upon receipt and review of the report the Board shall:

1. Hold an evaluation of the objectives at a regular meeting or a work session with all Board Members present;
2. Develop a consensus of opinion on the objectives following a discussion by all Board Members; and
3. Develop both short and long range priorities to ensure continued proficiency in areas of excellence, to strengthen weak areas, and to eliminate those areas no longer applicable.

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

THE BOARD OF TRUSTEES

1630

Evaluation of Board

At the conclusion of each year, the Board may evaluate its own performance in terms of generally accepted principles of successful Board operations.

The Board may choose to evaluate the effectiveness of the processes it employs in carrying out the responsibilities of the District. Those processes include, but are not limited to, team building, decision making, functions planning, communications, motivation, influence, and policy.

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

THE BOARD OF TRUSTEES

1640

Inservice Conference for Trustees

Because the Board, as the policy-making authority of the school system, is responsible to the public for the success of all educational services offered by the school system, and because that success is directly dependent upon each Board Member's comprehension of system wide operations and the Member's ability to participate meaningfully in the decision-making process, the Board will provide, as soon as practicable, for the orientation of new Members. The purpose of the orientation is to help them become acquainted with their duties and responsibilities as Members of the Board.

In keeping with the need for continued boardsmanship development, the Board encourages the participation of its Members at appropriate Board conferences, workshops, conventions, and District-sponsored inservice training sessions. Funds for participation at such meetings will be budgeted on an annual basis.

Policy History:

Adopted on:

Revised on:

Reviewed on:

Board Development Opportunities

The Council School District Board of Trustees realizes that proper board training is important. Decisions about school policy, personnel, finance, curriculum, and communications can be overwhelming and may require training. Training Board Members to be effective leaders and decision makers is an educational investment that benefits the entire community. The Board believes that with proper training, it can create a positive and productive atmosphere for decision-making. There needs to be strong leadership among Board Members demonstrated by teamwork, effective communication, problem-solving skills, and a positive relationship between the Board and the Superintendent.

The Board places a high priority on a planned and continuing program of inservice education for its members. The central purpose of the program is to enhance the quality and effectiveness of public school governance in our community. The Board shall plan specific inservice activities designed to assist members in their efforts to improve their skills as members of the policy-making body; to expand their knowledge about trends, issues, and new ideas affecting the continued welfare of our local schools; and to deepen their insights into the nature of leadership in a modern democratic society.

Funds may be budgeted annually to support the program. Qualified training in continuous improvement planning, finance, superintendent evaluation, ethics, and governance may be reimbursable by the State through the process outlined in Idaho State Board of Education rule. Individual Board Members shall be reimbursed for out-of-pocket expenses, as prescribed in Policy 1420 Trustee Expenses, incurred through participation in approved activities.

The Board, as a whole, shall retain the authority to approve or disapprove the participation of Members in planned activities. The public shall be kept informed through the news media about the Board's continuing inservice education and about the programs anticipated for short and long-range benefits to our schools.

The Board regards the following as examples of activities and services appropriate for implementing this policy:

1. Participation in school board conferences, workshops, and conventions held by the State and national school boards associations;
2. District-sponsored training sessions for board members; and
3. Subscriptions to publications addressed to the concerns of board members.

In order to control both the investment of time and funds necessary to implement this policy, the Board establishes these principles and procedures for its guidelines:

1. A calendar of board conferences, conventions, and workshops shall be maintained by the Superintendent. The Board will periodically decide which meetings appear to be most promising in terms of producing direct and indirect benefits to the District.
2. Funds for participation at such meetings will be budgeted on an annual basis. When funds are limited, the Board will designate which of its Members will participate at a given meeting.
3. When a conference, convention, or workshop is not attended by the full Board, those who do participate will be requested to share information, recommendations, and materials acquired at the meeting.

Board Members are encouraged to attend workshops presented by the state and national school boards associations.

Cross Reference: 1315 District Planning

Legal Reference: I.C. § 33-320 Continuous Improvement Plans and Training
IDAPA 08.02.01.801 Planning and Training

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

THE BOARD OF TRUSTEES

1650

New Board Member Workshop

The Council School District Board of Trustees will assist newly elected or appointed Board Members to become familiar with their duties and responsibilities as quickly as possible. All Board Members are encouraged to attend appropriate workshops, seminars, and conventions in order to develop professionalism and expertise in governance.

Newly elected/appointed Board Members are encouraged to seek training on education issues; including Idaho education laws, school finance, ethics, duties, and responsibilities of District Board Members.

Board Members who attend and successfully complete such workshops, shall be reimbursed for actual expenses for lodging, meals, registration fees, and transportation to and from the location of the workshop as prescribed in Policy 1420 Trustee Expenses.

The Superintendent or his or her designee will maintain records of each Board Member's training accomplishments and will notify any Board Member of the need for that Board Member to accomplish any additional training.

Legal Reference: I.C. § 33-701 et seq. Fiscal Affairs of School Districts

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

INSTRUCTION

2000

Goals

The District's educational program will seek to provide opportunities for each child to develop to his or her maximum potential. Objectives for educational programs are:

1. To foster self-discovery, self-awareness, and self-discipline;
2. To develop awareness of and appreciation for cultural diversity;
3. To stimulate intellectual curiosity and growth;
4. To provide fundamental career concepts and skills;
5. To help students develop sensitivity to the needs and values of others and respect for individual and group differences;
6. To help each student strive for excellence and instill a desire to reach his or her fullest potential;
7. To develop a base of fundamental skills for lifelong learning; and
8. To be free of any sexual, cultural, ethnic, or religious bias.

Administrative personnel are responsible for apprising the Board on the current and future status of the District's educational programs. The Superintendent should prepare periodic reports including:

1. A review and evaluation of the present curriculum;
2. A projection of curriculum and resource needs;
3. An evaluation of and plan to eliminate any sexual, cultural, ethnic, or religious bias that may be present in the curriculum or instructional materials and methods;
4. A plan for new or revised instructional program implementations; and
5. A review of present and future facility needs.

Policy History:

Adopted on:

Revised on:

Reviewed on:

Curriculum Development and Assessment

The Board is responsible for curriculum adoption and must approve all significant changes, including the adoption of new textbooks and new courses, before such changes are made. The Superintendent is responsible for making curriculum recommendations. The curriculum shall be designed to accomplish the learning objectives and goals for excellence consistent with the District's educational philosophy, mission statement, objectives, and goals.

Development and Assessment

A written, sequential curriculum shall be developed for each subject area. The curricula shall address learner goals, content and program area performance standards, and District education goals; and shall be constructed to include such parts of education as content, skills, and thinking. A curriculum review cycle and timelines for curriculum development and evaluations shall be developed as well.

The staff and administration will suggest materials and resources, to include supplies, books, materials, and equipment necessary for development and implementation of the curriculum and assessments that are consistent with the goals of the education program.

In all program areas and at all levels, the District shall assess student progress toward achieving learner goals and program area performance standards including the content and data, the accomplishment of appropriate skills, the development of critical thinking and reasoning, and attitude.

The District will use assessment results to improve the educational program and use effective and appropriate tools for assessing such progress. This may include, but is not limited to:

1. Standardized tests;
2. Criterion-referenced tests;
3. Teacher-made tests;
4. Ongoing classroom evaluation;
5. Actual communication assessments such as writing, speaking, and listening assessments;
6. End of course assessments;
7. Samples of student work and/or narrative reports passed from grade to grade;
8. Samples of students' creative and/or performance work; and
9. Surveys of carry-over skills to other program areas and outside of school.

All courses of instruction shall comply with State statutes and the rules of the State Board of Education.

Cross Reference: 2000 Goals
 2800 Objectives

Legal Reference: I.C. § 33-512A District Curricular Materials Adoption Committees
I.C. § 33-1601 et seq. Courses of Instruction
IDAPA 08.02.01 et seq. Rules of the State Board of Education

Policy History:

Adopted on:

Revised on:

Reviewed on:

Lesson Plan

To ensure proper planning and continuity of instruction, the Board requires each teacher to prepare daily lesson plans for instruction. To facilitate more effective instruction, lesson plans must be prepared at least three days in advance of the actual class presentation. The format for the lesson plan will be specified by the building principal and shall be reviewed on a regular basis. The plan book must be readily available when a substitute teacher is needed.

Careful planning should precede:

1. The opening of the school year;
2. The beginning of a project; and
3. The daily activities that address the needs of students.

Planning should include:

1. Statements of objectives;
2. Procedures and strategies to be used;
3. Organizational materials and instruction;
4. Materials – basic and supplementary; and
5. Evaluation of students.

Planning should be creative, challenging, and continuous. Additionally, planning should be flexible in order to meet the needs and abilities of students.

Policy History:

Adopted on:

Revised on:

Reviewed on:

Program Evaluation and Diagnostic Tests

The Board strives to achieve efficiency and efficacy in all facets of its operations. In order to achieve this goal, the Board shall strive to set forth:

1. A clear statement of expectations and purposes for the District's instructional program;
2. A provision for staff, resources, and support to achieve the stated expectations and purposes; and
3. A plan for evaluating instructional programs and services to determine how well expectations and purposes are being met.

Parents who wish to examine any assessment materials may do so by contacting the Superintendent. Parental approval is necessary before administering an individual intelligence test or a diagnostic personality test. No tests or measurement devices containing any questions about a student's or a student's family's personal beliefs and practices in family life, morality, and religion shall be administered unless the parent gives written permission and the Board grants approval for the student to take such test, questionnaire, or examination.

Legal Reference: 20 U.S.C § 1232(h) Protection of Pupil Rights
I.C. § 33-1601 et seq. Courses of Instruction

Policy History:

Adopted on:

Revised on:

Reviewed on:

K-3 Reading Intervention

The District strives to ensure that all students read at or above grade level by the end of third grade. In order to achieve this goal the District shall establish a reading intervention program, in addition to core reading instruction, that is aligned with Idaho State Board of Education's Comprehensive Literacy Plan. The District's reading intervention program will include research-based literacy instructional practices, student engagement, and effective interventions.

Definition

Idaho has adopted the International Literacy Association definition of literacy. Literacy is defined as the ability to identify, understand, interpret, create, compute, and communicate using visual, audible, and digital materials across disciplines in any context.

Intervention Program

The District will provide a research based reading intervention program to all kindergarten through third grade students identified with a reading deficiency as determined by the statewide reading assessments.

The program will provide intensive development in phonemic awareness, phonics, fluency, vocabulary, text comprehension, and decoding intervention as applicable to the grade level.

The District will monitor the reading progress of each student's reading skills throughout the school year and adjust instruction according to student needs.

The program will provide a minimum of 60 hours of supplemental instruction for students in kindergarten through grade 3 who score below basic on the reading screening assessment and a minimum of 30 hours of supplemental instruction for students in kindergarten through grade 3 who score basic on the reading screening assessment.

Reading Improvement Plan

Any student in kindergarten through third grade who exhibits a deficiency in reading based upon the statewide assessment shall receive an individual reading improvement plan. Any student who has been identified as not proficient through a local literacy assessment may also be put on a reading improvement plan. The District shall notify parent(s)/guardian(s) as outlined below once the deficiency has been identified and request their participation in developing the plan.

The reading improvement plan shall be created by the teacher, principal, parent(s)/guardian(s), and other pertinent school personnel, including staff assigned library duties, if applicable, no later than

30 days after the identification of the reading deficiency. The plan will describe the reading intervention services the student will receive to remedy the reading deficit.

If, after a good faith effort, the District is unable to engage the parent(s)/guardian(s) in the development of the student's reading improvement plan within 15 days of notification, school personnel may move forward with the creation of the student's reading improvement plan without parental participation.

Students who are on a reading improvement plan and have been identified through the statewide assessment to be at grade level may be transitioned off of the reading improvement plan. The District shall notify the parent(s)/guardian(s) in advance of transitioning students off of their reading improvement plan.

Parental Notification

The parent(s)/guardian(s) of any student in kindergarten through third grade who exhibits a deficiency in reading at any time during the school year shall be notified in writing of the student's reading deficiency.

The Board hereby directs the Superintendent or designee to assist schools with providing written notification to the parent(s)/guardian(s) of any student who has not met grade-level proficiency.

The initial notification must include the following:

1. A statement that his or her student has been identified as having a deficiency in reading and a reading improvement plan will be established by the teacher, principal, other applicable school personnel and the parent(s)/guardian(s);
2. A description of the current services that are provided to the student; and
3. A description of the available reading intervention and supplemental instructional services and supports that could be provided to the student that are designed to address the identified areas of reading deficiency.

Following development of the plan, the parent(s)/guardian(s) will be provided with:

1. A description of the reading intervention and supplemental instructional services and support that will be provided to the student that are designed to address the identified areas of reading deficiency; and
2. Strategies for parent(s)/guardian(s) to use at home in helping their student to succeed in reading.

At the conclusion of each school year, or earlier if it has been determined that the student is proficient and is no longer in need of intervention, the parent(s)/guardian(s) will be updated on the student's progress, including any recommendation for placement.

Student Records

The assessment scores and interventions recommended and implemented shall be maintained in the permanent record of each student.

Reporting

Annually by October 1, the District shall report to the Idaho State Department of Education the following information on the prior school year:

1. By grade, the number and percentage of all students in grades kindergarten through third performing at the basic or below basic level on local and statewide assessments in reading; and
2. By grade, the number and percentage of all students in grades kindergarten through third performing at the proficient or higher level on local and statewide assessments in reading.

Legal Reference: I.C. § 33-1614	Reading Instruction and Intervention
I.C. § 33-1615	Reading Assessment
I.C. § 33-1616	Literacy Intervention

Other Reference: Idaho Comprehensive Literacy Plan

https://boardofed.idaho.gov/k_12/documents/2015%20Comprehensive%20Literacy%20Plan_COMPLETE%20FINAL%201-29-16.pdf

Policy History:

Adopted on:

Revised on:

Reviewed on:

Research Studies

The District recognizes the value of participation in educational research. Studies using observation, surveys, and experimentation can aid in the improvement of instructional programs in the school system as well as growth in the profession for individual teachers and researchers.

Simultaneously, the District recognizes that the amount of time available for student learning is limited and must be handled carefully. It is, therefore, important that only those research studies that are of the greatest value to the District be allowed to be conducted in the school system.

All research proposals from outside sources shall be submitted in prospective form, with the instruments attached, to the Superintendent at least three weeks prior to the date on which the research study is to be conducted. The prospectus must include the researcher's name, address, and phone number, as well as a description of the purpose of the study, the procedures to be used, the treatment of the data, and the distribution of the study. The Superintendent shall approve or disapprove all research studies. Approval shall be based on educational significance, project design, and lack of disruption to the regular school process. The primary criteria in approving research studies will be the value to the District. A final copy of the study shall be provided free of charge to the District.

No test, questionnaire, survey, or enumeration containing questions about a pupil's or his or her parent's personal beliefs or practices in sex, family life, morality, or religion shall be administered without Board approval and written parental permission.

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

INSTRUCTION

2140

Student and Family Privacy Rights

Surveys - General

Surveys requesting personal information from students, as well as any other instrument used to collect personal information from students, must advance or relate to the District's educational objectives as identified in Board policy. This applies to all surveys, regardless of whether the student answering the questions can be identified and regardless of who created the survey.

Personally identifiable information from student education records may be disclosed to an educational agency or institution in order to:

1. Develop, validate, or administer predictive tests;
2. Administer student aid programs; or
3. Improve instruction.

In such cases, the school or District shall enter into a written agreement with the receiving organization. The study must not allow identification of individual parents or students by anyone other than representatives of the organization with legitimate interests in the information and the information must be destroyed when it is no longer needed for study purposes.

Surveys Created by a Third Party

Before the District administers or distributes a survey created by a third party to a student, the student's parent(s)/guardian(s) may inspect the survey upon request and within a reasonable time of their request.

This section applies to every survey:

1. That is created by a person or entity other than a District official, staff member, or student;
2. Regardless of whether the student answering the questions can be identified; and
3. Regardless of the subject matter of the questions.

Surveys Requesting Personal Information

School officials and staff members shall not request, nor disclose, the identity of any student who completes ANY survey containing one or more of the following items:

1. Political affiliations or beliefs of the student or the student's parent/guardian;
2. Mental or psychological problems of the student or the student's family;
3. Behavior or attitudes about sex;

4. Illegal, anti-social, self-incriminating, or demeaning behavior;
5. Critical appraisals of other individuals with whom students have close family relationships;
6. Legally recognized privileged or analogous relationships, such as those with lawyers, physicians, and ministers;
7. Religious practices, affiliations, or beliefs of the student or the student's parent/guardian; or
8. Income, other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program.

The student's parent(s)/guardian(s) may:

1. Inspect the survey within a reasonable time of the request, and/or
2. Refuse to allow their child to participate in any survey requesting personal information.
The school shall not penalize any student whose parent(s)/guardian(s) exercise this option.

Instructional Material

A student's parent(s)/guardian(s) may, within a reasonable time of the request, inspect any instructional material used as part of their child's educational curriculum.

The term "instructional material," for purposes of this policy, means instructional content that is provided to a student, regardless of its format, printed or representational materials, audio-visual materials, and materials in electronic or digital formats (such as materials accessible through the Internet). The term does not include academic tests or academic assessments.

Collection of Personal Information from Students for Marketing Prohibited

The term "personal information," for purposes of this section only, means individually identifiable information including:

1. A student's or parent's first and last name;
2. A home or other physical address, including street name and the name of the city or town;
3. Telephone number; or
4. A Social Security identification number.

The District shall not collect, disclose, or use student personal information for the purpose of marketing or selling that information or otherwise providing that information to others for that purpose.

The District, however, is not prohibited from collecting, disclosing, or using personal information collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to, students or educational institutions such as the following:

1. College or other post-secondary education recruitment or military recruitment;
2. Book clubs, magazines, and programs providing access to low-cost literary products;
3. Curriculum and instructional materials used by elementary schools and secondary schools;
4. Tests and assessments to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students (or to generate other statistically useful data for the purpose of securing such tests and assessments) and the subsequent analysis and public release of the aggregate data from such tests and assessments;
5. The sale by students of products or services to raise funds for school-related or education-related activities; and
6. Student recognition programs.

Notification of Rights and Procedures

The Superintendent or designee shall notify students' parents/guardians of:

1. This policy as well as its availability from the District office upon request;
2. How to opt their child out of participation in activities as provided in this policy;
3. The approximate dates during the school year when a survey requesting personal information, as described above, is scheduled or expected to be scheduled;
4. How to request access to any survey or other material described in this policy.

This notification shall be given to parents/guardians at least annually at the beginning of the school year and within a reasonable period after any substantive change in this policy.

The rights provided to parents/guardians in this policy transfer to the student when the student turns 18 years of age or is an emancipated minor.

NOTE: This policy must be adopted in consultation with parents. 20 U.S.C. § 1232h(c)(1). Therefore, ISBA recommends that, at a minimum, Boards specifically note this on their meeting agendas and request public comment prior to adoption.

Cross Reference:	2520	Curricular Materials
	3200	Student Rights and Responsibilities
	3500	Student Health, Physical Screenings, and Examinations
	4250	Education Research in District Schools

Legal Reference:	20 U.S.C. 1232(h)	Protection of Pupil Rights
	34 CFR Part 99	Family Educational Rights and Privacy

Policy History:

Adopted on:
Revised on:
Reviewed on:

INSTRUCTION

2140F

Student and Family Privacy Rights – Consent Form

The Protection of Pupil Rights Amendment (PPRA), requires the District to notify you and obtain consent or allow you to opt your child out of participating in certain school activities. These activities include student surveys, analyses, or evaluations that concern one or more of the following eight areas (“protected information surveys”):

1. Political affiliations or beliefs of the student or student’s parent;
2. Mental or psychological problems of the student or student’s family;
3. Sex behavior or attitudes;
4. Illegal, anti-social, self-incriminating, or demeaning behavior;
5. Critical appraisals of others with whom respondents have close family relationships;
6. Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
7. Religious practices, affiliations, or beliefs of the student or parents; or
8. Income, other than as required by law to determine program eligibility.

This requirement also applies to the collection, disclosure, or use of student information for marketing purposes (“marketing surveys”), and certain physical exams and screenings (except those permitted under State law without parental notification). The following is a schedule of activities requiring parental notice and consent or opt-out for the upcoming school year. This list is not exhaustive and, for surveys and activities scheduled after the school year starts, the District will provide parents, within a reasonable period of time prior to the administration of the surveys and activities, notification of the surveys and activities and provide them with an opportunity to opt their child out, as well as an opportunity to review the surveys. (Please note that this notice and consent/opt-out transfers from parents to any student who is 18 years old or an emancipated minor under State law.)

[LIST ALL APPLICABLE SURVEYS AND SCREENINGS TO BE GIVEN IN THE UPCOMING YEAR, THE STUDENTS THEY WILL BE ADMINISTERED TO, THE DATE THEY WILL BE GIVEN, A DESCRIPTION OF THE SURVEY OR SCREENING, AND A STATEMENT OF WHETHER THE SURVEY WILL REQUIRE PARENTAL CONSENT OR WHETHER PARENTS MUST ACTIVELY OPT THEIR CHILD OUT IF THEY DO NOT WISH FOR THEM TO PARTICIPATE.]

If you wish to review any survey instrument or instructional material used in connection with any protected information or marketing survey, please submit a request to **[DESIGNATED OFFICIAL, ADDRESS]**. **[THE DESIGNATED OFFICIAL]** will notify you of the time and place where you may review these materials. You have the right to review a survey and/or instructional materials before the survey is administered to a student.

I _____ (parent/guardian's name) give my consent for _____ (child's name) to take _____ (survey name) on or about _____ (date).

Parent's signature: _____

Please return this form no later than _____ (date) to the following school official:

[NAME AND MAILING ADDRESS]

Copyright

The District 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 use 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.

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. Under 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. The Superintendent will assist staff in obtaining proper authorization to copy or use protected materials when such authorization is required. The Superintendent or designee is responsible for maintaining copies of permission granted for the use of copyrighted material.

Teachers will instruct students to respect copyright laws and to request permission when their use of material has the potential of being considered an infringement.

No information or graphics may be posted on any school system official website in violation of any copyright laws. The Superintendent or web maintenance designee is responsible for maintaining copies of permission granted for the use of copyrighted material on any school system official website.

Cross Reference: 8700 Computer Software

Legal Reference: 17 U.S.C. 101 to 110 Federal Copyright Act

Policy History:

Adopted on:

Revised on:

Reviewed on:

Copyright Compliance

Authorized Reproduction and Use of Copyrighted Material in Print

In preparing for instruction, a teacher may make or have made a single copy of a chapter from a book; an article from a newspaper or periodical; a short story, short essay or short poem; or 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 if the copying meets the tests of “brevity, spontaneity, and cumulative effect” set by the following guidelines. Each copy must include a notice of copyright.

1. Brevity:

- A. A complete poem, if less than 250 words and two pages long, may be copied; excerpts from longer poems cannot exceed 250 words.
- B. Complete articles, stories, or essays of less than 2,500 words or excerpts from prose works less than 1,000 words or 10 percent of the work, whichever is less, may be copied; in any event, the minimum is 500 words. Each numerical limit may be expanded to permit the completion of an unfinished line of a poem or prose paragraph.
- C. One chart, graph, diagram, drawing, cartoon, or picture per book or periodical issue may be copied. “Special” works cannot be reproduced in full; this includes children’s books combining poetry, prose, or poetic prose.

2. Spontaneity: Should be at the “instance and inspiration” of the individual teacher.

3. 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, or two excerpts from the same author may be copied, and no more than three works can be copied from a collective work or periodical issue during one class term. Teachers are limited to nine instances of multiple copying for one course during one class term. Limitations 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.

The copyright law prohibits using copies to replace or substitute for anthologies, consumable works, compilations, or collective works. “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 actual cost of photocopying. Teachers may use copyrighted materials in overhead projectors for instructional purposes.

Authorized Reproduction and Use of Copyrighted Materials in the Library

A library may make a single copy of an unpublished work which is in its collection and a published work in order to replace it because it is damaged, deteriorated, lost, or stolen, provided the unused replacement cannot be obtained at a fair price.

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, 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.

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

A teacher may make a single copy of a song, movement, or short section from a printed musical work that is unavailable except in a larger work, for purposes of preparing for instruction.

A teacher may make multiple copies for classroom use of an excerpt of not more than ten 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 complete section, movement, or song. Printed musical works which have been purchased may be simplified provided that the fundamental character of the work is not distorted and that lyrics are not added or altered.

A single copy of recordings of performances by students may be made for evaluation or rehearsal purposes.

In an emergency, a teacher may make and use replacement copies of printed music for an imminent musical performance when the purchased copies have been lost, destroyed, or are otherwise not available.

Recording of Broadcast Programs

Television programs may be recorded and used for instruction for up to ten days following recording. The recording may be retained for up to 45 days for teacher evaluation purposes. The recording may only be replayed for educational purposes in the classroom or a similar learning environment. No program may be recorded by or for the same teacher more than once and the

recording may not be altered. A limited number of copies may be made for legitimate educational purposes. All copies of off-air recordings must include the copyright notice on the broadcast program as recorded. The Superintendent will establish appropriate control procedures to maintain the integrity of these guidelines.

Authorized Reproduction and Use of Copyrighted Materials on Websites

No information or graphics may be posted on any school system official website in violation of any copyright laws. The Superintendent or web maintenance designee is responsible for maintaining copies of permission granted for the use of copyrighted material on any school system official website.

Teacher Instruction to Students for Reproduction and Use of Copyrighted Material

Teachers will instruct students to respect copyright laws and to request permission when their use of material has the potential of being considered an infringement.

Legal Reference: 17 U.S.C. 101 to 110 Federal Copyright Act

Procedure History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

INSTRUCTION

2200

School Year, Calendar, and Instructional Hours

School Fiscal Year

The fiscal year of the school is from July 1 to June 30.

School Calendar

The Board annually shall establish the dates for opening and closing classes, teacher inservices, the length and dates of vacation, and the days designated as legal school holidays.

Holidays and Commemorative Days

School holidays shall include New Year's Day, Presidents' Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day.

For those commemorative days designated in I.C. § 73-108 that fall on a school day, the teachers and students shall devote a portion of the day to the observance of that holiday.

Instructional Hours

The District shall provide the minimum number of instructional hours for students at each grade level as follows:

1. Kindergarten: 450 hours;
2. Grades 1-3: 810 hours;
3. Grades 4-8: 900 hours; and
4. Grades 9-12: 990 hours.

Teacher Inservice Days

Not more than 22 hours may be utilized for inservice teacher activities.

Legal Reference: I.C. § 33-512 Governance of Schools
I.C. § 33-701 Fiscal Year – Payment and Accounting of Funds
IDAPA 08.02.01.250.01 Required Instructional Time
IDAPA 08.02.01.250.03 Day in Session When Counting Pupils in Attendance

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

INSTRUCTION

2210

School Closure

The Superintendent may order the closure of schools in the event of extreme weather, facility failures, or other emergency in compliance with established procedures for notifying parents, students, and staff.

Legal Reference: I.C. § 33-512 Governance of Schools

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

INSTRUCTION

2210P

School Closure

All students, parents, and school employees should assume that school will be in session and buses running as scheduled, unless there is official notification from the Superintendent to the contrary. Such notice will be given via public media.

In the event that extremely cold temperatures, wind chill factors, snow, wind, or other circumstances require a modification of the normal routine, the Superintendent will make the modification decision prior to 6:00 AM and contact the public radio stations for broadcast to the community and will initiate the emergency fan-out communication procedure to all administrators.

Work Schedules and Responsibilities for School Closures

Superintendent: Only the Superintendent shall have the authority to close schools. The Superintendent will be on duty throughout any existing or potential emergency situation, day or night. All orders that are of doubtful origin should be confirmed with the Superintendent.

Central Administrative Personnel: Central administrative personnel shall be expected to report for duty on their assigned shifts in the event of any school closure insofar as is safely possible. Additional hours may be required, especially of the maintenance supervisor, business manager, and personnel director, depending on the nature of the emergency.

Building-Level Administrators, Non-Teaching “Exempt” Personnel, and Key Support Staff: All building-level administrators and non-teaching “exempt” personnel shall report for duty per their normal shifts or as otherwise directed each day during the school closure, together with the head custodian and at least one secretary, insofar as is safely possible. The building administrator shall ascertain that the building has been adequately secured and that any child who mistakenly reports to school (in the event that school has been closed) is properly and safely cared for and returned home. The administrator and this minimal support staff shall notify other staff and/or other support employees of the situation, and shall respond to telephone questions. When the situation has been stabilized, the personnel who reported to work may choose to return home. An administrator or exempt employee who does not work a normal day shall then adjust his or her work year by memorandum to the Superintendent by the number of hours not worked on the day or days of school closure.

12 Month Classified Employees: In the event of a school closure, 12 month classified personnel may report for duty or not report for duty, as directed by their immediate supervisor or the Superintendent. Building secretaries and secretaries to the key central administrative personnel who are required to be on duty are expected to report for duty. If a 12 month classified employee is unable to or does not report for duty, the employee shall complete a leave request form to declare the day as either personal leave, vacation, or leave without pay.

Ten and 11 Month Classified Employees: Ten and 11 month employees may report for duty or not report for duty as directed by their immediate supervisor or Superintendent. If such employees

do not report for duty, they shall complete a District leave request form to declare the day as either personal leave, vacation, or leave without pay.

Aides, Food Service Workers, and Other Nine Month Classified Employees: These employees work only those days when school is in session and are not expected to work when school is not in session. If school has been closed, nine month employees should not report for duty unless otherwise directed by their immediate supervisor or the Superintendent. Nine month employees shall complete a leave request form to declare the day as either personal leave, vacation, or leave without pay.

Teachers, Including Teachers, Librarians, Psychologists, and Counselors: If schools are closed for weather or other emergency conditions, teachers are not expected to report for duty unless directed otherwise. Teachers do not need to submit an absence form. In cases of school closures, it is customary for the days to be made up at another time; thus teachers will typically still fulfill their contract days.

Procedure History:

Promulgated on:

Revised on:

Reviewed on:

Prekindergarten Programs

The District may establish a prekindergarten program based on the premise that the District's teachers, support staff, and physical facilities can offer a quality of experiences that cannot be provided by area nursery schools. If it is not possible for the District to provide such a program for all four year-old children in the District, those children in greatest need will be sought and identified.

The objectives of the program are to:

1. Identify children with incipient problems of a social, emotional, and/or physical nature, regardless of whether they are related to maturational development;
2. Provide an educational experience that will ameliorate or eliminate these problems at an early age, thereby mitigating adjustment and/or learning problems in subsequent years;
3. Identify children who do not have facility in the English language and provide experiences that enhance and accelerate the development of such a facility;
4. Identify children who would not otherwise attend a nursery school prior to entering public school and provide them with equal learning opportunities;
5. Provide experiences for the parents of these children through a volunteer aide program whereby they can become oriented to the task of the school and how their role as parents might relate to the task as it affects their children; and
6. Provide learning experiences in early childhood education and child care for high school students through cooperative arrangements with the District high school(s).

If any such program is instituted by the District, such program may be separate and apart from any services provided to prekindergarten students under the Individuals with Disabilities Education Act or other special education laws.

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

INSTRUCTION

2230

Grade Organization

The District has instructional levels for grades kindergarten through 12. The grouping and housing of instructional levels in school facilities shall be according to plans developed by the Superintendent and approved by the Board.

Instructional programs shall be coordinated between each grade and between levels of schools.

A student will be assigned to an instructional group or a classroom that will best serve the needs of that individual while still considering the rights and needs of other students. Factors to be considered in classroom assignments are:

1. Class size;
2. Peer relations;
3. Student/teacher relations;
4. Instructional style of individual teachers; and
5. Any other variables that will affect the performance of the student.

The criteria for grouping should be based upon the learning goals and objectives being addressed and the student's ability to achieve those purposes.

Legal Reference: I.C. § 33-302 Classification of School Districts

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

INSTRUCTION

2240

Class Size

The District will strive to achieve ratios consistent with the following State class size ratio goals:

<u>Grade Level</u>	<u>Number of Students</u>
Kindergarten	20
Grades 1, 2, and 3	20
Grades 4, 5, and 6	26
Junior High	160 per teacher
High School	160 per teacher
Alternative School Grade 7 through 12	18 average daily class load

In kindergarten and at the elementary level, a class shall be considered overloaded when it exceeds the following numbers of students:

Kindergarten through Grade 1:	25
Grades 2 and 3:	25
Grades 4 through 6:	30

The Board of Trustees recognizes that achieving the goal of this policy is dependent upon the financial ability of the District. The Superintendent shall review overloaded class situations and may place an assistant in the classroom or offer other solutions to relieve overloaded class conditions.

Legal Reference: I.C. § 33-1404 Districts to Receive Pupils
IDAPA 08.02.02.110 Personnel Standards

Policy History

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

INSTRUCTION

2300

Guidance and Counseling

The District recognizes that guidance and counseling are an important part of the total program of instruction and should be provided in accordance with State laws and regulations, District policies and procedures, and available staff and program support.

The general goal of this program is to help students achieve the greatest personal value from their educational opportunities. Such a program should:

1. Provide staff with meaningful information that can be utilized to improve the educational services offered to individual students;
2. Provide students with planned opportunities to develop future career and educational plans;
3. Refer students with special needs to appropriate specialists and agencies;
4. Aid students in identifying options and making choices about their educational program;
5. Assist teachers and administrators in meeting the academic, social, and emotional needs of students;
6. Provide for a follow-up with students who further their education and/or move into the world of work;
7. Solicit feedback from students, staff, and parents for purposes of program improvement; and
8. Assist students in developing a sense of belonging and self-respect.

All staff shall encourage students to explore and develop their individual interests in career and vocational technical programs and employment opportunities without regard to gender, race, marital status, national origin, or handicapping conditions; including reasonable efforts and encouraging students to consider and explore nontraditional occupations.

Legal Reference: I.C. § 33-1212 Elementary School Counselors
IDAPA 08.02.03.108 Guidance Programs

Policy History:

Adopted on:

Revised on:

Reviewed on:

Nutrition Services

Rationale

Students must go to school with minds and bodies ready to take advantage of the learning environment schools work so hard to develop. Good nutrition is a prime factor in the student's ability to learn. In addition to families, the school environment plays a vital role in shaping students' nutritional health throughout the growing years in the following ways:

1. Students eat one or two of their meals each school day in the school cafeteria;
2. Classroom teachers provide factual instruction on human health and biology;
3. Peer relationships and adult role models influence eating patterns and provide subtle but strong messages in body image development;
4. Physical education and school sports programs strengthen students' bodies and are often sources of nutrition information; and
5. School health services, guidance counselors, and classroom teachers provide essential support for students' physical and psychological growth.

Nutrition services complement and enhance school health services. Nutrition services include screening, assessment, counseling/education, referral, and follow-up services. Students who may benefit most from school-based nutrition services include:

1. Children with special healthcare needs;
2. Adolescents who are obese, underweight, follow a specialized diet, or have other issues, such as eating disorders;
3. Students living in impoverished conditions with limited access to nutritionally adequate food; and
4. Students who abuse substances such as food, drugs, alcohol, and tobacco.

Optimally, nutrition services are provided on the school premises by a qualified nutrition professional, such as a registered dietitian, recognized as a valued member of the health care team. The school nurse, dietitian, food service director, and teachers should work collaboratively with parents to successfully integrate nutrition into the District's comprehensive health program.

(If the District does not have a school nurse or dietitian, the District might consider negotiation with the local hospital or health district to secure the services of an outpatient nurse and/or dietitian. The dietitian could serve as an integral member of the school health advisory team and work collaboratively with the school nurse to screen and assess students' nutritional status and provide counseling, referral, and follow-up services.)

Nutrition services are linked to physical education, school meals, and health promotion programs in the school and community. At a minimum, the nutrition services program will:

1. Provide standard nutrition screening;
2. Establish a well-defined plan for follow up with students and referral to community-based services; and
3. Provide recommendations for physical activities.

Nutrition-Related Health Problems

Headaches, stomach upsets, and general malaise, common complaints in the school nurse's office, may be a direct result of poor nutrition. Other nutritional concerns; including restrictive dieting, distorted body images, eating disorders, and obesity; may have an indirect effect on learning, and may be significant predictors of a student's success in school.

School counselors and school health services staff shall consistently promote healthy eating to students and other staff. These professionals shall be prepared to recognize conditions such as obesity, eating disorders, and other nutrition-related health problems among students and staff and be able to refer them to appropriate services.

Cross Reference: 8200 Healthy Lifestyles

Legal Reference: I.C. § 33-512 Governance of Schools

Policy History:

Adopted on:

Revised on:

Reviewed on:

Nutrition Education

Quality nutrition education which is presented creatively, is grade appropriate, and builds knowledge and skills throughout the child's school experience. It addresses factual information and explores the health, social, cultural, and personal issues influencing food choices. Nutrition and nutrition education are recognized as important contributors to overall health.

Comprehensive nutrition education programs extend beyond the classroom into the larger school environment. The school cafeteria serves as a laboratory where students apply critical thinking skills taught in the classroom. Physical education programs, after-school sports, and school health services are appropriate avenues for nutrition education efforts. Students need to explore how:

1. Knowledge has purpose and meaning in their lives; and
2. Curriculum points to the connections within and across disciplines.

Examples of how nutrition can be integrated into classes include discussing ethnic food practices in the context of history and geography; preparation of healthy food in home economics, adult living, or life skills courses; the study of essential nutrients in science and biology classes; applying mathematical and technological skills to conduct dietary analysis; and addressing the wide range of social, cultural, and psychological aspects of food in language and social studies classrooms.

The District has a comprehensive curriculum approach to nutrition in kindergarten through grade 12. All instructional staff are encouraged to integrate nutritional themes into daily lessons when appropriate. The health benefits of good nutrition should be emphasized. These nutritional themes include but are not limited to:

1. Knowledge of My Plate;
2. Healthy choices to decrease illness;
3. Sources and variety of foods;
4. Guide to a healthy diet;
5. Diet and disease;
6. Understanding calories and food as energy;
7. Healthy snacks;
8. Healthy breakfast;
9. Healthy diet;
10. Food labels;
11. Major nutrients;
12. Multicultural influences;
13. Serving sizes by age, sex, and activity level;
14. Proper sanitation;
15. Importance of fluid intake and selection; and
16. Identifying and limiting low nutrition food.

The District nutrition policy reinforces nutrition education to help students practice these themes in a supportive school environment.

All nutrition education will be scientifically based, consistent with the most recent Dietary Guidelines for Americans.

Nutrition education will be offered in the school cafeteria as well as in the classroom, with coordination between school food service staff and teachers. Teachers can display posters, videos, websites, etc. on nutrition topics and send materials home to involve parents.

Participation in USDA nutrition programs is encouraged as the District conducts nutrition education activities and promotions that involve students, parents, and the community. The school nutrition team responsible for these activities will be composed of child nutrition services staff, student services staff, school nurses, health teachers, and physical education coaches.

School Community

For a truly comprehensive approach to the school-based nutrition programs and services, it is crucial that all members of the school community help to create an environment that supports healthy eating practices. Administrators, teachers, school food service and other personnel; parents; and students need to be involved in this effort. Decisions made in all school programming need to reflect and encourage positive nutrition messages and healthy food choices. This includes coordination of nutrition education with the cafeteria and the promotion of healthy food choices in the cafeteria and all school events, such as fundraisers.

Local Community

The effectiveness of school-based nutrition programs and services can be enhanced by outreach efforts in the surrounding community. Personnel should be familiar with the health and nutritional resources available through the community and local agencies. Contacts should be made with the health department, community nutrition programs, health centers, local food pantries, and fitness programs. Once contact has been established, collaborative efforts should be made with other community agencies to positively influence the health and nutritional status of school-age children.

Schools will work with a variety of media to spread the word to the community about a healthy school nutrition environment, such as local newspaper and television stations.

Parent Involvement

The District will support parents' efforts to provide a healthy diet and daily physical activity for their children. The District will offer healthy eating seminars for parents, send home nutrition information, post nutrition tips on school websites, and provide nutrient analyses of school menus. Schools should encourage parents to pack healthy lunches and snacks and to refrain from including beverages and foods that do not meet the District's nutrition standards for individual foods and beverages. Celebrations that involve food during the school day shall be limited to no more than one party per class per month. No more than one food or beverage that does not meet

nutrition standards for Smart Snacks in Schools may be served at such parties. The District will provide parents a list of foods that meet the District's snack standards and ideas for healthy celebrations/parties, rewards, and fundraising activities. In addition, the District will provide opportunities for parents to share their healthy food practices with others in the school community.

The District will provide physical education and other school-based physical activity opportunities before, during, and after the school day; and support parents' efforts to provide their children with opportunities to be physically active outside of school. Such support will include sharing information about physical activity and physical education through a website, newsletter, or other take-home materials, special events, or physical education homework.

Parents are to be advised that their children are participating in a nutrition education or counseling experience, encouraging their support at home. Parent involvement can be in person or through communication sent to the home.

1. Nutrition education will be provided to parents beginning at the elementary level. The goal will be to continue to educate parents throughout the middle and high school levels;
2. Healthy eating and physical activity will be actively promoted to students, parents, teachers, administrators, and the community at registration, PTO meetings, open houses, health fairs, teacher inservices, etc.; and
3. Nutrition education from evidence-based sources (such as USDA's Team Nutrition and My Plate) may be provided in the form of handouts, postings on the District website, or presentations at open houses that focus on nutritional value and healthy lifestyles.

Cross Reference: 8200 Healthy Lifestyles
8230 District Nutrition Standards

Legal Reference: I.C. § 33-512 Governance of Schools
42 USC § 1758b, Section 204 Healthy, Hunger-Free Kids Act of 2010
7 CFR § 210.30 Local School Wellness Policy

Other References: Implementation and Monitoring Plan, Idaho State Department of Education

Policy History:

Adopted on:

Revised on:

Reviewed on:

Physical Activity Opportunities and Physical Education (PE)

Daily Physical Education (PE) K-12

All students in grades K-12, including students with disabilities, special healthcare needs, and those in alternative educational settings, will receive daily physical education (PE) (or its equivalent) for the entire school year. The District shall strive to provide an amount of PE instruction consistent with the NASPE recommendations, to the extent feasible. All PE will be taught by a certified PE teacher. Student involvement in other activities involving physical activity, such as interscholastic or intramural sports, will not be substituted for meeting the PE requirement. Students will spend at least 50 percent of PE class time participating in moderate to vigorous physical activity.

Integrating Physical Activity into the Classroom Setting

For students to receive the nationally-recommended amount of daily physical activity, at least 60 minutes per day, and for students to fully embrace regular physical activity as a personal behavior, students need opportunities for physical activity beyond PE class. Toward that end:

1. Classroom health education will complement PE by reinforcing the knowledge and self-management skills needed to maintain a physically-active lifestyle and to reduce time spent on sedentary activities, such as watching television;
2. Opportunities for physical activity will be incorporated into other subject lessons; and
3. Classroom teachers will provide short physical activity breaks between lessons or classes, as appropriate

Daily Recess

All elementary school students will have at least 20 minutes each day of supervised recess, preferably outdoors, during which schools should encourage moderate to vigorous physical activity verbally and through the provision of space and equipment.

Schools should discourage extended periods (i.e., periods of two or more hours) of inactivity. When activities such as mandatory school-wide testing make it necessary for students to remain indoors for long periods of time, schools should give students periodic breaks during which they will be encouraged to stand and be moderately active.

Physical Activity and Punishment

Teachers and other school and community personnel will not use physical activity, such as running laps or push-ups, as punishment.

Cross Reference: 8200 Local School Wellness

Legal Reference: I.C. § 33-512 Governance of Schools

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

INSTRUCTION

2320

Health Enhancement Education

Health, family life, and sex education; including information about parts of the body, reproduction, and related topics; shall be included in the instructional program as appropriate to the grade level and course of study. The instructional approach shall be developed after consultation with parents and other community representatives. Parents may ask to review the materials to be used and may request that their child be excluded from sex education class sessions without prejudice.

The Board believes that HIV/AIDS instruction is most effective when integrated into a comprehensive health education program. Instruction shall be developmentally appropriate to the grade level of the students and shall occur in a systematic manner. The Board particularly desires that students receive proper education about HIV before they reach the age when they may adopt behaviors that put them at risk of contracting the disease.

In order for education about HIV to be most effective, the Superintendent shall require that faculty members who present this instruction receive continuing inservice training that includes appropriate teaching strategies and techniques. Other staff members not involved in direct instruction but who have contact with students shall receive basic information about HIV/AIDS and instruction in the use of universal precautions when dealing with body fluids.

In accordance with Board policy, parents shall have an opportunity to review the HIV education program before it is presented to students.

Alcohol, Tobacco, and Drug Education

Students shall receive education regarding the use of alcohol, tobacco, and drugs. The Superintendent or designee shall develop curriculum for use in health education that provides instruction to students in the areas of prevention; education; treatment; rehabilitation; and legal consequences of alcohol, tobacco, and drug use.

Cross Reference: 2307 Physical Activity Opportunities and Physical Education

Legal Reference: I.C. § 33-1605 Health and Physical Fitness – Effects of Alcohol,
Tobacco, Stimulants and Narcotics
I.C. § 33-1608 et seq. Family Life and Sex Education – Legislative Policy
IDAPA 08.02.03.160 Safe Environment and Discipline

Policy History:

Adopted on:

Revised on:

Reviewed on:

Driver Training Education

The District may offer a Driver Training Education Program when staffing and funding are available. Any such program will be conducted in compliance with all requirements in the Idaho Standards for Public School Driver Education and Training as approved by the State Board of Education.

Anyone residing in the District between the ages of 14½ through 21 years of age, irrespective of whether they are enrolled in the District, is eligible to enroll in the District's driver training program. Such program, in the discretion of the Board, may be conducted after school hours, on Saturdays, or during regular school vacation periods. The District may offer a joint driver training program with other districts.

No charge or enrollment fee shall be required of a student not enrolled in the District, unless public school students are required to pay such enrollment fees or charges.

The purpose of the program is to introduce students to a course of study that leads to the eventual development of skills appropriate for a licensed driver. The traffic education program is designed to meet the criteria established by the State Department of Education.

District Procedures and Enrollment Criteria

Council School District may provide a driver education program through an on-site instructor (if one is available on staff) or through the IDLA program. Priority in enrollment shall be granted to student who meet all of the following criteria:

1. Student must not be in violation of the District's attendance policy regarding "total absences allowed" during the semester prior to the driver education course starting and maintain that standing throughout the program.
2. Student must be passing all courses during the semester prior to the driver education course starting and maintain that standing throughout the program.
3. Students who have failed previous online courses will not be approved to enroll in the IDLA Driver Education Course.

Cross Reference: 3440 Student Fees, Fines, and Charges/Return of Property

Legal Reference: I.C. § 33-1701 et seq.	Driver Training Courses
I.C. § 49-110	Definitions
I.C. § 49-307	Fee for Class D Driver's Training Instruction Permit - - Class D Supervised Instruction Permit
IDAPA 08.02.02.230	Driver Education

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

INSTRUCTION

2330

Community and Adult Education

The District makes its resources available to adults and other nonstudents within the limits of budget, staff, and facilities, provided there is no interference with or impairment of the regular school program. Community school, adult education, and other offerings may be developed in cooperation with community representatives, subject to approval and authorization by the Board.

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

INSTRUCTION

2335

Digital Citizenship and Safety Education

Technology will be integral to curriculum, instruction, and assessment. The District's educational system must lay the foundation for students to participate comfortably in an increasingly technological society. Classroom activities will include instruction using multimedia, distance learning, and other technologies.

The Superintendent will ensure that District students are educated on network etiquette and appropriate online behavior, including cyberbullying awareness, digital citizenship, and online safety. Instruction will be given to students as appropriate to the educational and developmental needs of students.

The District may make use of the Idaho Attorney General's online safety program, titled Protecteens, which addresses online safety and cyberbullying, in classroom discussions about digital citizenship, responsible online behavior, and consequences. The District may also make use of other materials on digital citizenship such as those found at CommonSenseMedia.org.

The Superintendent will ensure that teachers, administrators, and other staff members responsible for supervising students' internet use receive professional development, training, and resources in the following areas:

1. Monitoring of student online activities;
2. Instruction of students in proper network etiquette;
3. Instruction of students in discerning among online information sources and appropriate materials;
4. Bullying and cyberbullying awareness and response, in accordance with the District's bullying policy; and

5. Instruction of students on appropriate interaction on social networking websites and chat rooms.

The District may use the following methods of providing instruction on appropriate online behavior and cyberbullying awareness:

1. Incorporation of instruction into course objectives or daily lessons of planned instruction, as appropriate;
2. Class assemblies or special instruction given in the school library or media center;
3. Special technology courses that are required for students at various grade levels; and
4. Online tutorial programs required for students to use a District network account.

The Internet Safety Coordinator or their designee will also make resources available to parents/guardians on teaching students about acceptable internet use, appropriate online behavior, network etiquette, cyber-bullying awareness and response, and appropriate use of social networking websites and chat rooms.

Cross Reference: 3270 District Provided Access to Electronic Information, Services, and Networks
 3295P Hazing, Harassment, Intimidation, Bullying, Cyber Bullying
 5265 Employee Responsibilities Regarding Student Harassment, Intimidation, and Bullying

Legal Reference: I.C. § 18-917A Student Harassment – Intimidation – Bullying
 P.L. 110-385 Broadband Data Services Improvement Act
 Children’s Internet Protection Act (CIPA) 47 U.S.C. § 254(h)(5)(B)-(C), 254(l)
 Internet Safety 20 U.S.C. § 6777
 Children's Internet Protection Act Certifications Required 47 C.F.R. § 54.520(c)(1)(i);

Policy History:

Adopted on:

Revised on:

Reviewed on:

Controversial Issues and Academic Freedom

The District shall offer courses of study which will afford learning experiences appropriate to the level of student understanding. The instructional program shall respect the right of students to face issues; to have free access to information; to study under teachers in situations free from prejudice; and to form, hold, and express their own opinions without personal prejudice or discrimination.

The Board recognizes the need for the teacher to have the freedom to discuss and teach subjects and issues which may be controversial. Such subjects and issues may include but are not necessarily be limited to:

1. Politics;
2. Science;
3. Health and sex education; and
4. Values and ethics.

Teachers shall guide discussions and procedures with thoroughness and objectivity to acquaint students with the need to recognize opposing viewpoints, the importance of fact, the value of good judgment, and the virtue of respect for conflicting opinions.

The Board encourages and supports the concept of academic freedom, recognizing it as a necessary condition to aid in maintaining an environment conducive to learning and the free exchange of ideas and information.

The Board also believes that academic freedom carries with it a responsibility that is shaped by the basic ideals, goals, and institutions of the local community. These standards are expressed via the goals and objectives of the adopted curriculum, by the adopted textbooks, by Board policy, and by the District's mission statement.

In the study or discussion of controversial issues or materials, however, the Board directs the teaching staff to take into account the following criteria:

1. Relative maturity of students;
2. District philosophy of education;
3. Community standards, morals, and values;
4. The necessity of a balanced presentation; and
5. The necessity of seeking prior administrative counsel and guidance in such matters.

As a consequence of its responsibility to guarantee academic freedom to both students and teachers, the Board expects that:

1. All classroom studies will be curriculum-related, objective, and impartial;
2. Teachers will create and maintain an atmosphere of open-mindedness and tolerance, and recognize that no one idea or viewpoint should necessarily prevail;
3. Teachers will not attempt, directly or indirectly, to limit or control students' judgment concerning any issue, but will make certain that full and fair consideration is given to the subject and that facts are carefully examined as to their accuracy and interpretation; and
4. Teachers will exercise professional judgment in determining the appropriateness of the issue to the curriculum and to the age and grade level of the students.

To this end:

1. The teacher shall be free to choose supplemental materials to support and enhance the regular classroom curriculum except in sex education instruction as outlined in item four of this section. To encourage the free flow of information and enhance student creativity, unplanned issues may be brought up in the classroom and briefly discussed.
2. The school shall provide for parents or guardians to have their child excused from a topic which may be contrary to their religious or moral values. This shall be done in writing by the parent or guardian and include an explanation of the conflict. The student may also request to be excused if the student personally finds the topic to be contrary to their religious or moral values. The student must explain in writing the nature of the conflict. The teacher will provide an alternative assignment if the request is approved by the teacher and principal.
3. The teacher shall notify parents or guardians when especially controversial issues may be discussed and that they may have their child excused if family religious or moral values so dictate. The teacher should have the principal view questionable materials, etc.
4. The Board directs that a philosophy of abstinence shall be a part of and the underlying principal in all sex education instruction. However, it is recognized that this alone may not prevent pregnancies and sexually transmitted disease. Therefore the Board allows for instruction in sex education including AIDS awareness, sexually transmitted diseases, birth control, and general human sexuality. In all cases the known facts will be taught, not the opinions or moral judgment of the instructor. This does not preclude giving impartial view points on both sides of issues such as the right to an abortion or on the use of birth control methods.

Any parent/legal guardian may have his or her child excused from any planned sex education instruction upon filing a written request with the Board. The Board shall make a form available for such requests. Alternative educational activities shall be provided for those excused.

5. When speakers are to be used, the principal must always give approval as outlined in the Board policy on "Controversial Speakers".

Cross Reference 2341 Controversial Speakers

Legal Reference: I.C. § 33-512 Governance of Schools
 I.C. § 33-1611 Excusing Children from Instruction in Sex Education

Policy History:

Adopted on:

Revised on:

Reviewed on:

Parental Opt-Out Form for Sex Education

I, _____, parent/guardian of _____, request that my child be removed from class and/or student activities when planned instruction is given in the subject of sex education.

I understand a philosophy of abstinence is a part of and the underlying principal in all sex education instruction. Because this alone may not prevent pregnancies and sexually transmitted disease, the Board allows for instruction in sex education including AIDS awareness, sexually transmitted diseases, birth control, and general human sexuality. In all cases the known facts will be taught, not the opinions or moral judgments of the instructor. This does not preclude giving impartial viewpoints on both sides of issues such as the right to an abortion or on the use of birth control methods.

Date

Signature of Parent/Guardian

Council School District No. 13

INSTRUCTION

2345

Speakers in the Classroom and at School Functions

The Board encourages the use of outside speakers when the speaker's program is educationally sound, consistent with the curriculum, and follows District policies and procedures.

All speakers invited must have the school principal's approval. If the subject is controversial the principal may also decide to engage speakers for both sides of the issue(s). In no instance shall a speaker who is known to advocate unconstitutional or illegal acts or procedures be permitted to address the students. Parents or guardians will be given the option to remove their student from certain discussions, and an alternative assignment will be given if the speaker is to address a classroom.

Controversial Speakers

The Board recognizes that visiting speakers may be of specific viewpoints and that their topics may be controversial. If they are prohibited from speaking because of their points of view, academic freedom is endangered. Students need to examine issues upon which there is disagreement and practice analyzing problems, gathering and organizing facts, discriminating between facts and opinions, discussing differing viewpoints, and drawing tentative conclusions. The Board also recognizes that many topics are not suitable for younger or less mature students. When correctly handled, the use of controversial speakers becomes an invaluable component in accomplishing the goals of citizenship education. However, this places a serious responsibility on the professional staff members to correctly structure the learning situation involving a speaker.

Legal Reference: I.C. § 33-512 Governance of Schools

Policy History:

Adopted on:

Revised on:

Reviewed on:

Controversial Speakers Procedure

No overall standard can be established which will automatically separate and exclude as a resource the person whose views or manner of presenting them may actually obstruct the educational process or endanger the health and safety of students or staff. The Board, in an effort to uphold students' freedom to learn while also recognizing obligations which the exercise of this freedom entails, establishes the following rules:

1. Selection of speakers and topics must be appropriate to the age and grade level of the students;
2. Selection of speakers and topics should be congruent with the curriculum of the course or function;
3. The teacher/sponsor and school building administrator shall investigate fully those proposed resource persons for whom the community may question the wisdom of his or her presence;
4. The teacher/sponsor or designee must give one week prior notification to the principal or designee. The principal or designee may waive the one week notification requirement if extenuating circumstances are present;
5. Minimal disruption to the normal flow of school operation is a high priority;
6. An attempt to provide a balance of viewpoints is recommended when dealing with controversial issues or candidates for public office;
7. No person who encourages or advocates breaking the law shall be invited to speak;
8. Teachers should ensure that the presentation and follow up is consistent with District approved programs and policies;
9. The teacher must retain primary responsibility for the instruction and supervision of students when using an outside speaker. The teacher must be present at all times when speakers are in the classroom;
10. Prior to his or her appearance or participation, the proposed speaker shall be given in writing and shall agree to abide by the following regulations:
 - A. Profanity, vulgarity, and lewd comments are prohibited;
 - B. Tobacco, alcohol, or drug use is prohibited; and
 - C. The teacher/sponsor responsible for inviting the resource person and any member

of the school administration has the right and duty to interrupt or suspend any proceedings if the conduct of the resource person is judged to be in poor taste or endangering the safety of students and staff.

11. In the event an outside community speaker is denied access to the classroom, the teacher may request a meeting be held between the Superintendent or designee, the principal or designee, and the teacher/sponsor. The meeting shall be held no later than five working days from the date of the request for the meeting. The administrators shall review with the teacher/sponsor pertinent information concerning the request and render a final decision on the issue.

Procedure History:

Promulgated on:

Revised on:

Reviewed on:

Council School District No. 13

INSTRUCTION

2350

Student Religious Activity at School

In keeping with the United States and Idaho Constitutions and judicial decisions, the District may not support religion or endorse religious activity. At the same time, the District may not prohibit private religious expression by students. The purpose of this policy is to provide direction to students and staff members about the application of these principles to student religious activity at school.

Student Prayer and Discussion

Students may pray individually or in groups and discuss their religious views with other students, as long as they are not disruptive or coercive. The right to engage in voluntary prayer does not include the right to have a captive audience listen, to harass other students, or to force them to participate. Students may pray quietly in the classroom, except when they are expected to be involved in classroom instruction or activities.

Staff Members

Staff members are representatives of the District and must “navigate the narrow channel between impairing intellectual inquiry and propagating a religious creed.” They may not encourage, discourage, persuade, dissuade, sponsor, participate in, or discriminate against a religious activity or an activity because of its religious content. They must remain officially neutral toward religious expression.

Graduation Ceremonies

Graduation is an important event for students and their families. In order to assure the appropriateness and dignity of the occasion, the District sponsors and pays for graduation ceremonies and retains ultimate control over their structure and content.

District officials may not invite or permit members of the clergy to give prayers at graduation. Furthermore, District officials may not organize or agree to requests for prayer by other persons at graduation, including requests from students. The District may not prefer the beliefs of some students over the beliefs of others, coerce dissenters or nonbelievers, or communicate any endorsement of religion.

Baccalaureate Ceremonies

Students and their families may organize baccalaureate services, at which attendance must be entirely voluntary. Organizers of baccalaureate services may rent and have access to school facilities on the same basis as other private groups but may not receive preferential treatment. The District may not be identified as sponsoring or endorsing baccalaureate services. District funds, including paid staff time, may not be used directly or indirectly to support or subsidize any religious services.

Assemblies and Extracurricular and Athletic Events

District officials may not invite or permit members of the clergy, staff members, or outsiders to give prayers at school-sponsored assemblies and extracurricular or athletic events. District officials also may not organize or agree to student requests for prayer at assemblies and other school-sponsored events. Furthermore, prayer may not be broadcast over the school public address system, even if the prayer is nonsectarian, non-proselytizing, and initiated by students.

Student Religious Expression and Assignments

Students may express their individual religious beliefs in reports, tests, homework, and projects. Staff members should judge their work by ordinary academic standards, including substance, relevance, appearance, composition, and grammar. Student religious expression should neither be favored nor penalized.

Religion in the Curriculum

Staff members may teach students about religion in history, art, music, literature, and other subjects in which religious influence has been and continues to be felt. However, staff members may not teach religion or advocate religious doctrine or practice. The prohibition against teaching religion extends to curricular decisions that promote religion or religious beliefs.

School programs, performances, and celebrations must serve an educational purpose. The inclusion of religious music, symbols, art, or writings is permitted if the religious content has an historical and/or independent educational purpose that contributes to the objectives of the approved curriculum. School programs, performances, and celebrations cannot promote, encourage, discourage, persuade, dissuade, or discriminate against a religion or religious activity and cannot be religious or religious-holiday oriented.

Student Religious Clubs

Students may organize clubs to discuss or promote religion, subject to the same constitutionally acceptable restrictions that the District imposes on other student-organized clubs.

Distribution of Religious Literature

Students may distribute religious literature to their classmates, subject to the same constitutionally acceptable restrictions that the District imposes on the distribution of other non-school literature. Outsiders may not distribute religious or other literature to students on school property.

Religious Holidays

Staff members may teach objectively about religious holidays and about the religious symbols, music, art, literature, and drama that accompany the holidays. They may celebrate the historical aspects of the holidays, but may not observe them as religious events.

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

INSTRUCTION

2355

Release Time

For students in grades kindergarten through 8, the District will not allow release time.

Upon application, students in grades 9 through 12 may be excused from school provided that no student will be excused in excess of five periods in a school week or 165 hours in any given school year.

The Board shall, in its sole discretion, determine release time(s).

No student will be permitted to attend release time programs except upon written request from a parent/guardian filed with the school principal.

Release time shall not interfere with the scheduling of classes, activities, and programs of public schools. No credit shall be given for completion of courses during release time for religious purposes. Credit may be granted for other purposes, at the discretion of the Board. Registration for release time programs shall not occur on school property.

The District is not responsible for the health, safety, and welfare of a student participating in a release time program nor will the District be liable for acts, injuries, or events occurring while:

1. A student is being transported to and from release time programs; or
2. While a student participates in release time programs.

Legal Reference: Article IX, § 6 Idaho Constitution – Religious Test and Teaching in School Prohibited

I.C. § 33-519 Release for Religious Instruction

I.C. § 33-1603 Sectarian Instruction Forbidden

IDAPA 08.02.02.220 Release Time Program for Elementary and Secondary Schools

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

INSTRUCTION

2360

Interscholastic Activities

The program of interscholastic activities shall include all activities relating to competitive sport; intellectual contests, games, or events; or exhibitions involving individual students or teams of students of this District when such events occur between schools outside this District.

Although the District recognizes that there is some value in offering programs of interscholastic activities, interscholastic activities shall not be considered to be a property, liberty, or contract right of any student; any and all interscholastic activities offered by the District shall not be deemed a “right” but rather shall be considered to be a “privilege.”

All facilities and equipment utilized in the interscholastic activity program, whether or not the property of the District, shall be inspected on a regular basis. Participants will be issued equipment that has been properly maintained and fitted.

An activity coach must be properly trained and qualified for an assignment as described in the coach's job description. A syllabus; which outlines the skills, techniques, and safety measures associated with a coaching assignment; will be distributed to each coach.

The Board recognizes that certain risks are associated with participation in interscholastic activities. While the District will strive to prevent injuries and accidents to students, each parent or guardian will be required to sign an “assumption of risk” statement that indicates that the parents or guardians assume all risks for injuries resulting from such participation. Each participant shall be required to furnish evidence of physical fitness prior to becoming a member of an interscholastic team. A participant shall be free of injury and shall have fully recovered from illness before participating in any event.

Coaches and/or trainers may not issue medicine of any type to students. This provision does not preclude the coach and/or trainer from using approved first aid items.

Cross Reference: 3510

Administering Medication to Students

Legal Reference: I.C. § 33-512

Governance of Schools

Policy History:

Adopted on:

Revised on:

Reviewed on:

Participation of Private School Students in Federally Funded District Programs

It is the policy of the District to ensure, consistent with the number of students who reside within District boundaries who are enrolled in private elementary schools and secondary schools, who would otherwise be eligible to receive federally funded educational services, to make such services available to students attending private schools.

To accomplish this objective, the Superintendent shall:

1. Initiate timely and meaningful consultation with appropriate private school officials to effectuate provision of services to eligible children, on an equitable basis and individually or in combination, as requested by the officials, by providing covered special educational services, instructional services (including evaluations to determine the progress being made in meeting such students' academic needs), counseling, mentoring, one-on-one tutoring, or other federally funded benefits (such as dual or concurrent enrollment, educational radio and television, computer equipment and materials, other technology, and mobile educational services and equipment) that address their needs; and
2. Ensure that teachers and families of the children participate, on an equitable basis, in services and activities developed pursuant to District Policy 2420 on parent engagement.
3. Ensure that such educational services or other benefits, including materials and equipment, are secular, neutral, and non-ideological.
4. Ensure that the educational services and other benefits for such private school children are equitable to the services and other benefits for participating public school children, and are provided in a timely manner.
5. Assign an employee to help ensure such equity for such private school children, teachers, and other educational personnel.
6. Ensure the expenditures for educational services and other benefits to eligible private school children are equal to the proportion of funds allocated to participating school attendance areas based on the number of children from low-income families who attend private schools. The proportional share of funds is determined based on the total amount of federal funds received by the District for education services prior to any allowable expenditures or transfers by the local educational agency. Funds allocated to the District for educational services and other benefits to eligible private school children shall be obligated in the fiscal year for which the funds are received by the District.
7. Ensure notice is provided in a timely manner to the appropriate private school officials served by eligible students of the allocation of funds for educational services and other benefits that the District determines are available for eligible private school children. Such

notice shall be provided at least every two years. These services may be provided to eligible private school students either directly or through contracts with public and/or private agencies, organizations, and institutions.

8. Ensure that timely and meaningful coordination with appropriate private school officials during the development of the District's programs for the purpose of reaching an agreement on how to provide equitable and effective services to eligible private school children, the results of which agreement shall be provided to the employee designated by the Superintendent. The consultation should include identification of:
 - A. How the children's needs will be identified;
 - B. What services will be offered;
 - C. How, where, and by whom the services will be provided;
 - D. How the services will be academically assessed and how the results of that assessment will be used to improve those services;
 - E. The size and scope of the equitable services to be provided to the eligible private school children, the proportion of funds allocated for such services, and how that proportion of funds is determined;
 - F. The method or sources of data that will be used to determine the number of children from low-income families in the District's participating school attendance areas who attend private schools;
 - G. How and when the District will make decisions about the delivery of services to such children, including a thorough consideration and analysis of the views of the private school officials on the provision of services through a contract with potential third-party providers;
 - H. How, in the event the District disagrees with the preferences of the private school officials regarding the provision of services through a contract, the District will provide in writing to the private school officials an analysis of the reasons why it has chosen to not use a contractor;
 - I. Whether the District will provide services directly or through a separate government agency, consortium, entity, or third-party contractor;
 - J. Whether to provide equitable services to eligible private school children:
 - I. By creating a pool or pools of funds with all of the eligible federal funds based on all the children from low-income families in a participating school attendance area who attend private schools; or

II. In the District's participating school attendance area who attend private schools with the proportion of funds allocated under eligible federal funds based on the number of children from low-income families who attend private schools; and

K. When during the day the services will be available.

9. In the event there is any disagreement with the views of private school officials with respect to an issue described in paragraph 8, above, the Superintendent shall explain in writing to the private school officials the reasons why the District disagrees. The joint consultation meetings shall occur before the District makes any decision that affects the opportunities of eligible private school children to participate in funded programs. These meetings will continue throughout implementation and assessment of applicable services. The meetings will include discussion of how the District intends to deliver equitable services to eligible private school children. The District shall maintain in its records and provide to the State educational agency involved a written affirmation signed by all participating private school officials that participated in meaningful consultation with the District as set forth above. The written affirmation shall provide the option for private school officials to indicate the officials' belief that timely and meaningful consultation had not occurred, or that the program design is not equitable with respect to eligible private school children. If such officials do not provide such affirmation within a reasonable period of time, the District shall forward the documentation that such consultation has, or attempts at such consultation have, taken place to the State Department of Education.

Cross Reference: 4160 Parent Right to Know Notices

Legal Reference: 20 USC § 6320 Participation of Children in Private Schools, Every Student Succeeds Act of 2015

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

INSTRUCTION

2370

Homebound, Hospital, and Home Instruction

A student absent from school for more than ten consecutive days because of health or physical impairment will be provided the services of a teacher or an aide in the home or hospital. Appropriate educational services may begin as soon as eligibility has been established with a written statement from a licensed medical examiner and a written parental/guardian request.

Such students shall be included in calculating the average daily attendance

Legal Reference: I.C. § 33-1001 Definitions
I.C. § 33-1003A Calculation of Average Daily Attendance

Policy History:

Adopted on:

Revised on:

Reviewed on:

Service Animals in Schools

The District acknowledges its responsibility to permit students and/or adults with disabilities to be accompanied by a service animal in its school buildings, in classrooms, and at school functions, as required by the Americans with Disabilities Act.

“Service animal” refers to any dog or miniature horse that is individually trained to do work or perform tasks for the benefit of someone with a disability. The provision of emotional support, well-being, comfort, or companionship does not constitute work or tasks for the purpose of this definition.

Use of service animals shall be subject to the following requirements:

1. All requests for an individual with a disability to be accompanied by a service animal must be addressed in writing to the Superintendent. This written request must be delivered to the Superintendent’s office at least ten business days prior to bringing the service animal to school or a school function. Any such request by a student shall be advanced to the proper administrative personnel for consideration of a Section 504 analysis and possible program.
2. The animal must be required for the individual with a disability.
3. The animal must be a dog or, in specific circumstances, a miniature horse. No other species of animal, whether wild or domestic, will be permitted in schools as a service animal.
4. Requests to permit a miniature horse to accompany a student or adult with a disability in school buildings, in classrooms, or at school functions will be handled on a case-by-case basis, considering:
 - A. The type, size, and weight of the miniature horse, and whether the facility can accommodate these features;
 - B. Whether the handler has sufficient control of the miniature horse;
 - C. Whether the miniature horse is housebroken; and
 - D. Whether the miniature horse’s presence in a specific facility compromises legitimate safety requirements that are necessary for safe operation.
5. Owners of service animals must provide proof of current vaccinations to the Superintendent with their request to be accompanied by a service animal.
6. All service dogs must be spayed or neutered.
7. All service animals must be kept clean and groomed to avoid shedding and dander, and must be treated for, and kept free of fleas and ticks

8. Owners of service animals are liable for any harm or injury caused by the animal to other students, staff, visitors, and/or property.
9. A service animal must have a harness, leash, or other tether, unless either the handler is unable because of a disability to use a harness, leash, or other tether, or the use of harness, leash, or other tether would interfere with the service animal's safe, effective performance of work or tasks, in which case the service animal must be otherwise under the handler's control, such as by voice control, hand signals, or other effective means.
10. The school system is not responsible for the care or supervision of a service animal, including walking the animal or responding to the animal's need to relieve itself.
 - A. The District is not responsible for providing a staff member to walk the service animal or to provide any other care or assistance to the animal.
 - B. Students with service animals are expected to care for and supervise their animal. In the case of a young child or a student with disabilities who is unable to care for or supervise his or her service animal, the parent is responsible for providing care and supervision of the animal.
 - C. Issues related to the care and supervision of service animals will be addressed on a case-by-case basis in the discretion of the building administrator.
 - D. Requests for service animal-related accommodations will be reviewed based on the specific circumstances particular to the student in question and may be addressed in conjunction with a student's Section 504 Plan or Individual Education Plan.
11. A school administrator may ask an individual with a disability or his or her parents to remove a service animal from a school building, a classroom, or from a school function if any of the following circumstances occurs:
 - A. The animal is out of control and the animal's handler does not take effective action to control it.
 - B. The animal is not housebroken.
 - C. The animal's presence would "fundamentally alter" the nature of the service, program, or activity.
 - D. The animal presents a direct threat to students, staff, or other individuals.

Legal Reference: ADA Regulations, 28 C.F.R. Part 35

Policy History:

Adopted on:

Revised on:

Reviewed on:

Head Start Program Coordination

It is the policy of this District to coordinate its early childhood education programs with an accredited local Head Start agency and, to the extent feasible, with other entities providing early childhood development programs. To promote this policy, the Superintendent or designee shall develop and enter into agreements with such Head Start agencies and other local entities to carry out these important activities for the benefit of the District's youngest students.

Such coordination between the District and the local Head Start agency [**Note: assistance with initial contact and collaboration may be made through Idaho Head Start State Collaboration Office, Idaho Department of Health and Welfare, 450 W State Street, Boise, ID 83720 208-334-2410**] and, if feasible, other local entities carrying out early childhood education programs serving children who will attend District schools, should include the following:

1. Developing and implementing a systematic procedure for receiving records regarding such children, transferred with parental consent from a Head Start program or, where applicable, another early childhood education program;
2. Establishing channels of communication between school staff and their counterparts (including teachers, social workers, and health staff) in such Head Start agencies or other entities carrying out early childhood education programs, as appropriate, to facilitate coordination of programs;
3. Conducting meetings involving parents, kindergarten or elementary school teachers, and Head Start teachers or, if appropriate, teachers from other early childhood education programs, to discuss the developmental and other needs of individual children;
4. Organizing and participating in joint transition-related training of school staff, Head Start program staff, and, where appropriate, other early childhood education program staff; and
5. Linking the educational services provided by such local educational agency with the services provided by local Head Start agencies.

Legal Reference: 20 USC § 6322 Coordination Requirements, as amended by ESSA of 2015

Policy History:

Adopted on:

Revised on:

Reviewed on:

English Learners Program

In accordance with the Board's philosophy to provide a quality educational program to all students, the District shall provide an appropriate planned instructional program for identified students whose dominant language is not English. The purposes of the program are:

1. To help ensure that English learners, including immigrant children and youth, attain English proficiency and develop high levels of academic achievement in English;
2. To assist all English learners, including immigrant children and youth, to achieve at high levels in academic subjects so that all English learners can meet the same challenging state academic standards that all children are expected to meet;
3. To assist teachers (including preschool teachers), principals, and other school leaders, state educational agencies, local educational agencies, and schools in establishing, implementing, and sustaining effective language instruction educational programs designed to assist in teaching English learners, including immigrant children and youth;
4. To assist teachers (including preschool teachers), principals and other school leaders, state educational agencies, and local educational agencies to develop and enhance their capacity to provide effective instructional programs designed to prepare English learners, including immigrant children and youth, to enter all-English instructional settings; and
5. To promote parental, family, and community participation in language instruction educational programs for the parents, families, and communities of English learners.

Accordingly, the Board shall adopt a program of educational services for each student whose dominant language is not English. The program shall include bilingual/bicultural or English as a Second Language instruction.

The Superintendent or designee shall implement and supervise an English Learners program which ensures appropriate English Learners instruction and complies with applicable laws and regulations.

The Superintendent or designee, in conjunction with appropriate stakeholders, shall develop and disseminate written procedures regarding the English Learners program, including:

1. Program goals;
2. Student enrollment procedures;
3. Assessment procedures for program entrance, measurement of progress, and program exit;
4. Classroom accommodations;
5. Grading policies; and
6. A list of resources, including support agencies and interpreters.

The District shall establish procedures for identifying students whose dominant language is not English. For students whose dominant language is not English, assessment of the student's English proficiency level must be completed to determine the need for English as a Second Language instruction.

Students whose dominant language is not English should be enrolled in the District upon proof of residency and other legal requirements. Students shall have access to, and be encouraged to participate in, all academic and extracurricular activities of the District.

Students participating in English Learners programs shall be required, with accommodations, to meet established academic standards and graduation requirements adopted by the Board.

The English Learners program shall be designed to provide instruction which meets each student's individual needs based on the assessment of English proficiency in listening, speaking, reading, and writing. Adequate content-area support shall be provided while the student is learning English to assure achievement of academic standards.

The English Learners program shall be evaluated for effectiveness as required, based on the attainment of English proficiency, and shall be revised when necessary.

A student may be excluded from requirements to participate in Idaho's direct writing assessment and in Idaho's direct mathematics assessment, if either test is required to be given, if the following requirements are met:

1. The student has not been enrolled for two full school years in an elementary school or secondary school in the United States;
2. The student scores less than a level four on the State assessment used to determine English language proficiency; and
3. If the parent or guardian of the student and the student's teacher agree that such an assessment exclusion is educationally appropriate for the student.

At the beginning of each school year the District shall notify parents of students qualifying for English Learners programs about the instructional program and parental options, as required by law. Parents/guardians will be regularly apprised of their student's progress. Whenever possible, communications with parents or guardians shall be in the language understood by the parents.

The District shall maintain an effective means of outreach to encourage parental involvement in the education of their children.

Reporting

At the conclusion of every second fiscal year during which grant funds are received, the Superintendent or designee shall provide the Idaho Department of Education with a report, in a form prescribed by the Department describing the District's English Learner program and activities and providing the District's applicable demographic data.

Cross Reference: 4160 Parents Right-to-Know Notices

Legal Reference: Title VI, Civil Rights Act of 1964
Equal Education Opportunities Act as an amendment to the Education
Amendments of 1974 Bilingual Education Act
20 USC §§ 6811, et seq., the “English Language Acquisition, Language
Enhancement, and Academic Achievement Act” as amended by the Every
Student Succeeds Act of 2015
I.C. § 33-1618 Assessment Exception

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

INSTRUCTION

2390

Note: The following policy only applies to Districts receiving federal funds for the education of migratory children.

Education of Migratory Children

Purpose

In accordance with the Board's philosophy to provide a quality educational program to all students, the District shall provide an appropriate planned instructional program for all students who qualify as Migratory Children under applicable provisions of state and federal law and/or this Policy. The purposes of the program are:

1. To implement a high-quality and comprehensive educational program and to provide educational services during the school year and, as applicable, during summer or intersession periods, that address the unique educational needs of migratory children.
2. To ensure that migratory children who move around the United States are not penalized in any manner by disparities among the states in curriculum, graduation requirements, and challenging state academic standards.
3. To ensure that migratory children receive full and appropriate opportunities to meet the same challenging state academic standards that all children are expected to meet.
4. To help migratory children overcome educational disruption, cultural and language barriers, social isolation, various health-related problems, and other factors that inhibit their ability to succeed in school.

Eligibility

Children are eligible to receive District services if they fall within the definitions below:

1. Migratory child: The term "migratory child" means a child or youth who made a qualifying move in the preceding 36 months:
 - A. As a migratory agricultural worker or a migratory fisher; or
 - B. With, or to join, a parent or spouse who is a migratory agricultural worker or a migratory fisher.
2. Migratory fisher: The term "migratory fisher" means an individual who made a qualifying move in the preceding 36 months and, after doing so, engaged in new temporary or seasonal employment or personal subsistence in fishing. If the individual did not engage in

such new employment soon after the move, then the individual may be considered a migratory fisher if the individual actively sought such new employment and has a recent history of moves for temporary or seasonal fishing employment.

3. Qualifying move: The term “qualifying move” means a move due to economic necessity:
 - A. From one residence to another residence; and
 - B. From one school district to another school district, except:
 - i. In the case of a state that is comprised of a single school district, wherein a qualifying move is from one administrative area to another within such district; or
 - ii. In the case of a school district of more than 15,000 square miles, wherein a qualifying move is a distance of 20 miles or more to a temporary residence.
 - C. The term “in order to obtain”, when used to describe why a worker moved, means that one of the purposes of the move is to seek or obtain qualifying temporary employment or seasonal employment in agricultural work or fishing work.
 - D. If a worker states that a purpose of the move was to seek any type of employment, i.e., the worker moved with no specific intent to find work in a particular job, the worker is deemed to have moved with a purpose of obtaining qualifying work if the worker obtains qualifying work soon after the move.
 - E. Notwithstanding item D above, a worker who did not obtain qualifying work soon after a move may be considered to have moved in order to obtain qualifying work only if the worker states that at least one purpose of the move was specifically to seek the qualifying work, and:
 - i. The worker is found to have a prior history of moves to obtain qualifying work; or
 - ii. There is other credible evidence that the worker actively sought qualifying work soon after the move but, for reasons beyond the worker's control, the work was not available.

Plan Requirements

The District's Plan shall, at a minimum, include provisions to accomplish the following goals and directives:

1. *Performance targets:* The plan must specify:
 - A. Performance targets that the State has adopted for all [children](#) in reading and mathematics achievement, high school graduation, and the number of school

dropouts, as well as the State's performance targets, if any, for school readiness;
and

- B. Any other performance targets that the State or District has identified for migratory [children](#).
2. *Needs assessment:* The plan must include an identification and assessment of:
 - A. The unique educational needs of [migratory children](#) that result from the [children's](#) migratory lifestyle; and
 - B. Other needs of migratory students that must be met in order for [migratory children](#) to participate effectively in school.
 3. *Measurable program outcomes:* The plan must include the measurable program outcomes (i.e., objectives) that a State's migrant education program will produce to meet the identified unique needs of [migratory children](#) and help [migratory children](#) achieve the State's performance targets identified in [paragraph \(1\)\(A\)](#) of this section.
 4. *Service delivery:* The plan must describe the strategies that the State Board will pursue on a statewide basis to achieve the measurable program outcomes in [paragraph \(3\)\(A\)](#) of this section by addressing:
 - A. The unique educational needs of [migratory children](#); and
 - B. Other needs of [migratory children](#).
 5. *Evaluation.* The plan must describe how the District will evaluate the effectiveness of its program.

Record Keeping

District records for migratory children should include the following:

1. Immunization records and other health information;
2. Elementary and secondary academic history (including partial credit), credit accrual, and results from State assessments;
3. Other academic information essential to ensuring that migratory children achieve to the challenging State academic standards; and
4. Eligibility for services under the Individuals with Disabilities Education Act.

The District is required to keep financial records to demonstrate:

1. The amount of funds under the grant or sub-grant;
2. How the District uses the funds;
3. The total cost of the program;
4. The share of the cost provided from other sources; and
5. Other records as needed to facilitate an effective audit.

The District must maintain migrant child records for three years after the date the District submits its last expenditure for the time period. If any litigation, claim, negotiation, audit, or other action involving the migrant child records is taken, the records must be retained until the completion of the action and resolution of all issues or until of the end of the regular three year period, whichever is later.

For an employee who has both migrant child and non- migrant child responsibilities, the District must maintain appropriate time distribution records. Actual costs charged to each program must be based on the employee's time distribution records. For instructional staff, including teachers and instructional aides, class schedules that specify the time that such staff members devote to migrant child activities may be used to demonstrate compliance with the requirement for time distribution records so long as there is corroborating evidence that the staff members actually carried out the schedules.

Legal Reference: 76.730-76.731 Education Department General Admin. Regulation (EDGAR)
80.42(b)(c) Education Department General Admin. Regulation (EDGAR)
20 USC §§ 6391, et seq., Education of Migratory Children, as amended by
Every Student Succeeds Act of 2015
34 CFR 200.81 *et seq.* Migrant Education Programs

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

INSTRUCTION

2395

Idaho Digital Learning Academy Classes

The Idaho Digital Learning Academy (IDLA) is a legislatively created virtual school designed to provide Idaho students with greater access to an assortment of courses while working in collaboration with public schools. IDLA offers educational opportunities that meet students' changing needs and grants students the flexibility of learning anytime, anyplace, and at a pace that meets their individual learning styles.

The District will use IDLA classes to supplement its curriculum and to provide remedial academic support.

Site Coordinator

The District will provide an individual, employed by the District, as a site coordinator. The site coordinator is to regularly motivate students and monitor their progress. The role of the site coordinator is to:

1. Advise students on appropriate courses for registration;
2. Ensure that students are completing work on a timely basis, including checking grades online every three weeks;
3. Proctor final exams; and
4. Facilitate communications with students' parents/guardians regarding course progress and the IDLA instructor.

Additionally, the site coordinator is a contact for the IDLA instructor and IDLA staff. A site coordinator shall be assigned to each building, or as an alternative, to each District. Anyone selected as a District site coordinator shall successfully complete the IDLA online Site Coordinator Course. The cost of the IDLA online Site Coordinator Course shall be paid by the District.

Student and Course Selection

District administrators, counselors, and teachers will identify those students who will benefit from IDLA classes.

At the discretion of the principal or designee, students may be selected to take IDLA courses if they:

1. Need to make up credits in order to graduate on schedule;
2. Are eligible for hospital or homebound programs;
3. Are interested in advanced placement or dual credit courses;
4. Want to supplement their curriculum by taking course(s) not offered at their school;
5. Have scheduling conflicts;

6. Want to accelerate their academic program by taking additional courses to facilitate early graduation; or
7. Are excused from being physically present on the campus of their school of record for an extended period of time.

Students may be denied the privilege of IDLA enrollment if their academic and behavioral record does not indicate the academic ability and self-discipline needed to succeed in online classes.

The parent/guardian, student, and principal or designee must confer and agree that the course(s) selected is/are academically and developmentally appropriate for the student and that all prerequisites as determined by the student's school of record have been completed before registration in an IDLA course.

Ethical Conduct

Any student attending classes through IDLA shall adhere to the District's Acceptable Use of Electronic Networks policies and any acceptable use policy implemented by IDLA. Additionally, the student and the student's parent/guardian shall agree to abide by the District's and IDLA's policies prior to IDLA classes beginning.

In the event of a violation of the acceptable use policy, plagiarism, or other disciplinary issues, IDLA will notify the District. The District shall take any disciplinary measures necessary as provided in District policy.

Tuition and Fees

The District shall abide by the IDLA Fees Policy Statement provided by IDLA. The District shall pay the IDLA cost associated with students who take IDLA classes as part of their normal school day. The District will pay the tuition and registration fees for eligible students.

If the student is enrolled in six or more credits or sufficient classes to qualify as full time in a District high school, the student is responsible for all tuition and registration fees to be paid to IDLA.

Grading

IDLA provides a percentage grade to the Districts. The District transcribes the credit. The grade received from any IDLA class will be averaged into the student's GPA. The student will be granted high school credit when earned through the IDLA. Grade percentages in courses shall be based on such criteria as mastery of the subject, demonstrated competency, and meeting the standards set for each course.

Advanced Placement Designation on Transcript

If a student of the District takes an IDLA class, the District will specify on the student's transcript that the advanced placement course was taken through IDLA. The purpose for this is to ensure that

the student's transcript reflects an approved provider of the advanced placement course, such as IDLA.

For all other requirements regarding IDLA, please refer to the Idaho Digital Learning Academy.

Policy Note: Some information to develop this policy was provided by the Idaho Digital Learning Academy.

Cross Reference 3270-3270P Acceptable Use of Electronic Networks

Legal References: I.C. § 33-5502 Creation—Legislative Findings—Goal
 I.C. § 33-5505 Definitions
 Paulson v. Minidoka School District No. 331, 93 Idaho 469, 470 (1970).

Policy History:

Adopted on:

Revised on:

Reviewed on:

Section 504 of the Rehabilitation Act of 1973

It is the intent of the District to ensure that students who are disabled within the definition of Section 504 of the Rehabilitation Act of 1973 are identified, evaluated, and provided with appropriate educational services. For those students who need or are believed to need special instruction and/or related services under Section 504 of the Rehabilitation Act of 1973, the District shall establish and implement a system of procedural safeguards. The safeguards shall cover students' identification, evaluation, and educational placement. This system shall include:

1. Notice;
2. An opportunity for the student's parent or legal guardian to examine relevant records;
3. An impartial hearing with opportunity for participation by the student's parent or legal guardian; and
4. A review procedure.

[REQUIRED FOR DISTRICTS WITH 15 OR MORE EMPLOYEES]

The Board directs the Superintendent to fulfill the following responsibilities:

1. To coordinate 504 compliance efforts;
2. To adopt and publish grievance procedures that incorporate appropriate due process standards and that provide for the prompt and equitable resolution of complaints alleging any action prohibited by Section 504; and
3. To notify students and others that the District does not discriminate on the basis of disability.

Cross Reference: 3210 Uniform Grievance Procedure

Legal Reference: 29 U.S.C. § 794 Rehabilitation Act of 1973, Section 504
34 C.F.R. 104.36 Procedural Safeguards

Procedure History:

Promulgated on:

Revised on:

Reviewed on:

Section 504 of the Rehabilitation Act of 1973 ("Section 504")

1. Impartial Due Process Hearing: If the parent or legal guardian of a student who qualifies under Section 504 for special instruction or related services disagree with a decision of the District with respect to:

- A. The identification of the child as qualifying for Section 504;
- B. The District's evaluation of the child; and/or
- C. The educational placement of the child,

the parents of the student are entitled to certain procedural safeguards. The student shall remain in his or her current placement until the matter has been resolved through the process set forth herein.

- A. The District shall provide written notice to the parent/legal guardian of a Section 504 student prior to initiating an evaluation of the child and/or determining the appropriate educational placement of the child, including special instruction and/or related services;
- B. Upon request, the parent/legal guardian of the student shall be allowed to examine all relevant records relating to the child's education and the District's identification, evaluation, and/or placement decision;
- C. The parent or legal guardian of the student may make a request in writing for an impartial due process hearing. The written request for an impartial due process hearing shall identify with specificity the areas in which the parent or legal guardian are in disagreement with the District;
- D. Upon receipt of a written request for an impartial due process hearing, a copy of the written request shall be forwarded to all interested parties within three business days of receipt of the same;
- E. Within ten days of receipt of a written request for an impartial due process hearing, the District shall select and appoint an impartial hearing officer that has no professional or personal interest in the matter. In that regard, the District may select a hearing officer from the list of special education hearing examiners available at the State Department of Education or any other person that would conduct the hearing in an impartial and fair manner;
- F. Once the District has selected an impartial hearing officer, the District shall provide the parent/legal guardian and all other interested parties with notice of the person selected;

- G. Within five days of the District's selection of a hearing officer, a prehearing conference shall be scheduled to set a date and time for a hearing, identify the issues to be heard, and stipulate to undisputed facts to narrow the contested factual issues;
 - H. The hearing officer shall in writing notify all parties of the date, time, and location of the due process hearing;
 - I. At any time prior to the hearing, the parties may mutually agree to submit the matter to mediation. A mediator may be selected from the State Department of Education's list of trained mediators.
 - J. At the hearing, the District and the parent or legal guardian may be represented by counsel;
 - K. The hearing shall be conducted in an informal but orderly manner. Either party may request that the hearing be recorded. Should either party request that the hearing be recorded, it shall be recorded using either appropriate equipment or a court-reporter. The District shall be allowed to present its case first. Thereafter the parent/legal guardian shall be allowed to present their case. Witnesses may be called to testify and documentary evidence may be admitted, however, witnesses will not be subject to cross-examination and the Idaho Rules of Evidence will not apply. The hearing officer shall make all decisions relating to the relevancy of all evidence intended to be presented by the parties. Once all evidence has been received the hearing officer shall close the hearing. The hearing officer may request that both parties submit proposed findings of fact, conclusions, and decision;
 - L. Within 20 days of the hearing, the hearing examiner should issue a written report of his or her decision to the parties;
 - M. Appeals may be taken as provided by law. The parent/legal guardian may contact the Seattle Office, Office of Civil Rights, U.S. Department of Education, 915 Second Avenue Room 3310, Seattle, WA 98174-1099, (206) 607-1600.
2. Uniform Grievance Procedure: If a parent/legal guardian of the student alleges that the District and/or any employee of the District has engaged in discrimination or harassment of the student, the parent/legal guardian will be required to proceed through the District's Uniform Grievance Procedure.

Procedure History:

Promulgated on:

Revised on:

Reviewed on:

Parent and Family Engagement

[NOTE: Schools receiving federal Title I funds are required to have a parent and family engagement policy. This sample policy can be used as the basis for the joint development of a policy, as required by the federal law. Each District's Parent and Family Engagement Plan should be uniquely prepared to reflect its particular needs and strategies to meet those needs. As a result, each district must develop its own plan which will be consistent with the guidelines set forth in the statute and identified in this policy].

District Policy Development

The District may receive Title I funds only if it conducts outreach consistent with federal law to all parents and family members and implements programs, activities, and procedures for the involvement of parents and family members in programs assisted under Title I. Such programs, activities, and procedures shall be planned and implemented following meaningful consultation with the parents of participating children.

The District shall develop jointly with, agree on with, and distribute to, parents and family members of participating children a written parent and family engagement policy. The policy will establish the District's expectations and objectives for meaningful parent and family involvement, and specifically describe how the District will:

1. **Demonstrate Joint Development of Engagement Plan:** The District shall involve parents and family members in jointly developing the District's Plan; and
2. **Coordinate Assistance and Support:** The District shall provide the coordination, technical assistance, and other support necessary to assist and build the capacity of all participating schools within the District in planning and implementing effective parent and family involvement activities to improve student academic achievement and school performance, which may include meaningful consultation with employers, business leaders, and philanthropic organizations, or individuals with expertise in effectively engaging parents and family members in education; and
3. **Coordinate with Other Programs:** The District shall coordinate and integrate its parent and family engagement strategies to the extent feasible and appropriate, with the District's other relevant federal, state, and local programs; and
4. **Conduct Annual Program Evaluation:** The District shall conduct, with the meaningful involvement of parents and family members, an annual evaluation of the content and effectiveness of its parent and family engagement policy in improving the academic quality of all its schools receiving Title I funds, including identification of:

- A. The barriers to greater participation by parents in improvement plan activities (with particular attention paid to parents who are economically disadvantaged, are disabled, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority background);
 - B. The needs of parents and family members to assist with the learning of their children, including engaging with school personnel and teachers; and
 - C. The strategies that will be implemented to support successful school and family interactions.
5. **Implement Evaluation Findings:** The District shall use the findings of the evaluation performed pursuant to Paragraph 4, above, to design evidence-based strategies for more effective parental involvement, and to revise, if necessary, the District's parent and family engagement policy described herein; and
6. **Establish a Parent Advisory Board:** The District shall involve parents in the activities of the schools receiving Title I funds, which may include establishing a parent advisory board comprised of a sufficient number and representative group of parents or family members served by the District to adequately represent the needs of the population served by the District for the purpose of developing, revising, and reviewing the District's Parent and Family Engagement Policy.

School-Level Policy Development

Each Title I school shall jointly develop with, and distribute to, parents and family members of participating children a written parent and family engagement policy, agreed on by such parents, that shall describe the means for carrying out the requirements of paragraphs 1 through 4 below. Parents shall be notified of the policy in an understandable and uniform format and, to the extent practicable, provided in a language the parents can understand. Such policy shall be made available to the local community and updated periodically to meet the changing needs of parents and the school. In the event a school has an existing parent and family engagement policy that applies to all parents and family members, that school may amend its policy, if necessary, to meet the requirements of this policy. Similarly, if the District has an existing district-level parent and family engagement policy that applies to all parents and family members in all schools served by the District, it may amend that policy, if necessary, to meet the requirements of this policy.

1. **Parental Involvement:** All District schools receiving Title I funds shall:
- A. Convene an annual meeting, at a convenient time, to which all parents of participating children shall be invited and encouraged to attend, to inform parents of their school's programs, to explain the requirements of this policy, and the right of the parents to be involved; and
 - B. Offer a flexible number of meetings, such as meetings in the morning or evening, and may provide, with reserved Title I funds, transportation, child care, or home visits, as such services relate to parental involvement; and

- C. Involve parents, in an organized, ongoing, and timely way, in the planning, review, and improvement of the District's and school's available programs, including the planning, review, and improvement of the school's parent and family engagement policy and the joint development of the schoolwide program plan, except that if a school has in place a process or procedure for involving parents in the joint planning and design of the school's programs, the school may use that process or procedure, if such existing process or procedure already includes an adequate representation of parents of Title I qualifying children; and
 - D. Provide parents of participating children:
 - I. Timely information about qualifying programs;
 - II. A description and explanation of the curriculum in use at the school, the forms of academic assessment used to measure student progress, and the achievement levels of the challenging State academic standards; and
 - III. If requested by parents, opportunities for regular meetings to formulate suggestions and to participate, as appropriate, in decisions relating to the education of their children, and respond to any such suggestions as soon as practicably possible.
 - E. If the schoolwide program plan is not satisfactory to the parents of participating children, the school shall submit any and all parent comments on the plan to the District at the time the school first makes the plan available to the District.
2. **School-Parent Compact to Achieve High Student Academic Achievement:** As a component of the school-level parent and family engagement policy developed under this policy, each school shall jointly develop with the parents of Title I children a school-parent compact that describes how parents, the entire school staff, and students will share the responsibility for improved student academic achievement and identify the means by which the school and parents will build and develop a partnership to help children achieve the challenging state academic standards. Such compact shall:
- A. Describe the school's responsibility to provide high-quality curriculum and instruction in a supportive and effective learning environment that enables the children to meet the challenging State academic standards, and the ways in which each parent will be responsible for supporting their children's learning; volunteering in their child's classroom; and participating, as appropriate, in decisions relating to the education of their children and positive use of extracurricular time; and
 - B. Address the importance of communication between teachers and parents on an ongoing basis through, at a minimum:

- I. Parent-teacher conferences in elementary schools, at least annually, during which the compact shall be discussed as the compact relates to the individual child's achievement;
- II. Frequent reports to parents on their children's progress;
- III. Reasonable access to staff, opportunities to volunteer and participate in their child's class, and observation of classroom activities; and
- IV. Ensuring regular two-way, meaningful communication between family members and school staff, and, to the extent practicable, in a language that family members can understand.

District and School Level Development

1. **Empowering Parents:** To ensure effective involvement of parents and to support a partnership among the school, parents, and the community to improve student academic achievement, both the District and each school within the District:
 - A. Shall provide assistance to parents of children served by the school or District, as appropriate, in understanding such topics as the challenging state academic standards, state and local academic assessments, the requirements of this policy, and how to monitor a child's progress and work with educators to improve the achievement of their children; and
 - B. Shall provide materials and training to help parents work with their children to improve their children's achievement, such as literacy training and using technology (including education about the harms of copyright piracy), as appropriate, to foster parental involvement; and
 - C. Shall educate teachers, specialized instructional support personnel, principals, and other school leaders, and other staff, with the assistance of parents, in the value and utility of parental participation, and in how to reach out to, communicate with, and work with parents as equal partners, to implement and coordinate parent programs, and to build ties between parents and the schools; and
 - D. Shall, to the extent feasible and appropriate, coordinate and integrate parental involvement in programs and activities with other available federal, state, and local programs, including public preschool programs, and conduct other activities, such as parent resource centers, that encourage and support parents to more fully participate in the education of their children; and
 - E. Shall ensure that information related to school and parent programs, meetings, and other activities is sent to the parents of participating children in a format and, to the extent practicable, in a language the parents can understand; and

- F. May involve parents in the development of training for teachers, principals, and other educators to improve the effectiveness of such training; and
 - G. May provide necessary literacy training for parents from Title I funds in the event the District has exhausted all other reasonably available sources of funding for such training; and
 - H. May pay reasonable and necessary expenses associated with local parental involvement activities, including transportation and child care costs, to enable parents to participate in school-related meetings and training sessions; and
 - I. May train parents to enhance the involvement of other parents; and
 - J. May arrange school meetings at a variety of times, or conduct in-home conferences between teachers or other educators, who work directly with participating children, with parents who are unable to attend such conferences at school, in order to maximize parental involvement and participation; and
 - K. May adopt and implement model approaches to improving parental involvement; and
 - L. May establish a districtwide parent advisory council to provide advice on all matters related to parental involvement in programs supported under Title I; and
 - M. May develop appropriate roles for community-based organizations and businesses in parent involvement activities;
 - N. Shall provide such other reasonable support for parental involvement activities under this section as parents may request; and
 - O. Shall inform parents and organizations of the existence of the program.
2. **Accessibility of Information for Parents:** In carrying out the parent and family engagement requirements of this policy, the District and participating schools, to the extent practicable, shall provide opportunities for the informed participation of parents and family members (including parents and family members who have limited English proficiency, parents and family members with disabilities, and parents and family members of migratory children), including providing information and school reports in a format and, to the extent practicable, in a language such parents understand.

Cross Reference: 4160 Parents Right to Know Notices

Legal Reference: 20 U.S.C. § 6311 State Plans
 20 U.S.C. § 6312 Local Education Agency Plans
 20 U.S.C. § 6318 Parental Involvement

Policy History:

Adopted on:
Revised on:
Reviewed on:

Parent and Family Engagement Guidelines

In order to achieve the level of parent and family engagement outlined in District Policy 2420 these procedures guide the development of each school's annual parental involvement plan designed to foster a cooperative effort among parents, school, and community.

Parent involvement activities developed at each school will include opportunities for:

1. Volunteering;
2. Parent education;
3. Home support for the child's education; and
4. Parent participation in school decision making.

The District will provide opportunities for professional development and resources for staff and parents/community regarding effective parent involvement practices. The District encourages schools to include family literacy when a substantial number of students have parents who do not have a secondary school diploma or its recognized equivalent or have low levels of literacy.

Roles and Responsibilities

Students

It is the responsibility of the student to:

1. Cooperate with school personnel and be responsible for their behavior;
2. Complete all homework assignments on time;
3. Participate to the best of their ability in all classes;
4. Read independently or with family on a regular basis; and
5. Let teachers, school counselors, and family know when they need help.

Parents

It is the responsibility of the parent to:

1. Actively communicate with school staff;
2. Be aware of policies, rules, and regulations of the school and District;
3. Take an active role in the child's education by reinforcing at home the skills and knowledge the student has learned in school;
4. Take an active role in assuring that the child is prepared to attend school each day; and
5. Utilize opportunities for participation in school activities.

Staff

It is the responsibility of staff to:

1. Work with parents to develop and implement a school plan for parent involvement;
2. Promote and encourage parent involvement activities;
3. Effectively and actively communicate with all parents about skills, knowledge, and attributes students are learning in school and suggestions for reinforcement; and
4. Send information to parents of Title I children in a format and, to the extent practicable, in a language the parents can understand.

Community

Community members who volunteer in the schools have the responsibility to:

1. Be aware of the policies, rules, and regulations of the school and District; and
2. Utilize opportunities for participation in school activities.

Administration

It is the responsibility of the administration to:

1. Provide coordination, technical assistance, and other support necessary to assist and build the capacity of all participating schools within the District to plan and implement effective parent and family involvement activities to foster improved student academic achievement and school performance;
2. Provide training and space for parent involvement activities;
3. Provide resources to support successful parent involvement practices;
4. Provide inservice education to staff regarding the value and use of contributions of parents and how to reach out to, communicate, and work with parents as equal partners, implement and coordinate parent programs, and build ties between parents and the school; and
5. Send information to parents of Title I children in a format and, to the extent practicable, in a language the parents can understand; and
6. Develop jointly with, agree on with, and distribute to, parents and family members of participating children a written parent and family engagement policy; and
7. Coordinate and integrate its Title I parent and family engagement strategies with the parent and family engagement strategies of the District's other relevant programs; and
8. Create and support a Parent Advisory Board comprised of a sufficient number and representative group of parents or family members served by the District to adequately

represent the needs of the population served by the District for the purpose of developing, revising, and reviewing the District's Parent and Family Engagement Policy; and

9. Ensure that each school in the District jointly develops with the parents of Title I children a school-parent compact that describes how parents, the entire school staff, and students will share the responsibility for improved student academic achievement and identify the means by which the school and parents will build and develop a partnership to help children achieve the challenging State academic standards and includes the requirements of District Policy 2420.

Procedure History:

Promulgated on:

Revised on:

Reviewed on:

Parental Rights

The Board of Trustees encourages parents/guardians to be involved in their student's school activities and academic progress.

The Board is mandated to adhere to laws, rules, and regulations including the Constitution of the State of Idaho; the rules of the Idaho State Board of Education (Idaho Administrative Procedures Act); the rules and regulations of the Idaho State Department of Education; the laws, rules, and regulations of the federal government and the U.S. Department of Education; as well as educational provisions outlined in the Idaho Code. These mandates include the requirement stated at Article IX, Section 1 of the Idaho Constitution that it is “. . . the duty of the Legislature of Idaho to maintain a general, uniform, and thorough system of public, free common schools.”

Based upon the above provisions, as well as the State's mandated requirements for advancement and graduation, the District has established its practices, policies, and procedures as well as the approved curriculum and assessment program. The failure to follow the District's practices, policies, and procedures as well as the school's curriculum and assessment program amounts to the District's violation of State and/or federal laws, rules, and regulations, including but not limited to the failure to provide a general, thorough, free, and uniform system of public education as well as putting the District's operations and funding in jeopardy.

Parents/guardians and students are expected to abide by the District's practices, policies, and procedures governing the operation of the schools which are required by various State and/or federal laws, rules, and regulations. However, a student's parent/guardian has the right to reasonable academic accommodation if the accommodation does not substantially impact District staff and resources, including employee working conditions, safety and supervision on school premises for school activities, and the efficient allocation of expenditures. The District will strive to balance the rights of parents/guardians, the educational needs of other students, the academic and behavioral impacts to a classroom, a teacher's workload, and the assurance of the safe and efficient operations of the school.

If a parent has an objection to the District's implementation of various mandates through the District's practices, policies, and procedures, or if a parent/guardian would like to request reasonable academic accommodation, the appropriate avenue for the parent/guardian is to first seek to address such concerns through communication with the school's administration. Should that avenue not resolve the situation, a parent/guardian is free to address such concerns with the Board of Trustees in conformance with Board policy regarding public participation at Board meetings.

A parent/guardian who has an objection to their child's participation in the District's adopted curriculum and/or the District's implementation of practices, policies, and procedures in accordance with educational mandates, on the basis that it harms the child or impairs the parents' firmly held beliefs, values, or principles, may withdraw their child from the activity, class, or program. A parent/guardian who chooses to not have their child participate in the provided educational activity, with the exception of sex education curriculum, shall be responsible for identification and provision of non-disruptive alternative educational activities for their child during any time of objection, at no cost to the District. The final decision as to the placement of such alternative educational activity shall be at the discretion of the District, with input of the parent, consistent with the requirements for advancement and graduation and consistent with the reasonable accommodation requirements outlined above.

Access to Learning Materials

Parents/guardians are entitled to review all learning materials, instructional materials, and other teaching aids used in the classroom of their student. Parents/guardians can request access to learning materials by contacting the school's administration during school hours.

Notice

The District shall annually provide parents/guardians with notice of their rights as specified in this policy.

Cross Reference: 2340F Parental Opt-Out Form for Sex Education
 2420 Parental Involvement
 4105F Request to Address the Board

Legal Reference: Idaho Constitution Article IX
 I.C. § 32-1010 Intent of the Legislature – Parental Rights
 I.C. § 32-1012 Parental Right to Direct the Education of Children
 I.C. § 32-1213 Interference with Fundamental Parental Rights Restricted
 I.C. § 33-6001 Parental Rights
 I.C. § 33-6002 Annual Notice of Parental Rights
 I.D.A.P.A. 08, Titles .01, .02, .03 and .04

Policy History:

Adopted on:

Revised on:

Reviewed on:

Gifted and Talented Program

The term “gifted and talented” means students who are identified as possessing demonstrated or potential abilities that give evidence of high performing capabilities in intellectual, creative, specific academic or leadership areas, or ability in the performing or visual arts and children of outstanding abilities who are capable of high performance and require services or activities not ordinarily provided by the District in order to fully develop such capabilities.

By law, the District is required to provide for special instructional needs of gifted and talented children enrolled in the District. The Board, in conjunction with the Superintendent and staff, shall develop the State required plan for the District’s gifted and talented program. The Plan shall include a philosophy statement, a definition of giftedness, program goals, program options, identification procedures, and a program evaluation. The District’s initial plan was submitted to the Department of Education on September 1, 2019. Pursuant to State Board mandate, the Plan will be updated every three years.

The Board designates the Superintendent to be responsible for development, supervision, and implementation of the District’s gifted and talented program. Such program shall include, but not be limited to, the following:

1. Expansion of academic attainments and intellectual skills;
2. Stimulation of intellectual curiosity, independence, and responsibility;
3. Development of a positive attitude toward self and others; and
4. Development of originality and creativity.

The Superintendent shall establish procedures consistent with State guidelines for screening, nominating, assessing, and selecting children of demonstrated achievement, or potential ability in terms of general intellectual ability and academic aptitude.

Legal Reference: I.C. § 33-201 School Age
I.C. § 33-2001 Definitions
I.C. § 33-2003 Responsibility of School Districts for Education of
Gifted/Talented Children
IDAPA 08.02.03.171 Gifted and Talented Programs

Policy History:

Adopted on:

Revised on:

Reviewed on:

Advanced Opportunities

The District provides opportunities for students to begin earning credit for college and vocational programs and/or to take advanced placement or other college credit-bearing or professional certificate examinations while they attend school in the District.

Participation in the District's advanced opportunities program requires parent and student agreement to program requirements and completion of the District's participation form documenting the program requirements found in 2435F.

In order to ensure that students have a chance to participate in advanced opportunity programs, the Board hereby directs the Executive Director to establish procedures with timelines, requirements for participation, requirements for financial transactions, and transcription of credits.

Definitions

"Credit" means middle level or high school credit.

"Dual credit" means credit awarded to a student on his or her secondary and postsecondary transcript for the completion of a single course. Students may be allowed dual credit when approved in advance.

"Full credit load" means at least 12 credits per school year for grades 7 through 12 or the maximum number of credits offered by the student's school during the regular school day per school year, whichever is greater.

"Overload course" means a course taken that is in excess of a full credit load and outside of the regular school day, including summer courses

"School year" means the normal school year that begins upon the conclusion of the spring semester leading up to the break between grades and ends upon the beginning of the same break of the following year.

Fast Forward Program

The State's Advanced Opportunities funding, known as the Fast Forward program, provides students in the District with \$4,125 to use toward overload courses, dual credits, college credit-bearing examinations, career technical certificate examinations, and federal registered workforce training programs that lead to regional 'in demand' jobs.

Students may access these funds in grades 7 through 12 for:

1. Overload courses, in an amount which may not exceed \$225 per overload course. A student must take and successfully be completing a full credit load within a given school year to be eligible for funding of an overload course. An overload course must be taken for high school credit to be eligible for funding.

2. Eligible dual credits, in an amount which may not exceed \$75 per one dual credit hour.
3. Eligible postsecondary credit-bearing examinations.
4. Career technical education (CTE) examinations that lead to an industry-recognized certificate, license, or degree.
5. Eligible CTE workforce training courses up to \$500 per course and \$1,000 per year. Eligible training courses and costs will be maintained by the State Department of Education.

To qualify as an eligible overload course for the program, the course must be offered by a provider accredited by the organization that accredits Idaho high schools and be taught by an individual certified to teach the grade and subject area of the course in Idaho. Eligible examinations include advanced placement (AP), international baccalaureate (IB), college-level examination program (CLEP), and career-technical examinations.

The District shall make reasonable efforts to ensure that any student who considers participating in the District's advanced opportunities program understands the challenges and time necessary to succeed in the program. The District shall make such efforts prior to a student's participation in the program.

Parents of participating students may enroll their child in any eligible course, with or without the permission of the District, up to the course enrollment limits described in this policy. Each participating student's transcript shall include the credits earned and grades received by the student for any courses taken pursuant to this policy. For an eligible course to be transcribed as meeting the requirements of a core subject, as identified in administrative rule, the course must meet the approved content standards for the applicable subject and grade level.

The District shall establish timelines and requirements for participation in the program, including implementing procedures for the appropriate transcription of credits, reporting of program participation, and financial transaction requirements.

A student who has earned 15 postsecondary credits using the advanced opportunities program and wishes to earn additional credits must first identify his or her postsecondary goals. Advisors shall counsel any student who wishes to take dual credit courses that the student should ascertain for him/herself whether the particular postsecondary institution that he or she desires to attend will accept the transfer of coursework under this section.

The District will collaborate with publicly funded institutions of higher education in Idaho to assist students who seek to participate in dual credit courses or graduate high school early by enrolling in postsecondary courses.

Challenging Courses

The Board hereby directs the Executive Director or designee to develop criteria by which a student may challenge a course. The Executive Director will present the criteria for challenging courses to

the Board for approval. If a student successfully meets the criteria, then the student shall be counted as having completed all required coursework for that course.

If a student fails to earn credit for any course or examination for which the State Department of Education has paid a reimbursement, the student must pay for and successfully earn credit for one similar course before any further reimbursements for the student can be paid. If a student performs inadequately on an examination for which the State Department of Education has paid a reimbursement, the building principal shall determine whether the student must pay for and successfully pass such examination to continue receiving State funding. Repeated and remedial courses or examinations are not eligible for funding through this program.

Advanced Opportunities Scholarship

Students who successfully complete grades 1 through 12 at least one year early may be eligible for an advanced opportunities scholarship. A student shall be eligible if he or she:

1. Shows that he or she has met all of the graduation requirements of the District; and
2. Completes grades 1 through 12 curriculums in 11 or fewer years.
3. Applies within two years of graduating from a public school.

A student is not required to graduate early and can choose to participate in dual credit or advanced placement classes upon meeting these criteria.

If an eligible student requests an advanced opportunities scholarship, the student shall be entitled to such a scholarship which may be used for tuition and fees at any publicly funded institution of higher education in Idaho. The amount of such scholarship shall equal 35 percent of the statewide average daily attendance-driven funding per enrolled pupil for each year of grades 1-12 curriculum the student avoids due to early graduation.

The District shall collaborate with publicly funded institutions of higher education in Idaho to assist early-graduating students in enrolling in postsecondary or advanced placement courses held in high school.

Legal Reference: I.C. § 33-4601 Definitions
 I.C. § 33-4602 Advanced Opportunities—Rulemaking
 IDAPA 08.02.03.106 Advanced Opportunities

Other References: <http://www.sde.idaho.gov/student-engagement/advanced-ops/index.html>

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

INSTRUCTION

2435F

Advanced Opportunities Participation Form

This participation form allows students to participate in the *Fast Forward* program through the Idaho State Department of Education as authorized by *Idaho Code 33, Chapter 46: Advanced Opportunities*. By signing this form, the student and parent/guardian agree to the conditions and provisions of the program.

Students are allocated a total of \$4,125 to use in grades 7-12. Funds can be used towards:

1. Overload courses; high school credits taken in **excess** of the full credit load offered by the public high school, up to \$225 per course. Definitions of full credit load may vary between schools.
2. Dual credits; a maximum of \$75 per credit; and
3. Examinations; Advanced Placement, International Baccalaureate, and College Level Examination Program;
4. Career Technical Education (CTE) examinations that lead to an industry-recognized certificate, license, or degree;
5. Eligible CTE workforce training courses up to \$500 per course and \$1,000 per year; and
6. Federal, registered workforce training programs that lead to regional “in demand” jobs.

Students should meet with their guidance counselor to develop a 4, 5, or 6 year learning plan that will help them maximize the benefits of this program according to the student’s college and career interests. Intentional selection of coursework is a critical element of these programs.

All courses paid for by *Fast Forward* must be transcribed on the student’s public high school transcript.

The parent/guardian and student understands that he or she will be held responsible for tuition and fees incurred as a result of participation in courses or exams taken from a college, university, or other provider, and will be responsible for complying with policies and procedures set forth by the provider.

The Idaho State Department of Education will send payment for courses to the public Idaho post-secondary institution or the student’s school district. Eligibility for payment is subject to the deadlines and procedures set forth by the District in partnership with course and exam providers. All payment requests must be submitted through the Advanced Opportunities portal according to District guidelines.

If a student fails to earn credit for a course paid for by *Fast Forward*, the student must subsequently pay for a “like” course on their own before he or she is eligible for further *Fast*

Forward funding. If a student performs inadequately on an examination paid for by *Fast Forward*, the local school district will decide whether the student may continue utilizing *Fast Forward* funding, or if he or she must pay for the cost of a “like” examination before using further funds. *Fast Forward* funds may not be used for repeated or remedial course work. With the approval of the District, students can track expenditures of their allocation by creating an account in the Advanced Opportunities portal.

This form will be retained by the District.

Student Name: _____

Date: _____

Student Signature: _____ Date:

Parent/Guardian Name: _____

Date: _____

Parent/Guardian Signature: _____

Date: _____

School Name: _____

School District: Council School District Number 13

Council School District No. 13

INSTRUCTION

2440

Online Courses and Alternative Credit Options

In addition to regular classroom-based instruction, students may earn credit through the following means.

Virtual/Online Courses

The Superintendent is authorized to create a process for students enrolled in secondary schools to register for enrollment in online courses provided by accredited organizations. At a minimum, such process for registration for online courses shall be accommodated through the District's normal registration process. Any such registration requests shall be made no later than 30 days prior to the end of the term preceding the term in which online enrollment is sought.

Online courses may be counted as credit toward graduation.

Correspondence Courses

The District will permit a student to enroll in an approved correspondence course from an institution approved by the State Department of Education, in order that such a student may include a greater variety of learning experiences within the student's educational program.

Only courses offered by institutions recognized by the Board will be accepted. The express approval of the principal shall be obtained before the course is taken.

Credit for correspondence courses may be granted provided the following requirements are met:

1. Prior permission has been granted by the principal; and
2. The program fits the education plan submitted by the regularly enrolled student.

An official record of the final grade must be received by the school before a diploma may be issued to the student.

Cross Reference: 2700 - 2700P	High School Graduation Requirements
3030	Dual Enrollment
3050	Attendance

Legal Reference: I.C. §33-5501, et seq. Idaho Digital Learning Academy

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

INSTRUCTION

2450

Contracted Student Services

The Board of Trustees hereby delegates to the building principals the authority to enter into agreements for student services but, requires District approval of such contracts. The reason for District approval is that District administration has no control over excess spending if contracts are signed at the building level without the District's approval.

Special Education

It is the intent of the District to provide services required by students' Individualized Educational Programs (IEPs) and develop resources within the District to eliminate the need for outside sources for special education services.

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

INSTRUCTION

2500

Library Materials

The school library is the principal location for students to inquire, to study and evaluate, and to gain new maturity and understanding. This District is granted discretion to regulate education and has the authority to determine the initial selection of the library collection. However, the Board also recognizes students' First Amendment constitutional rights.

Pursuant to State law, the Board has the duty and responsibility to equip and maintain a suitable library and to exclude therefrom all books, tracts, papers, and catechisms of a sectarian nature. School library and classroom library books are provided primarily for use by District students and staff. Library books may be checked out by either students or staff. Individuals who check out books are responsible for the care and timely return of those materials. The building principal may assess fines for damaged or unreturned books.

District residents or parents/guardians of nonresident students attending the District may be allowed use of library books at the discretion of the building principal. However, such access shall not interfere with regular school use of those books. Use of the library books outside of the District is prohibited except for interlibrary loan agreements with other libraries.

Any individual may challenge the selection of materials for the library/media center. The Uniform Grievance Procedure shall be utilized to determine if the challenged material is properly located in the library.

Cross Reference: 2530
4120

Learning Materials Review
Uniform Grievance Procedure

Legal Reference: I.C. § 33-512

Governance of Schools

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

INSTRUCTION

2510

Selection of Library Materials

The District has libraries in every school with the primary objective of implementing and supporting the educational program in the schools. It is the objective of these libraries to provide a wide range of materials on all appropriate levels of difficulty, with diversity of appeal, and the presentation of different points of view.

The provision of a wide variety of library materials at all reading levels supports the District's basic principle that the school in a free society assists all students to develop their talents fully so that they become capable of contributing to the further good of that society.

In support of these objectives, the Board reaffirms the principles of intellectual freedom inherent in the First Amendment of the Constitution of the United States and expressed in the School Library Bill of Rights, endorsed by the American Association of School Librarians in 1969.

Although the Superintendent is responsible for the selection of library materials, ultimate responsibility for the selection of library materials rests with the Board.

The Board, acting through the Superintendent, thereby delegates the authority for the selection of library materials to the principal in each of the schools. The principal further delegates that authority to the librarian in the school.

Legal Reference: I.C. § 33-601 Real and Personal Property – Acquisition, Use or Disposal of the Same

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

INSTRUCTION

2510P

Selection of Library Materials

The selection of library materials is a professional task conducted by the library staff. In selecting library materials, the librarian will evaluate the existing collection, assess curricula needs; examine materials; and consult reputable, professionally prepared selection aids.

Weeding

When materials no longer meet the criteria for selection, they shall be weeded. Weeding is a necessary aspect of selection, since every library will contain works which may have answered a need at the time of acquisition, but which, with the passage of time, have become obsolete, dated, unappealing, or worn out.

Discarded materials will be clearly stamped:

“WITHDRAWAL FROM _____ LIBRARY”

Materials will be discarded in compliance with I.C. § 33-601. The Board may sell materials with an estimated value of less than \$1,000, without appraisal, by sealed bid or at auction if there is at least one published advertisement prior to such sale. If the Board, by unanimous vote of those members present, finds that the materials have an estimated value of less than \$500 and is of insufficient value to defray the costs of arranging a sale, the materials may be disposed of in the most cost-effective and expedient manner by an employee with such authority.

Gifts

Gift materials may be accepted with the understanding that they must meet criteria set for book selection.

Procedure History:

Promulgated on:

Revised on:

Reviewed on:

Council School District No. 13

INSTRUCTION

2520

Curricular Materials

The term “curricular materials” is defined as textbook; instructional media, including software; audio/visual media; and internet resources.

The Board is legally responsible for approving and to providing the necessary curricular materials used in the District. Textbooks and instructional materials should provide quality learning experiences for students and:

1. Enrich and support the curriculum;
2. Stimulate growth in knowledge, literary appreciation, aesthetic value, and ethical standards;
3. Provide background information to enable students to make intelligent judgments;
4. Present opposing sides of controversial issues;
5. Be representative of the many religious, ethnic, and cultural groups and their contributions to our American heritage; and
6. Depict in an accurate and unbiased way the cultural diversity and pluralistic nature of American society.

The Board may establish a curricular materials adoption committee for the purpose of advising the Board on selection of curricular materials for use within the District that are not covered by the State curriculum materials committee. At least $\frac{1}{4}$ of this committee must be comprised of persons other than public educators and Trustees. All meetings of the committee shall be held in open session and be duly noticed.

Curricular materials may be made available for loan to students when the best interest of the District and student will be served by such a decision. Students will not be charged for normal wear. They will be charged replacement cost, however, as well as for excessive wear, unreasonable damage, or lost materials. The professional staff will maintain records necessary for the proper accounting of all curricular materials.

Any person may submit oral or written objections to any curricular materials under consideration.

A complete and cataloged library of all curricular materials and all electronically available curricular materials adopted in the immediate preceding three years shall be maintained at the State Department of Education.

Cross Reference: 2530

Learning Materials Review

Legal Reference: I.C. § 33-118A

Curricular Materials – Adoption Procedures

I.C. § 33-512A

District Curricular Materials Adoption Committees

IDAPA 08.02.03.128

Curricular Materials Selection

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

INSTRUCTION

2530

Learning Materials Review

Citizens objecting to specific materials used in the District are encouraged to submit a complaint in writing and discuss the complaint with the building principal prior to pursuing a formal complaint pursuant to the Uniform Grievance Procedure.

Learning materials, for the purposes of this policy, shall be considered to be any material used in classroom instruction, library materials, or any materials to which a teacher might refer a student as part of the course of instruction.

Cross Reference: 4120 Uniform Grievance Procedure

Policy History:

Adopted on:

Revised on:

Reviewed on:

Selection, Adoption, and Removal of Curricular Materials

Curriculum committees will generally be responsible for recommending textbooks and major instructional materials for consideration by the Board for curricular materials that are not covered by the State curriculum materials committee. Recommendations will be made to the Superintendent with a final decision being made by the Board. The function of the committee is to ensure that materials are selected in conformance with stated criteria and established District goals and objectives.

Selection and Adoption

The curricular materials adoption committee should develop, prior to selection, a set of selection criteria against which curricular materials will be evaluated. The criteria should include the following along with other appropriate criteria. Curricular materials shall:

1. Be congruent with identified instructional objectives;
2. Present more than one viewpoint on controversial issues;
3. Present minorities realistically;
4. Present non-stereotypic models;
5. Facilitate the sharing of cultural differences; and
6. Be appropriately priced.

Removal

Curricular materials may be removed when they no longer meet the criteria for initial selection, when they are worn out, or when they have been judged inappropriate through the Learning Materials Review Process.

Legal Reference:	I.C. § 33-118A	Curricular Materials – Adoption Procedures
	I.C. § 33-512A	District Curricular Materials Adoption Committees
	IDAPA 08.02.03.128	Curricular Materials Selection

Policy History:

Adopted on:

Revised on:

Reviewed on:

Field Trips, Excursions, and Outdoor Education

The Board recognizes that field trips, when used as a device for teaching and learning integral to the curriculum, are an educationally sound and important ingredient in the instructional program of the schools. Such trips can supplement and enrich classroom procedures by providing learning experiences in an environment beyond the classroom. The Board also recognizes that field trips may result in lost learning opportunities in missed classes. Therefore, the Board endorses the use of field trips when the educational objectives achieved by the trip clearly outweigh any lost in-class learning opportunities.

Field trips which take students out of the State must be approved in advance by the Board. Building principals have the authority to approve all other field trips.

Building principals shall develop procedures for the operation of a field trip. Each field trip must be integrated with the curriculum and coordinated with classroom activities that enhance its usefulness.

No staff member may solicit students during instructional time for any privately arranged field trip or excursion without Board permission.

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

INSTRUCTION

2560

Contests for Students

Contests may be made available to students by outside organizations through the schools, subject to certain limitations. The Superintendent shall determine that the contest is not in conflict with nor will it diminish the primary educational aims of the schools and that it meets the needs and interests of students.

The schools shall confine their participation to those national contests which are currently placed on the approved list published annually by the Committee on National Contests and Activities of the National Association of Secondary School Principals.

A State or local contest in which students participate shall be:

1. One that supplements and does not interfere with the regular school program;
2. One that is beneficial to youth in education, civic, social, or ethical development;
3. One that makes it possible for individual students to work out contributions by their own efforts and does not invite dishonest collaboration;
4. One whose subject is not commercial, controversial, sectarian, or concerned with propaganda. It must emphasize high moral standards, good citizenship, and intellectual competence;
5. One from which no contestant shall be excluded because of race, color, creed, sex, gender identity and expression, sexual orientation, or payment of entry fee;
6. One which does not place an undue burden on students, teachers, or the school, nor requires frequent or lengthy absence of participants from the school; and
7. One sponsored by an organization engaged in a creditable or acceptable enterprise regardless of kind or amount of prizes offered. The contest or activity must not be used as a "front" for advertising a company name or product.

Contests will not be allowed unless they further the educational goals of the District.

Policy History:

Adopted on:

Revised on:

Reviewed on:

Use of Commercially Produced Video Recordings

Purpose

The Board believes that movies, videos, and other audiovisual materials are important tools in the educational process. At the same time, the Board believes that the use of movies and videos should be limited so that they are used legally and appropriately in achieving legitimate educational objectives. Therefore, it is the Board's purpose to have a policy that promotes the appropriate educational use of movies and videos in schools by maximizing classroom instructional time, encouraging parental participation in the education process, and fostering community values.

Policy

It is Board policy to establish course curriculum and work in partnership with parents to promote an appropriate learning environment that reflects community values. Therefore, the following guidelines represent Board policy regarding how and when movies and videos may be used as an instructional strategy to supplement approved course curriculum.

Educational Relevance

The showing of movies and videos must be limited to a specific educational purpose. General selection criteria should include quality of the overall work; fair and accurate representation of the facts; the reputation and significance of the writer, director, and performer(s); and critical acclaim of the work itself.

Age Appropriate Movies

Elementary Level: Only G-rated movies may be shown without parental permission. However, parents must be notified that the movie will be shown in class. Any PG-rated movie to be shown at the elementary level requires a signed, written consent from a parent/guardian that must be kept on file before the student may view the video.

Junior High Level/Middle School: Only G-rated movies may be shown without parental permission. Any movie with a PG-rating to be shown at the junior high/middle school requires parent/guardian notification. Any movie with a PG-13 rating to be shown at the junior/middle school requires a signed, written consent from a parent/guardian that must be kept on file before the student may view the video.

High School: Only G, PG, and PG-13 rated movies may be shown without parental permission. Only certain segments having a valid educational purpose of any R-rated movie may be shown. Any segment of an R-rated movie to be shown at the high school requires a signed written consent from a parent/guardian that must be kept on file before the student may view the video.

The Board discourages the showing of R-rated movies in school. However, the Board also recognizes that some segments of certain R-rated movies may have a valid educational purpose. Therefore, R-rated movies are not to be shown in their entirety, and segments may be shown only if no other means of instruction can present the information. Signed, written permission must be granted by a parent/guardian before the student may view the excerpt.

Administrator's Authorization

At least five days prior to the showing, the instructor or teacher shall submit to the principal, in writing, the following information on the particular film:

1. Title and brief description;
2. Purpose for showing the movie or video;
3. Course objectives the movie or video will help meet;
4. Proposed date(s) of viewing;
5. When and how parents will be notified and how, if necessary, consent will be obtained;
and
6. Audience rating (G, PG, PG-13).

Copyright

All District employees must comply with federal copyright laws as well as publisher licensing agreements. The legal requirements apply regardless of:

1. Whether an admission fee is charged;
2. Whether the institute or organization is commercial or non-profit; and
3. Whether a federal, State, or local agency is involved.

An educational exemption, also called the face-to-face teaching exemption, is a precise activity which allows the legal use of movies in certain types of teaching. In order for a movie showing to be considered an educational exemption, all of the following criteria must be met:

1. A teacher or instructor is present, and the movie/video is shown in the course of face-to-face teaching activities;
2. The showing takes place in a classroom setting with only the enrolled students attending;
3. The movie is used as an essential part of the core, current curriculum being taught;
4. The showing of the movie or video is directly related and of material assistance to the curriculum and lesson objectives;
5. The movie being used is a legitimate copy, not taped from a legitimate copy or taped from television;
6. Recorded Programs from Network and Cable Television: Teachers may only show programs recorded off-air from network and cable television channels, according to the following guidelines:
 - A. Educators desiring to show television programs for instructional purposes should request the school library/media specialist record the program at school with school recording facilities;

- B. A television program that is recorded off-air may be retained for 45 consecutive calendar days after the date of the recording. At the conclusion of this 45 day retention period, the recording must be destroyed or erased;
- C. During the first ten consecutive school days of the 45 day period the recording may be used once by individual teachers in classrooms or similar places devoted to instruction, in the course of relevant teaching activities. The teacher may show the program again only once within this ten school day period when instructional reinforcement is necessary;
- D. Teachers and other school officials who show television programs for entertainment purposes violate this policy as well as federal copyright law;
- E. After the first ten consecutive days, off-air recordings may be used up to the end of the 45 calendar day retention period only for teacher evaluation purposes, such as to determine whether or not to include a broadcast program in the teaching curriculum, and may not be shown in the schools to students or for other non-evaluation purposes;
- F. Copies may be made from an off-air recording as necessary to meet the legitimate needs of teachers. However, all copies are subject to the provisions of this policy and must include the copyright notice on the broadcast program as recorded; and
- G. Off-air recordings need not be used in their entirety, but recorded programs may not be altered from their original content nor may they be physically or electronically merged to constitute teaching anthologies.

Other Organizations Using School Facilities

In the event any outside organizations use a school facility and wish to show movies, videos, or other audiovisual materials, it is only legally permitted if the District itself has a Public Performance Site License from Movie Licensing USA. School districts without such a license can be held liable if an outside organization involves them in copyright infringement by permitting movies, videos, or audiovisual materials to be used in a District facility. Once licensed, the District may exhibit movies copyrighted by the studios so long as they are secured from a legal source such as a video rental store, school library, or a personal collection.

Legal Reference: The Copyright Act of 1976, Public Law 94-553, 90 stat. 2541: Title 17;
 Section 110(i)

Policy History:

Adopted on:

Revised on:

Reviewed on:

Parental Movie Opt-Out/Consent Form

The Council School District Board of Trustees believes that movies, videos, and other audiovisual materials are important tools in the educational process. At the same time, the Board believes that the use of movies and videos should be limited so that they are used legally and appropriately in achieving legitimate educational objectives. Therefore, the Council School District Policy 2570 Use of Commercially Produced Video Recordings promotes the appropriate educational use of movies and videos in schools by maximizing classroom instructional time, encouraging parental participation in the education process, and fostering community values.

Parental Opt-Out Form for Movies, Videos, etc.

I, _____, parent/guardian of _____, request that my child be removed from class and/or student activities when the following movie(s) or videotape(s) is/are shown:

I have had the opportunity to review the materials mentioned above and have explained to my child why I do not wish to have him or her view it/them.

Date

Signature of Parent/Guardian

Parental Consent Form for Movies, Videos, etc.

I, _____, parent/guardian of _____, allow my child to view the following movie(s) or videotape(s) when it/they are shown in class:

_____	Rating: _____
_____	Rating: _____
_____	Rating: _____

I have had the opportunity to review the materials mentioned above and understand the ratings of said movies and videotapes as designated above.

Date

Signature of Parent/Guardian

Use of Animals in Educational Programs

Animals may be brought into the school setting for educational purposes only in accordance with the policies of the District and the procedures established by the Superintendent and/or building principal with regard to the presence of animals.

This policy does not apply to service animals. Students', guests', and/or employees' use of service animals is handled in accordance with applicable state and federal laws and District Policy. Likewise Police and SRO K-9 use is handled in accordance with applicable school search policies and regulations.

To protect students and staff, the following applies to animals brought into the school facilities for educational purposes. The District's Superintendent and/or building principal may place additional guidelines or restrictions upon the presence of specific animals in the school setting. Further, the presence of any animal, whether regularly or periodically housed in a classroom or brought into the school for an isolated or singular visit, requires timely pre-approval from the building principal.

Animals Regularly or Periodically Housed in Classrooms

1. No animal shall be housed in any school classroom without pre-approval of the building principal.
 - A. A classroom teacher seeking to house an animal in the classroom shall submit such request in writing explaining the educational purpose of having an animal(s) in the classroom setting. A separate form must be provided for each animal to be housed in a classroom. All information sought on such form must be completed fully and accurately, to the best of the employee's knowledge.
 - B. The teacher signing this request application is responsible for assuming primary responsibility for the animal and shall be designated as the animal's supervising teacher.
2. Prior to exposing any student to a live animal in the classroom, the supervising teacher shall provide written notification to all parents, including a copy of Form 2580F Student Permission Form for Exposure to Animals to obtain parental/guardian consent.
 - A. Copies of all such completed Student Permission Forms shall be maintained in the classroom by the supervising teacher with a copy provided to and maintained by the building administration.

- B. The supervising teacher shall consult with any parent/guardian with regard to students who are immunocompromised or have allergies, asthma, or other health concerns relating to contact or proximity to animals.
3. The supervising teacher who has been granted permission to house (an) animal(s) in the classroom shall provide formal classroom instruction to students regarding sanitation in the handling of animals and shall require all individuals handling animals to subsequently wash his or her hands thoroughly with soap and water.
 4. Any student handling any animal must be directly supervised by the supervising teacher.
 - A. Only the supervising teacher or students designated by the supervising teacher, with proper permission as detailed herein, may handle a classroom animal.
 - B. Handling of any animals should be age appropriate, considering the disease-related risks of certain animals (i.e. hamsters, guinea pigs, and gerbils – Salmonella bacteria and Lymphocytic choriomeningitis virus; reptiles and amphibians - Salmonella bacteria; farm animals – E. coli, Salmonella, Campylobacter and Cryptosporidium).
 - C. Should any student or employee be injured, including but not limited to animal bites or scratches, associated with the handling of a classroom animal, the supervising teacher is responsible for immediately reporting such event, in writing, to the building principal and assuring the student is directed to the school's office for appropriate medical care.
 1. If appropriate, a District accident/injury report will be completed.
 2. The school's personnel shall notify the student's parent/guardian.
 3. If appropriate, personnel shall notify public health officials.
 4. At no time shall any student be exposed to an inherently dangerous animal or any animal which due to size, nature, or aggression could cause injury to a student.
 5. Animals shall be handled humanely and in a healthy environment. If animals are to be kept in the classroom on days when classes are not in session, the supervising teacher shall be responsible for making arrangements for their care and safety.
 6. Animals shall be displayed in enclosed cages or tanks or under otherwise appropriate restraints.
 - A. Upon placement in the classroom, the building principal shall inspect the enclosure and ensure that it meets standards for safeguarding the health and welfare of students.
 - B. Under no circumstances shall any student be allowed to clean any enclosure, cage, tank/aquarium, or other holding enclosure for any classroom animal or touch or otherwise come into contact with the materials that have been removed from any cleaned enclosure, cage, tank, aquarium, or other holding enclosure.
 - C. Under no circumstance shall any student be allowed to touch or come into contact with any animal waste.

7. Animals must be clean and free of intestinal parasites, fleas, ticks and mites.
8. Animals shall not be brought in or obtained from the wild. If sought by the building principal, the supervising teacher shall provide proof of purchase or proof of transfer of the animal in question.
9. Animals maintained in a school classroom shall not have access to or contact with wild animals.
10. Classroom animals shall not be permitted to freely roam about any classroom or other area of the school.
11. No animal shall be allowed in any area of the school where food or drink is prepared or consumed.
12. Absent pre-approval from the Building principal, food for animals must be stored in air-tight closed containers, preferably hard plastic.
 - A. Feeding of classroom animals shall not occur in the presence of any student.
 - B. The supervising teacher and the building principal shall, at the time the animal comes into the school setting, confer as to the manner and method of feeding of such animal.
 - C. The supervising teacher shall agree with the directive of feeding of the animal or the animal shall not be permitted to be present at school.
 - D. No “live-feeding” shall occur in the school setting.
13. The supervising teacher shall be responsible for the proper cleaning and disinfection of any area in which the animal is present.
 - A. The supervising teacher, building principal, and custodial personnel shall confer, at the time the animal comes into the school setting, regarding any necessary precautions for cleaning and maintenance in the classroom and/or around the animal or addressing animal waste.
 - B. The supervising teacher shall be responsible for the disposal of animal waste, using appropriate plastic bags and disposable gloves and sanitary cleansers.
14. Prior to the animal being brought into the classroom, the supervising teacher is responsible for assuring that no special permits, licenses, or other requirements (i.e. health/medical certification or examinations) are necessary to own and house the animal. If a permit, license, or other requirement does exist associated with the animal, it is solely the supervising teacher’s responsibility comply with such requirements and to provide the building principal with a copy of documentation assuring compliance. Any animal not in compliance shall not be brought into the school’s setting. Any health care records associated with the animal shall be maintained in the classroom and is the responsibility of the supervising teacher.
15. At the commencement of each school year the building principal shall be responsible for cataloging any and all animals that are present in classrooms.

- A. Should a new animal be brought into the school setting, or an existing animal leave the school setting, the supervising teacher is responsible for notifying the building principal.
- B. The building principal is responsible for providing a copy of the animal catalog to the Superintendent.

16. No animal shall be transported on any school bus.

Visiting Animals to the Schools

1. As part of an educational program, there may be isolated instances in which an animal is brought into the school's setting. Prior to any such animal coming into the school setting, pre-approval must be obtained from the building principal no less than five school days prior to the scheduled event.
2. To seek approval, a written request must be submitted to the principal including the following:
 - A. The date and activity in question;
 - B. Detail as to the relevance of the animal to the educational program;
 - C. The animal(s) requested to be allowed on school property;
 - D. Information as to how the health and safety of students, school personnel, and the animal will be addressed; and
 - E. Copies of current health records and/or proof of current vaccination, as applicable (as detailed herein).
3. All animals must be housebroken.
4. The animal's owner agrees to hold the District, its employees, and agents harmless for any injury to the animal, including death, and any injury to any individual, including the handler, school staff, or school student.

Animal Dissection

1. Experiments on living animals are prohibited; however, behavior studies that do not impair and animal's health or safety are permissible only after having obtained written pre-approval from the building principal.
 - A. In order to obtain principal approval, the classroom teacher must submit a written request providing details as to the behavior study to be conducted, the manner and details of the study, and how the health and welfare of students and the animal will be safeguarded.
 - C. Such request shall be submitted no later than five school days prior to the desired start of the behavior study.

2. The dissection of dead animals or parts of dead animals shall be allowed in a classroom only when the dissection exercise contributes to or is part of the approved educational program of the classroom.
 - A. Prior to scheduling any educational dissection, the classroom teacher shall confer with the curriculum director and building principal to address the scheduling and approval of the educational activity. Such discussion shall occur no later than 15 days prior to the scheduled classroom activity.
 - B. All dissection of animals and the parts of dissected animals shall be confined to the classroom.
 - C. Students who object to performing, participating in, or observing the dissection of animals shall be excused from the classroom during such educational activity without penalty, discipline, or negative impact upon the student's grade. Alternate projects will be assigned to any such non-participating student.

Prohibited Animals

1. Regardless of the desired educational purpose, the following live animals are prohibited in any school facility, for any time or purpose:
 - A. Inherently dangerous animals;
 - B. Any venomous or toxin producing animals;
 - C. Aggressive or unpredictable animals;
 - D. Stray animals or animals with no health or vaccination history;
 - E. Mammals at high risk for having or transmitting rabies; and
 - F. Any animal on the Idaho Invasive Species List for which proper state permitting and documentation of ownership has not been obtained prior to classroom housing (i.e. Snapping Turtle, Red Eared Slider, Mediterranean Gecko, Brahminy Blind Snake, Monk Parakeet, and Nutria).
2. The building principal may prohibit any animal from being present upon the school's property on a case by case basis.

Health and Vaccination Requirements

1. Prior to bringing certain animals into a school building, current health records and/or proof of current vaccinations is required as follows:
 - A. Cats: A health certificate from a licensed veterinarian showing proof of current vaccination against feline distemper/upper respiratory vaccine (FVRCP), feline leukemia, feline chlamydiosis and rabies. The District may also request proof of a

negative fecal exam or successful treatment for intestinal parasites within the last six months.

- B. Dogs: A health certificate from a licensed veterinarian showing proof of current vaccination against canine distemper, hepatitis, leptospirosis, canine parainfluenza (CPVI), parvovirus, Bordatella, and rabies. The District may also request proof of a negative fecal exam or successful treatment for intestinal parasites within the last six months. The District may also request proof of current licensure of the dog.
 - C. Ferrets: A health certificate from a licensed veterinarian showing proof of current vaccination against rabies. The District may also request proof of a negative fecal exam or successful treatment for intestinal parasites within the last six months.
 - D. Psittacine Birds (parrots, parakeets, budgies and cockatiels): A health certificate from a licensed veterinarian showing proof of treatment or negative test results for psittacosis (avian Chlamydiosis).
2. The Superintendent shall make the final determination as to whether or not any animal may be present upon school property. When making such a determination the primary factor of consideration shall first be the health and welfare of students.

Cross Reference: 2340 Controversial Issues and Academic Freedom
 2345 Speakers in the Classroom and at School Functions
 2375 Service Animals in Schools
 3370 Searches and Seizure

Legal Reference: I.C. § 33-6001 Parental Rights

Policy History:

Adopted on:

Revised on:

Reviewed on:

INSTRUCTION

2580F

Student Permission for Exposure to Animals(s)

To be used when animal(s) are brought into the classroom or learning center for educational purposes.

Student: _____

Grade/Teacher: _____

Dear Parent(s)/Guardian(s):

As allergies, asthma, immune problems, and/or other health concerns may make animal contact inappropriate for some students, District guidelines require prior parent/guardian permission for student contact with animal(s) in school.

On (insert date), the following animal(s) will visit my classroom for educational purposes:

- | | | |
|-------------------------------------|---|--------------------------------------|
| <input type="checkbox"/> Cat | <input type="checkbox"/> Bird | <input type="checkbox"/> Ferret |
| <input type="checkbox"/> Guinea Pig | <input type="checkbox"/> Dog | <input type="checkbox"/> Rabbit |
| <input type="checkbox"/> Hamster | <input type="checkbox"/> Reptile or amphibian | <input type="checkbox"/> Rat |
| <input type="checkbox"/> Mouse | <input type="checkbox"/> Gerbil | <input type="checkbox"/> Other _____ |

The following animals are prohibited in schools:

1. Venomous or toxin-producing animals (e.g., certain spiders, insects, reptiles, and amphibians);
2. Wild or exotic animals;
3. Mammals at high-risk for transmitting rabies (e.g., bats, raccoons, skunks, foxes, and coyotes);
4. Non-human primates;
5. Stray animals;
6. Aggressive or unpredictable animals;
7. Any animal in the Idaho Invasive Species List; and
8. Any animal considered inherently dangerous.

The building principal or designee will ensure that the District's policies and procedures for the use of animals in education programs are followed. I will also supervise the entire student-animal contact session, have a clean and disinfected area for showing the animal(s), not allow food or drink in the animal showing area, and will appropriately dispose of animal waste. Under no circumstances are students allowed to clean cages or handle animal waste.

Please complete and return this form to me by (insert date). If you have any questions or concerns, please feel free to contact me at (insert contact information).

To Be Completed by Parent/Guardian:

I do permit my student identified above to be exposed to the animal(s) listed above. I further agree to indemnify and hold harmless the School District and its employees and agents against any claims, except a claim based on willful and wanton conduct, arising out of my student's exposure to the animal(s) listed above.

I do not permit my student identified above to be exposed to the animal(s) listed above. I understand that when the animal(s) listed above are present, my student will be excused from classroom attendance without penalty and given an alternative educational activity.

Parent/Guardian Name (*please print*)

Parent/Guardian Signature

Date

Parent/Guardian Name (*please print*)

Parent/Guardian Signature

Date

Note: If only one parent/guardian signs this form, please certify the following:

I, _____ (parent/guardian), have full authority to sign and consent to this Permission Form and Release as an agent of any and all other parent(s) and/or legal guardian(s).

District Procedure on Dissection of Animals

Actor	Action	Time
Superintendent	Keeps a catalogue provided by building principals of all schools that house animals in schools.	Continuously
Building Principal	<p>Reviews requests to have animals housed in classrooms; approves or denies requests, and reports back to teacher and/or curriculum director;</p> <p>Ensures that that students objecting to dissections have the right to refrain, and the availability, if any, of an alternative;</p> <p>Reviews proof of purchase or transfer from supervising teacher of the animal to ensure it was not obtained from the wild;</p> <p>Works with the supervising teacher to confer on the manner and method of storage and feeding for the animal;</p> <p>Reviews permit, license, or other requirement associated with the animal, when applicable;</p> <p>Catalogs any and all animals that are brought into classroom. Provides catalogue to Superintendent;</p> <p>Reports any injury to parent/guardian, and oversees any procedure of removing animal from the classroom if necessary;</p>	Annually, when course offerings and descriptions are distributed to students
Curriculum Director	<p>Identifies:</p> <ol style="list-style-type: none"> 1. Which, if any, courses contain a dissection project, and 2. The available alternative projects. <p>Reports this information to the building principal;</p>	Throughout the curriculum development process

	<p>preserving, or mounting of living or dead animals or animal parts for scientific study; it does not include the cutting, preserving, or mounting of:</p> <ol style="list-style-type: none"> 1. Meat or other animal products that have been processed for use as food or in the preparation of food, or 2. Wool, silk, glue, or other commercial or artistic products derived from animals; <p>Students who object to performing, participating in, or observing a dissection must be excused from classroom attendance without penalty;</p>	
<p>Supervising Teacher</p>	<p>Submits request to have a live animal in the classroom to building principal; provides proof of purchase/transfer as well as up to date vaccination and medical records of the animal; Complies with any licensure or permit requirements;</p> <p>Provides student permission forms and provides copies to students; consults with parents/guardians with regard to students who may have health concerns related to contact with or proximity of animals.</p> <p>Acts as primary caretaker of the animal; Provides formal classroom instruction to students regarding best sanitary and safety practices;</p> <p>Work with building principal to create procedures for the storage of food and feeding of animal;</p> <p>Properly disposes of animal waste;</p> <p>Reports any changes in location of the animal to the building principal;</p>	<p>Annually</p> <p>Annually</p> <p>Continuously</p>

	Reports injury caused by animal to building principal and directs student to appropriate medical care;	
Students	Notifies supervising teacher and building principal if they have difficulties associated with in-classroom animal; If dissection is objectionable, asks the teacher to be excused from the dissection project and requests an alternative project;	Within the first 10 days of the course, if possible
All Staff Members	Do not penalize or discriminate against a student in any way for refusing to perform, participate in, or observe dissection.	Continuously

Procedure History:

Promulgated on:

Revised on:

Reviewed on:

Council School District No. 13

INSTRUCTION

2600

Promotion/Retention

The Board recognizes that students of the same age are at many intellectual and developmental levels and that these differences are a normal part of human development. Because of these differences, the administration and teaching staff are directed to make every effort to develop curricula and programs which meet the individual and unique needs of all students and allow them to remain with their age cohorts.

It is the philosophy of the District that students thrive best when placed or promoted to grade levels with other students who have compatible age, physical, and social/emotional status. It is our philosophy to promote students who demonstrate effort within those compatibilities. It is equally our philosophy and practice to retain students who do not make a reasonable effort to meet grade level expectations, as long as those expectations are commensurate with the individual student's ability and rate of learning.

If a parent insists on the child being retained or promoted, a notice will be placed in the child's file that the retention or promotion was a parent decision and not recommended by the school.

Policy History:

Adopted on:

Revised on:

Reviewed on:

Advancement Requirements (Grades 6 through 9)

The District has established a set of advancement requirements for 6th through 9th grade students which will act as a guide in helping students move methodically and purposefully on a course that will eventually lead to high school graduation. Therefore, the District sets the following advancement requirements:

1. To advance to the 7th grade, students must earn at least 80 percent of the credits attempted in 6th grade, be in compliance with the District's attendance policy, and pass all core subjects;
2. To advance to the 8th grade, students must earn at least 80 percent of the credits attempted in 7th grade, be in compliance with the District's attendance policy, and pass all core subjects;
3. To advance to the 9th grade, students must earn at least 80 percent of the credits attempted in 8th grade, be in compliance with the District's attendance policy, and pass all core subjects; and
4. Students who have failed more than 20 percent of the courses attempted in the 6th, 7th, or eighth 8th grade or failed any core subject may make up the credits needed to achieve the minimum portion of credits attempted by retaking the necessary course(s) during the summer, online, or through correspondence.

Cross Reference: 2600 Promotion/Retention
 3050 Attendance Policy

Legal Reference: IDAPA 08.02.03.107 Middle Level Credit System

Policy History:

Adopted on:

Revised on:

Reviewed on:

Advancement Requirements (9 through 12)

The District has established a set of advancement requirements for 9th through 12th grade students which will act as a guide in helping students move methodically and purposefully on a course that will eventually lead to high school graduation. Therefore, the District requires the following for advancement:

5. A student who successfully completes any required high school course with a grade of C or higher prior to entering the 9th grade shall have that grade, and the number of credit hours assigned to the course, transferred to the student's high school transcript. The course must be taught by a certified teacher who meets the federal definition of highly qualified and must meet the same standards as those required in high school. Courses taken in middle school appearing in the student's high school transcript shall count for the purpose of high school graduation. However, the student must complete the number of credits required by State law and administrative rules for each high school core subject.
6. To advance to the 10th grade, students must earn at least 13 credits in 9th grade, 6 credits of which must be in English, math, or science.
7. Failure to pass a 9th grade English, math, or science class shall necessitate the failed course being retaken in the 9th grade even though the student may have earned enough credit to advance to the 10th grade.
8. Students who have failed one or more 9th grade courses may get credit for that course by retaking it during the summer.
9. A student who is retained in the 9th grade would normally have to repeat all classes. However, the junior and senior high principals may, through a joint agreement, allow the student to take one or more advanced courses. In the event that the principals of the junior and senior high do not agree on allowing a student to take advanced courses, the decision will be appealed to the Superintendent.
10. Students may be retained at each grade level if the following year requirements are not met by August 30:
 - A. A minimum of 13 credits is required for advancement into the 10th grade;
 - B. A minimum of 26 credits is required for advancement into the 11th grade; and
 - C. A minimum of 39 credits is required for advancement into the 12th grade.

Cross Reference: 2700P High School Graduation Requirements
Legal Reference: I.C. § 33-512C Encouragement of Gifted Students
 IDAPA 08.02.03.105 High School Graduation Requirements
 IDAPA 08.02.03.107 Middle Level Credit System

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

INSTRUCTION

2620

Grading and Progress Reports

The Board believes that the cooperation of school and home is a vital ingredient in the growth and education of the student and recognizes the responsibility to keep parents informed of student welfare and progress in school.

The issuance of grades and progress reports on a regular basis serves as the basis for continuous evaluation of the student's performance and for determining changes that should be made to effect improvement. These reports shall be designed to provide information that will be helpful to the student, teacher, counselor, and parent.

The Board directs the Superintendent to establish a system of reporting student progress and shall require all staff members to comply with such a system as part of their teaching responsibility. Staff members, parents, and teachers shall be involved.

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

INSTRUCTION

2625

Parent-Teacher Conferences

Parent-teacher conferences have been adopted by the District as a means of reporting student progress to parents/guardians in grades K through 12. These conferences are to serve as a two-way method of face-to-face communication for the benefit of the child. They should not necessarily be confined to reporting, but may be planned for any occasion that will be helpful to the teacher, the child, and the parent/guardian. They should afford an opportunity for sharing information and views designed to promote the welfare of the child.

The schedule of conferences, the number of conferences, and general details shall be worked out to meet the needs of the parents/guardians, teachers, and students.

Policy History:

Adopted on:

Revised on:

Reviewed on:

Homework

Homework is a constructive tool in the teaching/learning process when geared to the needs and abilities of students. Purposeful assignments not only enhance student achievement, but also develop self-discipline associated with good working habits. As an extension of the classroom, homework must be planned and organized, must be viewed as purposeful to the students, and should be evaluated and returned to students in a timely manner.

Teachers may give homework to students to aid in the students' educational development. Homework should be an application or adaptation of a classroom experience and should not be assigned for disciplinary purposes.

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

INSTRUCTION

2700

High School Graduation Requirements

The Board shall award a regular high school diploma to every student enrolled in the District who meets the requirements of graduation established by the District. The official transcript will indicate the specific courses taken and level of achievement.

The Board shall establish graduation requirements which, at a minimum, satisfy those established by the State Board of Education. Generally, any change in graduation requirements promulgated by the Board will become effective for the next class to enter 9th grade. Exceptions to this general rule may be made where it is determined by the Board that the proposed change in graduation requirements will not have a negative effect on students already in grades 9 through 12. The Board shall consider and vote on whether to approve graduation requirements as recommended by the Superintendent.

A student who possesses a disabling condition shall satisfy those competency requirements which are incorporated into the Individualized Education Program (“IEP”). Satisfactory completion of the objectives incorporated into the IEP shall serve as the basis for determining completion of a course.

A student may be denied participation in graduation ceremonies. Such exclusion shall be regarded as a school suspension. In such instances, the diploma will be awarded after the official ceremony has been held.

Cross Reference: 2435 Advanced Opportunities
2700P High School Graduation Requirements

Legal Reference: I.C. § 33-4601, *et seq.* Advanced Opportunities
IDAPA 08.02.01.250.02 Required Attendance
IDAPA 08.02.01.350 Early Graduation
IDAPA 08.02.03.105 High School Graduation Requirements

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

INSTRUCTION

2700P

High School Graduation Requirements

Publication of Graduation Requirements

Prior to registering for high school, each student will be provided with a copy of the current graduation requirements. Graduation requirements shall also be included in the student handbook.

Credits

Students shall be expected to earn a total of 52 semester credits (**1 semester equaling ½ year**) is **required**) in order to complete graduation requirements. Special education students who have successfully completed their IEP leading to completion of high school will be awarded a diploma.

The core of instruction is **29 semester credits**:

Secondary Language Arts and Communication		9 credits
English (language study, composition, literature)	8 credits	
Speech or Debate	1 credit	

Mathematics		8 credits*
Algebra I (or meets Algebra I standards)	2 credits	
Geometry (or meets Geometry standards)	2 credits	
Secondary Mathematics of the student's choice	4 credits	

*(Two credits must be taken in the last year of high school in which the student intends to graduate unless the student has:

1. Earned 8 or more high school credits of mathematics that include Pre-Cal/College Algebra or higher level of mathematics before their senior year; and
2. Has completed 6 or more high school math credits prior to the fall of their last year of high school, including 2 semesters of an Advanced Placement or dual credit Calculus or higher level course

For the purposes of this procedure, the last year of high school shall include the summer preceding the fall start of classes. Students who return to school during the summer or the following fall of the next year for less than a full schedule of courses due to failing to pass a course other than math are not required to retake a math course as long as they have earned six credits of high school level mathematics.

Dual credit engineering and computer science courses aligned to the state standards for grades 9 through 12, including AP Computer Science and dual credit computer Science courses may be counted as a mathematics credit if the student has completed Algebra II (or equivalent integrated mathematics) standards.

**Students who choose to take Computer Science and Dual Credit Engineering may not concurrently count such courses as both a mathematics and science credit*

Science

Secondary Science 6 credits*
*(4 credits shall be laboratory sciences)

Up to 2 credits in dual credit engineering and computer science courses aligned to the state standards for grades 9 through 12, including AP Computer Science, Dual Credit Computer Science, may be used as science credits.

**Students who choose to take computer science and Dual Credit Engineering may not concurrently count such courses as both a mathematics and science credit.*

Social Studies 7 credits

Government 2 credits
US History 4 credits
Economics 1 credit

Arts and Humanities 2 credits

Interdisciplinary humanities, visual and performing arts, or
Foreign language

Health/Wellness 1 credit*

*(For students who enter 9th grade in Fall 2015 or later, each student shall receive a minimum of 1 class period on psychomotor cardiopulmonary resuscitation (CPR) training as outlined in the American Heart Association (AHA) Guidelines for CPR to include the proper utilization of an automatic external defibrillator (AED) as part of the Health/Wellness course. Additionally, students participating in one season in any sport recognized by the Idaho High School Activities Association or club sport recognized by the District, or 18 weeks of a sport recognized by the District may choose to substitute participation for up to one credit of physical education.)

Middle School Credit

If a middle school student completes any required high school course with a grade of C or higher before entering the 9th grade, and if that course meets the same standards that are required in high school and the course is taught by a teacher certified to teach high school content, then the student has met the high school content area requirement for such course. The student shall be given a grade for the successful completion of that course and such grade and the number of credit hours assigned to the course shall be transferred to the student's high school transcript and the student's parent or guardian shall be notified in advance when credits are going to be transcribed. However, the student's parent or guardian may elect to not have the credits and grade transferred to the student's high school transcript. The student still must complete the required number of credits in all high school core subjects identified above in addition to the courses completed in middle school, unless the student is a participant in the 8 in 6 Program.

College Entrance Examination

A student must take one of the following college entrance or placement examinations before the end of the student's 11th grade year: COMPASS, ACT, or SAT.

A student may elect an exemption in their 11th grade year from the college entrance exam requirement if the student is:

1. Enrolled in a special education program and has an Individual Education Plan that specifies accommodations not allowed for a reportable score on the approved tests;
2. Enrolled in a Limited English Proficient program for three academic years or less;
3. Enrolled for the first time in grade 12 at an Idaho high school after the spring statewide administration of the college entrance exam; or
4. Eligible to take an alternative assessment. In this case the student may instead take the ACCUPLACER placement exam during their senior year.

A student who misses the statewide administration of the college exam during the student's 11th grade year may instead take the examination during his or her 12th grade year if the student:

1. Transferred to an Idaho school district during his or her 11th grade year;
2. Was homeschooled during his or her 11th grade year; or
3. Missed the spring statewide administration of the college entrance exam for a documented medical reason.

Senior Project

A student shall complete a senior project that includes a written report and oral presentation by the end of grade 12. Senior projects may be multi-year projects, group or individual projects, or approved pre-internship or school to work internship programs at the discretion of the District. The project must include elements of research, development of a thesis using experiential learning or integrated project based learning experiences, and a presentation of the outcome. **Additional requirements for the senior project are the discretion of the District.**

Completion of a postsecondary certificate or degree at the time of high school graduation or an approved pre-internship or internship program may be used to satisfy this requirement.

Idaho Standards Achievement Tests (ISAT)

In addition to obtaining the necessary credits as outlined above, a student will take the Idaho Student Achievement Test (ISAT) as defined by State Board of Education rules.

Civics Test

Beginning with the class of 2017, all secondary students must successfully pass the civics test or alternate path. "Civics test" as used herein means the 100 questions used by officers of the United States Citizenship and Immigration Services as a basis for selecting the questions posed to applicants for naturalization.

The District will determine the method and manner in which to administer the civics test. A student may take the civics test, in whole or in part, at any time after enrolling in grade 7 and may

repeat the test as often as necessary to pass the test. The District will document on the student's transcript that the student has passed the civics test.

The applicability of this requirement for students who receive special education services will be governed by the student's Individualized Education Plan.

Waiver of Requirement

Graduation requirements generally will not be waived under any circumstances. However, in rare and unique hardship circumstances, the principal may recommend, and the Superintendent may approve, minor deviation from the graduation requirements.

Alternative Programs

Credit toward graduation requirements may be granted for planned learning experiences from accredited programs, such as summer school, college and university courses, correspondence courses, and online/virtual courses.

Credit for work experience may be offered when the work program is a part of and supervised by the school.

All classes attempted at an accredited institution and all acceptable transfer credits shall be recorded on the transcript. All grades earned, including failures and retakes, shall be recorded as such and utilized in the calculation of Grade Point Average (GPA) and class rank. Credit shall be awarded only once regardless of repetition of the course.

Honor Roll

A student must have a minimum GPA of 3.0, with no D's or F's to be placed on the honor roll. Specific information regarding honors at graduation is included in the student handbook.

Class Rank (GPA)

Class rank is compiled from semester grades. Courses not eligible for GPA are designated with an asterisk on the report card.

Early Graduation or Flexible Schedule

A student may, at the student's option and upon notification to the student's school, be relieved from completing their remaining high school graduation requirements and apply for a flexible schedule or graduate early if the student:

1. Is at least 16 years of age;
2. Maintains a cumulative 3.5 grade point average;
3. Obtains permission from a parent/guardian, if under the age of 18;
4. Achieves a college and career readiness score;
5. Files the following with school:

- A. Notification of their intent to take a flexible schedule OR graduate early;
- B. The student's participation portfolio; and
- C. An essay of at least one page explaining why the student wishes to have a flexible schedule which must include the future plans using the flexible schedule OR early graduation;

6. Completes the following:

- A. The required civics test;
- B. The economics credit, government credits, and senior project required to graduate. A student's senior project may describe the student's experience in achieving a college and career readiness score and a detailed explanation of the student's future plan.

Students eligible for a flexible schedule may be relieved from high school graduation requirements in order to:

1. Take elective courses, career technical education programs, or course courses selected by the student which are available within the District;
2. Participate in apprenticeships or internships;
3. Act as a tutor at any grade level; or
4. Engage in such other activities identified by the Board.

A student who is granted a flexible schedule must adhere to the plan submitted to the school as a part of their eligibility. Students who are under 18 may be modify their plan with the approval of the student's parent/guardian.

The Superintendent is authorized to create any procedures necessary to assist students to achieve early graduation or flexible schedule as well create incentives for participation in any early graduation program. Students who opt for a flexible schedule may apply for Advanced Opportunities funding. Existing programs providing incentives to complete coursework early are described in Policy 2435 Advanced Opportunities.

Procedure History:

Promulgated on:

Revised on:

Reviewed on:

Council School District No. 13

INSTRUCTION

2705

Military Compact Waiver

The State of Idaho is one of numerous states across the country that are members of the Interstate Compact on Educational Opportunity for Military Children. As a school district within the State of Idaho subject to the laws of the State of Idaho, the District shall follow the requirements of the Compact for students who enroll at the District for whom the Compact applies.

Purpose

The purpose of the Interstate Compact on Educational Opportunity for Military Children is to remove barriers to educational success for children of military families due to frequent relocation and deployment of their parents. The Compact facilitates educational success by addressing

1. Timely student enrollment;
2. Student placement;
3. Qualification and eligibility for curricular, co-curricular, and extracurricular programs;
4. Timely graduation; and
5. The facilitation of cooperation and communication between various member states' schools.

Applicability

This Compact applies only to children of:

1. Active duty members of the uniformed services, including members of the National Guard and Reserve on active duty orders. For application of this section the parent must be on full time duty status in the Army, Navy, Air Force, Marine Corps, Coast Guard, or the Commissioned Corps of the National Oceanic and Atmospheric Administration and Public Health Services;
2. Veterans of the uniformed services who are severely injured and medically discharged or retired for a period of one year after medical discharge or retirement; and
3. Members of the uniformed services who die on active duty or as a result of injuries sustained on active duty for a period of one year after death.

Educational Records and Enrollment

1. **Hand Carried/Unofficial Educational Records:** In the event that official educational records cannot be released to a parent for the purpose of school transfer, the custodian of records from the sending school shall prepare and furnish to the parent a complete set of unofficial educational records containing uniform information as determined by the Interstate Commission.

Upon receipt of the unofficial educational records, the District shall enroll and appropriately place the student based upon the information the school receives in the unofficial educational records, pending validation by the official records, as soon as possible.

2. **Official Educational Records/Transcripts:** At the time of enrollment and conditional placement of a qualifying student at the District, the District shall request the student's official educational records from their last school of attendance.

A school receiving such a request shall process the official educational records request and furnish such within a period of ten days, or within the timeline determined to be reasonable by the Interstate Commission.

3. **Immunizations:** The District shall provide a period of 30 days from the date of enrollment, or such other time frame as determined by the rules of the Interstate Commission, within which students may obtain any immunizations required by the District. Where the District's requirements include a series of immunizations, initial vaccinations must be obtained within 30 days, or within the timeline determined to be reasonable by the Interstate Commission.

4. **Kindergarten and 1st Grade Entrance Age:** Students shall be allowed to continue their enrollment at grade level at the District, commensurate with their grade level from their receiving school, including kindergarten, at the time of transition. However, the provisions of Idaho Code Section 33-201 regarding attaining the age of five on or before the first day of September for enrollment in Kindergarten, and attaining the age of six on or before the first day of September or having attained the age of five and having completed a private or public out of State kindergarten for the required 450 hours for enrollment in first grade, shall continue to apply.

A student who has satisfactorily completed the prerequisite grade level in the sending school shall be eligible for enrollment in the next highest grade level in the District, at the receiving school, regardless of age.

A student who is transferring into the District after the start of the school year shall enter the District on the student's validated grade level from an accredited school in the sending state.

Placement and Attendance

1. **Course Placement:** Upon transfer of a qualifying student, the receiving District shall place the student in courses consistent with the student's courses in the sending school and/or the school's educational assessments.

Course placement includes, but is not limited to honors, international baccalaureate, advanced placement, vocational, technical, and career pathways courses.

Continuing the student's academic program from the previous school and promoting placement in academically and career challenging courses should be paramount when considering placement. This requirement does not preclude the District from performing subsequent evaluations to ensure appropriate placement and continued enrollment of the student in the course(s).

- 2. Educational Program Placement:** The District shall initially honor placement of the student in educational programs based on current educational assessments conducted at the sending school or participation/placement in similar programs at the sending school.

Educational program placement includes, but is not limited to, gifted and talented programs and English as a second language. This requirement does not preclude the District from performing subsequent evaluations to ensure appropriate placement of the student.

- 3. Special Education Services:** In compliance with the federal requirements of the Individuals with Disabilities Education Act, the District, as the receiving school, shall initially provide comparable services to a student with disabilities based on his or her current Individual Education Plan.

In compliance with Section 504 of the Rehabilitation Act and with Title II of the Americans with Disabilities Act, the District, as the receiving school, shall make reasonable accommodations and modifications to address the needs of incoming students with disabilities consistent with his or her existing 504 or Title II Plan.

This does not preclude the District, as the receiving school, from performing subsequent evaluations to ensure appropriate placement and/or accommodations are made for the student.

- 4. Placement Flexibility:** The District's administration shall have the flexibility to waive course and program prerequisites or other preconditions for placement in courses and programs offered by the receiving District.
- 5. Absences Relating to Deployment Activities:** A student whose parent/legal guardian is an active duty member of the uniformed services and has been called to duty for, is on leave from, or immediately returned from deployment in a combat zone or combat support position, shall be granted additional excused absences at the discretion of the District's Superintendent to visit with his or her parent/legal guardian relative to such leave or deployment of the parent/guardian.

Eligibility

- 1. Eligibility for Enrollment:** A special power of attorney pertaining to the guardianship of a student of a military family and executed under applicable law shall be sufficient for the purposes of enrollment and all other actions requiring parental participation and consent.

The receiving District shall not charge tuition to a transitioning military student placed in the care of a noncustodial parent or other person standing in loco parentis who lives in a jurisdiction other than that of the custodial parent.

A transitioning military student, placed in the care of a noncustodial parent or other person standing in loco parentis who lives in a jurisdiction other than that of the custodial parent, may continue to attend the school in which he or she was enrolled when residing with the custodial parent.

2. **Eligibility for Extracurricular Activity Participation:** The District shall facilitate the opportunity for transitioning military students' inclusion in extracurricular activities, regardless of application deadlines, to the extent the student is otherwise qualified.

Graduation

In order to facilitate the on-time graduation of children of military families, the receiving District shall incorporate the following procedure:

1. **Graduation Course Requirements – Waiver:** The receiving District's Administration, through the Superintendent or designee, shall waive specific courses that are required for graduation if similar coursework has been satisfactorily completed at another school.

If the District does not waive the specific course requirement for graduation, the District shall provide a reasonable justification for the denial. This justification shall be provided to the parent/legal guardian in writing.

If the receiving District does not waive the specific course requirement for graduation and the student would have otherwise qualified to graduate from the sending school, the receiving District shall provide an alternative means of acquiring required course work to ensure that the student's graduation will occur on time.

2. **Exit Exams:** In lieu of testing requirements for graduation at the receiving District, the District and the State of Idaho shall accept any or all of the following:
 - A. Exit exams or end-of-course exams required for graduation from the sending school;
 - B. National norm-referenced achievement tests; or
 - C. Alternative testing.

In the event the above alternatives cannot be accommodated by the receiving District for a student transferring during his or her senior year, subsection 3, below, shall apply.

3. **Transfer During Senior Year of High School:** Should a military student transferring at the beginning of or during the senior year be ineligible to graduate from the receiving District after all alternatives have been considered, the sending school and the receiving District shall ensure the receipt of a diploma from the sending school if the student meets the graduation requirements of the sending school.

In the event that one of the states in question is not a member of this Compact, the member state shall use best efforts to facilitate the on-time graduation of the student.

Conflicts

All State laws and District policies that conflict with this policy and/or in conflict with the Compact are superseded to the extent of the conflict.

Cooperation

The receiving District, through its administrative agents, shall timely cooperate with all State agency inquiries and other District or school inquiries relating to a student who is covered by the Compact.

Cross Reference: Policy 2700P High School Graduation Requirements

Legal Reference: I.C. § 33-5701 Interstate Compact on Educational Opportunity for
Military Children
IDAPA 08.02.03.105 Graduation from High School

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

INSTRUCTION

2710

High School Graduation Requirements

STEM Diploma

The Board may award a STEM Diploma to every student enrolled in the School District who meets the requirements of graduation established by the School District and also completes the following:

1. Eight credits in mathematics;
2. Eight credits in science; and
3. Five credits in the students' choice of any or all subjects of science, technology, engineering, or mathematics.

Students who have completed eight or more credits in mathematics that include Pre-Cal/College Algebra or a higher-level mathematics class before the student's senior year are not required to take a mathematics class in the student's senior year.

The official transcript will indicate the specific courses taken and level of achievement.

Cross Reference: 2700 High School Graduation Requirements
2700P High School Graduation Requirements

Legal Reference: I.C. § 33-523 STEM Diploma
I.D.A.P.A. 08.02.01.250.02 Required Attendance
I.D.A.P.A. 08.02.01.350 Early Graduation
I.D.A.P.A. 08.02.03.105 High School Graduation Requirements
I.D.A.P.A. 08.02.03.1802 STEM Diploma Math Exemption

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

INSTRUCTION

2720

Participation in Commencement Exercises

Statement of Policy

A student's opportunity to participate in the commencement exercises of the District's graduating class is a privilege. As such, participation in this ceremony is reserved for those members of the graduating class who have completed all of the State and local requirements for graduation before the date of the ceremony. Students who complete their requirements after the date of commencement exercises will receive their diploma at that time.

Organization and Content of Commencement Exercises

The school administration shall exercise plenary control over all aspects of any graduation ceremony held within the District. The school administration may invite graduating students to participate in high school graduation exercises according to academic class standing or class officer status. Any student who, because of academic class standing, is requested to participate may choose to decline the invitation.

Students selected to participate may choose to deliver an address, poem, reading, song, musical presentation, or any other pronouncement of their choosing. The principal shall review and approve the student's address, poem, reading, song, musical presentation, or any other pronouncement of their choosing prior to its presentation to the audience attending the graduation ceremony to ensure that there is no conflict with the Establishment Clause found in the First Amendment to the United States Constitution, The Idaho Constitution, or the laws of the State of Idaho.

Legal Reference: United States Constitution-1st Amendment
Art. IX, Sec. 6, Idaho Constitution – Religious Test and Teaching in School
Prohibited
I.C. § 33-512 Governance of Schools
I.C. § 33-1603 Sectarian Instruction Forbidden
I.C. § 67-5909 Acts Prohibited

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

INSTRUCTION

2800

Objectives

Accreditation Standards

The Board will comply with all accreditation standards established by the State Board of Education. The District uses the Northwest Accreditation Standards for secondary education, serving grades 9 through 12, as required by law. Accreditation is voluntary for elementary schools, grades K through 8.

The District will timely submit an annual accreditation report to the State Board of Education.

Continuous Progress Education

The Board acknowledges its responsibility for developing and implementing a curriculum designed to provide for sequential intellectual and skill development necessary for students to progress on a continuous basis from the elementary through secondary school.

The Superintendent is directed to develop instructional programs that will enable each student to learn at the student's best rate. The instructional program shall strive to provide:

1. Placement of a student at the student's functional level;
2. Learning materials and methods of instruction considered to be most appropriate to the student's learning style; and
3. Evaluation to determine if the desired student outcomes have been achieved.

Each year, the Superintendent shall determine the degree to which such instructional programs are being developed and implemented. Accomplishment reports submitted annually shall provide the Board with the necessary information to make future program improvement decisions.

Legal Reference: I.C. § 33-119 Accreditation of Secondary Schools – Standards for
Elementary Schools
IDAPA 08.02.02.140 Accreditation

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

STUDENTS

3000

Entrance, Placement, and Transfer

Entrance, Date, and Age

No pupil may be enrolled in the kindergarten or first grade whose fifth or sixth birthday respectively does not occur on or before the first day of September of the school year in which the child registers to enter school. Any child of the age of five years who has completed a private or public out-of-state kindergarten for the required 450 hours but has not reached the age and date requirements set above shall be allowed to enter the first grade.

Initial Enrollment

Immunization records or an appropriate waiver and birth certificate are required for admission to all District schools (subject to provisions of McKinney Homeless Assistance Act, see District Policy 3060).

If a birth certificate is not provided upon enrollment of a student for the first time in elementary or secondary school, the District shall notify the person enrolling the student in writing that he or she must provide within 30 days either a certified copy of the student's birth certificate or other reliable proof of the student's identity and birth date, which proof shall be accompanied by an affidavit explaining the inability to produce a copy of the birth certificate. Other reliable proof of the student's identity and birth date may include a passport, visa, or other governmental documentation of the child's identity. If the person enrolling a student fails to provide the information within the requested 30 days, the District shall immediately notify the local law enforcement agency of such failure and again notify the person enrolling the student, in writing, that he or she has an additional ten days to comply. If any documentation or affidavit received pursuant to this section appears inaccurate or suspicious in form or content, the District shall immediately report the same to the local law enforcement agency. Local law enforcement will investigate these reports. Failure of a parent, or person in custody of a child, or a person enrolling a student, to comply with the documentation requirements of this section after a lawful request shall constitute a misdemeanor.

A student transferring schools within the District need not provide proof of identity and birth date if the student's record already contains such verified information.

Placement

The goal of the District shall be to place students at levels and in settings that will enhance the probability of student success. Developmental testing together with other relevant criteria, including but not limited to health, maturity, emotional stability, and developmental disabilities, may be considered in the placement of all students. Final disposition of all placement decisions rests with the principal, subject to review by the Superintendent and the Board.

Transfer

District policies regulating pupil enrollment from other accredited elementary and secondary schools are designed to protect the educational welfare of the child and of other children enrolled in the District.

Elementary Grades (K-8): Any student transferring into the District will be admitted and placed on a probationary basis for a period of two weeks.

Should any doubt exist with teacher and/or principal as to grade and level placement of the student, the student shall be subject to an educational assessment to determine appropriate grade and level placement.

During the two-week probationary period, the student will be subject to observation by the teacher and building principal.

Secondary Grades (9-12), Credit Transfer: Requests for transfer of credits from any secondary school shall be subject to a satisfactory examination of the following:

1. Appropriate certificates of accreditation;
2. Length of course, school day, and school year;
3. Content of applicable courses;
4. The school facility as it relates to credit earned (i.e., lab areas for appropriate science or vocational instruction);
5. An appropriate evaluation of student performance leading toward credit issuance; and
6. Final approval of transfer credits will be determined by the high school principal, subject to review upon approval by the Superintendent and Board of Trustees.

Transfer from Persistently Dangerous Schools

If any school within the District is found to be persistently dangerous in accordance with federal law, students attending the school shall be permitted to transfer to another traditional or charter school within the District which is not persistently dangerous. The transfer may be either permanent or temporary and lasting until the school of origin is no longer designated as persistently dangerous. Parents/guardians of students shall be notified that the school has been designated as persistently dangerous within ten days of being so designated. Within 20 days of receiving such notification, students may be transferred to another school within the District.

Any student who is the victim of a violent criminal offense on school grounds shall be permitted to transfer to another school within the District.

Cross References:	3060 4160	Education of Homeless Children Parents Right-to-Know Notices
Legal References:	20 U.S.C. § 7912 20 U.S.C. § 6313 42 U.S.C. § 11432 Id. Const. art. IX, § 9 I.C. § 18-4511 I.C. § 33-201 I.C. § 33-209 I.C. § 39-4801 I.C. § 39-4802	Unsafe School Choice Option Eligible School Attendance Areas Grants for State and Local Activities for the Education of Homeless Children and Youths Compulsory Attendance at School School Duties — Records of Missing Child — Identification Upon Enrollment — Transfer of Student Records Attendance at Schools - School Age Attendance at Schools —Transfer of Student Records — Duties Immunization required Immunization Exemptions

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

STUDENTS

3010

Open Enrollment

The Board of Trustees recognizes that some of its patrons may want to enroll their children in a school that is located within a district other than where their primary residence is located, therefore, this policy is adopted to allow all in-District and out-of-District patrons to choose among this District's schools under specified conditions. In making a decision on a student's open enrollment application, the Board of Trustees shall consider the needs of the student requesting the transfer as well as the other students affected by the transfer. A student currently under suspension or expulsion in this District or another district is not eligible for open enrollment under this policy.

Transportation

Parents/guardians of a student accepted under this open enrollment policy will be responsible for transporting the accepted student. If bus space is available, then students accepted under the open enrollment policy may be transported from an appropriate, established bus stop within District boundaries.

Varsity Sports

It is recommended that a student who is considering submitting an open enrollment application to this District, and who anticipates participating in a sport governed by the Idaho High School Activities Association (IHSAA) review IHSAA rules prior to submitting their open enrollment application. Certain school transfers could lead to a student being ineligible to play at the varsity level for one year.

Application/Approval Process

An open enrollment application must be submitted annually for admission to a specific school. Applications will be accepted from January 1 to February 1 of each year for enrollment in the subsequent school year.

The Superintendent shall establish a procedure for:

1. The method of determining which students are chosen when classroom space is limited;
2. Notifying parents of the action taken on the open enrollment application;
3. The factors which may cause an open enrollment application to be denied; and
4. The process for removing a student from a transfer school, including the grounds for removal, parent notification, and the appeal process.

Re-enrollment

As long as a transfer student continues to reapply for enrollment, the Superintendent shall treat that student as if he or she resides in that school's attendance area, except in the circumstances described below. To the extent possible, the Superintendent shall expedite the enrollment process.

In situations where class space is limited, the Superintendent may give priority to certain students. Priorities may include, but are not limited to situations where a student:

1. Resides in the District and seeks enrollment in another District school under the provisions of the Every Student Succeeds Act;
2. Was previously enrolled at the requested school during the prior year;
3. Has a brother or sister enrolled at the requested school;
4. Resides in the attendance area of another District school;
5. Has parents employed by the District; or
6. Has a unique situation or extraordinary circumstances.

The Superintendent may deny an open enrollment request when such enrollment would negatively impact the efficient use of the District resources. The Superintendent may set numerical limits defining hardship for schools, grade levels, or programs to provide for appropriate and efficient use of facilities and staff. The student to teacher ratios shall not exceed the overloaded class/teacher limits outlined in the Policy 2240.

Revocation of a Transfer

Transfer students are required to comply with all District policies. Unacceptable behaviors by a transfer student or false or misleading information on their open enrollment application are grounds for the District to remove a transfer student at any time. If a student's open enrollment transfer is revoked, the parent/guardian may request an administrative review by the Superintendent. The Board may review the Superintendent's decision.

Student Rights and Responsibilities

All student's rights and responsibilities remain the same regardless of what school they attend within the District and regardless of where the student resides once accepted under the open enrollment policy. If a student who is a resident of another district applies to this District and is accepted under the terms of this policy and fails to attend, they shall be ineligible to apply again for open enrollment in this District.

Preventing or Recruiting Potential Open Enrollment Students

The District or its employees will not take any action to prohibit or prevent application by a student to attend school in another school district or to attend another school within the District. In no event is the District, or an employee of the District to recruit students outside of their attendance area. Violation of this policy may involve disciplinary action up to and including

dismissal.

Evaluation of Policy

Annually, the Superintendent shall report to the Board the effect of this policy. His or her report should include the number of open enrollment requests accepted or denied by each school, the reasons for denial, and any unanticipated results of this policy.

Cross Reference:	2240	Class Size
Legal References:	I.C. § 33-512	District Trustees - Governance of Schools
	I.C. § 33-1401	Transfer of Pupils - Definitions
	I.C. § 33-1402	Transfer of Pupils - Enrollment Options
	I.C. § 33-1404	Transfer of Pupils - Districts to Receive Pupils
	I.C. § 33-2001	Education of Exceptional Children - Definitions

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

STUDENTS

3010F

COUNCIL SCHOOL DISTRICT OPEN ENROLLMENT APPLICATION

DATE/TIME RECEIVED: _____

For School Year 20____ - 20____
Grade _____

This application form (approved March 2000) was prepared pursuant to Section 33-1402, Idaho Code, and may be used by any school district. Any other form must be approved the State Superintendent of Public Instruction.

NOTE: For out-of-district applicants, a copy of the applicant student's cumulative record must be attached to this application. The cumulative record may be obtained from the student's current school.

Out-of-District Application

Council School District

In-District Transfer Application

Name of Proposed Receiving School _____

(Some specialized programs are only offered in a limited number of schools, e.g. special education, English Language Learner, etc. Contact Council School District Services Center at _____ for further information.)

1. Applicant Student's Name: _____

Date of Birth: _____

2. School student is presently attending, or would attend if student were in a public school.

Name of School: _____

Address of School: _____

Present Grade Level of Student: _____

3. Has the student ever been suspended or expelled from school or has the student committed a disciplinary violation for which he or she could be suspended or expelled?

Yes _____ No _____

4. Has the student had a history of disciplinary infractions? Yes _____ No _____
If YES, describe the circumstances (including dates and duration):

5. Reason(s) for requesting attendance in this school (optional): _____

6. Special and/or unique instructional programs in which the applicant student is currently enrolled. (For example: vocational, foreign language, remedial, special education, gifted/talented, etc.): _____

7. Special and/or unique instructional programs in which the applicant student expects to enroll in at the new school: _____

8. Extracurricular activities in which the applicant wishes to participate: _____

9. Transportation arrangements that will be made by the parent/guardian: _____

10. Parent/Guardian's Name: _____

Parent/Guardian's Address: _____

Home Phone: _____ Work Phone: _____

Message Phone: _____ Work Phone: _____

I have read the school district procedure on open enrollment, and hereby request that my son/daughter be permitted to attend _____

(Name of Proposed Receiving School)

Parent/guardian's Signature: _____

Misrepresentation of information on this application may result in revocation of the

applicant's approval to attend a Council School District school.

<input type="checkbox"/> Approved	<input type="checkbox"/> Disapproved
	Date _____
Superintendent's or Designee's Signature: _____	
Within 60 days following action on the application, copies must be sent to parents, building principal and, for out-of-district applicants, the superintendent of the home district. If the application is denied, a written explanation for the denial must be attached.	

PRINCIPAL SIGNATURES

_____ **In-District**

Transfer: _____ **(Home School)**
_____ **(Receiving School)**

_____ **Out-of-District**

Transfer: _____ **(Receiving School)**

Council School District No. 13

STUDENTS

3010P

Open Enrollment Procedures

1. Submitting the Form

- A. Varsity Sport Participation: A student who plans to participate in a varsity sport governed by the Idaho High School Activities Association (IHSAA) should review IHSSA rules prior to submitting an Open Enrollment Application. Certain school transfers will lead to a student being ineligible to play at the varsity level for one year.
- B. Open Enrollment Application forms are available at any Council School District school. Based on mutually agreed upon waivers, Open Enrollment Applications will be accepted at any time throughout the school year, although the general period for accepting applications will be January 1 to February 1 for the following school year. Students who reside in the District and move out of their school attendance zone during the school year must initiate an Open Enrollment request to stay in their school.
- C. For students who reside in the Council School District, the parent/guardian completes the Open Enrollment Application form and submits it to the principal of their attendance zone school (home school).
- D. For students who reside outside the Council School District boundary, the parent/guardian completes the Open Enrollment Application form and submits it to the principal of the school they wish to attend (receiving school), and the parent/guardian must give notice to the home school.

2. Review Approval Process

- A. **Limited Opening:** Applications will normally be considered on a “first-come first-serve” basis. However, in situations where openings are limited, the Superintendent may give priority if a student:
 - I. Resides in the Council School District and seeks enrollment in another District school under the provisions of the No Child Left Behind Act;
 - II. Was previously enrolled at the requested school in a prior year;
 - III. Has a brother or sister enrolled at the requested school;
 - IV. Resides in the attendance area of another District school;
 - V. Has a parent employed by the District; or
 - VI. Has a unique situation or extraordinary circumstances.
- B. Factors which may cause an Open Enrollment Application to be denied include:
 - I. A school, grade, or program(s) has lack of available classroom space and/or staff;

II. The current enrollment is at or above the following:

<u>Grade</u>	<u>Class/Teacher Load Size</u>
K-1	21
2-3	21
4-6	27
7-12	161 students per teacher per day
Special Education Self-Contained	An average of 6 students per classroom
English Language Learners (ELL)	20 per full-time ELL teacher
Alternative Schools	12 students per classroom

III. The student has been suspended or expelled or has committed a disciplinary violation for which he or she could be suspended or expelled;

IV. The student has a history of documented disciplinary infractions; or

V. It is determined that information on the Open Enrollment Application has been misrepresented or was incomplete.

C. District resident approval process:

I. A home school principal makes a recommendation to approve or not to approve the transfer by completing the appropriate section of the Open Enrollment Application form.

II. The home school principal sends the form to the out-of-attendance area (receiving school) principal.

III. The receiving school principal makes a recommendation to approve or not to approve the Open Enrollment request by completing the appropriate section of the Open Enrollment application form.

IV. The receiving school principal sends the Open Enrollment Application to the Superintendent.

V. The Superintendent approves or denies the Open Enrollment request by completing the appropriate section of the Open Enrollment Application form.

D. Out-of-District approval process:

I. A receiving school principal makes a recommendation to approve or not approve the transfer by completing the appropriate section of the Open Enrollment Application form.

II. The receiving school principal sends the form to the Superintendent.

III. The Superintendent approves or denies the Open Enrollment Application by completing the appropriate section of the Open Enrollment Application form.

3. Parent Notification

A. When the application is submitted during the enrollment time period, January 1 through February 1, the Superintendent will notify the parent/guardian of his or her decision by March 31.

B. When the application is submitted outside of the open enrollment time period, notification must be made within 60 days after an application is accepted.

C. If the request for open enrollment is denied, the denial will include a written explanation. If the application is denied because classroom capacity has been reached at the school of choice, the denial may include information about other schools in the District that are below capacity.

D. The letter approving the request will inform the parents of the following:

I. Parents must provide transportation or get student to the nearest District bus stop, if space is available;

II. State law requires reapplication on an annual basis;

III. Inappropriate behavior in violation of District policies may be grounds for removing the student during the school year; and

IV. Special education, English Language Learners (ELL), or alternative school students must meet the requirements and the procedures established for those programs.

4. Re-enrollment: As long as a transfer student applies for re-enrollment, the Superintendent shall treat that student as if he or she resides in that school's attendance area, except in the circumstances described below.

5. Revocation of a Transfer

A. As long as a transfer student applies for re-enrollment, the Superintendent shall treat that student as if he or she resides in that school's attendance area. However, the District reserves the right to remove a transfer student at any time because of unacceptable behavior in violation of District policies or because of false or misleading information on the open enrollment application.

B. If a student's transfer is revoked, the parent/guardian may request an administrative review by the Superintendent of the transfer school. The parent/guardian must request the review within five school days of receiving notice that their child's transfer has been revoked.

- C. The Superintendent of the transfer school must render a decision to the parent/guardian request for review within five school days. The decision of the Superintendent may be appealed to the Board.
6. **Student Rights and Responsibilities:** Due process for all students remains the same regardless of what school they attend within the District and regardless of where the student resides once accepted under the open enrollment policy. If a student who is a resident of another district, applies to this District and is accepted under the terms of this policy and fails to attend, he or she shall be ineligible to apply again for open enrollment in this District.
7. **Preventing or Recruiting Potential Open Enrollment Students:** The District or its employees will not take any action to prohibit or prevent application by a student to attend school in another school district or to attend another school within the District. In no event is the District, or an employee of the District to recruit students outside of their attendance area. Violation of this policy may involve disciplinary action up to and including dismissal.

Definition

School Days: Include only those days when school is in session.

Procedure History

Promulgated on:

Revised on:

Reviewed on:

Council School District No. 13

STUDENTS

3020

Enrollment and Attendance Records

Since accurate enrollment and attendance records are essential both to obtain State financial reimbursement and to fulfill the District's responsibilities under the attendance laws, staff shall be diligent in maintaining such records.

Legal References:	I.C. § 33-1001	Foundation Program — State Aid —
	I.C. § 33-1002E	Apportionment - Definitions
	IDAPA 08.02.01.250.03	Pupils Attending School in Another State
	IDAPA 08.02.01.250.04	Day in Session When Counting Pupils in
	IDAPA 08.02.01.250.05	Attendance
		Day of Attendance – Kindergarten
		Day of Attendance (ADA) – Grades One
		Through Twelve (1-12)Through Twelve (1-
		12)

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

STUDENTS

3020P

Enrollment and Attendance Records

Average Daily Attendance

A day of attendance is one in which a pupil is physically present for a full day (at least four hours for grades K through 12) under the guidance and direction of a teacher or other authorized school personnel while school is in session or is a homebound student under the instruction of a teacher employed by the District.

Average Daily Attendance (ADA) is the aggregate number of days enrolled students are present divided by the number of days of school in the reporting period. A student attending school in another state bordering the student's resident district shall be counted for purposes of ADA. Students for whom no Idaho school district is a home district shall not be counted for purposes of ADA. Funding for districts is based on ADA and must be accurate.

Attendance Accounting

Days present and absent for every student are be recorded in each building for the purpose of informing parents of a student's attendance record.

Procedure History:

Promulgated on:

Revised on:

Reviewed on:

Council School District No. 13

STUDENTS

3030

Part-Time Attendance/Dual Enrollment

For purposes of this policy the term “non-public school student” is any student who is enrolled in a non-public school (including a home school or private school), enrolled in a public charter school, or enrolled in a post-secondary institution.

Any non-public school student will be allowed to enroll in the District and be entitled to participate in any curricular or extracurricular program, subject to the same requirements as other students who are enrolled full-time in the District and subject to the requirements set forth below in this policy.

Additionally, the District shall have an option for joint enrollment in a regular public school and in an alternative school.

Non-public school students admitted to the District shall only be on school property during the hours of enrollment or as otherwise indicated by the Superintendent or principal. The District will not be responsible for the student during non-enrollment hours or times. Any transportation needs for such students not provided for otherwise under this policy during the school day shall be the sole responsibility of the student and his or her parents/guardian.

Admittance

The parent/legal guardian of any non-public school student wishing to admit their son or daughter in this District for any academic or nonacademic program must register the student and provide the following prior to acceptance of any such student:

1. Birth certificate;
2. Evidence of residency within the District;
3. Immunization records or an appropriate waiver; and
4. Student records from the previously attended public school, if any, and any other records providing academic background information.

Dual enrolled students may enter any program available to other students subject to the same responsibilities and standards of behavior and performance that apply to any student’s participation.

Extracurricular Activities

The following rules apply for a non-public school student to be eligible to participate in nonacademic school activities, such as extracurricular activities, for which public school students must demonstrate academic proficiency or eligibility:

1. Eligibility standards must be met as with other regular full-time students;

2. The non-public school student must, on any State Board of Education recognized achievement test, portfolio, or other mechanism, demonstrate composite grade-level academic proficiency;
3. The non-public school student must achieve a minimum composite, core, or survey test score within the average or higher than average range as established by the test service utilized on any nationally-normed test. The minimum score on each assessment is the fifth stanine for the battery total score. The parents/guardian of a dual enrollment student are responsible for obtaining third party testing for their child at their expense in accordance with I.C. 33-203 and State Board of Education rules. Demonstrated proficiency shall be used to determine eligibility for the current and next school year, not to exceed a period of 12 months from the date the test results are released;
4. Non-public school students must be provided the opportunity to take State tests or other standardized tests given to all regularly enrolled public school students when pre-arranged with the principal of the building where the student is registered. A fee may be assessed to cover extra administration costs.
5. A non-public school student will be subject to the same requirements as public school students regarding school attendance on the date of an activity. If the non-public school student is not scheduled to attend academic courses in the District on activity days, the non-public school student's primary education provider shall provide assurance to the District that such student has met the attendance requirements in the non-public school academic setting. The primary education provider shall also be responsible for the oversight of any other academic standards relating to participation in nonacademic activities.

Average Daily Attendance

Students who are dual enrolled (i.e., enrolled on a part-time basis) shall be used in calculating the District's State fund, but only to the extent of the student's participation in District programs.

Priority

Priority for enrollment, when school programs reach maximum capacities, will be given to students enrolled on a regular full-time basis. If a number of non-public school students request admission into the same class, they will be accepted on a first-come basis. In the event the class enrollment position of a non-public school student is needed for a regular full-time student during the course of the year, the full-time student will have priority for the position beginning with the semester after the need is identified.

Transportation

All non-public school students will be eligible for District transportation services. A public charter school student or nonpublic student, upon admission to a school in this District, may ride a school bus on regularly scheduled routes, including activity bus routes, and use regularly established bus stops or stops which would require no deviation from the regularly established bus route. No

alteration of routes will be made to specially accommodate a dual enrollment student. If a dual enrollment student attends only part time, the District may furnish transportation at the regularly scheduled time closest to the time period for which a student is enrolled (i.e., morning busing for a.m. classes or afternoon busing for p.m. classes). The District will not provide such transportation if there is no available space, if the furnishing of such transportation would cause a deviation or alteration of the regularly established bus routes or stops, or if the furnishing of such transportation would require the purchase of additional or substitute equipment.

Graduation

In order to graduate from this District, all non-public school students must meet the grade and other graduation requirements the same as regular full-time students.

Mixed Curriculum

If a public charter school student or nonpublic student wishes to attend activities or programs in a particular discipline, in a class or grade where the curriculum is merged or integrated, such request shall be made in writing particularizing the subject matter presentation which the student desires to attend (i.e., art instruction in a third grade class). The teacher and principal of that school shall, upon request, provide scheduling information to the dual enrollment student. It shall be the dual enrollment student's responsibility to contact the District and ascertain when such subject matter will be presented. Where certain subject matter is integrated into a mixed curriculum, no change in the presentation of that curriculum needs to be made because of a nonpublic student's request for attendance. It is also the intent of this policy to ensure that the teacher's right to integrate disciplines and be flexible in planning and modifying the daily classroom presentations shall not be hindered or restricted in any way.

IDEA/ADA/Section 504 Students

Parents who wish dual enrollment students to be enrolled in special programs must comply with the requirements of the Individuals with Disabilities Education Act (IDEA) and the Americans with Disabilities Act (ADA) or Section 504 of the Rehabilitation Act of 1973 (Section 504). Requests by parents for an evaluation of the student by the multidisciplinary or child study team shall determine if special services are appropriate for the student. Provided special services are needed by the student, programs will be provided when possible. Until such determination is made, such special educational services or accommodations will not be provided.

Legal Reference:	I.C. § 33-203	Attendance at Schools - Dual Enrollment
	I.C. § 33-1001, <i>et. seq.</i>	Foundation Program — State Aid —
	IDAPA 08.02.03.111.13	Apportionment
		Assessment in the Public Schools - Dual Enrollment

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

STUDENTS

3040

Compulsory Attendance

The parent or guardian of any child who has attained the age of seven years, but not the age of 16 years shall cause that child to be instructed in subjects commonly and usually taught in the public schools. Unless the child is otherwise comparably instructed, the parent or guardian shall cause the child to attend a public, private, or parochial school for a period each year equal to that during which the public schools are in session.

-Idaho Code § 33-202

Attendance

Parents or guardians are required to have children ages seven through 16 enrolled in and attending a public, private, or parochial school. This school must meet the certification and standard requirements of the State of Idaho, per Idaho Code 33-202 through 205.

The Board of Trustees is responsible for the education of all school-aged children within District boundaries. Therefore, it reserves the right to ensure comparability of services at all other schools.

Whenever it is determined by the Board or the Board's designee under the provisions of due process of law that the parents/guardians of any child who is not enrolled in the public schools are failing to meet the requirements of Idaho Code § 33-202, an authorized representative of the Board shall notify in writing the prosecuting attorney in the county of the pupil's residence and recommend that a petition shall be filed in the magistrates division of the District Court of the county of the pupil's residence, in such form as the court may require under the provisions of Idaho Code § 20-510.

Legal References:	Id. Const. art. IX, § 9	Compulsory Attendance at School
	I.C. § 33-201	Attendance at Schools - School Age
	I.C. § 33-202	Attendance at Schools - School Attendance
		Compulsory
	I.C. § 33-207	Attendance at Schools - Proceedings Against
		Parents or Guardians

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

STUDENTS

3040F1

(Prepare on School District Letterhead)

Date _____

_____ County Prosecutor's Office

[Address]

To the Office of the County Prosecutor:

This letter is to inform your office of the continued absence of _____.

Enclosed is the Truancy Referral Form for the student. I have provided all of the information available on this student and his or her family. This form will be updated if any new information becomes available.

Thank you for your assistance. Please contact me if you have any questions.

Sincerely,

[Signature]

Title

Council School District No. 13

STUDENTS

3040F2

School Truancy Referral Form

PART I

Student: _____,
 (last name) (first name) (middle name)

Grade: _____ Age: _____ DOB: _____

Sex: _____ Race: _____ Language: _____

Mother's Name: _____ DOB: _____

Phone: _____ Wk. Phone: _____

Address: _____ City: _____ Zip: _____

Father's Name: _____ DOB: _____

Phone: _____ Wk. Phone: _____

Address: _____ City: _____ Zip: _____

Child resides with: _____

Address (if different than above): _____ Zip: _____

Phone: _____

PART II

Enrollment Date: _____ Number of Tardies: _____

Number of Absences: With a Valid Excuse: _____ Without a Valid Excuse: _____

Dates Child was Absent from School without Valid Excuse:

Suspension/Expulsion Dates: _____

Contacts with Parents, Actions Taken, and Outcomes (attach additional sheets if necessary):

Date: _____

Date: _____

Date: _____

Date: _____

Advisory Letter Sent? No _____ Yes _____ Date: _____

School Representative (person who can testify to the identification of the child, enrollment, keeping of records, and content of records): _____

PART III: REFERRING SCHOOL INFORMATION

School Name: _____

District: Council School District #13

Telephone: _____

Address: _____

City & State: _____ Zip: _____

(Print name of person submitting report)

(Title and Position)

(Phone)

(Signature)

Attendance Policy

The entire process of education requires a regular continuity of instruction, classroom participation, learning experiences, and study in order to reach the goal of maximum educational benefits for each individual child. The regular contact of the students with one another in the classroom and their participation in instructional activities under the tutelage of a competent teacher are vital to this purpose. This is an established principle of education that underlies and gives purpose to the requirement of compulsory schooling in this and every other state in the nation. The good things that schools have to offer can only be presented to students who are in attendance. With continued emphasis regarding excellence in education, all parties involved in attendance can better strive for quality in the classroom. Attendance reflects a student's dependability and is a significant factor on the student's permanent record. Future employers are as much concerned about punctuality and dependability as they are about academic record. School success, scholarship, and job opportunity are greatly affected by a good attendance record.

90% Attendance

The intent of the Board of Trustees is to have students attend school on a regular basis. Regular and consistent attendance results in increased learning. It is also the intent of the Board of Trustees to have the regular classroom teacher present whenever possible. A student's presence in the classroom with the regular teacher contributes to time on task, and time on task contributes directly to learning.

All students must be in attendance in each classroom 90% of the time when that class is in session. No credit will be granted to students missing more than 7 days per semester in grades 7-12 and 9 days for grades K-6. The administration shall adjudicate absences where the total number of days is brought below nine days through doctor's excuses and legitimate illness.

The ONLY absences that WILL NOT be used in calculating the attendance record are:

1. Those that occur due to school-sponsored activities, since these are considered an equivalent educational experience. These exemptions will apply to students participating in sports events, cheerleading, music related events, FFA trips, academic field trips, and others deemed co-curricular;
2. Bereavement in the immediate family (grandmother, grandfather, father, mother, sister, brother). Any extended bereavement may be reviewed by the Board;
3. Subpoenas to appear in court or court-ordered, out-of-District placements for special services; and
4. Illness or hospitalization verified by a doctor's statement.

Absences which will be counted in the 90% limit will include such areas as: family trips; work days; vacations; visiting friends or relatives; suspension in and out of school; watching tournaments when not an actual participant; hair, medical, dental, or photography appointments; skiing; hunting; court appearances; attending concerts; shopping; or any others not mentioned which are unacceptable to the Board.

Truancy

Attendance at school is more than a legal obligation. It is a privilege. Every child of compulsory school age must be in attendance unless otherwise exempted as provided in Idaho Code §§ 33-204, 205 or as determined by school authorities.

The absence of a student from class or any portion of a class for any reason other than illness, emergency, or activities which have prior approval of the administration is to be considered an unexcused absence and therefore, an act of truancy.

When a student is absent for any reason except for a school-sponsored or an administration-approved absence, an adequate acceptable excuse must be provided within two school days following return to school; otherwise, the absence is classified as unexcused. Parents/guardians, doctors, or other responsible persons should provide excuses for all students except married students or those of age 18 with a current signed parent consent form on file, who may speak for themselves. An advance excused absence for trips, work, hunting, etc. may be provided to students who are passing. An advance excused absence must be approved prior to the absence by the principal and must include adequate provision to make up class work. Students with poor academic standing or who have been truant in the current or preceding semester are ineligible for advance excuses. An advance excused absence requires the prior approval of each of the student's teachers and the principal.

Any student who is a truant for the first time will have their parent contacted and serve Friday detention. The second truancy will result in a student-parent/guardian-principal conference and the student may be placed on suspension. Four truanancies will result in a recommendation to the Board of Trustees for expulsion from school and the prosecuting attorney will be notified for purposes of filing a complaint against the parent, guardian, or other person responsible for the care of the child in a court of competent jurisdiction. Any parent or guardian of a public school pupil who is found to have knowingly allowed such pupil to become a habitual truant shall be guilty of a misdemeanor.

A student who has been expelled for attendance violations may petition the Board for reinstatement. Such petition may be granted upon presentation of a firm and unequivocal commitment to maintain regular attendance.

90% Attendance Appeal Process

If a student has lost credit due to excessive absences and the parent/guardian feels there is an extenuating circumstance, he or she may appeal to the Board of Trustees. In reviewing written documentation during the appeal hearing, the Board of Trustees will consider the following:

1. Attendance for the preceding semester and/or year;
2. Grade(s) earned in the class(es) where credit was lost and other grades;
3. Make-up work completed and the student's attitude toward school; and
4. Extenuating circumstances. The Board decision and acceptance or rejection of extenuating circumstances is final.

Legal References:	Id. Const. art. IX, § 9 I.C. § 33-202 I.C. § 33-204 I.C. § 33-205 I.C. § 33-207	Compulsory Attendance at School Attendance at Schools - School Attendance Compulsory Attendance at Schools - Exemption for Cause Attendance at Schools - Denial of School Attendance Attendance at Schools - Proceedings Against
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Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

STUDENTS

3060

Education of Homeless Children

It is the policy of the District to ensure that:

1. Each child of a homeless individual and each homeless child has equal access to the same free, appropriate public education, including a public preschool education, as provided to other students;
2. Homelessness does not in any way separate homeless students from the mainstream school environment; and
3. Homeless children and youths have access to the education and other services that such children and youths need to ensure that such children and youths have an opportunity to meet the same challenging state academic standards to which all students are held.

The Board of Trustees directs all District schools to admit children who are homeless regardless of residence and irrespective of whether the homeless child is able to produce records normally required for enrollment. The Board shall not enter into an out-of-District attendance and tuition agreement with another district for a homeless child.

All schools and employees of the District shall work to ensure that children and youth who are homeless are free from discrimination, segregation, and harassment. The District will also strive to prevent stigma against students who are homeless.

Definitions

For the purposes of this Policy, the following definitions shall apply.

The terms “enroll” and “enrollment” includes attending classes and participating fully in all school activities.

The terms “homeless,” “homeless individual,” and “homeless person” include:

1. Children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; or are abandoned in hospitals;
2. Children and youths who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings;

3. Children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings;
4. Migratory children who qualify as homeless for the purposes of this part because the children are living in circumstances described in clauses 1 through 3 above; and
5. An unaccompanied student and homeless families with children and youth are also defined as homeless if they:
 - A. Have experienced a long term period without living independently in permanent housing;
 - B. Have experienced persistent instability as measured by frequent moves over such period, and
 - C. Can be expected to continue in such status for an extended period of time because of chronic disabilities, chronic physical health or mental health conditions, substance addiction, histories of domestic violence or childhood abuse, the presence of a child or youth with a disability, or multiple barriers to employment.

“Children and youth in transition” is defined as children and youth who are otherwise legally entitled to or eligible for a free public education, including preschool, and who lack a fixed, regular, and adequate nighttime residence.

“Unaccompanied youth” is defined as a youth not in the physical custody of a parent/guardian who is in transition as defined above.

The term “school of origin” is defined as the school the student attended when permanently housed, or the school in which the student was last enrolled, including a preschool. When a student completes the final grade level served by the students “school of origin;” the “school of origin” shall progress to the designated receiving school at the next grade level for all of its feeder schools the same as for all students attending one school and progressing to another school in the District.

In General

The District shall ensure the following is provided according to the homeless student's best interest:

1. That the homeless student's education continues in the school of origin for the duration of homelessness:
 - A. In any case in which a family becomes homeless between academic years or during an academic year; and
 - B. For the remainder of the academic year, if the student becomes permanently housed during an academic year; or

2. That the homeless student is eligible to enroll in the same schools as non-homeless students who live in the same attendance area where the homeless student is actually living.

Placement Choice

The choice regarding placement shall be made regardless of whether the child or youth lives with the homeless parents or has been temporarily placed elsewhere.

When addressing school placement, the student may attend a school different than the school of attendance from before the student became homeless or the school last attended by the student, if such is the choice of the student's parent and such is feasible.

When addressing school placement, the District's Liaison shall work with the family to address the student's transportation needs.

School Stability

In determining the best interest of the homeless student each school within the District shall:

1. Presume that keeping the student in the school of origin is in the student's best interest, except when doing so is contrary to the request of the student's parent/guardian, or (in the case of an unaccompanied youth) the student;
2. Consider student-centered factors related to the student's best interest, including factors related to the impact of mobility on achievement, education, health, and safety of homeless students, giving priority to the request of the student's parent/guardian or (in the case of an unaccompanied youth) the student;
3. If, after conducting the best interest determination based on consideration of the above presumptions, the Superintendent determines that it is not in student's best interest to attend the school of origin or the school requested by the parent or guardian, or (in the case of an unaccompanied student) the student, provide the student's parent/guardian or the unaccompanied student with a written explanation of the reasons for his or her determination, which will be provided in a manner and form understandable to such parent/guardian, or unaccompanied student, including information regarding the right to appeal under "Enrollment Disputes", below; and
4. In the case of an unaccompanied student, ensure that the District's liaison designated under "District Liaison," below, assists in placement or enrollment decisions under this subparagraph, gives priority to the views of such unaccompanied student, and provides notice to such student of the right to appeal under "Enrollment Disputes," below.

Immediate Enrollment:

1. **In General:** The school selected in accordance with this policy shall immediately enroll the homeless student, even if the student:
 - A. Is unable to produce records normally required for enrollment, such as previous academic records, records of immunization and other required health records, proof of residency, or other documentation;
 - B. Has missed application or enrollment deadlines during any period of homelessness; or
 - C. Has outstanding fees or fines, including fees associated with extracurricular activities.
2. **Relevant Academic Records:** The enrolling school shall immediately contact the school last attended by the student to obtain relevant academic and other records.
3. **Relevant Health Records:** If the student needs to obtain immunizations or other required health records, the enrolling school shall immediately refer the parent/guardian of the student, or (in the case of an unaccompanied student) the student, to the District's liaison designated under "District Liaison," below, who shall assist in obtaining all necessary immunizations and/or screenings, or other required health records, in accordance with "Records," below.

Records

Any record ordinarily kept by the school, including immunization or other required health records, academic records, birth certificates, guardianship records, and evaluations for special services or programs, regarding each homeless student shall be maintained:

1. So that the records involved are available, in a timely fashion, when the student enters a new school or school district; and
2. In a manner consistent with FERPA, applicable Idaho law, and District policy.

Disputes

If a dispute arises over eligibility, school selection or enrollment in a particular school, or any other issue addressed in this policy:

1. The student shall be immediately enrolled in the school in which enrollment is sought, pending final resolution of the dispute, including all available appeals. The student shall receive educational services for which the student is eligible, such as attending classes and full participation in all school activities
2. The parent/guardian of the student or (in the case of an unaccompanied student) the student shall be provided with a written explanation identifying the basis for any decisions related to school selection or enrollment made by the District, or other entity, including the rights of the parent/guardian or unaccompanied student to appeal such decisions;

3. The parent/guardian or unaccompanied student shall be referred to the local educational agency liaison designated under “District Liaison” below, and upon being informed of the dispute, the liaison shall, within 10 days, initiate an appeal with the District and, if unsuccessful, to the state coordinator of the dispute regarding the educational placement of the homeless student; and
4. In the case of an unaccompanied student, the liaison shall ensure that the student is immediately enrolled in the school in which the student seeks enrollment pending resolution of the student’s dispute.
5. If an agreement cannot be reached between the parties regarding the educational placement of enrollment status of the student, then the District shall seek further assistance from the State Coordinator of Homeless Education to review and determine within ten business days how the student’s best interests will be served. The decision of the State Department of Education shall constitute final resolution.

Privacy

Information about a homeless student’s living situation shall be treated as a student education record, and shall not be deemed to be disclosable “directory information” under the Family Education Records Privacy Act (“FERPA”).

Contact Information

Nothing in this policy shall prohibit the District and/or the enrolling school from requiring the parent/guardian of a homeless student to submit contact information.

Comparable Services

Each homeless student in the District shall be provided services comparable to those services provided to other students in the school attended by the homeless student, including but not limited to the following:

1. Transportation services;
2. Educational services for which the student meets eligibility criteria, such as services provided under Title I of the Elementary and Secondary Education Act of 1965, or similar State or District sponsored programs, educational programs for children with disabilities, and educational programs for English Learners;
3. Programs in career and technical education;
4. Programs for gifted and talented students; and

5. School nutrition programs. Upon enrollment, the student's name shall immediately be submitted to the District's Nutrition Services Department as eligible for free meals, which eligibility commences at the time of enrollment.

District Liaison

For purposes of this policy, the Superintendent shall designate a District employee to serve as its liaison to serve homeless students in accordance with the following provisions. The liaison for homeless students designated by the Superintendent shall ensure that:

1. All homeless students in and out of school are identified by school personnel through outreach and coordination activities with other entities and agencies;
2. The District tracks academic and enrollment data on homeless students;
3. All homeless students are enrolled in, and have a full and equal opportunity to succeed the same as non-homeless students of the District;
4. Homeless families and homeless students have access to and receive educational services for which such families and students are eligible, including services through Head Start programs (including Early Head Start programs), early intervention services under part C of the Individuals with Disabilities Education Act, and other preschool programs administered by the District;
5. All homeless families and homeless students receive referrals to health care services, dental services, mental health and substance abuse services, housing services, and other appropriate services;
6. The parents/guardians of homeless students are informed of the educational and related opportunities available to their children and are provided with meaningful opportunities to participate in the education of their children;
7. All unaccompanied students and youth who receive any credits for classes attended shall be informed by the Liaison of their status as an "independent student" for purposes of the student's Free Application for Federal Student Aid ("FAFSA"). The Liaison shall also provide the required "verification" of the student's status in connection with his or her application for Federal Student Aid.
8. Public notice of the educational rights of homeless students is disseminated in locations frequented by parents/guardians of such students, and unaccompanied students, including schools, shelters, public libraries, and soup kitchens, in a manner and form understandable to the parents/guardians of homeless students and unaccompanied students;
9. Eligibility, school selection, or enrollment disputes are mediated in accordance with "Disputes," above;

10. The parent/guardian of a homeless student, and any unaccompanied student, is fully informed of all transportation services, including transportation to the student's school of origin, and is assisted in accessing transportation to the student's assigned school;
11. School personnel receive annual professional development and other support; and
12. Unaccompanied homeless students:
 - A. Are enrolled in school;
 - B. Have opportunities to meet the same challenging state academic standards as the State establishes for other students; and
 - C. Are informed of their status as independent students under 20 USC § 1087vv(d), and that such students may obtain assistance from the District Liaison to obtain verification of such status for purposes of the Free Application for Federal Student Aid.

Local and State Coordination

The District's liaison(s) for homeless students shall, as a part of their duties, coordinate and collaborate with the Idaho State Office of the Coordinator for Education of Homeless Children and Youths, as well as with community and school personnel who are responsible for the provision of education and related services to homeless students. These shall include public and private agencies, the transportation department, the State Coordinator for the Education of Homeless Children and Youth, and others. Such coordination shall include collecting and providing to the State Coordinator the reliable, valid, and comprehensive data needed to meet the requirements of 42 USC § 11432(f)(1) and (3).

Homeless Status

The District's Liaison who receives training provided by the Idaho State Office of the Coordinator for Education of Homeless Children and Youths may authorize a homeless student who is eligible for and participating in a program provided by the District, or the immediate family of such student, who otherwise meets the eligibility requirements Federal Housing Assistance (see 42 USC §§ 11360 *et. seq.*), to do so without approval or other agency action by or on behalf of the Department of Housing and Urban Development.

Title 1, Part A

Any student who is homeless and attends school within the District is eligible for Title 1, Part A services. The District shall set aside funding to provide homeless students who attend schools that do not participate in Title 1, Part A with services comparable to those provided by participating schools. Funding may also be set aside to provide targeted assistance to homeless students who attend participating schools.

Cross References:	4120	Uniform Grievance Procedure
	4160	Parents Right-to-Know Notices
Legal References:	20 U.S.C. § 6311, <i>et seq.</i>	Improving Basic Programs Operated by Local Educational Agencies (Subchapter I, Part A, of the Elementary and Secondary Education Act)
	20 U.S.C. § 1400, <i>et seq.</i>	Individuals with Disabilities Education Act (IDEA)
	42 U.S.C. § 1758	School Lunch Programs - Program Requirements
	42 U.S.C. § 9831, <i>et seq.</i>	Head Start Programs
	42 U.S.C. § 11301, <i>et seq.</i>	McKinney-Vento Homeless Assistance Act of 1987
	I.C. § 33-1404	Districts to Receive Pupils

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

STUDENTS

3070

Students of Legal Age

Every student 18 years of age or older will be deemed to be an adult and will have legal capacity to act as such. Such students, like all other students, will comply with the rules established by the District, pursue the prescribed course of study, and submit to the authority of teachers and other staff members as required by policy and State law.

Admission to School: The residence of an adult student who is not residing with a parent/guardian will be considered the residence for school purposes.

Field Trips/Athletic Programs: Approved forms for participation will be required of all students. The form should indicate whether the signature is that of the parent or the adult student. Sponsors or coaches will be required to confirm the ages of those students signing their own forms.

Absence-Lateness-Truancy: Absence notes, normally signed by parents/guardians, may be signed by adult students. Excessive absences will result in consequences according to Policy 3050 and will be reported on the report card.

Suspension/Expulsion: All suspension and/or expulsion proceedings will conform to the requirements of State statutes. Notification of all such proceedings will be sent to parents/guardians. Adult students, however, are permitted to represent themselves if they so choose.

Withdrawal from School: Adult students may withdraw from school under their own cognizance. Counselors will guide and counsel potential dropouts and encourage their continued attendance. Parents will be notified of impending dropouts by the school.

Permission to Inspect Student Records: Adult students may request permission to inspect their school records if they are eligible students according to FERPA.

Report Cards: Unless directed otherwise, progress reports will be sent to the parent/legal guardian.

Excuses from School: The school will verify requests from students who wish to leave school early for reasons such as job interviews, college visits, driver testing, with the organization being visited. Permission to leave school early may be denied for what is considered a non-valid reason.

Financial Responsibility: Students of legal age can be held financially responsible for damage to school property.

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

STUDENTS

3080

Nonresident Student Attendance Policy

Students may attend school in other than the resident student's school under the following circumstances:

1. State Enrollment Options Program;
2. When the resident and non-resident districts mutually agree; or
3. When the resident district and an out-of-state school district mutual agree;
4. Except when such transfer would work a hardship on the receiving school district

State Enrollment Options Program

Whenever the parent/guardian of a student determines it is in the best interest of the student to attend a school other than the student's resident school, the parent/guardian must apply annually for admission to the non-resident school on a form provided by the State Department of Education. The application, together with the student's cumulative record, special education file, IEP, or other applicable documents, if any, shall be submitted to the receiving district no later than February 1 for enrollment during the following school year. The February 1 deadline may be modified by mutual agreement of the resident and non-resident school. Notice of the application must be given to the student's residence district.

Students with disabilities are not treated differently from non-disabled students with respect to consideration for placement in the school of their choice, unless the District has made an individual determination that disability-related needs of a particular student with a disability cannot be reasonably met at the school of their choice due to appropriate consideration of teacher and staff resources, program availability, hardship to the District, Declaration of Hardship, and/or other factors.

An administrator who is knowledgeable of the student, the student's academic history, the student's disability who has been designated by the Superintendent shall evaluate data, if any, and/or the placement options. The Designee has discretion to review and accept or deny the Open Enrollment applications on a case by case basis.

The non-resident school will have 60 days in which to consider the application. The District may deny out-of-district student enrollment for circumstances that constitute a hardship or fall within the scope of any Hardship Declaration including, but not limited to, enlarged student-teacher ratios; overcapacity of any program such as special education, classes, as well as overcapacity of any grade level, or building; or any other factors pertaining to staffing, student-teacher ratios, case load and/or to protect the health, safety, and welfare of its existing students and/or its educational processes. If the application is denied, the non-resident school must provide a written explanation of the denial of enrollment.

No tuition shall be charged when a student attends a non-resident school under the State's Enrollment Options Program.

The parent/guardian of a non-resident student is responsible for transporting the student to and from the school or to a bus stop within the non-resident district.

Eligibility rules for participating in extracurricular activities shall apply to non-resident students. Any suspended or expelled student will not be eligible to attend a non-resident school under the provisions of this law.

Hardship Exception

When tuition is to be paid by the resident district, or waived by this District, the District will admit students except when any such transfer would constitute a hardship. In the following circumstances, the District may determine that a hardship exists when acceptance of a non-resident student(s) would:

- 1. Require the hiring of additional staff, the provision of educational services not currently provided in the school, or the crowding of existing classes;**
- 2. Cause an excessive number of students in a particular building (i.e., when the total number of students exceeds the following numbers:**
 - A. Council Jr.-Sr. High School: Grades 7-12: 240 students**
 - B. Council Elementary School: Grades PK-6: 240 students**
- 3. Cause the total enrollment in the District to exceed 480;**
- 4. Cause the total enrollment in a particular class to exceed 40 for high school, 35 for elementary school;**
- 5. Cause the teacher-student ratio to exceed 1:35 for high school or 1:30 for elementary school;**
- 6. Cause the total enrollment in a specialized program, including but not limited to special education programs, to exceed the limits below:**
 - A. Special Education: 1:12**
- 7. Would cause disruption of the education process. The District will consider the following criteria in making this determination:**
 - A. Is the student in good standing with the most recently attended school in terms of conduct and attendance;
 - B. Can the student demonstrate a record free of truancy;
 - C. Can the student demonstrate a clean behavior record in the school last attended for a period of at least one year;
 - D. Would the student's presence pose a detriment to the health and safety of other students and/or staff;
 - E. Has the student been suspended or expelled from any other school district.

Idaho Youth Rehabilitation/Child Protective Act

Any non-resident student placed by court order under the Idaho Youth Rehabilitation Act or the Child Protection Act and residing in a licensed home, agency, or institution located within the District shall be enrolled and shall not be charged tuition.

Homeless Children

Homeless children as defined by the Steward B. McKinney Homeless Assistance Act (P.L. 100-77), may attend any school district or school within a district without payment of tuition when it is determined to be in the best interest of such homeless child.

Other Conditions

The Board will not admit any student prior to viewing that student's records from the student's previous school districts.

The District has the option of accepting a nonresident student who does not meet the criteria set forth herein, if the student agrees to special conditions of admission, as set forth by the District. If a student applies and is accepted in this district from out of district, but fails to attend, that student will be ineligible to apply again for an enrollment option in this District.

The Board will not admit any student who is expelled from another school district.

New or continued enrollment of such open enrollment students will be subject to the District's discretion and such students may be denied enrollment, re-enrollment, or continued enrollment in accordance with the District's Open Enrollment Policy, this District's Hardship Declaration and/or other factors.

An open enrollment out-of-district student who becomes eligible for special education during the school year will be allowed to complete the school year as an open enrollment student, however, the student may be re-evaluated and/or his or her enrollment status may be reviewed prior to enrollment for the following year, and depending upon circumstances, such enrollment may be denied in accordance with the District's Open Enrollment Policy, this District's Hardship Declaration and/or other factors.

Legal References: I.C. § 33-1400, *et seq.* Transfer of Pupils
 I.C. § 33-205 Denial of School Attendance

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

STUDENTS

3090

Foreign Exchange Students

Philosophy

The District believes that foreign exchange students add to the richness of the high school setting for both District and foreign students. Thus, the District is willing to enroll a manageable number of foreign exchange students.

To protect the interests of the District and students, the District has adopted the following policies. It should be realized that foreign exchange students are educated at the expense of the taxpayers of the District and the State of Idaho.

1. The foreign exchange student must be 18 years of age or younger at the time of enrollment.
2. The foreign exchange student must reside with a legal resident of the District. Exceptions may be granted.
3. The foreign exchange student must have sufficient knowledge of the English language to enable effective communication and to use instructional materials and textbooks printed in English.
 - A. An English proficiency test of the District's own choosing may be administered and will supersede all other tests;
 - B. If an organization places a student who, upon arrival, is deemed by the District to be deficient in English language proficiency, the organization will do one of the following:
 1. Terminate the student's placement; or
 2. Provide, and pay for, tutorial help until the student reaches proficiency, as determined by the District.

Academic Standards and Graduation

1. The foreign exchange student will be expected to meet all appropriate standards required of any student enrolled in the District; and
2. Foreign exchange students may not graduate and receive a diploma from Council Jr./Sr. High School. They may participate in the ceremonies and receive a certificate of attendance.

Orientation by the Exchange Organization

1. Orientation, both pre-departure and upon arrival in the United States, must be provided to the exchange student.
2. Orientation must also be provided to the host family in advance of the exchange student's arrival. The family should be advised of potential problems in hosting an exchange student and provided with suggestions for coping with these problems.
3. The student's host family and the District must be provided written information which includes at least:
 - A. The name, address, and phone number of both local and area coordinators for the exchange organization; and
 - B. A 24-hour emergency telephone number for immediate assistance by the exchange organization.

Supervision

1. The sponsoring foreign student exchange organization must assume the final responsibility for resolving problems, including, if necessary, the changing of host families or the early return home of the exchange student because of personal, family, or school difficulties.
2. The sponsoring foreign student exchange organization must contact the exchange student and host family periodically throughout the exchange visit to ensure that problems are dealt with promptly and effectively.
3. The host family must be available and willing to meet with school personnel when functions or conditions require it.

District Expectations—Student Opportunities/Responsibilities

1. **Required Courses:** Foreign exchange students will be expected to enroll in the following academic classes while attending Council Jr./Sr. High School:
 - A. One English class;
 - B. One United States history class or one government class; and
 - C. Maintain enrollment in at least six classes.
2. **Athletic Program:** Foreign exchange students are eligible to participate in the Council Jr./Sr. High School Activities Program. Guidelines for participation are set by District policy and by the Idaho High School Activities Association (IHSAA), as follows:
 - A. **Recognition:** The student must be a participant of an "official Foreign Exchange Program" as defined in the publication from the National Association of Secondary School Principals, entitled, "Advisory List of International Educational Travel and Exchange Programs".

- B. **Graduation:** The student cannot have graduated or received a diploma in his or her own country.
3. **Student Fees:** Foreign exchange students are expected to pay all yearbook fees, lab fees, prom tickets, athletic fees, cap and gown fees, lunch prices, and all other school incurred expenses that are expected of other students enrolled in Council Jr./Sr. High School.
 4. **Achievement and Discipline:** Foreign exchange students must maintain passing grades in all classes, follow the rules and regulations of District student policies, and show satisfactory discipline and attendance. Failure to comply with these expectations shall result in dismissal of the student from the District's Foreign Exchange Program.
 5. **Scholarship(s):** The District will not include names of foreign exchange students in its formal class-rank listing based on cumulative grade point average, nor will foreign exchange students be eligible to apply for any local scholarship.

Placement Quotas for Foreign Student Exchange Organizations

1. Council Jr./Sr. High School will accept a maximum of two individually sponsored exchange students on a first come, first served basis.
2. The fact that a foreign exchange organization has located a host family within the District does not imply the District will automatically enroll the student. While the organization may develop such an agreement with a host family, the family should be advised it is contingent upon admission to Council Jr./Sr. High School.

Legal References: 20 U.S.C. § 221, *et seq.* Foreign and Exchange Students
 IDAPA 08.02.03.105.03 Foreign Exchange Students

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

STUDENTS

3100

Programs for At-Risk/Disadvantaged Students

The District will designate one at-risk coordinator to collect and disseminate data regarding drop-outs in the District and to coordinate the District's program for students who are at high risk of dropping out of school.

Each school year, the at-risk coordinator will prepare a dropout reduction plan that identifies:

1. The number of District students who dropped out in the preceding regular school term;
2. The number of students in grades 1-12 who are at risk of dropping out;
3. The District's dropout rate goal for the next school year; and
4. The dropout reduction programs, resources, and strategies to be used during the school year.

The Board will review and approve the plan annually.

At-Risk Students

In determining whether a student is at high risk of dropping out of school, the District will consider the student's academic and attendance performance as well as whether the student is adjudged delinquent; abuses drugs or alcohol; is a student of limited English proficiency; receives compensatory or remedial education; is sexually, physically or psychologically abused; is pregnant or a parent; is an emancipated youth; is a previous drop-out, is a court or agency referral; stops attending school before the end of the school year; is an underachiever; is unmotivated; or exhibits other characteristics that indicate the student is at high risk of dropping out of school.

Programs and District Plan

The District will provide a remedial and support program for any student who is at risk of dropping out of school.

The District will have a plan designed to retain students in a school setting. The District plan will be the responsibility of the Superintendent or the designated at-risk coordinator and will:

1. Emphasize a comprehensive team approach that includes the Superintendent, principal, parent/guardian, teacher, student, community service provider, business representative, or others;
2. Include objectives designed to meet the identified needs of at-risk students and to retain those students in school;
3. Be designed to use community resources that are available to serve at-risk youth;
4. Provide for parental involvement, such as participation in developing student academic plans and training programs for parents; and
5. Provide for review of individual profiles for at-risk students.

The District plan may also:

1. Include alternatives; and
2. Provide for the referral of students who drop out to other programs.

Alternative high school programs conducted during the school year will be conducted off-site or scheduled at a time when school is not in session and shall comply with the State Board of Education Rules Governing Thoroughness (IDAPA 08.02.03.110).

Legal Reference: IDAPA 08.02.03.110 Alternative Secondary Programs

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

STUDENTS

3200

Student Rights and Responsibilities

All students are entitled to enjoy the rights protected by the Federal and State Constitutions and laws for persons of their age and maturity in a school setting. Students should exercise these rights reasonably and avoid violating the rights of others. Students who violate the rights of others or violate District policies or rules will be subject to disciplinary measures.

These rights and responsibilities may be described at greater length in student handbooks. All student handbooks are approved policy of the Board. The complete student handbook for each school is on file at the District administration office and at the respective schools.

Students who violate the provisions of the applicable student handbook will be disciplined in accordance with the District policies.

Cross References:	3370	Searches and Seizure
	3330	Student Discipline
Legal References:	<i>Tinker v. Des Moines Ind. Sch. Dist.</i> , 393 U.S. 503 (1969)	
	<i>Bethel School District v. Fraser</i> , 478 U.S. 675 (1986)	
	<i>Morse v. Frederick</i> , 551 U.S. 393 (2007)	
	I.C. § 33-205	Denial of School Attendance
	I.C. § 33-512	District Trustees - Governance of Schools

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

STUDENTS

3220

Student Use of Buildings: Equal Access

Non-curriculum related secondary school student organizations may conduct meetings on school premises without intervention on the basis of the religious, political, philosophical, or other content of the meeting.

The following criteria must be met:

1. The meeting is voluntary and student-initiated;
2. There is no sponsorship of the meeting by the school, the government, or its agents or employees;
3. The meeting must occur during non-instructional time on regular school days;
4. Employees or agents of the school or government are present only in a non-participatory capacity;
5. The meeting does not materially and substantially interfere with the orderly conduct of educational activities within the school; and
6. Non-school persons may not direct, conduct, control, or regularly attend activities.

Although the school assumes no sponsorship of these kinds of meetings, all meetings held on school premises must be scheduled and approved by the principal.

This policy pertains to student meetings. The school has the authority, through its agents or employees, to maintain order and discipline on school premises and to protect the well-being of students and faculty.

Legal References: 20 U.S.C. § 4071 *et seq.* The Equal Access Act
Westside Community Board of Education v. Mergens, 496 U.S. 226 (1990)

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

STUDENTS

3225

Student Clubs: Equal Access

The Board of Trustees regards student clubs and organizations as an important part of the education and development of students.

Definitions

As used in this policy:

1. "School" shall mean any school in the Council School District #13;
2. "Club" shall mean a sponsored club or a non-sponsored or non-curriculum group of students of the school who wish to organize and meet to form common goals, objectives, or purposes, but do not include school activities;
3. "Sponsored Club" shall mean a club which is directly under the sponsorship, direction, and control of the school;
4. "Non-sponsored or non-curriculum club" shall mean a student initiated club which is not under the sponsorship, direction, or control of the school or any student initiated club that does not directly relate to the body of courses offered by the school;
5. "Non-participating capacity" shall mean a person may not promote, lead, or participate in any meeting.

The school within the District shall provide equal access and a fair opportunity for clubs to organize and to meet on school premises during the times established for such meetings.

Sponsored clubs shall be sponsored by a member of the faculty, staff, or administration of the school. The District shall not sponsor clubs which advocate particular religious or political beliefs or ideas. Any such clubs shall be non-sponsored or non-curriculum, and must engage a school employee to monitor their activities while on the premises. The school and the School District shall not be identified or associated with the goals, objectives, activities, beliefs, or opinions of any non-sponsored or non-curriculum clubs or its members. Any club whose activities are deemed by the principal to be disruptive of the everyday operations of the school will not be allowed to initiate meetings, nor continue to meet on school premises.

Equal Access Regulations

The following general guidelines will be observed in approving, establishing, and operating student clubs at Council School District schools.

1. Each proposed club must complete and submit a request form to the principal or designee stating the name, specific purpose of the club, the membership requirements, the activities

of the club, and meeting dates and times. Each proposed club shall have the student group perform a risk management assessment of the proposed club activities. The principal or designee will forward the request to the School District. The District with Board approval shall respond to the request, accept or reject the application, and designate the club as either a sponsored club or non-sponsored or non-curriculum club.

2. Student participation in club activities and attendance at club meetings shall be voluntary and shall be limited to those students who are currently enrolled in the School District. All student groups meeting on school premises are required to open membership to all interested and/or eligible students. Clubs shall be allowed to meet on school premises from 7:00 AM to 8:00 AM, during the noon hour, and from 3:54 PM to 4:45 PM on days when school is in session. The time and place of all club meetings shall be subject to available space, conflicting activities and programs, and the availability of the faculty sponsor or monitor. Students shall be responsible for ensuring the presence of a faculty sponsor or monitor prior to every meeting. Clubs will be allowed to meet on school premises during other times of the day only in extraordinary or exceptional circumstances as may be determined by the principal or designee.
3. All clubs must comply with the provisions of the school's student constitution, if applicable.
4. No hazing of students shall be permitted.
5. The principal or designee may deny the opportunity of any club to meet on school premises, and may deny permission of any non-school person to meet with or speak to a club on school premises, when there exists a substantial likelihood of material and substantial interference with the orderly conduct of educational activities within the school, or if the meeting or activities in the meeting are, or will be, in violation of any law or ordinance.
6. The principal, designee, or student council (if appropriate) may temporarily or permanently terminate the opportunity of any club to meet on school premises in the future if the club has materially or substantially interfered with the orderly conduct of educational activities within the school, if the activities of the club have violated any law or ordinance, or if the club has violated any provision of this policy.

For sponsored clubs, the following guidelines will apply:

1. Each sponsored club will have a faculty or staff member appointed as sponsor. The sponsorship shall be approved by the principal or designee;
2. All activities of the club must have prior approval of the sponsor;
3. Club funds shall be subject to deposit, audit, and disbursement in accordance with the regulations of the District; and
4. The content and placement of club posters or advertisements shall be approved by the club sponsor.

For non-sponsored or non-curriculum clubs, the following guidelines will apply:

1. The formation of non-sponsored or non-curriculum clubs shall be student initiated. Non-school persons may not direct, conduct, control, or regularly attend activities;
2. Recognition by the Council School District of a non-sponsored or non-curriculum club is not an endorsement of the aims, policies, or opinions of the student organization or its members;
3. The school or District's name will not be identified with the aims, policies, or opinions of the student organization or its members;
4. Notices of meetings of non-curricular student organizations may be posted only on a designated bulletin board used by all nonschool-sponsored organizations. No announcements shall be made over the public address system or in any school-sponsored publications;
5. No funds will be expended by the school for any such meeting beyond the incidental cost associated with providing a meeting place;
6. Every club must have a District employee volunteer as a monitor to the club. The monitor shall be responsible for monitoring the meetings to assure that attendance at the meetings is voluntary, to assure that the meetings do not materially and substantially interfere with the orderly conduct of educational activities within the school, and to assure that order and discipline are maintained. Monitors shall attend the meetings of non-sponsored or non-curriculum clubs that are political or religious in nature in a non-participatory capacity;
7. No school employee shall be compelled to be a monitor of a non-sponsored or non-curriculum club;
8. Club posters or flyers need to have a disclaimer, and poster content and placement shall be approved by the principal or designee; and
9. The Council School District shall not be identified or associated in any way with the goals, objectives, activities, or opinions of any non-sponsored or non-curriculum clubs to raise money.

Legal Reference: 20 U.S.C. § 4071 *et seq.* The Equal Access Act

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

STUDENTS

3225B

School Clubs: Background

THIS DOCUMENT IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT INTENDED TO BE ADOPTED AS A POLICY OR PROCEDURE.

What clubs are currently sponsored by your District? Do you have a Board policy in place dealing with school clubs? Is there a risk management plan in place for sponsored clubs? Is your District or school name being used by a non-sponsored club in a way that might cause a liability problem for the District?

Proper risk management for school clubs is a key issue for school districts. Clubs can be an excellent way to enhance student learning and provide opportunities for students to explore lifelong hobbies. Unfortunately, they can also present serious potential liability exposures to the District if not properly managed. And, while they may still serve a useful purpose, not all clubs should be sponsored by school districts.

Our goal is to provide a framework and a thought process for properly evaluating and managing school clubs from a risk management standpoint.

Is this club a school sponsored activity?

1. The decision of whether or not a club is to be school sponsored should be made at the District level, not at the school site.
2. The District should have a policy that includes a process for reviewing applications for school sponsorship.
3. The policy should state that clubs that have not received District level approval are not school sponsored activities.

Things to consider in making a decision about sponsorship include the following:

1. Do the club's purpose and activities fit within the School District's mission?
2. Are the potential risks associated with the club reasonable and acceptable to the District?
3. Is there a risk management plan in place that identifies potential hazards and outlines ways to manage those risks through such means as training, proper equipment, and supervision?
4. Who will be responsible for insuring the club? If it is to be the School District, are there any exposures that would be excluded under the District's insurance policies such as:
 - A. Ownership, operation, maintenance, or use of any aircraft;

- B. Ownership, operation, maintenance, or use of watercraft; or
 - C. Auto racing or demolition contests?
5. If the club will provide its own insurance are the limits of liability adequate and will the insurance company name the District as an additional insured on the policy and provide the District with a certificate of insurance?

Proper Risk Management for Non-Sponsored Clubs

The District may decide not to sponsor the club; but to allow the club to use the District's facilities similar to the way other outside groups do. If so, certain risk management steps should be taken including:

1. Requiring a certificate of insurance and an endorsement naming the District as an additional insured under the club's insurance policy;
2. Clear communications to staff, students, and patrons that the club is not school sponsored; and
3. Not allowing the club to use the name of the District or the schools within the District or to imply that the club is school sponsored.

Student Club Risk Management Plan

Each School Sponsored Club must develop and implement a plan that identifies hazards and potential exposures to club members, faculty, staff members, and school property. This plan should also outline the policies and procedures needed to control the identified hazards.

Due to the variety of club activities that can occur within a school district, it is critical that hazards and exposures created by the club activities be carefully evaluated. Some clubs, for example a chess club, may not have significant hazards; however, other clubs such as a drag racing club, or a rodeo club could have the potential for severe injuries. Each Risk Management Plan should be customized to the hazards of the individual club. To assist you in developing your plan, you can answer the following questions:

What are the purposes and goals of the club?

What are the responsibilities of the club members?

What training is to be required of club members? Are there minimum knowledge requirements?

How will these be tested? How are training and test results documented and maintained?

What are the responsibilities of the faculty or school-appointed sponsor?

What special training or education is required of the faculty or school staff sponsor? Are they certified through a recognized organization?

What rules are necessary to conduct club activities in a safe manner, minimizing hazards and exposures to club members, School District staff members, and school property?

What safety equipment is needed? Who is to provide this equipment? How is the equipment to be inspected and tested?

List emergency response procedures necessary based on any inherent risks of club activities, such as first-aid and emergency communication.

Are parent consent forms required? If so, where are the records maintained?

Council School District No. 13

STUDENTS

3230

Student Government

The Board encourages the function of student councils in the District's elementary and secondary schools. Student councils shall assist in improving the general welfare of all students and give students the opportunity to participate in the orderly workings of the democratic process.

Student councils shall not have authority to make policies or procedures for the District or the school. However, they may make recommendations to the administration on any topic of student concern.

Eligibility rules for candidates and rules for conducting campaigns and elections should be published, widely announced, and uniformly enforced.

Legal Reference: I.C. § 33-506(1)

District Trustees - Organization and
Government of Board of Trustees

Policy History:

Adopted on:

Revised on:

Reviewed on:

Student Publications

Journalistic experience in a school setting should be calculated to develop the background of skills and understanding which will equip a student for the responsibilities of the free press in our society. Students must recognize, however, that a school-sponsored newspaper is unique and different from other newspapers in at least four ways.

1. It is an instructive tool in addition to a means of student self-expression;
2. It is read not just by the intended audience of fellow students, but by parents and many citizens outside the school;
3. It is partially supported by tax funds; and
4. It is an influence on the public relations of the entire District since its content is read by many not simply as expressions of individual students, but as expressions representative of the entire student body and approved by the administration.

The concept of “freedom of the press” under the First Amendment has application with regard to school-sponsored publications. However, the United States Supreme Court has established that school districts may exercise editorial control over the style and content of school-sponsored newspapers without violating the First Amendment. All school-sponsored publications shall comply with the ethics and rules of responsible journalism. Text that is libelous, obscene, vulgar, lewd, invades the privacy of others, conflicts with the basic educational mission of the school, is socially inappropriate, is inappropriate due to the maturity of the students, or is materially disruptive to the educational process will not be tolerated.

The District recognizes that there are valid and necessary reasons to exercise such prepublication editorial control and to impose reasonable restrictions on student speech in school-sponsored publications. Thus, the following guidelines apply to all school-sponsored student publications.

1. School-sponsored publications are those publications, including, but not limited to, school newspapers, yearbooks, and athletic programs, which may fairly be characterized as part of the District’s curriculum, whether or not they occur in a traditional classroom setting. Generally they include student publications which are supervised by a faculty member and are designed to impart particular knowledge or skills to student participants and audiences. However, they also may include publications which students, parents, and members of the public reasonably perceive to be sponsored or approved by the District. The author’s name will accompany personal opinions and editorial statements. An opportunity for the expression of differing opinions from those published/produced will be provided within the same media.
2. The District will not restrict student freedom of expression when such expression is within the rules of responsible journalism and is consistent with the four factors outlined below. The principal of each school shall meet with the publication advisor, student editors, and

student writers to establish guidelines for achieving a maximum of student freedom of expression subject to the limitations set forth in this policy.

3. All publications must be reviewed and approved by the building principal prior to distribution. The building principal shall have the authority to determine the appropriateness of any particular item for publication. In exercising such authority, material will not be considered suitable for publication that is:
 - A. Ungrammatical;
 - B. Inadequately researched;
 - C. Obscene;
 - D. Defamatory;
 - E. Advocates prejudice based on race, religion, sexual orientation, or gender identity or expression;
 - F. Invades the privacy rights of others;
 - G. Is unsuitable for the audiences for which the publication is intended;
 - H. Contributes to the disruption or interruption of the educational process or the operation of the school; or
 - I. Otherwise is contrary to District policy or applicable federal or State law.

The school principal may also exclude material that may serve to associate the District with any position other than neutrality on matters of political controversy.

4. The principal of each secondary school shall have the authority to determine whether advertising will be accepted for inclusion in school-sponsored student publications. The District has an important interest in avoiding the impression that it has endorsed a viewpoint at variance with its educational mission. Consequently, if advertising is accepted, each school principal shall have authority to exclude certain categories of advertising. For example, drug, drug paraphernalia, alcoholic beverage advertisements, or any other advertisements that may be viewed as encouraging action that might endanger the health and welfare of students may be excluded. Similarly, advertisements may be excluded if they are:
 - A. Factually inaccurate;
 - B. Defamatory;
 - C. Obscene;
 - D. Advocate prejudice based on race, religion, sexual orientation, or gender identity or expression;
 - E. Contain either explicit or implicit sexual content or overtones; or a
 - F. Are of poor production quality.

The school principal may also exclude advertising that may serve to associate the District with any position other than neutrality on matters of political controversy.

5. In the event the building principal determines that material is not suitable for publication, students may appeal such decision to the Superintendent or his or her designee. The decision of the Superintendent or his or her designee will be final.

6. Copies of each issue of the student publication shall be sent to the Superintendent and each member of the Board of Trustees.

Legal Reference: *Hazelwood School District et al. v. Kuhlmeier et al.*, 484 U.S. 260 (1988).

Policy History:

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Revised on:

Reviewed on:

Council School District No. 13

STUDENTS

3250

Distribution and Posting of Materials

The distribution of materials from outside the school system uses a considerable amount of valuable educational time. This time is taken away from students, teachers, and the clerical staff. It is the District's policy to limit the distribution of materials to parent and student organizations sponsored by the District or other governmental agencies. Materials that provide information valued or needed by the District may also be distributed.

Students should not be used to distribute partisan materials or information pertaining to a school or general election, budget or bond issue, or negotiations. Students should not be exploited for the benefit of any individual, group, or profit-making organization.

No staff member may distribute any materials on school property without prior approval of the chief school administrator. All notices and notes sent home with students concerning school activities, programs, schedule changes, organizations, charges for equipment and materials, etc., shall be cleared with the building principal before being sent. All materials distributed will clearly indicate their source. Non-school-related materials will be plainly labeled, including a disclaimer that the activity is "not a school-sponsored activity."

All organizations must have the approval of the Superintendent before materials may be distributed. The Superintendent will use the guidelines listed above in the approval of the distribution of the materials.

In order to facilitate the distribution of materials with information about student activities offered in the community, each school will do the following:

1. Maintain a centrally located bulletin board for the posting of bulletins;
2. Maintain a table where flyers and other information can be made available to students; and
3. Include announcements for student related activities in newsletters that go home with students. The announcements must be submitted one week prior to the newsletter in which the announcement is to go home, must advertise a youth-oriented activity, and must be of non-religious, non-political nature.

It is the intent to post all notices and place flyers on the distribution table except those that are viewed by the principal as likely to be disruptive, libelous, or obscene.

Cross References: 3430 Distribution of Fund Drive Literature through Students
 4240 Distribution of Fund Drive Literature through Students

Policy History:

Adopted on:
Revised on:
Reviewed on:

Student Dress

One of the fundamental purposes of school is to provide the foundation for the creation and development of a proper attitude toward education. In order to further this purpose, it is essential to create and maintain an effective teaching and learning environment. Student attire impacts the teaching and learning environment. It can either promote a more effective educational environment, or it can disrupt the educational climate and process. Student attire that is acceptable for some social settings may not be acceptable for the educational environment of school.

Students are reminded that their appearance, clothing, and grooming, significantly affect the way others respond to them. Matters of dress remain primarily the responsibility of students, in consultation with their parents/legal guardians. Nevertheless, since it is the duty of the Board of Trustees to provide an educational atmosphere conducive to learning; minimizing disruptions or distractions; and to protect the health, safety, and morals of students, all students will adhere to the following certain minimum standards of dress when the student is on any school premises or at any school sponsored activity, regardless of location.

In general, students are not to wear or carry items of apparel (clothing, accessories, cosmetics, tattoos, jewelry—including body piercings) which depict or allude to, by picture, symbol, or word, drugs, including alcohol and tobacco; controlled substances; drug paraphernalia; gangs; violence; sexually explicit, lewd, indecent, or offensive material; or illegal acts. The wearing, use, or display of any gang clothing or attire jewelry, emblem, badge, symbol, sign, codes, or other things which evidence membership or affiliation in any gang (based upon the principal's or his or her designee's reasonable belief that gangs may be present in a school) is prohibited on any school premises or at any school sponsored activity, regardless of location.

Head coverings are inappropriate in the school building during regular school hours, unless the principal or designee specifically makes an exception to the policy.

Unless the principal or designee indicates otherwise, students will wear footwear at all times.

The Board of Trustees urges parents and students to exercise sound judgment, based upon the standard of appropriateness for the school setting. For example, clothing exposing bare midriffs and short shorts and skirts will not be allowed. The Superintendent or his or her designee is hereby authorized to promulgate regulations consistent with the provisions of this policy.

Interpretation and Implementation of Policy

The building principal/designee shall use reasonable discretion in interpreting and implementing the provisions of this policy. If a conflict arises in the interpretation of this policy, the interpretation of the building principal or designee shall be final. Principals, administrators, and teachers shall use reasonable discretion in enforcing this policy.

Enforcement

Teachers and administrators may deny class entrance to students dressed or otherwise adorned inappropriately until arrangements may be made for their proper attire. All time missed from classes for failure to adhere to this policy will be deemed unexcused absences. Parents/guardians will be notified each time a student is asked to leave school because of inappropriate attire. Students who are insubordinate or refuse to change the improper attire, or who repeat dress code violations shall be subject to disciplinary action up to and including suspension or expulsion, depending on all the facts and circumstances, for violating the standards of student conduct.

Temporary Exceptions

In order to allow appropriate attire for a particular educational or school activity, the building principal or his or her designee has the authority to grant temporary exceptions to specific provisions of this policy and related regulations. An example of such an exception might be where a specially scheduled school event required a group of students to dress unusually on a particular day.

Accommodations

The District will seek to accommodate cultural, religious, and ethnic differences in dress and grooming, provided such dress or grooming does not materially or substantially disrupt the educational process of the school or create a health or safety hazard for students, staff, or others. No student shall be required to modify their natural head or facial hair, such as by shaving or straightening through the application of heat or chemicals.

Legal References:	I.C. § 33-506	District Trustees - Organization and Government of Board of Trustees
	I.C. § 33-512(6)	District Trustees - Governance of Schools

Policy History:

Adopted on:

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Reviewed on:

Council School District Cell Phone Policy

As a school community, we are deeply committed to learning. Fundamental to student and staff learning is the integrity of classroom instruction. For grades PK-6, no student cell phones are allowed in any classroom. For grades 7-12, the following policy will apply. In an effort to promote smart and appropriate use of technology, our cell phone policy will allow students to use their phones during designated times throughout the day. Students are permitted to use cell phones during:

- passing times
- lunch
- before and after school

During class/instructional time, students have the option of either leaving their cell phones at home, in their vehicles, in their school lockers or bringing them to class and placing them in the designated cell phone receptacle. All cell phones must be turned off or placed on silent upon entering the classroom.

Teachers may design lessons where the use of cell phones is relevant to the course curriculum. Teachers will notify students when this type of use is authorized. Additionally, when a cell phone is in use for academic purposes, students WILL NOT:

- Answer an incoming text message or phone call
- Be on any social media site (Facebook, Twitter, Instagram, etc.)
- Access or play any game or access any entertainment site on their device
- Access or use any application (app) on their device unless expressly instructed to by the instructor
- Take any picture or video that the instructor has not expressly asked the student to take
- Upload any picture or video taken in any class to any social media site or website
- Text message or email any picture or video taken in class to any person, including themselves
- Access any type of mobile web browsing for any reason unless directed by the instructor
- Take any picture, video or text any class assignments or assessments without permission

Note: Due to the evolving nature of emerging technologies, additional rules and regulations may be added throughout the school year.

Phones that are not used properly will be confiscated by the classroom teacher/staff member.

- 1st offense: Cell phone confiscated and turned into the main office. Student will meet with principal regarding the cell phone policy infraction and face disciplinary action.
- 2nd offense: Cell phone confiscated, parent/guardian may pick-up the cell phone in main office and student will face further disciplinary action.

- 3rd offense: Cell phone confiscated, parent/guardian and student will conference with principal about further disciplinary actions that may include suspension.

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

STUDENTS

3270

District Provided Access to Electronic Information, Services, and Networks

Internet access and interconnected computer systems are available to the District's students and faculty. Electronic networks, including the internet, are a part of the District's instructional program in order to promote educational excellence by facilitating resource sharing, innovation, and communication.

In order for the District to be able to continue to make its computer network and internet access available, all users, including students, must take responsibility for appropriate and lawful use of this access. Students utilizing school-provided internet access are responsible for good behavior online. The same general rules for behavior apply to students' use of District-provided computer systems. Students must understand that one student's misuse of the network and internet access may jeopardize the ability of all students to enjoy such access. While the District's teachers and other staff will make reasonable efforts to supervise use of network and internet access, they must have student cooperation in exercising and promoting responsible use of this access and students must be held responsible and accountable for their own conduct.

Curriculum

In accordance with this policy and the Board's philosophy to ensure the safety of all students, the District shall provide an appropriate planned instructional component for internet safety which shall be integrated into the District's regular instructional program. In compliance with the Children's Internet Protection Act this instruction will include information on the safe use of social networking sites and instant messaging, the characteristics of cyber-bullying, and recommended responses.

The use of the District's electronic networks shall be consistent with the curriculum adopted by the District, as well as the varied instructional needs, learning styles, abilities, and developmental levels of the students, and shall comply with the selection criteria for instructional materials and library-media center materials. Staff may, consistent with the District's educational goals, use the internet throughout the curriculum.

The District's electronic network is part of the curriculum and is not a public forum for general use.

Acceptable Uses

1. All use of the District's electronic network must be either in support of education or research and in furtherance of the District's stated educational goals; or for a legitimate school business purpose. Use is a privilege, not a right. Students have no expectation of privacy in any materials that are stored, transmitted, or received via the District's electronic network or

District computers. The District reserves the right to access, monitor, inspect, copy, review, and store, at any time and without prior notice, any and all usage of the computer network and internet access and any and all information transmitted or received in connection with such usage, including email and instant messages.

2. **Unacceptable Uses of Network.** The following are considered examples of unacceptable uses and constitute a violation of this policy. Additional unacceptable uses can occur other than those specifically listed or enumerated herein:
 - A. Uses that violate the law or encourage others to violate the law, including but not limited to transmitting offensive or harassing messages; offering for sale, use, or purchase any substance the possession or use of which is prohibited by the District's student discipline policy, local, State, or federal law; viewing, transmitting, or downloading pornographic materials or materials that encourage others to violate local, State, or federal law; information pertaining to the manufacture of weapons; intruding into the networks or computers of others; and downloading or transmitting confidential, trade secret information, or copyrighted materials;
 - B. Uses that cause harm to others or damage their property, person, or reputation, including but not limited to engaging in defamation (harming another's reputation by lies); employing another's password or some other user identifier that misleads message recipients into believing that someone other than you is communicating; reading another person's communications; sharing another person's pictures, private information, or messages without their permission; or otherwise using his or her access to the network or the internet;
 - C. Uploading a worm, virus, other harmful form of programming or vandalism; participating in "hacking" activities or any form of unauthorized access to other computers, networks, or other information. Users will immediately notify the school's system administrator if they have identified a possible security problem. Users will not go looking for security problems, because this may be construed as an illegal attempt to gain access.
 - D. Uses amounting to harassment, sexual harassment, bullying, or cyber-bullying defined as using a computer, computer system, or computer network to convey a message in any format, including audio or video, text, graphics, photographic, or any combination thereof that is intended to harm another individual.
 - E. Uses that jeopardize the security of student access and of the computer network or other networks on the internet; uses that waste District resources including downloading very large files without permission from a teacher, unnecessary printing, and consuming excess file space on shared drives.
 - F. Uses that are commercial transactions, including commercial or private advertising. Students and other users may not sell or buy anything over the internet. Students and others should not give personal information to others, including credit card numbers and social security numbers.

- G. The promotion of election or political campaigns, issues dealing with private or charitable organizations or foundations, ballot issues, or proselytizing in a way that presents such opinions as the view of the District.
- H. Sending, receiving, viewing, or downloading obscene materials, materials harmful to minors, or materials that depict the sexual exploitation of minors.
- I. Disclosing identifying personal information or arranging to meet persons met on the internet or by electronic communications; sharing one's password with others or allowing them to use one's account.
- J. Downloading, installing, or copying software or other files without authorization of the Superintendent or the Superintendent's designee.
- K. Posting or sending messages anonymously or using a name other than one's own.
- L. Attempting to bypass internal or external security systems or controls using District equipment. Students and staff may only access the internet using the District network.
- M. Plagiarism of material accessed online. Teachers will instruct students in appropriate research and citation practices.
- N. Using the network while access privileges are revoked.

Internet Safety

Each District computer with internet access shall have a filtering device that blocks access to visual depictions that are obscene, pornographic, harmful, or inappropriate for students, as defined by the Children's Internet Protection Act and as determined by the Superintendent or designee.

The District will also monitor the online activities of students, through direct observation and/or technological means, to ensure that students are not accessing such depictions or other material that is inappropriate and/or harmful to minors. The Superintendent or designee shall enforce the use of such filtering devices.

The term "harmful to minors" is defined by the Communications Act of 1934 (47 USC Section 254 [h][7]), as any picture, image, graphic image file, or other visual depiction that:

1. Taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion; or
2. Depicts, describes, or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals;

And, taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors.

The term “harmful to minors” is also defined in Section 18-1514(6), Idaho Code, which provides:

1. The quality of any material or of any performance of any description or representation, in whatever form, of nudity, sexual conduct, sexual excitement, or sado-masochistic abuse, when it:
 - A. Appeals to the prurient interest of minors as judged by the average person, applying contemporary community standards; and
 - B. Depicts or describes representations or descriptions of nudity, sexual conduct, sexual excitement, or sado-masochistic abuse which are patently offensive to prevailing standards in the adult community with respect to what is suitable material for minors and includes, but is not limited to, patently offensive representations or descriptions of:
 - I. Intimate sexual acts, normal or perverted, actual or simulated; or
 - II. Masturbation, excretory functions, or lewd exhibits of the genitals or genital area. Nothing herein contained is intended to include or proscribe any matter which, when considered as a whole, and in context in which it is used, possesses serious literary, artistic, political, or scientific value for minors, according to prevailing standards in the adult community, with respect to what is suitable for minors.
2. The quality of any material or of any performance, or of any description or representation, in whatever form, which, as a whole, has the dominant effect of substantially arousing sexual desires in persons under the age of 18 years.

Internet Filtering

Filtering is only one of a number of techniques used to manage students’ access to the internet and encourage acceptable usage. It is not viewed as a foolproof approach to preventing access to material considered inappropriate or harmful to minors. Anything that falls under at least one of the categories below shall be blocked and filtered. This list will be updated/modified as required.

1. Nudity/pornography: Prevailing U.S. standards for nudity, provocative semi-nudity, sites which contain pornography or links to pornographic sites;
2. Sexuality: Sites which contain material of a mature level, images or descriptions of sexual aids, descriptions of sexual acts or techniques, sites which contain inappropriate personal ads;
3. Violence: Sites which promote violence, images or description of graphically violent acts, graphic autopsy or crime-scene images;
4. Crime: Information on performing criminal acts (e.g., drug or bomb making, computer hacking), illegal file archives (e.g., software piracy);
5. Drug Use: Sites which promote the use of illegal drugs, material advocating the use of

- illegal drugs (e.g. marijuana, LSD) or abuse of any drug. Exception: material with valid-educational use;
6. Tastelessness: Images or descriptions of excretory acts (e.g., vomiting, urinating), graphic medical images outside of a medical context;
 7. Language/Profanity: Passages/words too coarse to be softened by the word filter, profanity within images/sounds/multimedia files, adult humor;
 8. Discrimination/Intolerance: Material advocating discrimination (e.g., racial or religious intolerance); sites which promote intolerance, hate, or discrimination;
 9. Interactive Mail or Chat: Sites which contain or allow inappropriate email correspondence, sites which contain or allow inappropriate chat areas;
 10. Inappropriate Banners: Advertisements containing inappropriate images or words;
 11. Gambling: Sites which allow or promote online gambling;
 12. Weapons: Sites which promote illegal weapons, sites which promote the use of illegal weapons;
 13. Self-Harm: Sites containing content on self harm including cutting, and sites that encourage anorexia, bulimia, etc.; and
 14. Judgment Calls: Whether a page is likely to have more questionable material in the future (e.g., sites under construction whose names indicate questionable material)

Filtering should also be used in conjunction with:

1. Educating students to be “Net-smart”;
2. Using recognized internet gateways as a searching tool and/or homepage for students, in order to facilitate access to appropriate material;
3. Using “Acceptable Use Agreements”;
4. Using behavior management practices for which internet access privileges can be earned or lost; and
5. Appropriate supervision, either in person and/or electronically.

The system administrator and/or Internet Safety Coordinator and/or building principal shall monitor student internet access.

Review of filtering technology and software shall be done on a periodic basis and is the responsibility of the Internet Safety Coordinator. It shall be the responsibility of the Internet Safety Coordinator to bring to the Superintendent or designee any suggested modification of the filtering system and to address and assure that the filtering system meets the standards of Idaho Code 18-1514 and any other applicable provisions of Chapter 15, Title 18, Idaho Code.

Confidentiality of Student Information

Personally identifiable information concerning students may not be disclosed or used in any way on the internet without the permission of a parent or guardian and the student or, if the student is 18 or over, the permission of the student. Students should be aware that conduct on the District’s computer or using the District’s server may be subject to public disclosure depending upon the nature of the communication. Users should never give out private or confidential information about themselves or others on the internet, particularly credit card numbers and social security

numbers. Staff members may approve exceptions in the case of applications for college or employment.

Student Use of Social Media

Students will be held accountable for the content of the communications that they post on social media websites and are responsible for complying with District policy. Students may not disrupt the learning atmosphere, educational programs, school activities, or the rights of others.

All requirements of this policy apply to use of social media through the District network or equipment or as part of a class assignment.

Internet Access Conduct Agreements

Each student and his or her parent(s)/legal guardian(s) will be required to sign and return to the school at the beginning of each school year the Internet Access Conduct Agreement prior to having access to the District's computer system and/or internet service.

Warranties/Indemnification

The District makes no warranties of any kind, express or implied, in connection with its provision of access to and use of its computer networks and the internet provided under this policy. The District is not responsible for any information that may be lost, damaged, or unavailable when using the network, or for any information that is retrieved or transmitted via the internet. The District will not be responsible for any unauthorized charges or fees resulting from access to the internet, and any user is fully responsible to the District and shall indemnify and hold the District, its trustees, administrators, teachers, and staff harmless from any and all loss, costs, claims, or damages resulting from such user's access to its computer network and the internet, including but not limited to any fees or charges incurred through purchases of goods or services by the user. The user or, if the user is a minor, the user's parent(s)/legal guardian(s) agrees to cooperate with the District in the event the school initiates an investigation of a user's use of his or her access to its computer network and the internet.

Violations

If any user violates this policy, the student's access to the District's internet system and computers will be denied, if not already provided, or withdrawn and he or she may be subject to additional disciplinary action. The building principal will make all decisions regarding whether or not a user has violated this policy and any related rules or regulations and may deny, revoke, or suspend access at any time, with his or her decision being final. Actions which violate local, State, or federal law may be referred to the local law enforcement agency.

If the actions of the individual are also in violation of other District discipline policies, said student shall be subject to additional possible disciplinary action based upon these policies.

Internet Safety Coordinator

The Superintendent shall serve, or appoint someone to serve, as “Internet Safety Coordinator” with responsibility and authority for ensuring compliance with the requirements of federal law, State law, and this policy. The Internet Safety Coordinator shall develop and maintain administrative procedures to enforce the provisions of this policy and coordinate with the appropriate District personnel regarding the internet safety component of the District’s curriculum. The Internet Safety Coordinator shall handle any complaints about the enforcement of this policy or refer them to other appropriate personnel depending on the nature of the complaint.

The Internet Safety Coordinator shall maintain documentation evidencing that instruction by school personnel on internet safety is occurring District wide.

Public Notification

The Internet Safety Coordinator shall inform the public via the main District webpage of the District’s procedures regarding enforcement of this policy and make them available for review at the District office.

Submission to State Department of Education

This policy shall be filed with the State Superintendent of Public Instruction every five years after initial submission and subsequent to any edit to this policy thereafter.

Cross Reference:	2335 3330	Digital Citizenship and Safety Education Student Discipline
Legal Reference:	20 U.S.C. § 9134(f) 20 U.S.C. § 7131 I.C. § 18-1514(6) I.C. § 33-132	State Plans - Internet Safety Internet Safety Children and Vulnerable Adults — Obscene Materials — Definitions — "Harmful to Minors" Defined Local School Boards — Internet Use Policy Required

Policy History:

Adopted on:

Revised on:

Reviewed on:

INTERNET ACCESS CONDUCT AGREEMENT

Every student, regardless of age, must read and sign below:

I have read, understand, and agree to abide by the terms of the Council School District’s policy regarding District-provided Access to Electronic Information, Services, and Networks (Policy No. 3270). Should I commit any violation or in any way misuse my access to the District’s computer network or the Internet, I understand and agree that my access privileges may be revoked and school disciplinary action may be taken against me.

User’s Name (Print) _____ Home Phone: _____

User’s Signature: _____ Date: _____

Address: _____

Status: Student ____ Staff ____ Patron ____ I am 18 or older ____ I am under 18 ____

If I am signing this policy when I am under 18, I understand that when I turn 18, this policy will continue to be in full force and effect and agree to abide by this policy.

Parent or Legal Guardian. (If the applicant is under 18 years of age, a parent/legal guardian must also read and sign this agreement.): As the parent or legal guardian of the above named-student, I have read, understand, and agree that my child shall comply with the terms of the District’s policy regarding District-Provided Access to Electronic Information, Services, and Networks for the student’s access to the District’s computer network and the Internet. I understand that access is being provided to the students for educational purposes only. However, I also understand that it is impossible for the school to restrict access to all offensive and controversial materials and understand my child’s responsibility for abiding by the policy. I am, therefore, signing this Agreement and agree to indemnify and hold harmless the District, the Trustees, Administrators, teachers, and other staff against all claims, damages, losses, and costs, of whatever kind, that may result from my child’s use of his or her access to such networks or his or her violation of the District’s policy. Further, I accept full responsibility for supervision of my child’s use of his or her access account if and when such access is not in the school setting. I hereby give my child permission to use the building-approved account to access the District’s computer network and the Internet.

Parent/Guardian (Print) _____ Home Phone: _____

User’s Signature: _____ Date: _____

Address: _____

This Agreement is valid for the _____ school year only.

Council School District No. 13

STUDENTS

3270P

Acceptable Use of Electronic Networks

All use of electronic networks shall be consistent with the District's goal of promoting educational excellence by facilitating resource sharing, innovation, and communication. These procedures do not attempt to state all required or proscribed behaviors by users. However, some specific examples are provided. **The failure of any user to follow these procedures will result in the loss of privileges, disciplinary action, and/or appropriate legal action.**

Terms and Conditions

1. Acceptable Use: Access to the District's electronic networks must be:
 - A. For the purpose of education or research and consistent with the educational objectives of the District; or
 - B. For legitimate business use.
2. Privileges: The use of the District's electronic networks is a privilege, not a right, and inappropriate use will result in cancellation of those privileges. The system administrator and building principal will make all decisions regarding whether or not a user has violated these procedures, and may deny, revoke, or suspend access at any time. An appeal of such decisions may be made to the Superintendent within seven days. His or her decision is final.
3. Unacceptable Uses: The user is responsible for his or her actions and activities involving the network. Some examples of unacceptable uses are the following:
 - A. Using the network for any illegal activity, or to access websites encouraging illegal activity including violation of copyright or other contracts, or transmitting any material in violation of any U.S. or State law;
 - B. Accessing information pertaining to the manufacture of weapons;
 - C. Uses that cause harm to others or damage property;
 - D. Unauthorized downloading of software, regardless of whether it is copyrighted or de-virused;
 - E. Downloading copyrighted material;
 - F. Using the network for private financial or commercial activities;
 - G. Wastefully using resources, such as file space;
 - H. Hacking or gaining unauthorized access to files, resources, or entities; uploading a worm, virus, or other harmful form of programming;
 - I. Invading the privacy of individuals, which includes the unauthorized disclosure, dissemination, and use of information of a personal nature about anyone;
 - J. Using another user's account or password or some other user identifier that misleads message recipients into believing that someone other than you is communicating;
 - K. Posting material authored or created by another, without his or her consent;
 - L. Posting anonymous messages;

- M. Using the network for commercial or private advertising;
 - N. Accessing, submitting, posting, publishing, or displaying any defamatory, inaccurate, abusive, obscene, profane, sexually oriented, threatening, racially offensive, harassing, bullying, or illegal material; and
 - O. Using the network while access privileges are suspended or revoked;
 - P. Promotion of political, personal, or religious causes in a way that presents such opinions as the view of the District;
 - Q. Disclosing identifying personal information or arranging to meet persons met on the internet or by electronic communications; and
 - R. Any other unacceptable uses as outlined in District Policy 3270.
4. Network Etiquette – The user is expected to abide by the generally accepted rules of network etiquette. These include, but are not limited to, the following:
- A. Be polite. Do not become abusive in messages to others.
 - B. Use appropriate language. Do not swear or use vulgarities or any other inappropriate language.
 - C. Do not reveal personal information (including the addresses or telephone numbers) of other students or staff.
 - D. Recognize that e-mail is not private. People who operate the system have access to all mail. Messages relating to or in support of illegal activities may be reported to the authorities.
 - E. Do not use the network in any way that would disrupt its use by other users.
 - F. Consider all communications and information accessible via the network to be private property.
5. No Warranties: The District makes no warranties of any kind, whether expressed or implied, for the service it is providing. The District will not be responsible for any damages the user suffers. This includes loss of data resulting from delays, non-deliveries, missed deliveries, or service interruptions caused by its negligence or the user's errors or omissions. Use of any information obtained via the internet is at the user's own risk. The District specifically denies any responsibility for the accuracy or quality of information obtained through its services.
6. Indemnification: The user agrees to indemnify the District for any losses, costs, or damages (including reasonable attorney fees) incurred by the District, relating to or arising out of any violation of these procedures.
7. Security: Network security is a high priority. If the user can identify a security problem on the internet, the user must notify the system administrator, Internet Safety Coordinator, or building principal. Do not demonstrate the problem to other users. Keep your account and password confidential. Do not use another individual's account. Attempts to log on to the internet as a system administrator will result in cancellation of user privileges. Any user identified as a security risk may be denied access to the network.
8. Vandalism: Vandalism will result in the cancellation of privileges and other disciplinary action. Vandalism is defined as any malicious attempt to harm or destroy data of another user, the internet, or any other network. This includes, but is not limited to, the uploading or

creation of computer viruses.

9. Telephone Charges: The District assumes no responsibility for any unauthorized charges or fees, including telephone charges, long-distance charges, per-minute surcharges, or equipment or line costs.
10. Copyright Web Publishing Rules: Copyright law and District policy prohibit the republishing of text or graphics found on the internet or on District websites or file servers, without explicit written permission.
 - A. For each republication on a website or file server of a graphic or text file that was produced externally, there must be a notice at the bottom of the page crediting the original producer and noting how and when permission was granted. If possible, the notice should also include the website address of the original source.
 - B. Students engaged in producing website pages must provide library media specialists with e-mail or hard copy permissions before the website pages are published. Printed evidence of the status of “public domain” documents must be provided.
 - C. The absence of a copyright notice may not be interpreted as permission to copy the materials. Only the copyright owner may provide the permission. The manager of the website displaying the material may not be considered a source of permission.
 - D. The “fair use” rules governing student reports in classrooms are less stringent and permit limited use of graphics and text.
 - E. Student work may only be published if there is written permission from both the parent/guardian and the student.
 - F. Violation of the copyright web publishing rules may result in denial of access to the network.

11. Use of Electronic Mail.

- A. The District’s electronic mail system, and its constituent software, hardware, and data files, are owned and controlled by the District. The District provides e-mail to aid students in fulfilling their duties and responsibilities and as an education tool.
- B. Email could be subject to public records requests and disclosures depending upon the subject matter of the contents of the email.
- C. The District reserves the right to access and disclose the contents of any account on its system, without prior notice or permission from the account’s user. Unauthorized access by any student to an electronic mail account is strictly prohibited.
- D. Each person should use the same degree of care in drafting an electronic mail message that would be put into a written memorandum or document. Nothing should be transmitted in an e-mail message that would be inappropriate in a letter or

memorandum.

- E. Electronic messages transmitted via the District's internet gateway carry with them an identification of the user's internet "domain." This domain name is a registered domain name and identifies the author as being with the District. Great care should be taken, therefore, in the composition of such messages and how such messages might reflect on the name and reputation of this District. Users will be held personally responsible for the content of any and all electronic mail messages transmitted to external recipients.
- F. Any message received from an unknown sender via the internet should either be immediately deleted or forwarded to the system administrator. Downloading any file attached to any internet-based message is prohibited, unless the user is certain of that message's authenticity and the nature of the file so transmitted.
- G. Use of the District's electronic mail system constitutes consent to these regulations.

Internet Safety

1. Internet access is limited to only those "acceptable uses," as detailed in these procedures.
2. Staff members shall supervise students while students are using District internet access at school, to ensure that the students abide by the Terms and Conditions for Internet access, as contained in these procedures.
3. Each District computer with Internet access has a filtering device that blocks entry to visual depictions that are obscene, pornographic, or harmful or inappropriate for students as defined by the Children's Internet Protection Act and as determined by the Superintendent or designee. Students must use the District's filtered network for all online activities on school grounds or using District equipment.
4. The system administrator, Internet Safety Coordinator, and/or building principals shall monitor student Internet access.

Student Use of Social Media

Students will be held accountable for the content of the communications that they post on social media locations and are responsible for complying with District policy and procedures for content posted using a District computer, network, or software or when posted during school hours when the student is in attendance at school. Student posts on social media locations outside of school hours and school grounds using a personal computer, network, and software shall be private as long as they do not enter into the educational setting and interfere with the orderly operation of the school. Posts to social network sites using a District computer, network, or software may be subject to public records requests. Students may not disrupt the learning atmosphere, educational programs, school activities, or the rights of others.

All of the requirements and prohibitions in District policy and procedure apply to the use of social media on school grounds, through the District network or using District equipment, or as part of a class assignment.

Procedure History:

Promulgated on:

Revised on:

Reviewed on:

District Provided Mobile Computing Devices

The Council School District is committed to providing a safe, rigorous, and engaging learning environment that prepares all students to be career and college ready. Accessing and using technological resources is one of the cornerstones of a 21st century education. This document describes the rules for acceptable use of District-issued mobile computing devices on and off District premises. Using these resources responsibly will promote educational excellence by facilitating resource sharing, fostering creativity, and promoting communication in a safe, secure environment for all users.

Distributing Mobile Computing Devices

Before they are issued a mobile computing device, each student must submit an executed Student Agreement for Mobile Computing Device Use and a copy of the Internet Access Conduct Agreement. Each form must be signed by the student and by their parent or guardian if they are less than 18 years of age.

The District may provide parent orientations on the mobile computing device program. A student's parents/guardians are encouraged to attend an orientation before the student takes a device home with them.

Students may take the devices out of Idaho at the discretion of the building principal. The District directs the Superintendent to establish procedures for students to request permission to take the device with them.

At the end of the school year, the school will collect all devices from students. At the school's discretion, students may be issued devices to support summer school programs.

The Superintendent shall establish procedures for the maintenance of records regarding the devices, including tracking device inventory and which device is issued to which student.

Care and Safety

Students are responsible for the general care of the device they have been issued by the District and are expected to observe the following precautions:

1. No food or drink is allowed next to a device while it is in use;
2. Insert and remove cords, cables, and removable storage devices carefully;
3. Shut down the device when not in use to conserve battery life;
4. Stickers, drawings, or permanent markers may not be used on the device;
5. Do not vandalize the devices or any other school property;
6. Devices must never be left in any unsupervised area.
7. Students are responsible for keeping their device's battery charged for school each day;
8. Do not place anything near the device that could put pressure on the screen;

9. Clean the screen with an anti-static cloth or any other soft, dry cloth; and
10. Devices should not be stored in a student's vehicle, or anyplace else subject to extreme temperatures.

The Superintendent will designate an individual or office at the school level where the devices must be taken if they break or fail to work properly.

Use at School

Devices are intended for use at school each day. Students are responsible for bringing their device to all classes, unless specifically advised not to do so by their teacher. Devices must be brought to school each day in a fully charged condition. Power cords must stay with the device at all times. Repeat failures to comply with these requirements will result in disciplinary action.

If students leave their device at home, they may phone their parent/guardian to bring it to school. Students without a device will use a computer in the classroom or a device from the lending pool depending upon availability and at the administrator's discretion. This includes students whose devices are undergoing repair.

Sound must be muted or headsets must be used at all times unless the teacher directs otherwise.

Students may use printers in classrooms, the library, and computer labs with teachers' permission during class or breaks. All printing should be limited to educational purposes.

Personalizing Mobile Computing Devices

Students may not add options or upgrades to the device, change the operating system, or add unauthorized software or safety controls.

Should students or parents/guardians place personalized items on the device in violation of this policy such items may be accessed or viewed by District staff at any time, for any reason, including randomly selected device reviews. No content placed on District provided devices is privileged or confidential.

Managing Files

Once details are known about the availability of file space that is shared or is backed up automatically, the Superintendent will set a procedure for where students and teachers should save important documents.

Students should also back up their work frequently using removable file storage or by e-mailing important document to themselves. It is the student's responsibility to ensure that work is not lost due to mechanical failure or accidental deletion. Device malfunctions are not an acceptable excuse for not submitting work.

Software

The software originally installed by the District must remain on the device in usable condition and be easily accessible at all times.

From time to time the school may add or update software applications. The licenses for this software sometimes require that the software be deleted from devices at the completion of a course. Periodic reviews of devices will be made to ensure that students have deleted software that is no longer required in class and that the school has not exceeded its licenses.

All devices will be equipped with anti-virus protection software which will be upgraded regularly.

It is the responsibility of individual students to be aware of additional software programs and files loaded onto their device which are required for classes or school activities.

Students wishing to load additional software onto a device must first obtain the permission of the school's technology department. Any additional software must be appropriate for the school environment and comply with the Internet Access Conduct Agreement. Violent games and device images containing obscene or pornographic material are banned. The technology department shall determine whether a game is violent, and the student may appeal this decision to the principal. Each student is responsible for ensuring that only licensed software is loaded onto his or her device.

Inspection and Filtering

Filtering software will be used to prevent access to material considered inappropriate or harmful to minors.

Students may be selected at random or for cause to provide their device for inspection. If technical difficulties occur or unauthorized software or any other violation of District policy is discovered, all files and the hard drive may be reformatted. Only authorized software will be installed. The District does not accept responsibility for the loss of any software or other materials deleted due to a reformat and reimage.

Electronic mail, network usage, and all stored files shall not be considered confidential and may be monitored at any time by designated District staff to ensure appropriate use. The District will cooperate fully with local, State, or federal officials in any investigation concerning or relating to violations of law.

Remote Access of Devices

Devices may be equipped with the ability to be accessed remotely in the case of technical problems requiring remote assistance, missing or stolen devices, or other for any other appropriate District purpose. A student does not need to be asked for permission prior to remote software maintenance.

Acceptable Use

Access to the devices is a privilege and not a right. Each employee, student, and parent will be required to follow the Internet Access Conduct Agreement and the Acceptable Use of Electronic Networks Policy. Violation of these policies, whether by the student or another party, while the device is in student custody may result in disciplinary action for the student, possible revocation of device privileges, and/or contacting law enforcement authorities.

Protecting and Storing Devices

Students are expected to password protect their devices and shall keep their password confidential.

When students are not using their devices, the devices should be stored in their lockers. Students are encouraged to take their devices home every day after school.

Under no circumstances should devices be left in unsupervised areas. Unsupervised areas include the school grounds, the cafeteria, computer lab, locker rooms, library, unlocked classrooms, dressing rooms, and hallways. Unsupervised devices will be confiscated by staff and taken to the building principal's office. Disciplinary action may be taken for leaving a device in an unsupervised location.

Repair of Devices

Students are to report all device problems to District technology personnel.

The Superintendent will issue a document clarifying student or parent responsibility for lost and damaged devices when the details of the District's insurance policy are known.

Cross References:	3270F	Internet Access Conduct Agreement
	3270P	Acceptable Use of Electronic Networks

Legal References:	Pub. L. 106-554	Children's Internet Protection Act (CIPA)
	47 U.S.C. § 254(h)	Telecommunications Services for Certain Providers
	47 U.S.C. § 254(l)	Internet Safety Policy Requirement for Schools and Libraries

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

STUDENTS

3275F

MOBILE COMPUTING DEVICE AGREEMENT

This Agreement is valid for the _____ school year only.

Every student, regardless of age, must read and sign below:

I have read, understand, and agree to abide by the terms of the Council School District's policies regarding District-provided mobile computing devices (Policy No. 3275). Should any violation or misuse of the device occur while it is in my custody, I understand and agree that I may lose access to the device, or may lose the privilege of taking it home, and will forfeit any fees paid for use of the device, regardless of whether the misuse was committed by me or another person.

I accept full responsibility for the safe and secure handling of the device for this school year. I accept full responsibility for the proper use and safeguarding of the device under all applicable policies. I understand that it is my responsibility to immediately report any damage, theft, or problems with the device to a teacher or administrator.

User's Name (Print) _____ Home Phone: _____

User's Signature: _____ Date: _____

Address: _____

Status: ____ I am 18 or older ____ I am under 18

If I am signing this policy when I am under 18, I understand that when I turn 18, this policy will continue to be in full force and effect and agree to abide by this policy.

Parent or Legal Guardian: If the applicant is under 18 years of age, a parent/legal guardian must also read and sign this agreement.

As the parent/guardian of the above student, I understand my child's responsibility in the use and care of the device and my financial responsibility in the event my student loses the device or is found to be the cause of deliberate or negligent damage to it. I understand that if he or she is found to be responsible for deliberate or negligent damage or for the loss of the device, I will be financially responsible for reasonable repair/replacement cost.

I have read the District Policy No. 3275 and explained it to my child. I understand that if any violation or misuse of the device occurs while it is in my child's custody, his or her access privileges to the internet or use of a mobile computing device can be suspended or terminated, that he or she will forfeit any fees paid for use of the device, and that he or she may face other

disciplinary measures, regardless of whether the misuse was committed by him or her or by another person.

I also understand that I will be responsible for monitoring my student's use of the device outside the school setting.

_____I do not wish my son/daughter to take the device home at this time.

Parent/Legal Guardian (Print): _____

Signature: _____

Home Phone: _____

Address: _____

Date: _____

Council School District No. 13

STUDENTS

3280

Equal Education, Nondiscrimination, and Sex Equity

Equal educational opportunities shall be available for all students without regard to race, color, national origin, ancestry, sex, gender identity, sexual orientation, ethnicity, age, language barrier, religious beliefs, physical and mental handicap or disability, economic or social conditions, or actual or potential marital or parental status or status as a homeless child.

No student shall, on the basis of sex, be denied equal access to programs, activities, services, or benefits or be limited in the exercise of any right, privilege, advantage, or denied equal access to educational and extracurricular programs and activities.

Inquiries regarding discrimination should be directed to the District Title IX or Nondiscrimination Coordinator. An individual with a complaint alleging a violation of this policy shall follow the Uniform Grievance Procedure.

In compliance with federal regulations, the District will notify annually all students, parents, staff, community members, and unions or professional organizations the District holds a collective bargaining agreement with of this policy and the designated coordinator to receive inquiries. Notification should include the name and location of the coordinator, as well as a statement that the District will provide equal access to the Boy Scouts and other designated youth groups. The notification will be provided in all handbooks.

The District will not tolerate hostile or abusive treatment, derogatory remarks, or acts of violence because of disability against students, staff, or volunteers with disabilities. The District considers this behavior to constitute discrimination on the basis of disability in violation of State and federal law.

Legal References:	20 U.S.C. §§ 1681 - 1682	Title IX of the Education Amendments of 1972
	29 U.S.C. § 794	Section 504 of the Rehabilitation Act of 1973 - Nondiscrimination under Federal Grants and Programs
	42 U.S.C. § 6101, <i>et seq.</i>	Age Discrimination in Federally Assisted Programs
	42 U.S.C. §§ 12101, <i>et seq.</i> , & 12131, <i>et seq.</i>	The Americans with Disabilities Act of 1990
	I.C. § 67-5909	Commission on Human Rights - Acts Prohibited

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

STUDENTS

3285

Relationship Abuse and Sexual Assault Prevention and Response

The Board endeavors to take steps to prevent and respond to known instances of relationship abuse and sexual assault. Such conduct by students or third parties is strictly prohibited and shall not be tolerated on District premises, or at any District sponsored activity, regardless of location including, but not be limited to buildings, facilities, and grounds on the District campus, school buses, District parking areas, and the location of any District sponsored activity. This includes instances in which the conduct occurs off the District premises, but impacts a District related activity.

Relationship abuse includes the intentional use of physical, sexual, verbal, or emotional abuse or violence by a person to harm, threaten, intimidate, or control another person in a current or past dating relationship. Sexual assault includes sexual violence, sexual abuse, sexual stalking, and rape.

Students whose behavior is found to be in violation of this policy will be subject to discipline, up to and including expulsion. Third parties whose behavior is found to be in violation of this policy shall be subject to appropriate sanctions as determined and imposed by the Superintendent or Board.

Students or third parties may also be referred to law enforcement officials. Should the District or any of its' employees have reason to believe that a child under the age of 18 year of age has been abused, abandoned, or neglected or has been subjected to conditions which would reasonably result in abuse, abandonment, or neglect, the school shall follow appropriate reporting requirements pursuant to the Child Protective Act.

The Superintendent is hereby directed to develop administrative procedures to implement this policy. Procedures shall include descriptions of prohibited conduct, the definition of abuse pursuant to the Child Protective Act, reporting and investigative procedures, prevention and response procedures, and provisions to ensure notice of this policy is provided to students.

The Board shall review this policy annually.

Legal References: I.C. § 16-1601, *et seq.* Child Protective Act
IDAPA 08.02.03.160 Safe Environment and Discipline

Other References: US Department of Education: Office for Civil Rights, *Questions and Answers on Title IX and Sexual Violence* (2014) (available at :

<https://www2.ed.gov/about/offices/list/ocr/docs/qa-201404-title-ix.pdf>
(last accessed November 18, 2019).

Policy History:

Adopted on:

Revised on:

Reviewed on:

Sexual Harassment/Intimidation of Students

Sexual harassment is a form of sex discrimination and is prohibited in the District. An employee, District agent, or student engages in sexual harassment whenever he or she makes unwelcome advances; requests sexual favors; or engages in other verbal, non-verbal, or physical conduct of a sexual or sex-based nature, imposed on the basis of sex, that:

1. Denies or limits the provision of educational aid, benefits, services, opportunities, or treatment, or that makes such conduct a condition of a student's academic status; or
2. Has the purpose or effect of:
 - A. Substantially interfering with the student's educational environment;
 - B. Creating an intimidating, hostile, or offensive educational environment;
 - C. Depriving a student of educational aid, benefits, services, opportunities or treatment; or
 - D. Making submission to or rejection of such unwelcome conduct the basis for academic decisions affecting a student.

The terms "intimidating," "hostile," and "offensive" include conduct which has the effect of humiliation, embarrassment, or discomfort. Examples of sexual harassment include, but are not limited to, unwelcome touching; crude jokes or pictures; discussions of sexual experiences; pressure for sexual activity; intimidation by words, actions, insults, or name calling; teasing related to sexual characteristics; and spreading rumors related to a person's alleged sexual activities.

Students who believe that they may have been sexually harassed or intimidated should contact a counselor, teacher, Title IX coordinator, or administrator who will assist them in the complaint process. Supervisors or teachers who knowingly condone, or fail to report or assist a student to take action to remediate such behavior of sexual harassment or intimidation, may themselves be subject to discipline.

Any District employee who is determined, after an investigation, to have engaged in sexual harassment will be subject to disciplinary action up to and including discharge. Any student of the District who is determined, after an investigation, to have engaged in sexual harassment will be subject to disciplinary action, including, but not limited to, suspension and expulsion, consistent with the discipline policy. Any person knowingly making a false accusation regarding sexual harassment will likewise be subject to disciplinary action up to and including discharge with regard to employees, or suspension and expulsion with regard to students.

The District will make every effort to ensure that employees or students accused of sexual harassment or intimidation are given the appropriate opportunity to defend themselves against such accusations.

To the greatest extent possible, complaints will be treated in a confidential manner. Limited disclosure may be necessary in order to complete a thorough investigation. Retaliation against persons who file a complaint is a violation of law prohibiting discrimination, and will lead to disciplinary action against the offender.

Any individual seeking further information should contact the Superintendent for the name of the current Title IX Coordinator for the District. The Superintendent shall ensure that the student and employee handbooks identify the name, address, and telephone number of the individual responsible for coordinating the District's compliance efforts.

An individual with a complaint alleging a violation of this policy shall follow the Uniform Grievance Procedure.

Cross Reference:	4120	Uniform Grievance Procedure
Legal References:	20 U.S.C. §§ 1681 - 1682	Title IX of the Education Amendments of 1972
	34 C.F.R. Part 106	Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance (Implementing Title IX)
	I.C. § 67-5909	Commission on Human Rights - Acts Prohibited
	IDAPA 08.02.03.160	Safe Environment and Discipline

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

STUDENTS
Harassment Reporting Form for Students

3290F

School _____ Date _____

Student's Name _____

(If you feel uncomfortable leaving your name, you may submit an anonymous report, but please understand that an anonymous report will be much more difficult to investigate. We assure you that we'll use our best efforts to keep your report confidential.)

Who was responsible for the harassment or incident(s)? _____

Describe the incident(s): _____

Date(s), time(s), and place(s) the incident(s) occurred: _____

Were other individuals involved in the incident(s)? yes no

If so, name the individual(s) and explain their roles: _____

Did anyone witness the incident(s)? yes no

If so, name the witnesses: _____

Did you take any action in response to the incident? yes no

If yes, what action did you take? _____

Were there any prior incidents? yes no

If so, describe any prior incidents: _____

Signature of complainant _____

Signatures of parents/legal guardian _____

Council School District No. 13

STUDENTS

3295

Hazing, Harassment, Intimidation, Bullying, Cyber Bullying

The Board of Trustees is committed to providing a positive and productive learning and working environment. Hazing, harassment, intimidation, cyber bullying, or bullying by students or third parties is strictly prohibited and shall not be tolerated in the District. This includes actions on school grounds, school property, school buses, at school bus stops, at school sponsored events and activities, and through the use of electronic technology or electronic communication equipment on school computers, networks, forums, or mailing lists and actions at locations outside of those listed above that can be reasonably expected to materially and substantially interfere with or disrupt the educational environment of the school or impinge on the rights of other students at school.

The Board expects all students to treat each other with civility and respect and not to engage in behavior that is harmful to another student or the property of another student. The Board expects students to conduct themselves in keeping with their level of maturity, with a proper regard for the rights and welfare of other students, for school personnel, and for the educational purpose underlying all school activities.

Discipline

Students whose behavior is found to be in violation of this policy will be subject to discipline and graduated consequences, up to and including expulsion consistent with the Board's policy on student discipline. Third parties whose behavior is found to be in violation of this policy shall be subject to appropriate sanctions as determined and imposed by the Superintendent or Board.

Students or third parties may also be referred to law enforcement officials.

Notification

Information on the District's bullying policy and relevant procedures shall be provided in writing at the beginning of each school year to school personnel, parents, and students in the District and included in student handbooks. Information provided to students shall be provided in a manner appropriate to the student's age, grade, and level of academic achievement.

Procedures

The Superintendent is directed to develop administrative procedures to implement this policy. Procedures shall include descriptions of prohibited conduct, reporting and investigative procedures, rules for disciplining students who violate this policy, and provisions to ensure notice of this policy is provided to students, teachers, and third parties.

Reporting

The District shall annually report bullying incidents to, and in the manner and on the form provided by, the State Department of Education.

The Board shall review this policy annually.

Cross Reference:	3330	Student Discipline
	5265	Employee Responsibilities Regarding Student Harassment, Intimidation, and Bullying
Legal References:	20 U.S.C. §§ 1681 - 1682	Title IX of the Education Amendments of 1972
	34 C.F.R. Part 106	Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance (Implementing Title IX)
	I.C. § 18-917	Assault And Battery - Hazing
	I.C. § 18-917A	Student Harassment — Intimidation — Bullying
	I.C. § 33-205	Denial of School Attendance
	I.C. § 33-512	District Trustees - Governance of Schools
	I.C. § 33-1631	Requirements for Harassment, Intimidation and Bullying Information and Professional Development
	I.C. § 67-5909	Commission on Human Rights - Acts Prohibited
	IDAPA 08.02.03.160	Safe Environment and Discipline

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

STUDENTS

3295F

COMPLAINT FORM

School _____ Date _____

Student's/Complainant's Name _____

(If you feel uncomfortable leaving your name, you may submit an anonymous report, but please understand that an anonymous report will be much more difficult to investigate. We assure you that we'll use our best efforts to keep your report confidential.)

Who was responsible for the incident(s)? _____

Describe the incident(s): _____

Date(s), time(s), and place(s) the incident(s) occurred: _____

Were other individuals involved in the incident(s)? yes no

If so, name the individual(s) and explain their roles: _____

Did anyone witness the incident(s)? yes no

If so, name the witnesses: _____

Is there any evidence of the incident(s) (i.e. letters, photos) yes no

If so, please describe: _____

Did you take any action in response to the incident? yes no

If yes, what action did you take: _____

Were there any prior incidents? yes no

If so, describe any prior incidents: _____

I agree that all of the information on this form is accurate and true to the best of my knowledge.

Signature of complainant: _____

Signature of parents/legal guardian: _____

Council School District No. 13

STUDENTS

3295P

Hazing, Harassment, Intimidation, Bullying, Cyber Bullying

The following definitions and procedures shall be used for reporting, investigating, and resolving complaints of hazing, harassment, intimidation, bullying, and cyber bullying.

Definitions

1. "Third parties" include, but are not limited to, coaches, school volunteers, parents, school visitors, service contractors or others engaged in District business, such as employees of businesses or organizations participating in cooperative work programs with the District and others not directly subject to District control at inter-district and intra-district athletic competitions or other school events.
2. "District" includes District facilities, District property, buses, electronic technology or electronic communication equipment on District computers, networks, or forums and non-District property if the student or employee is at any District-sponsored, District-approved or District-related activity or function, such as field trips or athletic events where students are under the control of the District or where the employee is engaged in District business.
3. "Hazing" includes, but is not limited to, any act that recklessly or intentionally endangers the mental health, physical health, or safety of a student for the purpose of initiation or as a condition or precondition of attaining membership in, or affiliation with, any District-sponsored activity or grade level attainment, such as forced consumption of any drink, alcoholic beverage, drug, or controlled substance, forced exposure to the elements, forced prolonged exclusion from social contact, sleep deprivation or any other forced activity that could adversely affect the mental or physical health or safety of a student; requires, encourages, authorizes, or permits another to be subject to wearing or carrying any obscene or physically burdensome article, assignment of pranks to be performed or other such activities intended to degrade or humiliate.
4. "Harassment" includes, but is not limited to, any act which subjects an individual or group to unwanted, abusive behavior of a nonverbal, verbal, written, electronic, or physical nature on the basis of an actual or perceived characteristic, including but not limited to age, race, religion, color, national origin, disability, gender, gender identity and expression, sexual orientation, physical characteristic, cultural background, socioeconomic status, geographic location, familial status, or weight.
5. "Harassment, intimidation, or bullying" means any act that substantially interferes with or disrupts the educational environment or impinges on the rights of other students at school, a student's opportunities or performance, that takes place on or immediately adjacent to school

grounds, school property, at any school-sponsored activity, on school-provided transportation or at any official school bus stop, and that has the effect of:

- A. Harming a student or damaging a student's property;
- B. Knowingly placing a student in reasonable fear of harm to the student or damage to the student's property; or
- C. Is sufficiently severe, persistent, or pervasive so that it creates an intimidating, threatening, abusive, or hostile educational environment.

§ "Cyber bullying" includes, but is not limited to the following misuses of technology: harassing, teasing, intimidating, threatening, or terrorizing another person by sending or posting inappropriate and hurtful e-mail messages, instant messages, text messages, digital pictures or images, or website postings, including blogs through the District's computer network and the internet, whether accessed on campus or off campus, during or after school hours or through any private electronic device done when the student is present at school. In the situation that cyber bullying originated from a non-school computer, but has been brought to the attention of school officials, any disciplinary actions shall be based on whether the conduct is determined to be reasonably expected to materially and substantially interfere with or disrupt educational environment of the school or impinge on the rights of other students at school and/or in violation of District policy or state law. The Administration shall, at their discretion, contact local law enforcement.

§ "Intimidation" includes, but is not limited to, any threat or act intended to tamper, substantially damage or interfere with another's property, cause substantial inconvenience, subject another to offensive physical contact or inflict serious physical injury on the basis of race, color, religion, national origin, gender identity and expression, or sexual orientation.

Retaliation/False Charges

Retaliation against any person who reports or is thought to have reported, filed a complaint, or otherwise participated in an investigation or inquiry is prohibited. Such retaliation shall be considered a serious violation of Board policy, independent of whether a complaint is substantiated. False charges shall also be regarded as a serious offense and will result in disciplinary action or other appropriate sanctions.

Confidentiality

It is recognized that harassment, hazing, intimidation, bullying, and cyber bullying is often very distressing for the victim and those who suffer as a result of such actions may be reluctant to make their concerns known. All reasonable steps will be taken to ensure that all inquiries and complaints are dealt with allowing for as much confidentiality as can be provided while at the same time allowing for a thorough and appropriate investigation and reporting, where appropriate.

Policy Distribution

Information about this policy must be distributed to the school community annually, including parents, students, and all school personnel. Information about the District's policies and procedures will be included in student orientation material and in the student handbook.

Complaint Procedures

Building principals and the Superintendent have responsibility for investigations concerning hazing, harassment, intimidation, bullying, or cyber-bullying. The investigator(s) shall be a neutral party having had no involvement in the complaint presented.

Any student, employee, or third party who has knowledge of conduct in violation of this policy or feels he or she has been a victim of hazing, harassment, intimidation, or cyber-bullying, in violation of this policy shall immediately report his or her concerns.

All complaints will be promptly investigated in accordance with the following procedures:

Step I: Any hazing, harassment, intimidation, bullying, or cyber-bullying, information (complaints, rumors, etc.) shall be presented to the building principal or Superintendent. Complaints against the building principal shall be filed with the Superintendent. Complaints against the Superintendent shall be filed with the Board Chair. All such information will be reduced to writing and will include the specific nature of the offense and corresponding dates.

Step II: The District official receiving the complaint shall promptly investigate or refer the complaint to an appropriate colleague or outside party for investigation. Parents will be notified of the nature of any complaint involving their student. The District official will arrange such meetings as may be necessary with all concerned parties within five working days after receipt of the information or complaint. The parties will have an opportunity to submit evidence and a list of witnesses. All findings related to the complaint will be reduced to writing. The District official(s) conducting the investigation shall notify the complainant and parents as appropriate, in writing, when the investigation is concluded and a decision regarding disciplinary action, as warranted, is determined. Due to the requirements of the Family Educational Rights and Privacy Act, it will often not be possible to provide complainants and parents with detailed information on disciplinary actions taken against another student.

A copy of the notification letter or the date and details of notification to the complainant, together with any other documentation related to the incident, including disciplinary action taken or recommended, shall be forwarded to the Superintendent or their designee.

Step III: If the complainant is not satisfied with the decision at Step II, he or she may submit a written appeal to the Superintendent or designee. Such appeal must be filed within ten working days after receipt of the Step II decision. The Superintendent or designee will

arrange such meetings with the complainant and other affected parties as deemed necessary to discuss the appeal. The Superintendent or designee shall provide a written decision to the complainant's appeal within ten working days.

Step IV: If the complainant is not satisfied with the decision at Step III, a written appeal may be filed with the Board. Such appeal must be filed within ten working days after receipt of the Step III decision. The Board shall, within twenty working days, conduct an informal review at which time the complainant shall be given an opportunity to present the complaint and the District's administration to respond if they so desire. The course and conduct of this proceeding shall be informal and shall be at the sole discretion of the Board. The Board shall provide a written decision to the complainant within ten working days following completion of the informal review.

Direct complaints related to educational programs and services may be made to the U.S. Department of Education, Office for Civil Rights.

Documentation and Reporting

Documentation related to the incident may be maintained as a part of the student's education records. Additionally, a copy of all hazing, harassment, intimidation, bullying, or cyber-bullying, complaints and documentation will be maintained as a confidential file in the District Office and reported as required by the State Department of Education.

Procedure History:

Promulgated on:

Revised on:

Reviewed on:

Council School District No. 13

STUDENTS

3296

Bullying Awareness Week

The Council School District is committed to providing a positive and productive learning and working environment. Hazing, harassment, intimidation, menacing, or bullying by students, staff, or third parties is strictly prohibited and will not be tolerated in the District. It is important that the students and parents have awareness about the serious issues and the negative effects of bullying, including the long-term damage it can cause, which may include the increased risk of teenage suicide.

Therefore, the District hereby designates the first full week of October of each year Bullying Awareness Week.

The Superintendent or designee shall designate certain activities for Bullying Awareness Week. The objectives for the activities for Bullying Awareness Week should include, but are not limited to:

1. Recognizing that bullying is a serious issue that has damaging effects for our society;
2. Recognizing that bullying is not an acceptable part of how we should treat each other;
3. Teaching students and staff the District's policy on bullying and the consequences;
4. Helping students and staff recognize that bullying behaviors have different forms;
5. Recognizing the tremendous leadership potential of our youth;
6. Celebrating and recognizing those who are making a difference in addressing bullying; and
7. Preparing for further work that needs to be done in the future.

Cross References:	3295	Hazing, Harassment, Intimidation, Bullying, Cyberbullying
	4120	Uniform Grievance Procedure
Legal References:	20 U.S.C. §§ 1681 - 1682	Title IX of the Education Amendments of 1972
	34 C.F.R. Part 106	Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance (Implementing Title IX)
	I.C. § 18-917A	Student Harassment — Intimidation — Bullying
	I.C. § 67-5909	Commission on Human Rights - Acts Prohibited
	IDAPA 08.02.03.160	Safe Environment and Discipline

Policy History:

Adopted on:
Revised on:
Reviewed on:

Council School District No. 13

STUDENTS

3300

Drug Free School Zone

The Board recognizes that the misuse of drugs is a serious problem with legal, physical, and social implications for the entire school community. As the educational institution of this community, the schools should strive to prevent drug abuse and help drug abusers by educational, rather than punitive means.

For purposes of this policy, “Drugs” shall mean:

1. All dangerous controlled substances as so designated and prohibited by Idaho law;
2. All chemicals which release toxic vapors;
3. All alcoholic beverages;
4. Tobacco products;
5. Any prescription or patent drug, except those for which permission to use in school has been granted pursuant to Board policy;
6. “Look-alikes”;
7. Anabolic steroids;
8. Any other illegal substances so designated and prohibited by law.

In accordance with Federal law, the Board hereby establishes a “Drug-Free School Zone” that extends 1000 feet from the boundary of any school property. The Board prohibits the use, possession, concealment, delivery, or distribution of any drug or any drug-related paraphernalia at any time on District property, within the Drug-Free School Zone, or at any District-related event. Furthermore, the Superintendent shall take the necessary steps to ensure that an individual 18 years of age or older who knowingly delivers or distributes controlled substances so designated and prohibited by Idaho law within the Drug-Free School Zone to another person is prosecuted to the fullest extent of the law.

The Superintendent shall prepare guidelines for the identification and regulation of drug use in the schools. Such guidelines shall emphasize the prevention of drug use and include a statement to students that use of illicit drugs and the unlawful possession of alcohol is harmful. The student handbook shall provide standards of conduct that are applicable to all students which clearly prohibit, at a minimum, the unlawful possession, use, or distribution of illicit drugs and alcohol by students on school premises or as a part of any school activity.

Sanctions for violation of this or any other policy which addresses illegal drug and alcohol possession, use, or distribution may include, together with punitive action, voluntary referral to appropriate persons or agencies for screening and assessment.

The Board shall review this policy annually.

Cross Reference: 3330 Student Discipline.

Legal Reference: Pub. L. 101-226 The Anti-Drug Abuse Act of 1986, Title IV,
Subtitle B: The Drug-Free Schools and
Communities Act of 1986 (as amended)
IDAPA 08.02.03.160 Safe Environment and Discipline

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

STUDENTS

3305

Prohibition of Tobacco Possession and Use

The Board recognizes that tobacco use by students presents a health and safety hazard that can have serious consequences for both users and nonusers and the school environment.

The Board prohibits tobacco use and possession by students at any time in a school building or on any school property, buses, vans, or vehicles that are owned, leased, or controlled by the District. Tobacco use and possession by students is also prohibited at school-sponsored activities that are held off school property.

The District may initiate discipline according to the District's Student Discipline policy and/or prosecution of a student who possesses or uses tobacco in violation of this policy.

Definition

For the purposes of this policy, tobacco use shall be defined as the use and/or possession of a lighted or unlighted cigarette, cigar, pipe, smokeless tobacco in any form, and other smoking products specifically including electronic cigarettes, electronic nicotine delivery systems, or vaporizer smoking devices.

Cross Reference:	3300 3330	Drug Free School Zone Student Discipline
Legal Reference:	I.C. § 39-5703 IDAPA 08.02.03.160	Prevention of Minors' Access to Tobacco - Possession, Distribution or Use by a Minor Safe Environment and Discipline

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

STUDENTS

3310

Gangs and Gang Activity

The Board is committed to ensuring a safe and orderly environment, where learning and teaching may occur without physical or psychological disruptions, unlawful acts, or violations of school regulations. Gang activities create an atmosphere of intimidation in the entire school community.

Both the immediate consequences of gang activity and the secondary effects are disruptive and obstructive to the process of education and school activities. Groups of individuals which meet the definition of gangs below shall be restricted from school grounds or school activities.

Definitions

“Gang” shall refer to any group of three or more persons, whether formal or informal, that has a common name or common identifying sign or symbol, and associate together to advocate, conspire, or commit:

1. One or more criminal acts; or
2. Acts which threaten the safety or well-being of property or persons, including, but not limited to, harassment and intimidation.

It also includes gangs as defined in Idaho Code.

Students on school property or at any school-sponsored activity shall not:

1. Wear, possess, use, distribute, or sell any clothing, jewelry, emblem, badge, symbol, sign, or other items which are evidence of membership in or affiliation with any gang and/or representative of any gang;
2. Display tattoos which may be affiliated with any gang and/or representative of any gang;
3. Engage in any act, whether verbal or nonverbal, including gestures or handshakes, showing membership in or affiliation with any gang and/or that is representative of any gang; or
4. Engage in any act furthering the interest of any gang or gang activity, including, but not limited to:
 - A. Soliciting membership in or affiliation with any gang;
 - B. Soliciting any person to pay for protection or threatening another person, explicitly or implicitly, with violence or with any other illegal or prohibited act;
 - C. Painting writing, or otherwise inscribing gang-related graffiti, messages, symbols, or signs on school property; or
 - D. Engaging in violence, extortion, or any other illegal act or other violation on school property.

Violations of this policy shall result in disciplinary action, up to and including suspension, expulsion, and/or notification of police.

Cross Reference: 3255 Student Dress

Legal References: *Stephenson v. Davenport Community Sch. Dist.*, 110 F.3d 1303 (8th Cir. 1997).

I.C. § 33-506	District Trustees - Organization and Government of Board of Trustees
I.C. § 33-512	District Trustees - Governance of Schools
I.C. § 18-8501, <i>et seq.</i>	Idaho Criminal Gang Enforcement Act
I.C. § 18-8502	Idaho Criminal Gang Enforcement Act - Definitions
IDAPA 08.02.03.160	Safe Environment and Discipline

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

STUDENTS

3320

Substance and Alcohol Abuse

The Board recognizes that use of alcohol and drugs is a serious problem and that the presence of drugs in school is detrimental to the educational environment and harmful to the health, safety, and welfare of students and staff. It is the desire of the District to help those in need of alcohol and drug intervention and at the same time to protect others that are affected by the presence of alcohol and drugs and to enforce the policies of the District relating to use, possession, or being under the influence of alcohol or controlled substances, as that term is defined in statute (I.C. § 37-2732C). It is the philosophy of the District that the District will help those who desire to help themselves.

The District's desire is to create an environment where students feel safe from the many harmful influences that are prevalent in our society. For those students that come forward and voluntarily disclose using and/or being under the influence of alcohol and/or drugs while on school property or at a school function, prior to the District having reasonable suspicion, the District will provide counseling to any such student and make recommendations for referral to appropriate agencies for screening and assessment. The parent, legal guardian, or custodian of the student will be immediately notified and the District will cooperate with and work with the parent in the establishment of plan to assist the student in whatever means are deemed necessary and appropriate. The student's parent, guardian, or custodian will be notified of available opportunities for counseling for the student. Only persons on a "need to know" basis may receive information regarding a voluntary disclosure, except when deemed reasonably necessary to protect the health and safety of others. The incident shall be reported to law enforcement.

The mere fact that a student previously disclosed use of alcohol or a controlled substances, in and of itself, shall not establish reasonable suspicion at a later date.

If the District has reasonable suspicion (based upon reliable information received or the personal observations of staff) to believe that a student is using or is under the influence of alcohol or a controlled substance and the student has not voluntarily disclosed such use or influence, the District may take whatever action is deemed appropriate, including but not limited to, notifying the parent/legal guardian and notifying local law enforcement, suspension, and/or expulsion. The following shall be used as a guide in determining what procedures may be followed when this occurs, however, the specific procedure may, in large part, depend upon the circumstances in each case:

1. Upon reasonable suspicion, the student will be asked if he or she has used and/or is under the influence of alcohol and/or drugs;
2. If the student admits to the use, the student's parent/legal guardian will be immediately called;
3. The student will be asked to reveal the circumstances involving the use of alcohol and/or drugs and asked if any other students were involved;
4. Law enforcement will be called when deemed appropriate.

5. The student will be immediately suspended from school, and depending upon the circumstances, may be suspended for up to 20 days and/or recommended for expulsion.
6. As a condition of readmission, the student and parent will agree to undergo assessment and counseling for alcohol and/or drug use. The District will provide counseling services and any other services available to the student and/or the student's parents.
7. If the student does not admit to the use of alcohol and/or drugs and the staff member(s) in charge, after talking to the student, still believes that the student used or was/is under the use or influence of alcohol and/or drugs, an investigation will be conducted, which may include a search of the student's locker, car, desk or any other school property used by the student may be subject to search. In addition, law enforcement will be called immediately as will be the parent/guardian. The student will be suspended from school pending an investigation. If the investigation shows that, more likely than not, the student used or was under the influence of drugs and/or alcohol, a recommendation for expulsion will be made to the Board of Trustees. The student will be entitled to full due process prior to being expelled from school. As a condition of readmission, the Board may require that the student undergo assessment and counseling for alcohol and/or drug use.

The District shall provide written annual notification of the voluntary disclosure provisions of this policy as well as counseling availability and any other pertinent information in the student handbook or other reasonable means.

The Board shall review this policy annually.

Cross References:	3370 3330 3340 3360	Searches and Seizures Student Discipline Corrective Actions and Punishment. Discipline of Students with Disabilities
Legal References:	Pub. L. 100-690 I.C. § 33-210 IDAPA 08.02.03.160	The Anti-Drug Abuse Act of 1988 (as amended) Attendance at Schools —Students Using or Under the Influence of Alcohol or Controlled Substances Safe Environment and Discipline

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

STUDENTS

3330

Student Discipline

Disciplinary action may be taken against any student guilty of disobedience or misconduct, including, but not limited to:

1. Habitual truancy;
2. Incurability;
3. Academic dishonesty;
4. Conduct continuously disruptive of school discipline or of the instructional effectiveness of the District;
5. Conduct or presence of a student when the same is detrimental to the health and safety of other pupils;
6. Using, possessing, distributing, purchasing, or selling tobacco products;
7. Using, possessing, distributing, purchasing, or selling alcoholic beverages. Students who are under the influence are not permitted to attend school functions and are treated as though they had alcohol in their possession;
8. Using, possessing, distributing, purchasing, or selling illegal drugs or controlled substances, look-alike drugs, and drug paraphernalia. Students who are under the influence are not permitted to attend school functions and are treated as though they had drugs in their possession;
9. Assembly or public expression that advocates the use of substances that are illegal to minors or otherwise prohibited within this policy;
10. Using, possessing, controlling, or transferring a weapon in violation of the "Possession of Weapons in a School Building" section of this policy;
11. Using, possessing, controlling, or transferring any object that reasonably could be considered or used as a weapon;
12. Disobeying directives from staff members or school officials and/or rules and regulations governing student conduct;
13. Using violence, force, noise, coercion, threats, intimidation, fear, or other comparable conduct toward anyone or urging other students to engage in such conduct;

14. Causing or attempting to cause damage to, or stealing or attempting to steal, school property or another person's property;
15. Engaging in any activity that constitutes disorderly conduct, an interference with school purposes or an educational function or which is disruptive to the educational environment;
16. Unexcused absenteeism; however, the truancy statutes and Board policy will be utilized for chronic and habitual truants;
17. Hazing – For purposes of this policy, the term “hazing” shall have the meaning set forth in Idaho Code;
18. Initiations;
19. The forging of any signature, or the making of any false entry, or the authorization of any document used or intended to be used in connection with the operation of the school;
20. Harassment, intimidation, cyber bullying, or bullying as defined in Idaho Code and District policy.

These grounds for disciplinary action apply whenever the student's conduct is reasonably related to school or school activities, including, but not limited to:

1. On, or within sight of, school grounds before, during, or after school hours or at any other time when the school is being used by a school group;
2. Off school grounds at a school-sponsored activity, or event, or any activity or event which bears a reasonable relationship to school
3. Traveling to and from school or a school activity, function, or event; or
4. Anywhere, including off-campus, if the conduct may reasonably be considered to be a threat or an attempted intimidation of a staff member, or an interference with the education environment.

Traditional Disciplinary Measures

Traditional disciplinary measures include, but are not limited to:

1. Expulsion;
2. Suspension;
3. Detention, including Fridays;
4. Clean-up duty;
5. Loss of student privileges;
6. Loss of bus privileges;
7. Notification to juvenile authorities and/or police;
8. Temporary removal from the classroom;
9. Meeting with the student and the student's parents; and
10. Restitution for damages to school property.

No person who is employed or engaged by the District may inflict or cause to be inflicted corporal punishment on a student. Corporal punishment does not include, and District personnel are permitted to use, reasonable force as needed to maintain safety for other students, school personnel, or other persons, or for the purpose of self-defense.

Alternative Disciplinary Measure

Alternative disciplinary action is discipline other than traditional suspension or expulsion from school that is designed to correct and address the root causes of a student's specific misbehavior while retaining the student in class or school, or restorative school practices to repair the harm done to relationships and persons from the student's misbehavior.

Alternative discipline includes, but is not limited to:

1. Reflective activities, such as requiring the student to write an essay about the student's misbehavior;
2. Mediation when there is mutual conflict between peers, rather than one-way negative behavior;
3. Counseling;
4. Anger management;
5. Health counseling or intervention;
6. Mental health counseling;
7. Participation in skills building and resolution activities, such as social-emotional cognitive skills building, resolution, and restorative conferencing;
8. Diversion or use of juvenile specialty courts;
9. Behavioral management plan;
10. Corrective instruction or other relevant learning or service experience;
11. Community service; and
12. In-school detention or suspension which may take place during lunchtime, after school, or on weekends.

Consequences for Harassment, Intimidation, and Bullying

Students engaging in harassment, intimidation, or bullying will be subject to graduated consequences appropriate to the severity of the violation as determined by the Board, school administrators, or designated personnel depending upon the level of discipline. Graduated consequences for bullying may include any of the above listed traditional or alternative disciplinary measures or a combination thereof in accordance with the nature of the behavior, the developmental age of the student, and the student's history of problem behaviors and performance. However, depending upon the nature of the act, the District reserves the right to deviate from the process of graduated consequences to appropriately address the conduct at issue and move directly to suspension or expulsion proceedings. District personnel may also report the student's conduct to the appropriate law enforcement officials.

Disciplining Students on Individual Education or Section 504 Plans

The District shall comply with the procedural safeguards enumerated in State and federal law and rule when disciplining students with individualized education plans or 504 plans.

Gun-Free Schools

A student who uses, possesses, controls, or transfers a firearm, or any object that can reasonably be considered to be or look like a firearm, shall be expelled for a definite period of time of at least one calendar year. The Board, however, may modify the expulsion period on a case-by-case basis. The building administrator shall notify the appropriate law enforcement agency of any student who brings a firearm to school.

If a student violating this policy is identified as disabled, either under the IDEA or Section 504, a determination must be made whether the student's conduct is related to the disability. If the violation of the policy is due to a disability recognized by the IDEA or Section 504, lawful procedures for changes in placement must be followed.

Any student subject to an expulsion shall be entitled to a hearing before the Board, in accordance with Idaho Code and Board policy.

Possession of a Weapon on School Property – Misdemeanor

No person shall possess a firearm or other deadly or dangerous weapon while on school property or in those portions of any building, stadium, or other structure on school grounds which, at the time of the violation, are being used for an activity sponsored by or through a school in this State or while riding school provided transportation. This also applies to students of schools while attending or participating in any school sponsored activity, program, or event regardless of location.

As used in this section of this Policy only:

1. "Deadly or dangerous weapon" means any weapon as defined in United States Code; and
2. "Firearm" means any firearm as defined in United States Code.

Any person who possesses, carries, or stores a weapon in a school building or on school property, except as provided below, shall be referred to law enforcement for immediate prosecution, as well as face disciplinary action by the District.

The Board may grant persons and entities advance permission to possess, carry, or store a weapon in a school building. All persons who wish to possess, carry, or store a weapon in a school building shall present this request to the Board in a regular meeting. It is solely within the Board's discretion whether to allow a person to possess carry or store a weapon in a school building.

This section of this policy does not apply to:

1. Law enforcement personnel;
2. Any adult over 18 years of age and not enrolled in a public or private elementary or secondary school who has lawful possession of a firearm or other deadly or dangerous weapon, secured and locked in his or her vehicle in an unobtrusive, nonthreatening manner;

3. A person who lawfully possesses a firearm or other deadly or dangerous weapon in a private vehicle while delivering minor children, students, or school employees to and from school or a school activity; or
4. A person or an employee of the school or District who is authorized to carry a firearm with the permission of the Board of Trustees.

Delegation of Authority

Each teacher, and any other school personnel when students are under his or her charge, is authorized to impose any disciplinary measure (other than suspension, expulsion, corporal punishment, or in-school suspension) which is appropriate and in accordance with the policies and rules on student discipline. Teachers may remove students from a classroom for disruptive behavior.

Nondiscrimination

The District will ensure that student discipline is enforced in a nondiscriminatory manner to avoid subjecting similarly situated students to different treatment without a legitimate reason for doing so, or when such a reason is merely a pretext for discrimination. Such discrimination, which the District will endeavor to avoid, includes the following:

1. Adopting discipline rules which treat students differently based on race, color, national origin, ancestry, sex, gender identity, sexual orientation, ethnicity, age, language barrier, religious beliefs, physical or mental handicap or disability, economic or social conditions, or actual or potential marital or parental status, or status as a homeless child;
2. Adopting any rule with the intention of targeting students based on the personal characteristics listed above, rather than for a legitimate purpose, regardless of whether the phrasing of the rule appears neutral with regard to students' personal characteristics;
3. Enforcing an apparently neutral rule more harshly on the basis of a student's personal characteristics; or
4. Discipline of any student when it is motivated by intentional discrimination.

Notification

A summarized version of this policy shall be provided in writing at the beginning of each school year to the school personnel, parents, and students in the District. Information provided to students shall be provided in a manner appropriate to the student's age, grade, and level of academic achievement.

The Board shall review this policy annually.

Cross References: 3295

Hazing, Harassment, Intimidation, Bullying,
Cyber Bullying

3340 Corrective Actions and Punishment
4320 Disruption of School Operations

Legal References: 18 U.S.C. § 930 Possession of Firearms and Dangerous Weapons
in Federal Facilities
18 U.S.C. § 921 Firearms - Definitions
20 U.S.C. § 7961 Gun-Free Requirements
29 U.S.C. § 701, *et seq.* Section 504 of the Rehabilitation Act of 1973
I.C. § 33-205 Denial of School Attendance
I.C. § 18-917 Assault And Battery - Hazing
I.C. § 18-917A Student Harassment — Intimidation — Bullying
I.C. § 18-3302D Possessing Weapons or Firearms on School
Property
I.C. § 18-3302I Threatening Violence on School Grounds
I.C. § 33-1224 Powers and Duties of Teachers
I.C. § 33-1631 Requirements for Harassment, Intimidation and
Bullying Information and Professional
Development
IDAPA 08.02.03.109.05 Special Education
IDAPA 08.02.03.160 Safe Environment and Discipline

Other Reference: Office of Civil Rights Dear Colleague Letter on the Nondiscriminatory
Administration of School Discipline

Policy History:

Adopted on:

Revised on:

Reviewed on:

Academic Honesty

All schoolwork submitted for the purpose of meeting course requirements must represent the efforts of the individual student. Any form of academic dishonesty is prohibited. Academic dishonesty includes, but is not limited to plagiarism, cheating, forgery, copying or stealing another person's work, allowing another person to copy one's own work, doing another person's class work, creating more than one copy of one's work for distribution, intentionally accessing another's material for the purpose of using it as one's own, downloading information from other sources and presenting it as one's own, unauthorized copying of software, unauthorized use of hard copy or software to develop one's own software. Faculty and building administrators will be responsible for monitoring the above actions.

Where appropriate, parents shall be contacted as soon as practicable to report any alleged academic dishonesty on the part of students. Teachers are granted authority, with the direction and advice of their principals, to exercise their good judgment in applying a range of academic consequences for violations of this policy. Student and parent appeals of any consequences resulting from violations of this policy should be addressed to building administrator(s). All teachers, beginning especially at the elementary grades, will educate students as to what constitutes academic dishonesty and what is acceptable and unacceptable behavior in our schools. A copy of the Academic Honesty Policy shall be included in student handbooks and shall be distributed to parents via district publications at least annually.

Cheating

Cheating includes, but is not limited to, the following:

1. Copying or attempting to copy another student's homework, quiz, test, essay, or lab report;
2. Cheating on tests through such means as cheat sheets, use of unauthorized electronic devices, and discussion of test information with other students;
3. Obtaining test questions and/or copies of tests outside the classroom test setting;
4. Lending and/or copying from another student's work (homework, tests, projects, assignments);
5. Altering or interfering with grading (forging signatures, changing or inserting answers on work after grading);
6. Allowing another student to copy answers during a test situation;
7. Collaborating with other students on an assignment in direct violation of a teacher's instructions;
8. Using books and electronic information in generating an assignment in direct violation of teacher's instructions;
9. Accessing, taking, and benefiting from copies of tests and quizzes previously used or to be used by teachers unless provided as study guides by the teacher; and
10. Submitting work previously presented in this course or in another course.

Plagiarism

Plagiarism is defined as and includes, but is not limited to, the following:

1. Copying material from the source, including internet sources, without citing the source, or citing the source but omitting quotation marks;
2. Paraphrasing the source without proper citation;
3. Copying stories, in whole or part, which appear in books, magazines, television, or film;
4. Copying directly, without making any changes, alterations, or adaptations from a drawing, painting, illustration, photographic image, or graphic symbol without citing the source;
5. Submitting papers written in whole or part by someone else, including internet sources;
6. Submitting papers on which the student has received substantial assistance from peers and/or adults that dramatically changes the character of the work so that it is no longer the student's own; and
7. Submitting a paper purchased from a research or term paper service, including, but not limited to internet sources.

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

STUDENTS

3340

Corrective Actions and Punishment

All students shall submit to the reasonable rules of the District. Refusal to comply with written rules and regulations established for the governing of the school shall constitute sufficient cause for discipline, suspension, or expulsion.

For the purposes of the District's policies relating to corrective action or punishment:

1. "Temporary Suspension" is the exclusion from school or individual classes for a specific period of up to five school days.

The Superintendent or the principal of any school may temporarily suspend any pupil for disciplinary reasons, including student harassment, intimidation, or bullying, or for other conduct disruptive of good order or of the instructional effectiveness of the school. Prior to suspending any student, the Superintendent or principal shall grant an informal hearing on the reasons for the suspension and the opportunity to challenge those reasons. Any pupil who has been suspended may be readmitted to the school by the Superintendent or principal who suspended him or her on reasonable conditions prescribed by the Superintendent or principal. The Board of Trustees shall be notified of any temporary suspensions, the reasons for them, and the response to them.

2. "Extended Temporary Suspension" is the exclusion from school or individual classes for an additional ten school days. Only the Superintendent or the Board can extend an initial temporary suspension.
3. "Prolonged Temporary Suspension" is the exclusion from school or individual classes for an additional five school days. Only the Board can extend a temporary suspension for an additional five days and only upon a finding that immediate return to school attendance by the temporarily suspended student would be detrimental to other pupils' health, welfare, or safety.
4. "Expulsion" is the exclusion from school. Only the Board has the authority to expel or deny enrollment to any pupil who is an habitual truant, who is incorrigible, whose conduct is such as to be continuously disruptive of school discipline or of the instructional effectiveness of the school, or whose presence is detrimental to the health and safety of other pupils or who has been expelled from another school district in the State of Idaho or any other state. The District will provide written notice of any student who is expelled or denied enrollment to the prosecuting attorney within five days of the Board's actions.

No pupil shall be expelled nor denied enrollment without the Board having first given written notice to the parent/guardian of the pupil stating the grounds for the proposed expulsion or denial of enrollment and the time and place where such parent/guardian may appear to contest the action of the Board. The notice shall also state the rights of the pupil to be represented by counsel, to produce witnesses and submit evidence on his own behalf, and to cross-examine any adult witnesses who may appear against him. Within a reasonable period of time following such notification, the Board shall grant the pupil and his or her parents/guardian a full and fair hearing on the proposed expulsion or denial of enrollment. However, the Board shall allow a reasonable period of time between notification and the hearing to allow the pupil and his or her parents/guardian to prepare their response to the charge.

5. "Discipline" constitutes all other forms of corrective action or punishment, including brief exclusions from a class for not more than the remainder of the class period and exclusion from any other type of activity conducted by or for the District. Discipline shall not adversely affect specific academic grade, subject, or graduation requirements, as long as all required work is performed.

Except in extreme cases, students will not be expelled unless other forms of corrective action or punishment have failed, or unless there is good reason to believe that other forms of corrective action or punishment would fail if employed. Suspensions or expulsions shall be used only for instances of serious student misconduct.

Students with disabilities may also be suspended under these same rules if the suspension will not constitute a change in placement. If a student with a disabling condition accrues ten or more days' suspension per incident, the Child Study Team who has knowledge of the student's disabling condition will determine if there is causal relationship between the disabling condition and the student's misconduct. If such a relationship exists, the student's educational placement may not be changed without parental approval or a court order, pending a due process hearing under IDEA.

Likewise, before a recommendation on the expulsion of a disabled student is submitted to the Board, the Child Study Team must meet to determine if there is a causal relationship between the disabling condition and the student's misconduct. The Board shall consult legal counsel before expelling any disabled student.

When a disabled student is acting in such a way that he or she poses a danger to himself or herself or to another student or property, or substantially disrupts his or her educational program or that of other students, an emergency suspension may take place. Emergency suspensions may not last longer than ten school days. The principal shall convene the Team to review the student's record before the student is readmitted to school and no later than the tenth day of the suspension.

Once a student is expelled in compliance with District policy, the expulsion shall be brought to the attention of appropriate local or State authorities, in order that such authorities may address the student's needs.

No student shall be expelled, suspended, or disciplined in any manner for any act not related to the orderly operation of the school or school-sponsored activities or any other aspect of the educational process.

Cross References:	3330	Student Discipline
	3360	Discipline of Students with Disabilities
Legal References:	20 U.S.C. § 1400, <i>et seq.</i>	Individuals with Disabilities Education Act (IDEA)
	I.C. § 33-205	Denial of School Attendance
	I.C. § 33-512	District Trustees - Governance of Schools
	I.C. § 33-1631	Requirements for Harassment, Intimidation and Bullying Information and Professional Development

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

STUDENTS

3340P

Corrective Actions and Punishment

It is the intent of the Board to provide each student with those due process rights that are provided by law.

Suspension

In the event the proposed punishment of a student is to include denial of the right of school attendance from any single class or full schedule of classes for at least one day, the following procedure shall be used:

1. Before suspension, the student shall be provided a conference during which the charges will be explained and the student will be given the opportunity to respond to the charges.
2. A pre-suspension conference is not required and the student can be immediately suspended when the student's presence poses a continuing danger to persons or property or an ongoing threat of disruption to the educational process. In such cases, the notice and conference shall follow as soon as practicable.
3. Any suspension shall be reported immediately to the student's parent/legal guardian. A written notice of suspension shall state the reasons for the suspension, including any school rule which was violated, and a notice to the parent/guardian of the right to a review of the suspension. A copy of the notice shall be sent to the Superintendent.
4. Upon request of the parent/legal guardian, a review of the suspension shall be conducted by the Superintendent. At the review, the student and parent/legal guardian may appear and discuss the suspension with the Superintendent. After the meeting, the Superintendent shall take such action as appropriate. That action is final.
5. Students who are absent as a result of an out-of-school suspension do not have the right to make up missed work.
6. The suspension of a student may be extended by the Superintendent or the Board in accordance with State law. Written notice of the extension of a suspension will be provided to the student's parent/legal guardian.

Expulsion

A student may be expelled from school only by the Board, and only after the following due process procedures have been followed:

1. The student and parent/legal guardian shall be provided written notice of the Board hearing to consider the recommendation for expulsion, by registered or certified mail at least five school days before the date scheduled for the hearing. The notice shall include the grounds

for the proposed expulsion, the time and place of the hearing, information describing the process to be used to conduct the hearing, including the rights of the student to be represented by counsel, to produce witnesses and submit documentary evidence and the right to cross-examine adult witnesses who testify against the student.

2. Within the limitation that the hearing must be conducted during the period of suspension, an expulsion hearing may be rescheduled by the parent/legal guardian by submitting a request showing good cause to the Superintendent at least two school days prior to the date of the hearing as originally scheduled. The Superintendent shall determine if the request shows good cause.
3. At the hearing, the student may be represented by counsel, present witnesses and other evidence, and cross-examine adult witnesses. Formal rules of evidence are not binding on the Board.

Procedures for Suspension and Expulsion of Students with Disabilities

The District shall comply with the provisions of the IDEA when disciplining students. No special education student shall be expelled if the student's particular act of gross disobedience or misconduct is a manifestation of the student's disability. Any special education student whose gross disobedience or misconduct is not a manifestation of the student's disability may be expelled pursuant to expulsion procedures, except that the disabled student shall continue to receive education services as provided in the IDEA during such period of expulsion.

A special education student may be suspended for ten days of school per incident, regardless of whether the student's gross disobedience or misconduct is a manifestation of the student's disabling condition. Any special education student who has or will exceed ten days of suspension may be temporarily excluded from school by court order or by order of a hearing officer if the District demonstrates that maintaining the student in the student's current placement is substantially likely to result in injury to the student or others. The student shall continue to receive educational services in accordance with the IDEA during such period of suspension.

A special education student who has carried a weapon to school or to a school function, or who knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance while at school or a school function may be removed from the student's current placement. Such a student shall be placed in an appropriate interim alternative educational setting for no more than 45 days in accordance with the IDEA.

Procedure History:

Promulgated on:

Revised on:

Reviewed on:

Use of Restraint, Seclusion, and Aversive Techniques for Students

Conduct of Employees Directed Toward Students

The use by appropriately trained District personnel towards or directed at any student of any form of restraint or seclusion as defined in this policy, is prohibited except in circumstances where proportional restraint or seclusion of a student is necessary when a student's conduct creates a reasonable belief in the perspective of a District employee, that the conduct of the student has placed the student, the employee, or any other individual in imminent danger of serious bodily harm.

The employee or any employee who is a witness to this event shall immediately seek out the assistance of the school's administration or, if such administrator is not available, a certificated or classified employee with special training in seclusion and restraint, if available. Upon the arrival of such individual, the administrator or if no administrator is available, the most senior trained individual on seclusion or restraint shall take control over the situation.

Seclusion or restraint of a student shall immediately be terminated when it is decided that the student is no longer an immediate danger to him or herself or to any other third person or if it is determined that the student is exhibiting extreme distress or at such time that appropriate administrative personnel have taken custody of the child or upon such time that the parent/legal guardian of the child has retaken custody of the child.

Regardless of employee training status, no District personnel shall use any form of aversive technique against any school student.

If a situation occurs where a properly trained District employee must use acts of restraint or seclusion against a school student, the following shall occur:

1. The employee shall immediately report to their building principal, in writing, the following information:
 - A. The date the event occurred;
 - B. The circumstances leading to the event;
 - C. The student involved; and
 - D. Other witnesses or participants to the event.
2. The building principal shall notify the Superintendent's office of the event, providing the Superintendent's office with a copy of the report of events.
3. The building principal shall ascertain if any of the school's video equipment captured the event on a recording. If such event was captured on recording, the principal shall take all best efforts to maintain a copy of the recording and provide such to the Superintendent's Office for the Superintendent's official records of the event.

4. The Superintendent or designee shall ascertain the special needs status of the student involved in the seclusion or restraint and shall ascertain and maintain documentation as to whether or not such events were consistent with or contraindicated due to the student's psychiatric, medical, or physical condition(s).
5. The Superintendent or designee of the Superintendent shall notify the parent or legal guardian of the subject student of the situation and the event of restraint or seclusion via telephone and provide the parent/legal guardian with the name and telephone contact information of the building principal where the parent may obtain additional information regarding the event.
6. The Superintendent or designee of the Superintendent shall provide the parent/legal guardian of the student with written notice of the event of restraint or seclusion of their student.
7. The Superintendent's office shall maintain documentation as to events of restraint and seclusion and shall prepare any and all necessary reports to legal entities upon whom such reports are or may become due pursuant to State and federal regulations.

Training of School Personnel

As part of the training and preparation of each certificated administrator, certificated teacher, and in-building classified employee of the District, the following shall occur:

1. Training to personnel as to proper situations and events leading to student seclusion and intervention, including possible preventative alternatives to seclusion and restraint, safe physical escort, de-escalation of student crisis situations, and positive behavioral intervention techniques and supports;
2. Training of personnel in crisis/conflict management and emergency situations which may occur in the school setting, including examples and demonstrations of proper activities and techniques and trainers observing employee use of proper activities and techniques in the training setting;
3. Techniques to utilize to limit the possibility of injury to the student, the employee and any other third party in the area;
4. Information as to the school's student seclusion areas in each respective school building to which the employee is assigned;
5. Training in CPR and basic first aid; and
6. Provision of the employee with a copy of this policy.

It is a goal that all new employees are trained in the area of student restraint and seclusion during their first week of employment. However, this may not be possible due to realities of the operation of a school district. If an employee has not yet undergone training and a situation necessitating

student restraint or seclusion occurs, and another properly trained employee of the District is present at the event, the properly trained employee shall take the lead in addressing the student crisis.

Designated Locations

Each school building for which students are present must have a building designated location for student seclusion.

It is the responsibility of the building's principal, or designee of the principal, to assure that the building's designated seclusion location is a safe and clean location and that such location has appropriate supervision when any student has been placed into seclusion pursuant to this policy.

Appropriate supervision shall include an adult in the seclusion location which has continuous visual observation of the secluded student.

Definitions

For the purposes of this policy, the following definitions shall apply:

Restraint: The immobilization or reduction of a student's freedom of movement for the purpose of preventing harm to students or others through chemical, manual method, physical, or mechanical device, material, or equipment.

Seclusion: Involuntary confinement in a room or other space during which a student is prevented from leaving or reasonably believes that the he or she can leave or be prevented from leaving through manually, mechanically, or electronically locked doors that, when closed, cannot be opened from the inside; blocking or other physical interference by staff; or coercive measures, such as the threat of restraint, sanctions, or the loss of privileges that the student would otherwise have, used for the purpose of keeping the student from leaving the area of seclusion.

Aversive Technique: Physical, emotional, or mental distress as a method of redirecting or controlling behavior.

Annual Review

On an annual basis, the Superintendent or designee shall review this policy and make a determination as to whether or not any modifications or amendments to this policy are necessary and should be proposed to the District's Board.

In conducting this annual review, such individual shall also review the reports of all events of seclusion or restraint that occurred with the District's students in the past school year. This review will include an analysis as to whether or not the District's personnel are following the terms of this policy, whether additional training activities are necessary, or if there is any weakness in the implementation of this policy that can be strengthened.

Cross Reference: 3360

Discipline of Students with Disabilities

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

STUDENTS

3350

Detention

For minor infractions of school rules or regulations, or for minor misconduct, staff may detain students. Students may be required to attend Friday detention for up to four hours.

Preceding the assessment of such punishment, the staff member shall inform the student of the nature of the offense charged, and/or the specific conduct that allegedly constitutes the violation. The student shall be afforded an opportunity to explain or justify his or her actions to the staff member. Parents must be notified prior to a student serving after-school detention.

Students detained for corrective action or punishment shall be under the supervision of the staff member or designee.

Policy History:

Adopted on:

Revised on:

Reviewed on:

Discipline of Students with Disabilities

**Code of Conduct Violations by Students with Disabilities, Resulting
In Disciplinary Consequences of Ten School Days or Less**

ISBA recommends use of the guidelines developed by the Idaho Department of Education in its *Idaho Special Education Manual*. As of the development of this amended policy, the most recent version of this manual is 2018. Please refer to Chapter 12, Discipline, of the manual. The manual can be found on the internet by going to the Special Education section of the State Department website or by accessing the following link:

http://www.sde.idaho.gov/site/special_edu/manual_page.htm.

Policy History:

Adopted on:

Revised on:

Reviewed on:

STUDENTS

3365

Student Sex Offenders

Definition

“Student sex offender” shall mean a student who has been adjudicated delinquent or convicted of and placed on probation for a dangerous offense such as sexual conduct with a minor, sexual assault, molestation of a child, or continual sexual abuse of a child.

Notification to School District

The Superintendent of Public Instruction is required by State law to notify a school district or private school regarding the enrollment of a registered juvenile sex offender. The Superintendent of Public Instruction is also required to notify the District or school of the offender's probationary status or treatment status, if known. The Superintendent of the District or his or her designee shall make contact with the State Department of Education in order to receive regular updates of this information.

Educational Placement

The Superintendent of the District or his or her designee shall determine the appropriate educational placement for student sex offenders except those identified as having a disability. When determining educational placement, the Superintendent or his or her designee shall consider such factors as the safety and health of the student population. The Superintendent or designee shall develop guidelines for managing each student sexual offender in District schools. If the Superintendent or designee determines that, in the best interest of District schools, the student sexual offender should be placed in an alternative educational setting, the District shall pay for the costs associated with this placement.

Convicted juvenile sex offenders shall not attend a school attended by their victims or a victim's sibling. The offender and his or her parent or guardian shall be responsible for providing transportation or covering other costs related to the offender's attendance at another school.

An IEP team shall determine the educational placement of a student sexual offender with a disability. The student with a disability is entitled to all the due process procedures available to a student with a disability under the Individuals with Disabilities Education Act. The IEP team shall develop procedures for managing each student sexual offender with a disability that attends a District school. If the IEP team determines that the student sexual offender should be placed in an alternative educational setting, the District shall pay for the costs associated with this placement.

Staff

Staff members are to be alert to and inform school officials of any behavior by a juvenile offender that creates an abnormal risk to members of the school community. However, each circumstance involving a student probationary juvenile offender attending a District school shall be evaluated on a case-by-case basis. Whenever possible without placing other students or adult members of the school community at risk, reasonable efforts should be made to continue the student's education, to provide supportive services, and to avoid any acts of harassment or vigilantism against the student. Although federal and State laws and rules permit the release of information concerning a student registered sex offender, discretion should be exercised when discussing or disseminating information about the student. Whenever possible, the school community should encourage and support timely and appropriate intervention toward the expected outcome that a juvenile offender's conduct will be rectified so the student will commit no further offense and will develop into a responsible, self-controlled adult.

Legal References:	I.C. § 18-8402	Juvenile Sex Offender Registration Notification and Community Right-To-Know Act - Findings
	I.C. § 18-8403	Juvenile Sex Offender Registration Notification and Community Right-To-Know Act - Definitions
	I.C. § 18-8408	Juvenile Sex Offender Registration Notification and Community Right-To-Know Act - Providing List To Superintendent Of Public Instruction
	I.C. § 18-8412	Juvenile Sex Offender Registration Notification and Community Right-To-Know Act - Exemption from Civil Liability
	I.C. § 18-8413	Juvenile Sex Offender Registration Notification and Community Right-To-Know Act - Penalties for Vigilantism or Other Misuse of Information
	I.C. § 33-205	Denial of School Attendance

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

STUDENTS

3370

Searches and Seizure

To maintain order and security in the schools, school authorities are authorized to conduct reasonable searches of school property and equipment, as well as of students and their personal effects.

School Property and Equipment as Well as Personal Effects Left There by Students

School authorities may inspect and search school property and equipment owned or controlled by the school (such as lockers, desks, and parking lots), as well as personal effects left there by students, without notice or consent of the student. This applies to student vehicles parked on school property. Building principals may require each high school student, in return for the privilege of parking on school property, to consent in writing to school searches of his or her vehicle and personal effects therein, when reasonable suspicion of wrongdoing exists.

The Superintendent may request the assistance of law enforcement officials to conduct inspections and searches of lockers, desks, parking lots, and other school property and equipment for illegal drugs, weapons, and other illegal or dangerous substances or material, including searches conducted through the use of specially trained dogs.

Students

School authorities may search the student and/or the student's personal effects in the student's possession when there is reasonable grounds for suspecting that the search will produce evidence the particular student has violated or is violating the law or the District's student conduct rules. The search itself must be conducted in a manner that is reasonably related to its objectives and not excessively intrusive in light of the age and sex of the student and the nature of the infraction.

Seizure of Property

If a search produces evidence that the student has violated or is violating the law or the District's policies or rules, such evidence may be seized and impounded by school authorities, and disciplinary action may be taken. When appropriate, such evidence may be transferred to law enforcement authorities.

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

STUDENTS

3370P

Searches and Seizure

The following rules shall apply to any searches and the seizure of any property by school personnel:

1. The Superintendent, principal, and the authorized assistants of either shall be authorized to conduct any searches or to seize property on or near school premises, as further provided in this procedure.
2. If the authorized administrator has reasonable suspicion to believe that any locker, car, or other container of any kind on school premises contains any item or substance which constitutes an imminent danger to the health and safety of any person or to the property of any person or the District, the administrator is authorized to conduct a search of any car or container and to seize any such item or substance.
3. The authorized administrator may perform random searches of any locker, car, or container of any kind on school premises without notice or consent.
4. If the authorized administrator has any reasonable suspicion to believe that any student has any item or substance in his or her possession, which constitutes an imminent danger to the property of any person or the District, the administrator is authorized to conduct a search of any car or container and to seize any such item or substance.
5. No student shall hinder, obstruct, or prevent any search authorized by this procedure.
6. Whenever circumstances allow, any search or seizure authorized in this procedure shall be conducted in the presence of at least one adult witness, and a written record of the time, date, and results shall be made by the administrator. A copy shall be forwarded to the Superintendent as soon as possible.
7. In any instance where an item or substance is found which would appear to be in violation of the law, the circumstance shall be reported promptly to the appropriate law enforcement agency.
8. In any situation where the administrator is in doubt as to the propriety of proceeding with any search or seizure, the administrator is authorized to report to and comply with the directions of any public law enforcement agency.

Procedure History:

Promulgated on:

Revised on:

Reviewed on:

Extracurricular and Co-Curricular Participation Policy

Extracurricular or co-curricular activities are supplements to the regular instructional programs and afford students opportunities for enrichment. However, participation in extracurricular and co-curricular activities is a privilege, not a right, as pursuant to Idaho Code. As representatives of their school and District, students participating in such activities are expected to meet high standards of behavior.

General Definitions for Extracurricular and Co-Curricular Participation Policy

Unless the context otherwise requires, in this policy:

“Extracurricular Activities” means District and/or school authorized activities which take place outside of the regular school day and do not involve class credit, including (but not limited to) athletics, student groups or organizations, and community activities for which high school letters are awarded.

“Co-Curricular Activities” are District and/or school authorized activities held in conjunction with a for-credit class, but taking place outside of the regular school day including, but not limited to, debate, drama, drill team, band, or choir.

“Activity Suspension or Suspension from Extracurricular or Co-Curricular Activities” means that suspended students shall not travel, dress in uniform, or associate or participate with the team or group at its scheduled event(s). Suspended students may be allowed to participate in practices and meetings; however, the principal or designee may deem it necessary for students to be withheld from practices or meetings for the duration of the suspension.

“Controlled Substances” include (but are not limited to) opiates; opium derivatives; hallucinogenic substances, including cocaine; and cannabis and synthetic equivalents or the substances contained in the plant; any material, compound mixture, or preparation with substances having a depressant effect on the central nervous system; and stimulants.

“Drugs” include any alcohol or malt beverage, any inhalant, any tobacco product, any controlled substances, any illegal substance, any abused substance, any look-alike or counterfeit drug, any medication not approved and registered by the school authorities and/or any substance which is intended to alter mood, and/or any substance which is misrepresented and sold or distributed as a restricted or illegal drug.

“Drug Paraphernalia” is defined as any or all equipment, products, and materials of any kind which are used, intended for use, or designed for use in planting, propagating, cultivation, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled substance as defined in this policy.

“Emergency Activity Suspension” is defined as imposition of an activity suspension by a principal or his or her designee prior to an informal hearing when it is necessary to protect the health and safety of the individual(s) involved and immediate action is appropriate.

“Event” is defined as a match, game, meet, or other competitive event, including regional and/or state tournaments, and competitions. “Event” is also defined as any band or choir performance(s).

“Knowingly Present” shall mean that a student attended a gathering of two or more individuals at which one or more of the attendees other than the student at issue were using or in possession of drug paraphernalia, controlled substances, drugs, pornography, alcohol, or tobacco and the student knew or reasonably should have known that such use or possession was occurring.

“Minor Infraction” shall mean a minor deviation from acceptable behavior or stated student expectations which occurs while the student is engaged in the extracurricular or co-curricular activity and which is not material or substantial. Students will be given notification of the first minor infraction. Students and parents will be given notification of the second minor infraction through a conference and will be informed that a third minor infraction may result in activity suspension.

“Major Infraction” shall mean a material or substantial deviation from acceptable behavior or stated student expectations which occurs while the student is engaged in the extracurricular or co-curricular activity, including but not limited to insubordination toward or non-compliance with the person in charge of the activity, verbal or physical abuse, hazing, fighting, and refusal of a student to identify him or herself to school personnel upon request.

“On any school premises or at any school sponsored activity, regardless of location” includes, but not is limited to buildings, facilities, and grounds on the school campus, school buses, school parking areas; and the location of any school sponsored activity. “On any school premises or at any school sponsored activity, regardless of location” also includes instances in which the conduct occurs off the school premises but impacts a school related activity.

“Scholastic Year” is defined as the period of time beginning with the first day of the fall extracurricular and co-curricular activities season and ending with the last day of school.

“School Days” include only those days when school is in session.

Eligibility Requirements for Extracurricular and Co-Curricular Participation

To take part in any extracurricular or co-curricular activity, students must maintain a 2.0 GPA. If they do not have a 2.0, they shall be placed on probation for two weeks and can bring up their grade and receive a written slip from the teacher or teachers of their passing work. If, after the probationary period, they do not have a GPA of at least 2.0, they shall not be allowed to take part in any extracurricular or co-curricular activity until they have a GPA of at least 2.0.

Extracurricular or Co-curricular activity Suspension

The Board believes that the safety and welfare of other students may be adversely affected when students who are involved in extracurricular or co-curricular activities commit major infractions or repeated minor infractions at school or during school activities, and/or are involved in criminal conduct or drug use in any location.

At the beginning of each semester, teachers or coaches of co-curricular courses will identify for students how participation in the co-curricular activity impacts their course grade. Co-curricular students who are suspended as a result of this policy will have their co-curricular course grade affected only if the reason for the suspension was related to course work or course expectations. Students who miss a co-curricular activity because of a suspension may ask to do, or be required to do, alternative assignments or special projects to make up the missed activity.

1. **Activity Suspension as a Result of a School Suspension:** A student will be immediately suspended from all extracurricular and co-curricular activities when he or she receives a suspension from school, not including an in-school detention, for any reason.

Consequences:

- A. The activity suspension is automatic, is for the duration of the school suspension, and runs concurrent with the school suspension; and
 - B. This type of activity suspension cannot be appealed.
2. **Activity Suspension for Repeated Minor Infractions or a Major Infraction During an Activity:** A student may be suspended from an extracurricular or co-curricular activity when he or she commits a third minor infraction, or a major infraction, while engaged in an extracurricular or co-curricular activity on any school premises or at any school-sponsored activity, regardless of location. The coach or advisor will recommend suspension to the Principal.

Consequences:

- A. The incident will be reviewed pursuant to the Informal Hearing Process at Section 5 of this policy;
 - B. If the evidence supports the recommendation, the student may be given an activity suspension for a period of time up to and including the remainder of the season or duration of the activity in that scholastic year for that activity only; and
 - C. If the activity suspension exceeds nine school days, the parent/guardian may request an appeal as outlined in the Appeal Process at Section 7 of this policy.
3. **Activity Suspension for Criminal Conduct or Drug Use in Any Location During the Scholastic Year:** A student may be suspended from extracurricular and co-curricular activities when he or she has been arrested or it reasonably appears to the District that he or she has violated criminal law, other than infractions or minor traffic violations; or has been involved with drug paraphernalia, controlled substances, or drugs, including alcohol or tobacco, in any location, either on or off campus, during the scholastic year, in any of the following ways: attempting to secure or purchase; using, or having reasonable suspicion of having used; possession; intending or attempting to sell or distribute; selling or giving

away; or being knowingly present when any of the above are used, possessed, or consumed.

Consequences:

A. Knowingly Present

- I. First Violation: When a student violates the “knowingly present” prohibition of this policy for the first time during a scholastic year, the school resource officer (“SRO”), principal, or athletic director:
 - a. Will hold a conference with the student;
 - b. Will notify the student’s parent/guardian and the student of the violation;
 - c. May arrange a conference with the parent/guardian and the student; and
 - d. Will inform the student and parent/guardian of consequences for future violations of the policy.
- II. Second Violation: When a student violates this “knowingly present” prohibition of this policy for the second time during a scholastic year, he or she is subject to the consequences outlined below in part 3.B “Other Violations” of the policy.

B. Other Violations

- I. The incident will be reviewed pursuant to the Informal Hearing Process in Section 5 of this policy. If the evidence supports the accusation, the student may be suspended from all extracurricular and co-curricular events for a period of 21 calendar days.
- II. The suspension will be reduced to a 14 calendar day period if:
 - a. In the case of criminal conduct, the student receives counseling which has been approved by a school counselor; or
 - b. In the case of drug, alcohol, or tobacco use, the student agrees to and completes
 - i. A drug/alcohol/tobacco assessment provided by the school (no cost) or the community (the family incurs the cost); and/or
 - ii. A drug/alcohol/tobacco education group, provided or facilitated by the school, and/or the community.
- III. If no event is scheduled during the period of the suspension, the student will be withheld from the next scheduled event.

IV. If the student notifies school personnel (self-reports) concerning his or her criminal conduct or drug use prior to the personnel's knowledge of the incident(s), the principal or athletic director may reduce the length of the activity suspension.

V. On the occasion of a subsequent infraction during a scholastic year, and if the evidence supports the accusation, the principal or athletic director will bar the student from any form of extracurricular or co-curricular activity for the balance of the scholastic year.

VI. All students who receive an activity suspension for criminal conduct or drug use shall be reported to the Superintendent or designee and, if applicable, to the appropriate law enforcement agency.

VII. The parent/guardian may request an appeal as outlined in the Appeal Process at Section 7 of this policy, with either a first or second offense.

4. **Infractions Which Occur in Out-of-School Trips:** During an out-of-school trip, if the authorized person in charge of the activity determines that a student should be sent home early because of criminal conduct, drug use, or a major infraction, the authorized person will notify the parent/guardian, and ask him or her to take charge of the return of the student. The parent/guardian will assume any expenses incurred for the return of the student.
5. **Informal Hearing Process:** Prior to giving an activity suspension to a student, the principal or athletic director shall grant the student an informal hearing on the reasons for the activity suspension and the opportunity to challenge those reasons unless an emergency activity suspension is necessary. If an emergency activity suspension is necessary, an informal hearing will be held as soon as possible after the emergency ceases to exist.
6. **Student travel to or from an extracurricular or co-curricular activity:** Unless other travel arrangements are authorized, students will board the bus at the school designated as point of origin for the trip and will return to the point of origin in the bus. There will be no stops along the designated route to pick up or discharge students.

The only variation allowed in this regulation is the release of students to parents in a face-to-face situation at the close of the activity before buses begin the return trip. Such release will require a signed, dated note from the parent.

The activity must provide at least one instructor, coach, or adult sponsor for each bus on a special trip. The bus driver will be responsible for the safe operation of the bus. The sponsor will be responsible for supervision of students and enforcement of bus rules. Any adult designated by the principal as a sponsor will have such authority.

Students must follow all school bus rules with this exception: Food and drink not in glass containers will be allowed on the bus with permission of the principal. However, any debris must be cleaned up at the end of the trip and before students leave the bus.

If a student causes a disruption or hazard on the bus, a hearing will be held with the principal, driver, instructor, coach, adult sponsor, parent/guardian, and student. The driver, instructor/coach/adult sponsor, parent/guardian, and the student will have the opportunity to share with the principal their perceptions of the problem. If the principal finds that there has been an infraction of bus rules, he will take the following action:

- A. On the first infraction, the student will be warned that following any further infraction he or she will be declared ineligible for transportation to the extracurricular or co-curricular activities for one event;
- B. On the second infraction during a semester, the student will be declared ineligible for transportation to the extracurricular or co-curricular activity for two events; and
- C. On the third infraction during a semester, the student will be declared ineligible for transportation to the extracurricular or co-curricular activities for the remainder of the semester.

Based on the severity of the problem as it relates to respect and safety for others, the principal may bypass step #1 and/or step #2 above and immediately declare the student ineligible for transportation for two weeks or for the remainder of the semester.

7. Appeal Process:

- A. This appeal process may be used by students and their parent/guardian only in those instances where an activity suspension or transportation to extracurricular or co-curricular activities exceeds nine school days.
- B. The parent/guardian must request an appeal in writing within two school days from the notification of the activity suspension decision.
- C. The Superintendent will appoint a three member panel composed of certificated staff members who have not been involved in the disciplinary action in question. The hearing panel will notify the student and the parent/guardian of the date, location, and time of the hearing; the student will have an opportunity to present additional evidence regarding the circumstances of the suspension or reasons to reduce the length thereof. The appeal must be scheduled within five school days of the request.
- D. If the panel determines that the evidence reviewed at the appeal supports the suspension, the suspension of the student from extracurricular and/or co-curricular activities shall be continued.
- E. The student and the parent/guardian will be notified in writing of the panel's findings and determination with respect to the student suspension from extracurricular and/or co-curricular activities within two school days of the panel's decision.

- F. The panel’s determination is final, and is not appealable to the Superintendent or Board of Trustees.

- 8. Elementary Students: Students in kindergarten through sixth grade who are in violation of this policy may have the length of the activity suspension reduced by the principal or other authorized administrator.

Legal Reference: I.C. § 33-512(12) Governance of Schools – Governance of
Schools – Board of Trustees Authorized to
Supervise and Regulate Certain Extracurricular
Activities

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

STUDENTS

3390

Extra- and Co-Curricular Chemical Use Policy

Extracurricular and Co-curricular activities are subject to the supervision and regulation of the District. Participation in extracurricular or co-curricular activities is considered a privilege; not a right.

Students participating in extra- and co-curricular activities, whether sponsored by the Idaho High School Activities Association or not, shall not use, have in possession, sell, or distribute alcohol, tobacco, or illegal drugs, or abuse prescription or non-prescription drugs during their extracurricular seasons. These rules are in effect 24 hours a day. If a student is charged with possession, or is seen using tobacco, alcohol, or illicit drugs, the student will forfeit the privilege of participating in accordance with the activities and student handbooks.

Policy Coverage

This policy applies to middle and high school students who are involved in the extracurricular and co-curricular activities program.

Policy Duration

This policy is in effect each school year from the date of the first practice for fall activities until the last day of school or activities, whichever is later. Violations are cumulative, through the student's period of attendance in grades 7-8 and in grades 9-12. The Administration shall publish the participation rules annually in the activities and student handbooks.

Student and Parent/Legal Guardian Due Process

Notification of determinations regarding student chemical use violations will be provided to the student and parent/guardian by telephone where possible, and also by mail. At this time, the student and parent/guardian shall be notified of the type of discipline that will be administered.

Appeal Process

Any parent/guardian and student who is aggrieved by the imposition of discipline shall have the right to an informal conference with the principal for the purpose of resolving the grievance. At such a conference, the student and the parent shall be subject to questioning by the principal, and shall be entitled to question staff involved in the matter being grieved.

Legal Reference: I.C. § 33-512

District Trustees - Governance of Schools

Policy History:

Adopted on:

Revised on:
Reviewed on:

Council School District No. 13

STUDENTS

3296

Bullying Awareness Week

The Council School District is committed to providing a positive and productive learning and working environment. Hazing, harassment, intimidation, menacing, or bullying by students, staff, or third parties is strictly prohibited and will not be tolerated in the District. It is important that the students and parents have awareness about the serious issues and the negative effects of bullying, including the long-term damage it can cause, which may include the increased risk of teenage suicide.

Therefore, the District hereby designates the first full week of October of each year Bullying Awareness Week.

The Superintendent or designee shall designate certain activities for Bullying Awareness Week. The objectives for the activities for Bullying Awareness Week should include, but are not limited to:

8. Recognizing that bullying is a serious issue that has damaging effects for our society;
9. Recognizing that bullying is not an acceptable part of how we should treat each other;
10. Teaching students and staff the District's policy on bullying and the consequences;
11. Helping students and staff recognize that bullying behaviors have different forms;
12. Recognizing the tremendous leadership potential of our youth;
13. Celebrating and recognizing those who are making a difference in addressing bullying; and
14. Preparing for further work that needs to be done in the future.

Cross References:	3295	Hazing, Harassment, Intimidation, Bullying, Cyberbullying
	4120	Uniform Grievance Procedure
Legal References:	20 U.S.C. §§ 1681 - 1682	Title IX of the Education Amendments of 1972
	34 C.F.R. Part 106	Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance (Implementing Title IX)
	I.C. § 18-917A	Student Harassment — Intimidation — Bullying
	I.C. § 67-5909	Commission on Human Rights - Acts Prohibited
	IDAPA 08.02.03.160	Safe Environment and Discipline

Policy History:

Adopted on:
Revised on:
Reviewed on:

Council School District No. 13

STUDENTS

3300

Drug Free School Zone

The Board recognizes that the misuse of drugs is a serious problem with legal, physical, and social implications for the entire school community. As the educational institution of this community, the schools should strive to prevent drug abuse and help drug abusers by educational, rather than punitive means.

For purposes of this policy, “Drugs” shall mean:

9. All dangerous controlled substances as so designated and prohibited by Idaho law;
10. All chemicals which release toxic vapors;
11. All alcoholic beverages;
12. Tobacco products;
13. Any prescription or patent drug, except those for which permission to use in school has been granted pursuant to Board policy;
14. “Look-alikes”;
15. Anabolic steroids;
16. Any other illegal substances so designated and prohibited by law.

In accordance with Federal law, the Board hereby establishes a “Drug-Free School Zone” that extends 1000 feet from the boundary of any school property. The Board prohibits the use, possession, concealment, delivery, or distribution of any drug or any drug-related paraphernalia at any time on District property, within the Drug-Free School Zone, or at any District-related event. Furthermore, the Superintendent shall take the necessary steps to ensure that an individual 18 years of age or older who knowingly delivers or distributes controlled substances so designated and prohibited by Idaho law within the Drug-Free School Zone to another person is prosecuted to the fullest extent of the law.

The Superintendent shall prepare guidelines for the identification and regulation of drug use in the schools. Such guidelines shall emphasize the prevention of drug use and include a statement to students that use of illicit drugs and the unlawful possession of alcohol is harmful. The student handbook shall provide standards of conduct that are applicable to all students which clearly prohibit, at a minimum, the unlawful possession, use, or distribution of illicit drugs and alcohol by students on school premises or as a part of any school activity.

Sanctions for violation of this or any other policy which addresses illegal drug and alcohol possession, use, or distribution may include, together with punitive action, voluntary referral to appropriate persons or agencies for screening and assessment.

The Board shall review this policy annually.

Cross Reference: 3330 Student Discipline.

Legal Reference: Pub. L. 101-226 The Anti-Drug Abuse Act of 1986, Title IV,
Subtitle B: The Drug-Free Schools and
Communities Act of 1986 (as amended)
IDAPA 08.02.03.160 Safe Environment and Discipline

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

STUDENTS

3305

Prohibition of Tobacco Possession and Use

The Board recognizes that tobacco use by students presents a health and safety hazard that can have serious consequences for both users and nonusers and the school environment.

The Board prohibits tobacco use and possession by students at any time in a school building or on any school property, buses, vans, or vehicles that are owned, leased, or controlled by the District. Tobacco use and possession by students is also prohibited at school-sponsored activities that are held off school property.

The District may initiate discipline according to the District's Student Discipline policy and/or prosecution of a student who possesses or uses tobacco in violation of this policy.

Definition

For the purposes of this policy, tobacco use shall be defined as the use and/or possession of a lighted or unlighted cigarette, cigar, pipe, smokeless tobacco in any form, and other smoking products specifically including electronic cigarettes, electronic nicotine delivery systems, or vaporizer smoking devices.

Cross Reference:	3300 3330	Drug Free School Zone Student Discipline
Legal Reference:	I.C. § 39-5703 IDAPA 08.02.03.160	Prevention of Minors' Access to Tobacco - Possession, Distribution or Use by a Minor Safe Environment and Discipline

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

STUDENTS

3310

Gangs and Gang Activity

The Board is committed to ensuring a safe and orderly environment, where learning and teaching may occur without physical or psychological disruptions, unlawful acts, or violations of school regulations. Gang activities create an atmosphere of intimidation in the entire school community. Both the immediate consequences of gang activity and the secondary effects are disruptive and obstructive to the process of education and school activities. Groups of individuals which meet the definition of gangs below shall be restricted from school grounds or school activities.

Definitions

“Gang” shall refer to any group of three or more persons, whether formal or informal, that has a common name or common identifying sign or symbol, and associate together to advocate, conspire, or commit:

3. One or more criminal acts; or
4. Acts which threaten the safety or well-being of property or persons, including, but not limited to, harassment and intimidation.

It also includes gangs as defined in Idaho Code.

Students on school property or at any school-sponsored activity shall not:

5. Wear, possess, use, distribute, or sell any clothing, jewelry, emblem, badge, symbol, sign, or other items which are evidence of membership in or affiliation with any gang and/or representative of any gang;
6. Display tattoos which may be affiliated with any gang and/or representative of any gang;
7. Engage in any act, whether verbal or nonverbal, including gestures or handshakes, showing membership in or affiliation with any gang and/or that is representative of any gang; or
8. Engage in any act furthering the interest of any gang or gang activity, including, but not limited to:
 - E. Soliciting membership in or affiliation with any gang;
 - F. Soliciting any person to pay for protection or threatening another person, explicitly or implicitly, with violence or with any other illegal or prohibited act;
 - G. Painting writing, or otherwise inscribing gang-related graffiti, messages, symbols, or signs on school property; or
 - H. Engaging in violence, extortion, or any other illegal act or other violation on school property.

Violations of this policy shall result in disciplinary action, up to and including suspension, expulsion, and/or notification of police.

Cross Reference: 3255 Student Dress

Legal References: *Stephenson v. Davenport Community Sch. Dist.*, 110 F.3d 1303 (8th Cir. 1997).

I.C. § 33-506	District Trustees - Organization and Government of Board of Trustees
I.C. § 33-512	District Trustees - Governance of Schools
I.C. § 18-8501, <i>et seq.</i>	Idaho Criminal Gang Enforcement Act
I.C. § 18-8502	Idaho Criminal Gang Enforcement Act - Definitions
IDAPA 08.02.03.160	Safe Environment and Discipline

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

STUDENTS

3320

Substance and Alcohol Abuse

The Board recognizes that use of alcohol and drugs is a serious problem and that the presence of drugs in school is detrimental to the educational environment and harmful to the health, safety, and welfare of students and staff. It is the desire of the District to help those in need of alcohol and drug intervention and at the same time to protect others that are affected by the presence of alcohol and drugs and to enforce the policies of the District relating to use, possession, or being under the influence of alcohol or controlled substances, as that term is defined in statute (I.C. § 37-2732C). It is the philosophy of the District that the District will help those who desire to help themselves.

The District's desire is to create an environment where students feel safe from the many harmful influences that are prevalent in our society. For those students that come forward and voluntarily disclose using and/or being under the influence of alcohol and/or drugs while on school property or at a school function, prior to the District having reasonable suspicion, the District will provide counseling to any such student and make recommendations for referral to appropriate agencies for screening and assessment. The parent, legal guardian, or custodian of the student will be immediately notified and the District will cooperate with and work with the parent in the establishment of plan to assist the student in whatever means are deemed necessary and appropriate. The student's parent, guardian, or custodian will be notified of available opportunities for counseling for the student. Only persons on a "need to know" basis may receive information regarding a voluntary disclosure, except when deemed reasonably necessary to protect the health and safety of others. The incident shall be reported to law enforcement.

The mere fact that a student previously disclosed use of alcohol or a controlled substances, in and of itself, shall not establish reasonable suspicion at a later date.

If the District has reasonable suspicion (based upon reliable information received or the personal observations of staff) to believe that a student is using or is under the influence of alcohol or a controlled substance and the student has not voluntarily disclosed such use or influence, the District may take whatever action is deemed appropriate, including but not limited to, notifying the parent/legal guardian and notifying local law enforcement, suspension, and/or expulsion. The following shall be used as a guide in determining what procedures may be followed when this occurs, however, the specific procedure may, in large part, depend upon the circumstances in each case:

8. Upon reasonable suspicion, the student will be asked if he or she has used and/or is under the influence of alcohol and/or drugs;
9. If the student admits to the use, the student's parent/legal guardian will be immediately called;
10. The student will be asked to reveal the circumstances involving the use of alcohol and/or drugs and asked if any other students were involved;
11. Law enforcement will be called when deemed appropriate.

12. The student will be immediately suspended from school, and depending upon the circumstances, may be suspended for up to 20 days and/or recommended for expulsion.
13. As a condition of readmission, the student and parent will agree to undergo assessment and counseling for alcohol and/or drug use. The District will provide counseling services and any other services available to the student and/or the student's parents.
14. If the student does not admit to the use of alcohol and/or drugs and the staff member(s) in charge, after talking to the student, still believes that the student used or was/is under the use or influence of alcohol and/or drugs, an investigation will be conducted, which may include a search of the student's locker, car, desk or any other school property used by the student may be subject to search. In addition, law enforcement will be called immediately as will be the parent/guardian. The student will be suspended from school pending an investigation. If the investigation shows that, more likely than not, the student used or was under the influence of drugs and/or alcohol, a recommendation for expulsion will be made to the Board of Trustees. The student will be entitled to full due process prior to being expelled from school. As a condition of readmission, the Board may require that the student undergo assessment and counseling for alcohol and/or drug use.

The District shall provide written annual notification of the voluntary disclosure provisions of this policy as well as counseling availability and any other pertinent information in the student handbook or other reasonable means.

The Board shall review this policy annually.

Cross References:	3370 3330 3340 3360	Searches and Seizures Student Discipline Corrective Actions and Punishment. Discipline of Students with Disabilities
Legal References:	Pub. L. 100-690 I.C. § 33-210 IDAPA 08.02.03.160	The Anti-Drug Abuse Act of 1988 (as amended) Attendance at Schools —Students Using or Under the Influence of Alcohol or Controlled Substances Safe Environment and Discipline

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

STUDENTS

3330

Student Discipline

Disciplinary action may be taken against any student guilty of disobedience or misconduct, including, but not limited to:

21. Habitual truancy;
22. Incurability;
23. Academic dishonesty;
24. Conduct continuously disruptive of school discipline or of the instructional effectiveness of the District;
25. Conduct or presence of a student when the same is detrimental to the health and safety of other pupils;
26. Using, possessing, distributing, purchasing, or selling tobacco products;
27. Using, possessing, distributing, purchasing, or selling alcoholic beverages. Students who are under the influence are not permitted to attend school functions and are treated as though they had alcohol in their possession;
28. Using, possessing, distributing, purchasing, or selling illegal drugs or controlled substances, look-alike drugs, and drug paraphernalia. Students who are under the influence are not permitted to attend school functions and are treated as though they had drugs in their possession;
29. Assembly or public expression that advocates the use of substances that are illegal to minors or otherwise prohibited within this policy;
30. Using, possessing, controlling, or transferring a weapon in violation of the "Possession of Weapons in a School Building" section of this policy;
31. Using, possessing, controlling, or transferring any object that reasonably could be considered or used as a weapon;
32. Disobeying directives from staff members or school officials and/or rules and regulations governing student conduct;
33. Using violence, force, noise, coercion, threats, intimidation, fear, or other comparable conduct toward anyone or urging other students to engage in such conduct;

34. Causing or attempting to cause damage to, or stealing or attempting to steal, school property or another person's property;
35. Engaging in any activity that constitutes disorderly conduct, an interference with school purposes or an educational function or which is disruptive to the educational environment;
36. Unexcused absenteeism; however, the truancy statutes and Board policy will be utilized for chronic and habitual truants;
37. Hazing – For purposes of this policy, the term “hazing” shall have the meaning set forth in Idaho Code;
38. Initiations;
39. The forging of any signature, or the making of any false entry, or the authorization of any document used or intended to be used in connection with the operation of the school;
40. Harassment, intimidation, cyber bullying, or bullying as defined in Idaho Code and District policy.

These grounds for disciplinary action apply whenever the student's conduct is reasonably related to school or school activities, including, but not limited to:

5. On, or within sight of, school grounds before, during, or after school hours or at any other time when the school is being used by a school group;
6. Off school grounds at a school-sponsored activity, or event, or any activity or event which bears a reasonable relationship to school
7. Traveling to and from school or a school activity, function, or event; or
8. Anywhere, including off-campus, if the conduct may reasonably be considered to be a threat or an attempted intimidation of a staff member, or an interference with the education environment.

Traditional Disciplinary Measures

Traditional disciplinary measures include, but are not limited to:

11. Expulsion;
12. Suspension;
13. Detention, including Fridays;
14. Clean-up duty;
15. Loss of student privileges;
16. Loss of bus privileges;
17. Notification to juvenile authorities and/or police;
18. Temporary removal from the classroom;
19. Meeting with the student and the student's parents; and
20. Restitution for damages to school property.

No person who is employed or engaged by the District may inflict or cause to be inflicted corporal punishment on a student. Corporal punishment does not include, and District personnel are permitted to use, reasonable force as needed to maintain safety for other students, school personnel, or other persons, or for the purpose of self-defense.

Alternative Disciplinary Measure

Alternative disciplinary action is discipline other than traditional suspension or expulsion from school that is designed to correct and address the root causes of a student's specific misbehavior while retaining the student in class or school, or restorative school practices to repair the harm done to relationships and persons from the student's misbehavior.

Alternative discipline includes, but is not limited to:

13. Reflective activities, such as requiring the student to write an essay about the student's misbehavior;
14. Mediation when there is mutual conflict between peers, rather than one-way negative behavior;
15. Counseling;
16. Anger management;
17. Health counseling or intervention;
18. Mental health counseling;
19. Participation in skills building and resolution activities, such as social-emotional cognitive skills building, resolution, and restorative conferencing;
20. Diversion or use of juvenile specialty courts;
21. Behavioral management plan;
22. Corrective instruction or other relevant learning or service experience;
23. Community service; and
24. In-school detention or suspension which may take place during lunchtime, after school, or on weekends.

Consequences for Harassment, Intimidation, and Bullying

Students engaging in harassment, intimidation, or bullying will be subject to graduated consequences appropriate to the severity of the violation as determined by the Board, school administrators, or designated personnel depending upon the level of discipline. Graduated consequences for bullying may include any of the above listed traditional or alternative disciplinary measures or a combination thereof in accordance with the nature of the behavior, the developmental age of the student, and the student's history of problem behaviors and performance. However, depending upon the nature of the act, the District reserves the right to deviate from the process of graduated consequences to appropriately address the conduct at issue and move directly to suspension or expulsion proceedings. District personnel may also report the student's conduct to the appropriate law enforcement officials.

Disciplining Students on Individual Education or Section 504 Plans

The District shall comply with the procedural safeguards enumerated in State and federal law and rule when disciplining students with individualized education plans or 504 plans.

Gun-Free Schools

A student who uses, possesses, controls, or transfers a firearm, or any object that can reasonably be considered to be or look like a firearm, shall be expelled for a definite period of time of at least one calendar year. The Board, however, may modify the expulsion period on a case-by-case basis. The building administrator shall notify the appropriate law enforcement agency of any student who brings a firearm to school.

If a student violating this policy is identified as disabled, either under the IDEA or Section 504, a determination must be made whether the student's conduct is related to the disability. If the violation of the policy is due to a disability recognized by the IDEA or Section 504, lawful procedures for changes in placement must be followed.

Any student subject to an expulsion shall be entitled to a hearing before the Board, in accordance with Idaho Code and Board policy.

Possession of a Weapon on School Property – Misdemeanor

No person shall possess a firearm or other deadly or dangerous weapon while on school property or in those portions of any building, stadium, or other structure on school grounds which, at the time of the violation, are being used for an activity sponsored by or through a school in this State or while riding school provided transportation. This also applies to students of schools while attending or participating in any school sponsored activity, program, or event regardless of location.

As used in this section of this Policy only:

3. "Deadly or dangerous weapon" means any weapon as defined in United States Code; and
4. "Firearm" means any firearm as defined in United States Code.

Any person who possesses, carries, or stores a weapon in a school building or on school property, except as provided below, shall be referred to law enforcement for immediate prosecution, as well as face disciplinary action by the District.

The Board may grant persons and entities advance permission to possess, carry, or store a weapon in a school building. All persons who wish to possess, carry, or store a weapon in a school building shall present this request to the Board in a regular meeting. It is solely within the Board's discretion whether to allow a person to possess carry or store a weapon in a school building.

This section of this policy does not apply to:

5. Law enforcement personnel;
6. Any adult over 18 years of age and not enrolled in a public or private elementary or secondary school who has lawful possession of a firearm or other deadly or dangerous weapon, secured and locked in his or her vehicle in an unobtrusive, nonthreatening manner;

7. A person who lawfully possesses a firearm or other deadly or dangerous weapon in a private vehicle while delivering minor children, students, or school employees to and from school or a school activity; or
8. A person or an employee of the school or District who is authorized to carry a firearm with the permission of the Board of Trustees.

Delegation of Authority

Each teacher, and any other school personnel when students are under his or her charge, is authorized to impose any disciplinary measure (other than suspension, expulsion, corporal punishment, or in-school suspension) which is appropriate and in accordance with the policies and rules on student discipline. Teachers may remove students from a classroom for disruptive behavior.

Nondiscrimination

The District will ensure that student discipline is enforced in a nondiscriminatory manner to avoid subjecting similarly situated students to different treatment without a legitimate reason for doing so, or when such a reason is merely a pretext for discrimination. Such discrimination, which the District will endeavor to avoid, includes the following:

5. Adopting discipline rules which treat students differently based on race, color, national origin, ancestry, sex, gender identity, sexual orientation, ethnicity, age, language barrier, religious beliefs, physical or mental handicap or disability, economic or social conditions, or actual or potential marital or parental status, or status as a homeless child;
6. Adopting any rule with the intention of targeting students based on the personal characteristics listed above, rather than for a legitimate purpose, regardless of whether the phrasing of the rule appears neutral with regard to students' personal characteristics;
7. Enforcing an apparently neutral rule more harshly on the basis of a student's personal characteristics; or
8. Discipline of any student when it is motivated by intentional discrimination.

Notification

A summarized version of this policy shall be provided in writing at the beginning of each school year to the school personnel, parents, and students in the District. Information provided to students shall be provided in a manner appropriate to the student's age, grade, and level of academic achievement.

The Board shall review this policy annually.

Cross References: 3295

Hazing, Harassment, Intimidation, Bullying,
Cyber Bullying

3340 Corrective Actions and Punishment
4320 Disruption of School Operations

Legal References: 18 U.S.C. § 930 Possession of Firearms and Dangerous Weapons
in Federal Facilities
18 U.S.C. § 921 Firearms - Definitions
20 U.S.C. § 7961 Gun-Free Requirements
29 U.S.C. § 701, *et seq.* Section 504 of the Rehabilitation Act of 1973
I.C. § 33-205 Denial of School Attendance
I.C. § 18-917 Assault And Battery - Hazing
I.C. § 18-917A Student Harassment — Intimidation — Bullying
I.C. § 18-3302D Possessing Weapons or Firearms on School
Property
I.C. § 18-3302I Threatening Violence on School Grounds
I.C. § 33-1224 Powers and Duties of Teachers
I.C. § 33-1631 Requirements for Harassment, Intimidation and
Bullying Information and Professional
Development
IDAPA 08.02.03.109.05 Special Education
IDAPA 08.02.03.160 Safe Environment and Discipline

Other Reference: Office of Civil Rights Dear Colleague Letter on the Nondiscriminatory
Administration of School Discipline

Policy History:

Adopted on:

Revised on:

Reviewed on:

Academic Honesty

All schoolwork submitted for the purpose of meeting course requirements must represent the efforts of the individual student. Any form of academic dishonesty is prohibited. Academic dishonesty includes, but is not limited to plagiarism, cheating, forgery, copying or stealing another person's work, allowing another person to copy one's own work, doing another person's class work, creating more than one copy of one's work for distribution, intentionally accessing another's material for the purpose of using it as one's own, downloading information from other sources and presenting it as one's own, unauthorized copying of software, unauthorized use of hard copy or software to develop one's own software. Faculty and building administrators will be responsible for monitoring the above actions.

Where appropriate, parents shall be contacted as soon as practicable to report any alleged academic dishonesty on the part of students. Teachers are granted authority, with the direction and advice of their principals, to exercise their good judgment in applying a range of academic consequences for violations of this policy. Student and parent appeals of any consequences resulting from violations of this policy should be addressed to building administrator(s). All teachers, beginning especially at the elementary grades, will educate students as to what constitutes academic dishonesty and what is acceptable and unacceptable behavior in our schools. A copy of the Academic Honesty Policy shall be included in student handbooks and shall be distributed to parents via district publications at least annually.

Cheating

Cheating includes, but is not limited to, the following:

1. Copying or attempting to copy another student's homework, quiz, test, essay, or lab report;
2. Cheating on tests through such means as cheat sheets, use of unauthorized electronic devices, and discussion of test information with other students;
3. Obtaining test questions and/or copies of tests outside the classroom test setting;
4. Lending and/or copying from another student's work (homework, tests, projects, assignments);
5. Altering or interfering with grading (forging signatures, changing or inserting answers on work after grading);
6. Allowing another student to copy answers during a test situation;
7. Collaborating with other students on an assignment in direct violation of a teacher's instructions;
8. Using books and electronic information in generating an assignment in direct violation of teacher's instructions;
9. Accessing, taking, and benefiting from copies of tests and quizzes previously used or to be used by teachers unless provided as study guides by the teacher; and
10. Submitting work previously presented in this course or in another course.

Plagiarism

Plagiarism is defined as and includes, but is not limited to, the following:

6. Copying material from the source, including internet sources, without citing the source, or citing the source but omitting quotation marks;
7. Paraphrasing the source without proper citation;
8. Copying stories, in whole or part, which appear in books, magazines, television, or film;
9. Copying directly, without making any changes, alterations, or adaptations from a drawing, painting, illustration, photographic image, or graphic symbol without citing the source;
10. Submitting papers written in whole or part by someone else, including internet sources;
6. Submitting papers on which the student has received substantial assistance from peers and/or adults that dramatically changes the character of the work so that it is no longer the student's own; and
7. Submitting a paper purchased from a research or term paper service, including, but not limited to internet sources.

Policy History:

Adopted on:

Revised on:

Reviewed on:

Corrective Actions and Punishment

All students shall submit to the reasonable rules of the District. Refusal to comply with written rules and regulations established for the governing of the school shall constitute sufficient cause for discipline, suspension, or expulsion.

For the purposes of the District's policies relating to corrective action or punishment:

2. "Temporary Suspension" is the exclusion from school or individual classes for a specific period of up to five school days.

The Superintendent or the principal of any school may temporarily suspend any pupil for disciplinary reasons, including student harassment, intimidation, or bullying, or for other conduct disruptive of good order or of the instructional effectiveness of the school. Prior to suspending any student, the Superintendent or principal shall grant an informal hearing on the reasons for the suspension and the opportunity to challenge those reasons. Any pupil who has been suspended may be readmitted to the school by the Superintendent or principal who suspended him or her on reasonable conditions prescribed by the Superintendent or principal. The Board of Trustees shall be notified of any temporary suspensions, the reasons for them, and the response to them.

2. "Extended Temporary Suspension" is the exclusion from school or individual classes for an additional ten school days. Only the Superintendent or the Board can extend an initial temporary suspension.
3. "Prolonged Temporary Suspension" is the exclusion from school or individual classes for an additional five school days. Only the Board can extend a temporary suspension for an additional five days and only upon a finding that immediate return to school attendance by the temporarily suspended student would be detrimental to other pupils' health, welfare, or safety.
4. "Expulsion" is the exclusion from school. Only the Board has the authority to expel or deny enrollment to any pupil who is an habitual truant, who is incorrigible, whose conduct is such as to be continuously disruptive of school discipline or of the instructional effectiveness of the school, or whose presence is detrimental to the health and safety of other pupils or who has been expelled from another school district in the State of Idaho or any other state. The District will provide written notice of any student who is expelled or denied enrollment to the prosecuting attorney within five days of the Board's actions.

No pupil shall be expelled nor denied enrollment without the Board having first given written notice to the parent/guardian of the pupil stating the grounds for the proposed expulsion or denial of enrollment and the time and place where such parent/guardian may appear to contest the action of the Board. The notice shall also state the rights of the pupil

to be represented by counsel, to produce witnesses and submit evidence on his own behalf, and to cross-examine any adult witnesses who may appear against him. Within a reasonable period of time following such notification, the Board shall grant the pupil and his or her parents/guardian a full and fair hearing on the proposed expulsion or denial of enrollment. However, the Board shall allow a reasonable period of time between notification and the hearing to allow the pupil and his or her parents/guardian to prepare their response to the charge.

5. "Discipline" constitutes all other forms of corrective action or punishment, including brief exclusions from a class for not more than the remainder of the class period and exclusion from any other type of activity conducted by or for the District. Discipline shall not adversely affect specific academic grade, subject, or graduation requirements, as long as all required work is performed.

Except in extreme cases, students will not be expelled unless other forms of corrective action or punishment have failed, or unless there is good reason to believe that other forms of corrective action or punishment would fail if employed. Suspensions or expulsions shall be used only for instances of serious student misconduct.

Students with disabilities may also be suspended under these same rules if the suspension will not constitute a change in placement. If a student with a disabling condition accrues ten or more days' suspension per incident, the Child Study Team who has knowledge of the student's disabling condition will determine if there is causal relationship between the disabling condition and the student's misconduct. If such a relationship exists, the student's educational placement may not be changed without parental approval or a court order, pending a due process hearing under IDEA.

Likewise, before a recommendation on the expulsion of a disabled student is submitted to the Board, the Child Study Team must meet to determine if there is a causal relationship between the disabling condition and the student's misconduct. The Board shall consult legal counsel before expelling any disabled student.

When a disabled student is acting in such a way that he or she poses a danger to himself or herself or to another student or property, or substantially disrupts his or her educational program or that of other students, an emergency suspension may take place. Emergency suspensions may not last longer than ten school days. The principal shall convene the Team to review the student's record before the student is readmitted to school and no later than the tenth day of the suspension.

Once a student is expelled in compliance with District policy, the expulsion shall be brought to the attention of appropriate local or State authorities, in order that such authorities may address the student's needs.

No student shall be expelled, suspended, or disciplined in any manner for any act not related to the orderly operation of the school or school-sponsored activities or any other aspect of the educational process.

Cross References: 3330

Student Discipline

3360

Discipline of Students with Disabilities

Legal References: 20 U.S.C. § 1400, *et seq.* Individuals with Disabilities Education Act (IDEA)
I.C. § 33-205 Denial of School Attendance
I.C. § 33-512 District Trustees - Governance of Schools
I.C. § 33-1631 Requirements for Harassment, Intimidation and Bullying Information and Professional Development

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

STUDENTS

3340P

Corrective Actions and Punishment

It is the intent of the Board to provide each student with those due process rights that are provided by law.

Suspension

In the event the proposed punishment of a student is to include denial of the right of school attendance from any single class or full schedule of classes for at least one day, the following procedure shall be used:

7. Before suspension, the student shall be provided a conference during which the charges will be explained and the student will be given the opportunity to respond to the charges.
8. A pre-suspension conference is not required and the student can be immediately suspended when the student's presence poses a continuing danger to persons or property or an ongoing threat of disruption to the educational process. In such cases, the notice and conference shall follow as soon as practicable.
9. Any suspension shall be reported immediately to the student's parent/legal guardian. A written notice of suspension shall state the reasons for the suspension, including any school rule which was violated, and a notice to the parent/guardian of the right to a review of the suspension. A copy of the notice shall be sent to the Superintendent.
10. Upon request of the parent/legal guardian, a review of the suspension shall be conducted by the Superintendent. At the review, the student and parent/legal guardian may appear and discuss the suspension with the Superintendent. After the meeting, the Superintendent shall take such action as appropriate. That action is final.
11. Students who are absent as a result of an out-of-school suspension do not have the right to make up missed work.
12. The suspension of a student may be extended by the Superintendent or the Board in accordance with State law. Written notice of the extension of a suspension will be provided to the student's parent/legal guardian.

Expulsion

A student may be expelled from school only by the Board, and only after the following due process procedures have been followed:

4. The student and parent/legal guardian shall be provided written notice of the Board hearing to consider the recommendation for expulsion, by registered or certified mail at least five school days before the date scheduled for the hearing. The notice shall include the grounds

for the proposed expulsion, the time and place of the hearing, information describing the process to be used to conduct the hearing, including the rights of the student to be represented by counsel, to produce witnesses and submit documentary evidence and the right to cross-examine adult witnesses who testify against the student.

5. Within the limitation that the hearing must be conducted during the period of suspension, an expulsion hearing may be rescheduled by the parent/legal guardian by submitting a request showing good cause to the Superintendent at least two school days prior to the date of the hearing as originally scheduled. The Superintendent shall determine if the request shows good cause.
6. At the hearing, the student may be represented by counsel, present witnesses and other evidence, and cross-examine adult witnesses. Formal rules of evidence are not binding on the Board.

Procedures for Suspension and Expulsion of Students with Disabilities

The District shall comply with the provisions of the IDEA when disciplining students. No special education student shall be expelled if the student's particular act of gross disobedience or misconduct is a manifestation of the student's disability. Any special education student whose gross disobedience or misconduct is not a manifestation of the student's disability may be expelled pursuant to expulsion procedures, except that the disabled student shall continue to receive education services as provided in the IDEA during such period of expulsion.

A special education student may be suspended for ten days of school per incident, regardless of whether the student's gross disobedience or misconduct is a manifestation of the student's disabling condition. Any special education student who has or will exceed ten days of suspension may be temporarily excluded from school by court order or by order of a hearing officer if the District demonstrates that maintaining the student in the student's current placement is substantially likely to result in injury to the student or others. The student shall continue to receive educational services in accordance with the IDEA during such period of suspension.

A special education student who has carried a weapon to school or to a school function, or who knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance while at school or a school function may be removed from the student's current placement. Such a student shall be placed in an appropriate interim alternative educational setting for no more than 45 days in accordance with the IDEA.

Procedure History:

Promulgated on:

Revised on:

Reviewed on:

Use of Restraint, Seclusion, and Aversive Techniques for Students

Conduct of Employees Directed Toward Students

The use by appropriately trained District personnel towards or directed at any student of any form of restraint or seclusion as defined in this policy, is prohibited except in circumstances where proportional restraint or seclusion of a student is necessary when a student's conduct creates a reasonable belief in the perspective of a District employee, that the conduct of the student has placed the student, the employee, or any other individual in imminent danger of serious bodily harm.

The employee or any employee who is a witness to this event shall immediately seek out the assistance of the school's administration or, if such administrator is not available, a certificated or classified employee with special training in seclusion and restraint, if available. Upon the arrival of such individual, the administrator or if no administrator is available, the most senior trained individual on seclusion or restraint shall take control over the situation.

Seclusion or restraint of a student shall immediately be terminated when it is decided that the student is no longer an immediate danger to him or herself or to any other third person or if it is determined that the student is exhibiting extreme distress or at such time that appropriate administrative personnel have taken custody of the child or upon such time that the parent/legal guardian of the child has retaken custody of the child.

Regardless of employee training status, no District personnel shall use any form of aversive technique against any school student.

If a situation occurs where a properly trained District employee must use acts of restraint or seclusion against a school student, the following shall occur:

8. The employee shall immediately report to their building principal, in writing, the following information:
 - A. The date the event occurred;
 - B. The circumstances leading to the event;
 - C. The student involved; and
 - D. Other witnesses or participants to the event.
9. The building principal shall notify the Superintendent's office of the event, providing the Superintendent's office with a copy of the report of events.
10. The building principal shall ascertain if any of the school's video equipment captured the event on a recording. If such event was captured on recording, the principal shall take all best efforts to maintain a copy of the recording and provide such to the Superintendent's Office for the Superintendent's official records of the event.

11. The Superintendent or designee shall ascertain the special needs status of the student involved in the seclusion or restraint and shall ascertain and maintain documentation as to whether or not such events were consistent with or contraindicated due to the student's psychiatric, medical, or physical condition(s).
12. The Superintendent or designee of the Superintendent shall notify the parent or legal guardian of the subject student of the situation and the event of restraint or seclusion via telephone and provide the parent/legal guardian with the name and telephone contact information of the building principal where the parent may obtain additional information regarding the event.
13. The Superintendent or designee of the Superintendent shall provide the parent/legal guardian of the student with written notice of the event of restraint or seclusion of their student.
14. The Superintendent's office shall maintain documentation as to events of restraint and seclusion and shall prepare any and all necessary reports to legal entities upon whom such reports are or may become due pursuant to State and federal regulations.

Training of School Personnel

As part of the training and preparation of each certificated administrator, certificated teacher, and in-building classified employee of the District, the following shall occur:

7. Training to personnel as to proper situations and events leading to student seclusion and intervention, including possible preventative alternatives to seclusion and restraint, safe physical escort, de-escalation of student crisis situations, and positive behavioral intervention techniques and supports;
8. Training of personnel in crisis/conflict management and emergency situations which may occur in the school setting, including examples and demonstrations of proper activities and techniques and trainers observing employee use of proper activities and techniques in the training setting;
9. Techniques to utilize to limit the possibility of injury to the student, the employee and any other third party in the area;
10. Information as to the school's student seclusion areas in each respective school building to which the employee is assigned;
11. Training in CPR and basic first aid; and
12. Provision of the employee with a copy of this policy.

It is a goal that all new employees are trained in the area of student restraint and seclusion during their first week of employment. However, this may not be possible due to realities of the operation of a school district. If an employee has not yet undergone training and a situation necessitating

student restraint or seclusion occurs, and another properly trained employee of the District is present at the event, the properly trained employee shall take the lead in addressing the student crisis.

Designated Locations

Each school building for which students are present must have a building designated location for student seclusion.

It is the responsibility of the building's principal, or designee of the principal, to assure that the building's designated seclusion location is a safe and clean location and that such location has appropriate supervision when any student has been placed into seclusion pursuant to this policy.

Appropriate supervision shall include an adult in the seclusion location which has continuous visual observation of the secluded student.

Definitions

For the purposes of this policy, the following definitions shall apply:

Restraint: The immobilization or reduction of a student's freedom of movement for the purpose of preventing harm to students or others through chemical, manual method, physical, or mechanical device, material, or equipment.

Seclusion: Involuntary confinement in a room or other space during which a student is prevented from leaving or reasonably believes that the he or she can leave or be prevented from leaving through manually, mechanically, or electronically locked doors that, when closed, cannot be opened from the inside; blocking or other physical interference by staff; or coercive measures, such as the threat of restraint, sanctions, or the loss of privileges that the student would otherwise have, used for the purpose of keeping the student from leaving the area of seclusion.

Aversive Technique: Physical, emotional, or mental distress as a method of redirecting or controlling behavior.

Annual Review

On an annual basis, the Superintendent or designee shall review this policy and make a determination as to whether or not any modifications or amendments to this policy are necessary and should be proposed to the District's Board.

In conducting this annual review, such individual shall also review the reports of all events of seclusion or restraint that occurred with the District's students in the past school year. This review will include an analysis as to whether or not the District's personnel are following the terms of this policy, whether additional training activities are necessary, or if there is any weakness in the implementation of this policy that can be strengthened.

Cross Reference: 3360

Discipline of Students with Disabilities

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

STUDENTS

3350

Detention

For minor infractions of school rules or regulations, or for minor misconduct, staff may detain students. Students may be required to attend Friday detention for up to four hours.

Preceding the assessment of such punishment, the staff member shall inform the student of the nature of the offense charged, and/or the specific conduct that allegedly constitutes the violation. The student shall be afforded an opportunity to explain or justify his or her actions to the staff member. Parents must be notified prior to a student serving after-school detention.

Students detained for corrective action or punishment shall be under the supervision of the staff member or designee.

Policy History:

Adopted on:

Revised on:

Reviewed on:

Discipline of Students with Disabilities

**Code of Conduct Violations by Students with Disabilities, Resulting
In Disciplinary Consequences of Ten School Days or Less**

ISBA recommends use of the guidelines developed by the Idaho Department of Education in its *Idaho Special Education Manual*. As of the development of this amended policy, the most recent version of this manual is 2018. Please refer to Chapter 12, Discipline, of the manual. The manual can be found on the internet by going to the Special Education section of the State Department website or by accessing the following link:

http://www.sde.idaho.gov/site/special_edu/manual_page.htm.

Policy History:

Adopted on:

Revised on:

Reviewed on:

Student Sex Offenders

Definition

“Student sex offender” shall mean a student who has been adjudicated delinquent or convicted of and placed on probation for a dangerous offense such as sexual conduct with a minor, sexual assault, molestation of a child, or continual sexual abuse of a child.

Notification to School District

The Superintendent of Public Instruction is required by State law to notify a school district or private school regarding the enrollment of a registered juvenile sex offender. The Superintendent of Public Instruction is also required to notify the District or school of the offender's probationary status or treatment status, if known. The Superintendent of the District or his or her designee shall make contact with the State Department of Education in order to receive regular updates of this information.

Educational Placement

The Superintendent of the District or his or her designee shall determine the appropriate educational placement for student sex offenders except those identified as having a disability. When determining educational placement, the Superintendent or his or her designee shall consider such factors as the safety and health of the student population. The Superintendent or designee shall develop guidelines for managing each student sexual offender in District schools. If the Superintendent or designee determines that, in the best interest of District schools, the student sexual offender should be placed in an alternative educational setting, the District shall pay for the costs associated with this placement.

Convicted juvenile sex offenders shall not attend a school attended by their victims or a victim's sibling. The offender and his or her parent or guardian shall be responsible for providing transportation or covering other costs related to the offender's attendance at another school.

An IEP team shall determine the educational placement of a student sexual offender with a disability. The student with a disability is entitled to all the due process procedures available to a student with a disability under the Individuals with Disabilities Education Act. The IEP team shall develop procedures for managing each student sexual offender with a disability that attends a District school. If the IEP team determines that the student sexual offender should be placed in an alternative educational setting, the District shall pay for the costs associated with this placement.

Staff

Staff members are to be alert to and inform school officials of any behavior by a juvenile offender that creates an abnormal risk to members of the school community. However, each circumstance involving a student probationary juvenile offender attending a District school shall be evaluated on a case-by-case basis. Whenever possible without placing other students or adult members of the school community at risk, reasonable efforts should be made to continue the student's education, to provide supportive services, and to avoid any acts of harassment or vigilantism against the student. Although federal and State laws and rules permit the release of information concerning a student registered sex offender, discretion should be exercised when discussing or disseminating information about the student. Whenever possible, the school community should encourage and support timely and appropriate intervention toward the expected outcome that a juvenile offender's conduct will be rectified so the student will commit no further offense and will develop into a responsible, self-controlled adult.

Legal References:	I.C. § 18-8402	Juvenile Sex Offender Registration Notification and Community Right-To-Know Act - Findings
	I.C. § 18-8403	Juvenile Sex Offender Registration Notification and Community Right-To-Know Act - Definitions
	I.C. § 18-8408	Juvenile Sex Offender Registration Notification and Community Right-To-Know Act - Providing List To Superintendent Of Public Instruction
	I.C. § 18-8412	Juvenile Sex Offender Registration Notification and Community Right-To-Know Act - Exemption from Civil Liability
	I.C. § 18-8413	Juvenile Sex Offender Registration Notification and Community Right-To-Know Act - Penalties for Vigilantism or Other Misuse of Information
	I.C. § 33-205	Denial of School Attendance

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

STUDENTS

3370

Searches and Seizure

To maintain order and security in the schools, school authorities are authorized to conduct reasonable searches of school property and equipment, as well as of students and their personal effects.

School Property and Equipment as Well as Personal Effects Left There by Students

School authorities may inspect and search school property and equipment owned or controlled by the school (such as lockers, desks, and parking lots), as well as personal effects left there by students, without notice or consent of the student. This applies to student vehicles parked on school property. Building principals may require each high school student, in return for the privilege of parking on school property, to consent in writing to school searches of his or her vehicle and personal effects therein, when reasonable suspicion of wrongdoing exists.

The Superintendent may request the assistance of law enforcement officials to conduct inspections and searches of lockers, desks, parking lots, and other school property and equipment for illegal drugs, weapons, and other illegal or dangerous substances or material, including searches conducted through the use of specially trained dogs.

Students

School authorities may search the student and/or the student's personal effects in the student's possession when there is reasonable grounds for suspecting that the search will produce evidence the particular student has violated or is violating the law or the District's student conduct rules. The search itself must be conducted in a manner that is reasonably related to its objectives and not excessively intrusive in light of the age and sex of the student and the nature of the infraction.

Seizure of Property

If a search produces evidence that the student has violated or is violating the law or the District's policies or rules, such evidence may be seized and impounded by school authorities, and disciplinary action may be taken. When appropriate, such evidence may be transferred to law enforcement authorities.

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

STUDENTS

3370P

Searches and Seizure

The following rules shall apply to any searches and the seizure of any property by school personnel:

9. The Superintendent, principal, and the authorized assistants of either shall be authorized to conduct any searches or to seize property on or near school premises, as further provided in this procedure.
10. If the authorized administrator has reasonable suspicion to believe that any locker, car, or other container of any kind on school premises contains any item or substance which constitutes an imminent danger to the health and safety of any person or to the property of any person or the District, the administrator is authorized to conduct a search of any car or container and to seize any such item or substance.
11. The authorized administrator may perform random searches of any locker, car, or container of any kind on school premises without notice or consent.
12. If the authorized administrator has any reasonable suspicion to believe that any student has any item or substance in his or her possession, which constitutes an imminent danger to the property of any person or the District, the administrator is authorized to conduct a search of any car or container and to seize any such item or substance.
13. No student shall hinder, obstruct, or prevent any search authorized by this procedure.
14. Whenever circumstances allow, any search or seizure authorized in this procedure shall be conducted in the presence of at least one adult witness, and a written record of the time, date, and results shall be made by the administrator. A copy shall be forwarded to the Superintendent as soon as possible.
15. In any instance where an item or substance is found which would appear to be in violation of the law, the circumstance shall be reported promptly to the appropriate law enforcement agency.
16. In any situation where the administrator is in doubt as to the propriety of proceeding with any search or seizure, the administrator is authorized to report to and comply with the directions of any public law enforcement agency.

Procedure History:

Promulgated on:

Revised on:

Reviewed on:

Extracurricular and Co-Curricular Participation Policy

Extracurricular or co-curricular activities are supplements to the regular instructional programs and afford students opportunities for enrichment. However, participation in extracurricular and co-curricular activities is a privilege, not a right, as pursuant to Idaho Code. As representatives of their school and District, students participating in such activities are expected to meet high standards of behavior.

General Definitions for Extracurricular and Co-Curricular Participation Policy

Unless the context otherwise requires, in this policy:

“Extracurricular Activities” means District and/or school authorized activities which take place outside of the regular school day and do not involve class credit, including (but not limited to) athletics, student groups or organizations, and community activities for which high school letters are awarded.

“Co-Curricular Activities” are District and/or school authorized activities held in conjunction with a for-credit class, but taking place outside of the regular school day including, but not limited to, debate, drama, drill team, band, or choir.

“Activity Suspension or Suspension from Extracurricular or Co-Curricular Activities” means that suspended students shall not travel, dress in uniform, or associate or participate with the team or group at its scheduled event(s). Suspended students may be allowed to participate in practices and meetings; however, the principal or designee may deem it necessary for students to be withheld from practices or meetings for the duration of the suspension.

“Controlled Substances” include (but are not limited to) opiates; opium derivatives; hallucinogenic substances, including cocaine; and cannabis and synthetic equivalents or the substances contained in the plant; any material, compound mixture, or preparation with substances having a depressant effect on the central nervous system; and stimulants.

“Drugs” include any alcohol or malt beverage, any inhalant, any tobacco product, any controlled substances, any illegal substance, any abused substance, any look-alike or counterfeit drug, any medication not approved and registered by the school authorities and/or any substance which is intended to alter mood, and/or any substance which is misrepresented and sold or distributed as a restricted or illegal drug.

“Drug Paraphernalia” is defined as any or all equipment, products, and materials of any kind which are used, intended for use, or designed for use in planting, propagating, cultivation, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled substance as defined in this policy.

“Emergency Activity Suspension” is defined as imposition of an activity suspension by a principal or his or her designee prior to an informal hearing when it is necessary to protect the health and safety of the individual(s) involved and immediate action is appropriate.

“Event” is defined as a match, game, meet, or other competitive event, including regional and/or state tournaments, and competitions. “Event” is also defined as any band or choir performance(s).

“Knowingly Present” shall mean that a student attended a gathering of two or more individuals at which one or more of the attendees other than the student at issue were using or in possession of drug paraphernalia, controlled substances, drugs, pornography, alcohol, or tobacco and the student knew or reasonably should have known that such use or possession was occurring.

“Minor Infraction” shall mean a minor deviation from acceptable behavior or stated student expectations which occurs while the student is engaged in the extracurricular or co-curricular activity and which is not material or substantial. Students will be given notification of the first minor infraction. Students and parents will be given notification of the second minor infraction through a conference and will be informed that a third minor infraction may result in activity suspension.

“Major Infraction” shall mean a material or substantial deviation from acceptable behavior or stated student expectations which occurs while the student is engaged in the extracurricular or co-curricular activity, including but not limited to insubordination toward or non-compliance with the person in charge of the activity, verbal or physical abuse, hazing, fighting, and refusal of a student to identify him or herself to school personnel upon request.

“On any school premises or at any school sponsored activity, regardless of location” includes, but not is limited to buildings, facilities, and grounds on the school campus, school buses, school parking areas; and the location of any school sponsored activity. “On any school premises or at any school sponsored activity, regardless of location” also includes instances in which the conduct occurs off the school premises but impacts a school related activity.

“Scholastic Year” is defined as the period of time beginning with the first day of the fall extracurricular and co-curricular activities season and ending with the last day of school.

“School Days” include only those days when school is in session.

Eligibility Requirements for Extracurricular and Co-Curricular Participation

To take part in any extracurricular or co-curricular activity, students must maintain a 2.0 GPA. If they do not have a 2.0, they shall be placed on probation for two weeks and can bring up their grade and receive a written slip from the teacher or teachers of their passing work. If, after the probationary period, they do not have a GPA of at least 2.0, they shall not be allowed to take part in any extracurricular or co-curricular activity until they have a GPA of at least 2.0.

Extracurricular or Co-curricular activity Suspension

The Board believes that the safety and welfare of other students may be adversely affected when students who are involved in extracurricular or co-curricular activities commit major infractions or repeated minor infractions at school or during school activities, and/or are involved in criminal conduct or drug use in any location.

At the beginning of each semester, teachers or coaches of co-curricular courses will identify for students how participation in the co-curricular activity impacts their course grade. Co-curricular students who are suspended as a result of this policy will have their co-curricular course grade affected only if the reason for the suspension was related to course work or course expectations. Students who miss a co-curricular activity because of a suspension may ask to do, or be required to do, alternative assignments or special projects to make up the missed activity.

9. **Activity Suspension as a Result of a School Suspension:** A student will be immediately suspended from all extracurricular and co-curricular activities when he or she receives a suspension from school, not including an in-school detention, for any reason.

Consequences:

- C. The activity suspension is automatic, is for the duration of the school suspension, and runs concurrent with the school suspension; and
- D. This type of activity suspension cannot be appealed.

10. **Activity Suspension for Repeated Minor Infractions or a Major Infraction During an Activity:** A student may be suspended from an extracurricular or co-curricular activity when he or she commits a third minor infraction, or a major infraction, while engaged in an extracurricular or co-curricular activity on any school premises or at any school-sponsored activity, regardless of location. The coach or advisor will recommend suspension to the Principal.

Consequences:

- D. The incident will be reviewed pursuant to the Informal Hearing Process at Section 5 of this policy;
- E. If the evidence supports the recommendation, the student may be given an activity suspension for a period of time up to and including the remainder of the season or duration of the activity in that scholastic year for that activity only; and
- F. If the activity suspension exceeds nine school days, the parent/guardian may request an appeal as outlined in the Appeal Process at Section 7 of this policy.

11. **Activity Suspension for Criminal Conduct or Drug Use in Any Location During the Scholastic Year:** A student may be suspended from extracurricular and co-curricular activities when he or she has been arrested or it reasonably appears to the District that he or she has violated criminal law, other than infractions or minor traffic violations; or has been involved with drug paraphernalia, controlled substances, or drugs, including alcohol or tobacco, in any location, either on or off campus, during the scholastic year, in any of the following ways: attempting to secure or purchase; using, or having reasonable suspicion of having used; possession; intending or attempting to sell or distribute; selling or giving

away; or being knowingly present when any of the above are used, possessed, or consumed.

Consequences:

C. Knowingly Present

- I. First Violation: When a student violates the “knowingly present” prohibition of this policy for the first time during a scholastic year, the school resource officer (“SRO”), principal, or athletic director:
 - a. Will hold a conference with the student;
 - b. Will notify the student’s parent/guardian and the student of the violation;
 - c. May arrange a conference with the parent/guardian and the student; and
 - d. Will inform the student and parent/guardian of consequences for future violations of the policy.

- II. Second Violation: When a student violates this “knowingly present” prohibition of this policy for the second time during a scholastic year, he or she is subject to the consequences outlined below in part 3.B “Other Violations” of the policy.

D. Other Violations

- I. The incident will be reviewed pursuant to the Informal Hearing Process in Section 5 of this policy. If the evidence supports the accusation, the student may be suspended from all extracurricular and co-curricular events for a period of 21 calendar days.

- II. The suspension will be reduced to a 14 calendar day period if:
 - c. In the case of criminal conduct, the student receives counseling which has been approved by a school counselor; or
 - d. In the case of drug, alcohol, or tobacco use, the student agrees to and completes
 - i. A drug/alcohol/tobacco assessment provided by the school (no cost) or the community (the family incurs the cost); and/or
 - ii. A drug/alcohol/tobacco education group, provided or facilitated by the school, and/or the community.

- III. If no event is scheduled during the period of the suspension, the student will be withheld from the next scheduled event.

- IV. If the student notifies school personnel (self-reports) concerning his or her criminal conduct or drug use prior to the personnel's knowledge of the incident(s), the principal or athletic director may reduce the length of the activity suspension.
- V. On the occasion of a subsequent infraction during a scholastic year, and if the evidence supports the accusation, the principal or athletic director will bar the student from any form of extracurricular or co-curricular activity for the balance of the scholastic year.
- VI. All students who receive an activity suspension for criminal conduct or drug use shall be reported to the Superintendent or designee and, if applicable, to the appropriate law enforcement agency.
- VII. The parent/guardian may request an appeal as outlined in the Appeal Process at Section 7 of this policy, with either a first or second offense.

- 12. **Infractions Which Occur in Out-of-School Trips:** During an out-of-school trip, if the authorized person in charge of the activity determines that a student should be sent home early because of criminal conduct, drug use, or a major infraction, the authorized person will notify the parent/guardian, and ask him or her to take charge of the return of the student. The parent/guardian will assume any expenses incurred for the return of the student.
- 13. **Informal Hearing Process:** Prior to giving an activity suspension to a student, the principal or athletic director shall grant the student an informal hearing on the reasons for the activity suspension and the opportunity to challenge those reasons unless an emergency activity suspension is necessary. If an emergency activity suspension is necessary, an informal hearing will be held as soon as possible after the emergency ceases to exist.
- 14. **Student travel to or from an extracurricular or co-curricular activity:** Unless other travel arrangements are authorized, students will board the bus at the school designated as point of origin for the trip and will return to the point of origin in the bus. There will be no stops along the designated route to pick up or discharge students.

The only variation allowed in this regulation is the release of students to parents in a face-to-face situation at the close of the activity before buses begin the return trip. Such release will require a signed, dated note from the parent.

The activity must provide at least one instructor, coach, or adult sponsor for each bus on a special trip. The bus driver will be responsible for the safe operation of the bus. The sponsor will be responsible for supervision of students and enforcement of bus rules. Any adult designated by the principal as a sponsor will have such authority.

Students must follow all school bus rules with this exception: Food and drink not in glass containers will be allowed on the bus with permission of the principal. However, any debris must be cleaned up at the end of the trip and before students leave the bus.

If a student causes a disruption or hazard on the bus, a hearing will be held with the principal, driver, instructor, coach, adult sponsor, parent/guardian, and student. The driver, instructor/coach/adult sponsor, parent/guardian, and the student will have the opportunity to share with the principal their perceptions of the problem. If the principal finds that there has been an infraction of bus rules, he will take the following action:

- A. On the first infraction, the student will be warned that following any further infraction he or she will be declared ineligible for transportation to the extracurricular or co-curricular activities for one event;
- B. On the second infraction during a semester, the student will be declared ineligible for transportation to the extracurricular or co-curricular activity for two events; and
- C. On the third infraction during a semester, the student will be declared ineligible for transportation to the extracurricular or co-curricular activities for the remainder of the semester.

Based on the severity of the problem as it relates to respect and safety for others, the principal may bypass step #1 and/or step #2 above and immediately declare the student ineligible for transportation for two weeks or for the remainder of the semester.

15. Appeal Process:

- G. This appeal process may be used by students and their parent/guardian only in those instances where an activity suspension or transportation to extracurricular or co-curricular activities exceeds nine school days.
- H. The parent/guardian must request an appeal in writing within two school days from the notification of the activity suspension decision.
- I. The Superintendent will appoint a three member panel composed of certificated staff members who have not been involved in the disciplinary action in question. The hearing panel will notify the student and the parent/guardian of the date, location, and time of the hearing; the student will have an opportunity to present additional evidence regarding the circumstances of the suspension or reasons to reduce the length thereof. The appeal must be scheduled within five school days of the request.
- J. If the panel determines that the evidence reviewed at the appeal supports the suspension, the suspension of the student from extracurricular and/or co-curricular activities shall be continued.
- K. The student and the parent/guardian will be notified in writing of the panel's findings and determination with respect to the student suspension from extracurricular and/or co-curricular activities within two school days of the panel's decision.

L. The panel's determination is final, and is not appealable to the Superintendent or Board of Trustees.

16. Elementary Students: Students in kindergarten through sixth grade who are in violation of this policy may have the length of the activity suspension reduced by the principal or other authorized administrator.

Legal Reference: I.C. § 33-512(12) Governance of Schools – Governance of
Schools – Board of Trustees Authorized to
Supervise and Regulate Certain Extracurricular
Activities

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

STUDENTS

3390

Extra- and Co-Curricular Chemical Use Policy

Extracurricular and Co-curricular activities are subject to the supervision and regulation of the District. Participation in extracurricular or co-curricular activities is considered a privilege; not a right.

Students participating in extra- and co-curricular activities, whether sponsored by the Idaho High School Activities Association or not, shall not use, have in possession, sell, or distribute alcohol, tobacco, or illegal drugs, or abuse prescription or non-prescription drugs during their extracurricular seasons. These rules are in effect 24 hours a day. If a student is charged with possession, or is seen using tobacco, alcohol, or illicit drugs, the student will forfeit the privilege of participating in accordance with the activities and student handbooks.

Policy Coverage

This policy applies to middle and high school students who are involved in the extracurricular and co-curricular activities program.

Policy Duration

This policy is in effect each school year from the date of the first practice for fall activities until the last day of school or activities, whichever is later. Violations are cumulative, through the student's period of attendance in grades 7-8 and in grades 9-12. The Administration shall publish the participation rules annually in the activities and student handbooks.

Student and Parent/Legal Guardian Due Process

Notification of determinations regarding student chemical use violations will be provided to the student and parent/guardian by telephone where possible, and also by mail. At this time, the student and parent/guardian shall be notified of the type of discipline that will be administered.

Appeal Process

Any parent/guardian and student who is aggrieved by the imposition of discipline shall have the right to an informal conference with the principal for the purpose of resolving the grievance. At such a conference, the student and the parent shall be subject to questioning by the principal, and shall be entitled to question staff involved in the matter being grieved.

Legal Reference: I.C. § 33-512

District Trustees - Governance of Schools

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

STUDENTS

3400

Extracurricular Activities Drug-Testing Program

The District has a strong commitment to the health, safety, and welfare of its students. Results of studies throughout the United States indicate that education alone, as a preventive measure, is not effective in combating substance abuse. Our commitment to maintaining the extracurricular activities in the District as a safe and secure educational environment requires a clear policy and supportive programs relating to detection, treatment, and prevention of substance abuse by students involved in extracurricular activities.

Purpose

The drug-testing program is not intended to be disciplinary or punitive in nature. Students involved in extracurricular activities need to be exemplary in the eyes of the community and other students. It is the purpose of this program to prevent students from participating in extracurricular activities while they have drug residues in their bodies, and it is the purpose of this program to educate, help, and direct students away from drug and alcohol abuse and toward a healthy and drug-free participation. No student shall be expelled or suspended from school as a result of any verified positive test conducted by his or her school under this program, other than as stated herein.

Scope

Participation in extracurricular activities is a privilege. This policy applies to all District students in grades 9-12 who wish to participate in extracurricular activities that are listed in the current student handbook and any other school-sponsored extracurricular activities not listed.

Consent Form

It is mandatory that each student who participates in extracurricular activities sign and return the Consent Form prior to participation in any extracurricular activity. Failure to comply will result in non-participation.

Each extracurricular participant shall be provided with the Consent Form (3350F), which shall be dated and signed by the participant and by the parent/guardian. In so doing, the student is agreeing to participate in the random drug-testing program at Council Jr./Sr. High School.

Testing Procedures

1. The selection of participants to be tested will be done randomly by the principal or administrative designee, and selections will be made from time to time throughout the school year. Names will be drawn from one large pool of those agreeing to be tested. Testing may occur on a different day, Monday through Saturday. This variable schedule will keep students conscious of the possibility of being tested at any time during the year. Each student will be assigned a number that will be placed in the drawing.

2. If the student shows signs of reasonable suspicion, the principal or administrative designee may call the student's parent/guardian and ask that the student be tested. Factors will include, but are not limited to, excessive discipline problems and/or excessive absences from school. Also, a parent/guardian may request testing of his or her student.
3. No student will be given advance notice or early warning of the testing. In addition, a strict chain of custody will be enforced to eliminate invalid tests or outside influences.
4. Upon being selected for a urinalysis test under this policy, either by random draw, reasonable suspicion, request of a parent/guardian, or a follow-up test, a student will be required to provide a sample of fresh urine, according to the quality control standards and policy of the laboratory conducting the urinalysis.
5. All students will remain under school supervision until they have produced an adequate urine specimen. If unable to produce a specimen, the student will be given up to 24 ounces of fluid. If still unable to produce a specimen within two hours, the student will be taken to the principal's office and told he or she is no longer eligible for any of the extracurricular activities. In addition, the parents/guardian will be telephoned and informed the student is unable to produce a sample for the testing procedure and that he or she may be tested at a later date to be reinstated for eligibility.
6. There is a head strip on each of the specimen bottles indicating the validity of the urine specimen by temperature. All specimens registering below 90.5 degrees Fahrenheit will be invalid. If this occurs, another specimen must be given by the student.
7. If it is proven that tampering or cheating has occurred during the collection, the student will become ineligible for all the extracurricular activities for the remainder of the school year. This will be reported to the parent/guardian.
8. Immediately after the specimen is taken, the student may return to class with an admit slip or pass with the time he or she left the collection site. The principal or administrative designee must note the time and sign the pass.
9. The specimens will then be turned over to the testing laboratory, and each specimen will be tested for alcohol, nicotine, and street drugs (which may include all drugs listed as controlled substances under the laws of the State of Idaho). Also, performance enhancing drugs such as steroids may be tested.
10. The laboratory selected must follow the standards set by the Department of Health and Human Services. It must be certified under the auspices of the Clinical Laboratory Improvement Act (CLIA) and the Joint Commission of Accreditation of Healthcare Organizations (JCAHO).

Chain of Custody

1. The certified laboratory will provide training and direction to those who supervise the testing program, set up the collection environment, and guarantee specimens and supervise the chain-of-custody. To maintain anonymity, the student's number, not name, will be used.

2. The principal or administrative designee will be responsible for escorting students to the collection site. The student should bring all materials with him or her to the collection site and should not be allowed to go to his or her locker. The administrator should not bring all the students drawn from the pool to the collection site simultaneously. Calling four or five students at a time allows the collections to be carried out quickly and will not cause students to wait a long time, thereby creating a loss of important time from class. Athletes may be called after school, including during practice time.
3. Before the student's urine is tested by the laboratory, students will agree to fill out, sign, and date any form which may be required by the testing laboratory. If a student chooses, he or she may notify the administrator that he or she is taking a prescription medication.
4. A sanitized kit containing a specimen bottle will be given to each student. The bottle will remain in the student's possession until a seal is placed upon the bottle. The student will sign that the specimen has been sealed. The seal may be broken only by the lab testing the specimen.
5. If the seal is tampered with or broken after leaving the student's possession and prior to arriving at the lab, the specimen is invalid. The student will be called again as soon as possible. The student will remain eligible for extracurricular activities subsequent to a retest.
6. The supervisor obtaining the urine specimen will be of the same gender as the student. Students will be instructed to remove all coats and wash their hands in the presence of the supervisor prior to entering the restroom. The door will be closed so that the student is by him or herself in the restroom to provide a urine specimen. The supervisor will wait outside the restroom. The student will have two minutes to produce a urine specimen. The commode will contain a blue dye so the water cannot be used to dilute the sample. The faucets in the restrooms will be shut off.
7. After it has been sealed, the specimen will be transported to the testing laboratory by lab personnel. The testing laboratory will report the results to the principal or administrative designee.
8. In order to maintain confidentiality, the container which contains the urine specimen to be tested will not have the name of the student on the container. Instead, the student's random identification number will appear on the container. Also, the results sheet for the urinalysis will be mailed to the principal/administrative designee with no name attached; only the student's random identification number will appear on the results sheet.

Test Results

1. This program seeks to provide needed help for students who have a verified positive test. The students' health, welfare, and safety will be the reason for preventing students from participation in extracurricular activities.
2. The principal or administrative designee will be notified of a student testing positive (if the test shows that drug residues are in the student's system after using at least two different types of

analyses). The principal or administrative designee will notify the student and his or her parent/guardian. The student or his or her parent/guardian may submit any documented prescription, explanation, or information that will be considered in determining whether a positive test has been satisfactorily explained.

3. In addition, the student or parent/guardian may appeal by requesting that the urine specimen be tested again by the certified laboratory at a cost to the student or his or her parent/guardian.
4. If the test is verified positive, the principal or administrative designee will meet with the student and his or her parent/guardian at the school. The student and parent/guardian will be given the names of counseling and assistance agencies that the family may want to contact for help. The student will be prevented from participating in extracurricular activities until after a follow-up test is requested by the principal/administrative designee and the results are reported.
5. A follow-up test will be requested by the principal/administrative designee after such an interval of time that the substance previously found would normally have been eliminated from the body. If this follow-up test is negative, the student will be allowed to resume extracurricular activities. If a second positive result is obtained from the follow-up test or any later test of that participant, the same previous procedure shall be followed. In addition, the District reserves the right to continue testing, at any time during the remaining school year, any participating student who tested positive and did not make satisfactory explanation.
6. Information on a verified positive test result will be shared on a need-to-know basis with the student's coach or sponsor. The results of negative tests will be kept confidential to protect the identity of all students being tested.
7. Drug testing result sheets will be returned to the principal or administrative designee, identifying students by number and not by name. Names of students tested will not be kept in open files or on any computer. Result sheets will be locked and secured in a location to which only the principal and/or administrative designee has access.

Financial Responsibility

1. Under this policy, the District will pay for all initial random drug tests, all initial reasonable suspicion drug tests, and all initial follow-up drug tests. Once a student has a verified positive test result and has subsequently tested negative from a follow-up test, any future follow-up drug test that must be conducted will be paid for by the student or his or her parent/guardian.
2. A request on appeal for another test of a positive urine specimen is the financial responsibility of the student or his or her parent/guardian.
3. Counseling and subsequent treatment by non-school agencies are the financial responsibility of the student or his or her parent/guardian.

Confidentiality

Under this drug-testing program, any staff, coach, or sponsor of the District who may have knowledge of the results of a drug test will not divulge to anyone the results of the test or the disposition of the student involved, other than in the case of a legal subpoena being made upon that person in the course of a legal investigation. Once again, this will underscore the District's commitment to confidentiality with regard to the program.

Other Rules

Apart from this drug-testing program, the Idaho High School Activities Association and the coaching staff/sponsor of each sport/activity have their own training rules and requirements. Coaches/sponsors have the necessary authority to enforce those rules. Any student who violates a rule or requirement as a member of a team or activity will be subject to the consequences as defined in those rules and requirements.

Legal References: *Vernonia School District 47J v. Acton*, 515 U.S. 646 (1995).
 Todd v. Rush County, 139 F.3d 571 (7th Cir.), cert. Denied, 119 S.Ct. 68
 (1998).

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

STUDENTS

3400F

{{School Name}}’s Extracurricular Activity Consent Form

I have received and have read and understand a copy of the Council School District’s Policy 3400 “Extracurricular Activities Drug-Testing Program,” and I understand its terms. I desire that _____ participate in this program and in the extracurricular program of the Council School District and hereby voluntarily agree to be subject to its terms for the entire middle or high school career (grades 5-8 or 9-12). I accept the method of obtaining urine specimens, testing, and analyses of such specimens and all other aspects of the program. I agree to cooperate in furnishing urine specimens that may be required from time to time.

I further agree and consent to the disclosure of the sampling, testing, and results provided for this program. This consent is given pursuant to all State and federal statutes and is a waiver of rights to nondisclosure of such test records and results only to the extent of the disclosures in the program.

I understand that my performance in Idaho High School Activities Association (IHSAA) sponsored events and the reputation of my school are dependent, in part, on my conduct as an individual. I hereby agree to accept and abide by the standards, rules, and regulations set forth by the Council School District for the activity in which I participate.

Date: _____, 20_____

Student Signature

Parent/Guardian Signature

I, _____, have decided **not** to participate in any extracurricular activities sponsored by Council School District for the remainder of this school year. In order for

me to participate in the extracurricular activity program at a later date, I understand that I must submit to urinalysis.

Student Signature

Date

Parent/Guardian Signature

Date

Council School District No. 13

STUDENTS

3410

School Sponsored Student Activities

Student Organizations

1. All student organizations must be approved by the administration. Secret or clandestine organizations or groups will not be permitted;
2. Bylaws and rules of student organizations must not be contrary to Board policy or to administrative rules and regulations; and
3. Procedures in student organizations must follow generally accepted democratic practices in the acceptance of members and nomination and election of officers.

Social Events

1. Social events and other activities must have prior approval of the administration;
2. Social events must be held in school facilities unless approved by the Board;
3. Social events must be chaperoned at all times; and
4. Attendance at high school social events and dances shall be limited to high school students, and middle school social events shall be limited to middle school students, unless prior permission is received from the principal.

Extracurricular Activities

1. Academic and behavior eligibility rules are established by Idaho High School Activities Association rules and District policy;
2. Any student convicted of a criminal offense may, at the discretion of school officials, become ineligible for such a period of time as the school officials may decide; and
3. In establishing an interscholastic program, the Board directs the administration to:
 - A. Open all sports to all students enrolled in the District with an equal opportunity for participation; and
 - B. Recommend sports activities based on interest inventories completed by the students.

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

STUDENTS

3420

Student Fund Raising Activities

The Board acknowledges that the solicitations of funds from students, staff, and citizens must be limited since students are a captive audience and since solicitation can disrupt the program of the schools. Solicitation and collection of money by students for any purpose, including the collection of money by students in exchange for tickets, papers, magazine subscriptions, or for any other goods or services for the benefit of an approved school organization, may be permitted by the Superintendent provided that the instructional program is not adversely affected.

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

STUDENTS

3430

Distribution of Fund Drive Literature through Students

Although many community drives are organized for raising funds for worthy nonprofit causes, it is the policy of the District to refrain from having the students, as student body members, used for such collection or dissemination purposes.

Exceptions to this policy will be considered when recognized student or school-affiliated organizations of the District request permission to participate in such activity.

Cross Reference: 4310

Contact with Students

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

STUDENTS

3440

Student Fees, Fines, and Charges/Return of Property

The District shall charge no fee for any course for which academic credit is awarded.

A student may be charged a reasonable fee for any non-credit course or non-curricular activity such as an extracurricular activity, student activity, or membership in a voluntary club or association. The Board may waive the fee in cases of financial hardship.

Additional fees may be charged for “enhanced programming and materials” which are voluntary enrichments to the curriculum beyond what is necessary to meet the learning expectations for a particular grade or course (i.e. students may wish to use a superior product or consumable than that provided by the school, in which case they may be asked to pay the additional cost for the upgrade).

A student shall be responsible for the cost of replacing materials or property lost or damaged due to negligence. If school property in a student’s possession is lost, broken, or otherwise damaged, the student may be charged the lesser of the fair market value of the item at the time or the cost of repair.

The District may require, as a condition of graduation, issuance of a diploma or certificate, or issuance of a transcript, that all indebtedness incurred by a student be satisfied, or that all books or other instructional material, uniforms, athletic equipment, advances on loans, or other personal property of the District be returned.

Legal Reference: I.C. § 33-603

School Property - Payment of Fees or Returning
of Property

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

STUDENTS

3450

Student Vehicle Parking

Students are permitted to park on school premises as a matter of privilege, not of right. Patrols and inspections may be conducted without notice, without student consent, and without a search warrant. Students are required to unlock vehicles for reasonable inspection when instructed to do so by an administrator. Failure to cooperate may result in the loss of permission to drive a vehicle onto campus, in-school suspension, or short-term suspension from school. In cases involving drugs, alcohol, or firearms the local sheriff or police may be called.

Students will be permitted to park their vehicle in the school parking lot provided they have:

1. A current vehicle insurance policy;
2. A driver's license; and
3. Vehicle registration.

Additional parking requirements include:

1. Students must complete the Student Vehicle Parking Form prior to parking on school grounds;
2. Automobiles are restricted to parking in spaces marked for parking. All automobiles inappropriately parked are subject to being towed without additional warning and at owner's expense;
3. The Council School District assumes no responsibility for automobiles left in the lot overnight;
4. The Council School District is not responsible for theft or damage to automobiles parked in the student parking lot;
5. The student parking lot is off limits during normal class time, except when the student has written permission from an administrator; and
6. Students are prohibited from loitering in the parking lot. Students must enter the building immediately upon arrival.

Any violation of this policy shall result in the following:

1. First Offense: Conference between the administration and student.
2. Second Offense: Conference between the administration, parent/guardian, and student.
3. Third Offense: Loss of right to drive and park on campus.

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

STUDENTS

3450F

Student Vehicle Parking Application

Student Name (please print) Age School

Student Address City Zip Code

Vehicle Make Model Year

License Plate No. Student's Driver's License No.

Insurance Co. Name Insurance Agent's Name

Insurance Policy No. Name of Car Owner

I certify, by my signature below, that the above information is true. I agree that my being able to operate and to park a vehicle on school property is a privilege conditioned on my willingness to have that vehicle subject to search by school authorities at any time the vehicle is on school property when, in the judgement of the building administrator, a reasonable suspicion of a violation of Idaho law or District policies or rules exists. I also understand that it is my responsibility to obey the speed limit on school grounds, to operate the car safely going to and from school and school events, to park in designated areas, and to maintain legally required insurance on the vehicle. Finally, I understand that any violation of this agreement or other school rules can lead to the revocation of all parking privileges. I further understand that motor vehicles in violation of the District's Student Vehicle Parking policy may be subject to towing.

Student Signature Date

I, the parent/legal guardian of _____ hereby verify the information supplied above and understand and agree with the rules pertaining to the operation of a vehicle by students of the District.

Parent/Guardian Signature Date

Council School District No. 13

STUDENTS

3460

School-Related Foreign Travel By Students

School-related foreign trips are allowed by the Council School District when the experiences are an integral part of the school curriculum and contribute to the District's desired educational goals. Field trips are intended to allow students experiences that provide them with insight, information, or knowledge that cannot be adequately developed through regular classroom experience.

When contemplating approval of foreign travel by students, the Superintendent shall take into account any travel warnings or cautions of the U.S. Department of State. The Superintendent shall seek advice concerning foreign travel from the District's legal counsel and insurance carrier.

School-related foreign travel supplements regular instructional programs and affords students opportunities for enrichment. However, participation in school-related foreign travel is a privilege, not a right. As representatives of their school and District, students participating in such activities are expected to meet high standards of behavior.

Trip Plan Submission/Proposal

All student activities involving travel shall be authorized by the Superintendent or the Superintendent's designee. Each trip's authorization shall be based on the written rationale of the travel's educational value as well as the safety and welfare of the students involved.

Requests for trips must be submitted to the Superintendent no later than eight weeks in advance of the trip.

Trips should be scheduled as much as possible during non-school hours and days, such as spring or summer break, so that absences from other instructional programs are kept to a minimum.

The teacher(s) responsible for the trip shall submit a list of participants to the school nurse so that provisions for any special medical problems and/or precautions can be provided.

Advertising, including the distribution of materials, will be allowed during the school day.

Private groups and organizations may not use the District in any way to promote their activities.

The Superintendent will develop procedures for trips, including the approval process, and procedures to be used in case of accident, illness, and student conduct violations.

The trip proposal must be in writing and contain the following elements:

1. Identify the purpose of the trip and an outline of anticipated educational experiences and/or course of study to be followed;
2. Identify the names of students and chaperones attending the trip;
3. Identify and plan for any special medical needs of student and chaperones attending the trip;

4. Identify adequate liability insurance to protect the District, Board members, chaperones, teachers and students;
5. Submit an itemized statement of costs, including transportation, meals, and accommodations; and
6. Submit an itemized statement of costs as appropriate to the school-sponsored trip, such as passport and visa expenses, costs of a personal nature, and optional trip insurance.

The Superintendent may enforce restrictions regarding the date, length of time, and the chaperone/student ratio as a condition of approval.

Students participating in the trip during school hours are permitted and expected to make up any school work missed. The student's absence shall be recorded as "excused." The total number of school days missed due to the trip must be included in the written proposal.

A plan must be developed for the administration of medication for any student requiring such assistance.

The proposal must include the names and numbers of chaperones, including both male and female chaperones if the proposal is for a mixed group of students.

In developing the proposal for the extended trip, the trip organizer will perform the following duties:

1. Hold at least one pre-trip meeting with students and parents/guardians;
2. Provide to the Superintendent, students, parents/guardians, and chaperones detailed written information about the trip and all activities;
3. Provide detailed information on the responsibilities and rules for the students and chaperones;
4. Discuss District policy regarding student conduct while on school-sponsored activities;
5. Establish a curfew and enforce strict compliance to this curfew. Chaperones will be required to perform periodic checks to ensure that students are following the curfew requirements;
6. Perform periodic checks to ensure strict compliance with all school rules and policies; and
7. Refrain from using tobacco and consuming alcoholic beverages or drugs while on the extended trip.

Pre-Trip Meetings

Pre-trip meetings involving students and their parents, as appropriate, shall be scheduled to assure that all plans are clearly understood. Pre-trip meetings shall not occur until approval from the Superintendent has been received.

Chaperones

Trip chaperones must include at least one certified staff member from the school sponsoring the trip. Depending on the number of students involved, additional certified staff and/or

parents/guardians of students going on the trip may be necessary. Chaperones shall be selected by the trip teacher/advisor. Chaperones are under the supervision of the trip teacher/advisor.

A student will be permitted to stay in the same motel/hotel room with a chaperone only if the chaperone is the student's parent/guardian. Students whose parents/guardians are not serving as chaperones will share rooms with same-sex students only.

Chaperones will agree to the following duties:

1. Supervise and be responsible for students during the entirety of the trip;
2. Ensure that students follow all legal and school requirements;
3. Establish a procedure for room checks and monitor compliance; and
4. In all ways model the behaviors expected of District students.

Any adult convicted of any sex or drug related offenses may not serve as a chaperone. The District reserves the right to request background checks on chaperones.

The safety, protection, and supervision of District students are the sole purposes for adult chaperones accompanying District students on foreign trips. Agreeing to serve as a chaperone is accompanied by an understanding that the established rules and policies will be followed.

The certified staff member serving as the trip organizer will carry a roster of students who are on the trip along with emergency information on each student.

Children who are not a part of the group participating in the trip may not accompany parents when the parents serve as chaperones.

All trips must be adequately supervised with a minimum of one adult per ten students. Groups with both male and female participants must have supervision of at least one male and one female adult.

Student Conduct

Students participating in the trip will be subject to all codes of conduct in District policy.

Violations will result in appropriate disciplinary action.

Students and their parent/guardian are expected to be knowledgeable about the District's policy on student conduct. Trips are considered an extension of the classroom and all rules and policy pertaining to a school-sponsored activity must be followed.

Students and their parent/guardian will read and sign a code of conduct. The code of conduct will be prepared by the Superintendent and will be reviewed during the pre-trip meetings. Students who violate any school policy during an extended trip may be disciplined, including, but not limited to, being sent home at the parent/guardian's expense.

Permission

All students must return a permission slip for the trip, signed by a parent/guardian, before they will be allowed to participate in the trip.

Fundraising

Fundraising drives may be allowed to defray costs, however, all fundraisers must be pre-approved by the building principal.

Responsibilities

The responsibilities of the principal or Superintendent include:

1. Obtaining and retaining on file written parental permission for students who are under the age of 18;
2. Signing any contractual agreement with a public carrier or any other service provider;
3. Assuring that all plans and arrangements are provided to and understood by the students and their parents; and
4. Setting student and chaperone conduct rules.

The responsibilities of the trip organizer include:

1. Communicating conduct rules of students and chaperones to parents/guardians, students, and chaperones. Setting behavior expectations for students and chaperones;
2. Carrying a list of the names of students and chaperones participating and their emergency information, and submitting a copy of the list to the building principal prior to the trip;
3. Notifying the building principal of any emergency situation, such as an accident involving student(s), a student missing from the group, etc.; and
4. Identifying and providing to parents an emergency plan.

Cancellation of Trips

Cancellation of trips may occur due to weather, safety, world events, or local school need. Trips will be cancelled only under circumstances under which appropriate school authorities believe it is reasonably cautious and prudent to do so in order to ensure the safety of students and staff or to ensure the effective operation of the local school. In such cases, every effort will be made to provide as much advance notice as possible.

The District is not responsible for financial losses to students and parents due to cancellation of trips.

The authority to cancel trips rests with the Superintendent or the Superintendent's designee.

Report of Trip Conclusion

Following the trip, the trip organizer shall prepare and present a summary and evaluation of the trip to the Superintendent and building principal. The Board may request a summary and evaluation be presented to the Board.

Policy History:

Adopted on:
Revised on:
Reviewed on:

Council School District No. 13

STUDENTS

3500

Student Health/Physical Screenings/Examinations

The Board may arrange each year for health services to be provided to all students. Such services may include, but are not be limited to:

1. The development of procedures at each building for the isolation and temporary care of students who become ill during the school day;
2. The consulting services of a qualified specialist for staff, students, and parents;
3. Vision and hearing screening;
4. Scoliosis screening; and
5. Immunization as provided by the Department of Health and Human Services.

Parents/guardians will receive a written notice of any screening result which indicates a condition that might interfere or tend to interfere with a student's progress.

In general, the District will not conduct physical examinations of a student without parental consent to do so or by court order, unless the health or safety of the student or others is in question. Further, parents will be notified of the specific or approximate dates during the school year when any non-emergency, invasive physical examination or screening administered by the District is conducted which is:

1. Required as a condition of attendance;
2. Administered by the school and scheduled by the school in advance; and
3. Not necessary to protect the immediate health and safety of the student or other students.

Parents or eligible students will be given the opportunity to opt out of the above-described non-emergency, invasive physical examination or screening.

As used in this policy, the term "invasive physical examination" means any medical examination involving the exposure of private body parts or any act during such examination that includes incision, insertion, or injection into the body, but this does not include a hearing, vision, or scoliosis screening.

Students who wish to participate in certain extracurricular activities may be required to submit to a physical examination to verify their ability to participate in the activity. Students participating in activities governed by the Idaho High School Activities Association will be required to follow the rules of that organization, as well as other applicable District policies, rules, and regulations.

Concussion Protocol

Many students within the Council School District participate in extra-curricular activities of a nature whereby physical injury may result. Though the District takes care to ensure all extracurricular activities are as safe as practicable, it is not possible to remove all danger from such activities, and the District acknowledges that concussions may result. The purpose of this policy is to prepare a procedure for addressing situations in which student concussions have occurred, or are suspected to have occurred.

This policy only applies to organized athletic league or sport in which any District middle school, junior high school, or high school student participates as an athlete or youth athlete. For the purposes of this policy, athlete or youth athlete means an individual who is 18 years of age or younger and who is a participant in any middle school, junior high school, or high school athletic league or sport. A school athletic league or sport shall not include participation in a physical education class.

Pre-Season Education

The administration and coaches will work to ensure that athletes, youth athletes, parents, volunteers, and assistant coaches are educated about concussions. Prior to being allowed to engage or participate in any school athletic league or sport, as discussed above:

1. Each student desiring to participate in such school athletic league or sport, and the student's parents/guardians, shall be provided notice of or copies of any concussion guidelines or information available from the State Department of Education and the Idaho High School Activities Association, and also this policy.
2. Each student desiring to participate in such school athletic league or sport, and the student's parents or guardians, shall acknowledge that they have been provided the guidelines or information available from the State Department of Education and the Idaho High School Activities Association, as well as this this policy, and have had the opportunity to review and have reviewed such information. Further, each student and the student's parents/guardians shall sign an applicable waiver for participating in such school athletic league or sport.
3. The signed waiver and acknowledgment of review of the appropriate information shall be returned to the District.

Athletes will not be allowed to participate in school athletic leagues or sports until the above steps are accomplished.

Coaches, referees, game officials, game judges, and athletic trainers shall review any concussion guidelines or information available from the State Department of Education and the Idaho High School Activities Association and information upon employment and biannually thereafter.

Protocol on Suspected Concussion

If, during any school athletic league or sport practice, game, or competition, an athlete exhibits signs or symptoms of a concussion, makes any complaint indicative of a possible concussion, or a coach, assistant coach, volunteer coach, or other School District employee has reason to believe a concussion has occurred, such student shall be removed from play or participation in the practice, game, or competition. According to the Centers for Disease Control and Prevention, and for the purposes of this policy, signs observed by coaching staff which could be indicative of a concussion include if the student:

1. Appears dazed or stunned;
2. Is confused about assignment or position;
3. Forgets an instruction;
4. Is unsure of game, score, or opponent;
5. Moves clumsily;
6. Answers questions slowly;
7. Loses consciousness (even briefly);
8. Shows mood, behavior, or personality changes;
9. Can't recall events prior to the hit or fall; or
10. Can't recall events after the hit or fall.

According to the Centers for Disease Control and Prevention, and for the purposes of this policy, symptoms reported by the athlete which could be indicative of a concussion include:

1. Headache or "pressure" in head;
2. Nausea or vomiting;
3. Balance problems or dizziness;
4. Double or blurry vision;
5. Sensitivity to light;
6. Sensitivity to noise;
7. Feeling sluggish, hazy, foggy, or groggy;
8. Concentration or memory problems;
9. Confusion; or
10. Does not "feel right" or is "feeling down".

Coaches should not try to judge the severity of the injury themselves. Health care professionals have a number of methods that they can use to assess the severity of concussions. Coaches should record the following information, if possible, to help health care professionals in assessing the athlete after the injury:

1. Cause of the injury and force of the hit or blow to the head or body;
2. Was there any loss of consciousness (passed out/knocked out) and if so, for how long;

3. Was there any memory loss immediately following the injury;
4. Were there any seizures immediately following the injury; and
5. The number of previous concussions (if any)

School principals shall ensure that a health record is maintained in for each student.

Such authorization must be in writing, and must be provided to the District prior to the student being returned to play. If the authorization is signed by a licensed health care professional trained in the evaluation and management of concussions, such authorization must also be countersigned by the directing physician.

Legal References: I.C. § 33-1625 Youth Athletes – Concussion and Head Injury Guidelines

Other References: <http://www.idhsaa.org/medicine/concussion.aspx>
<http://www.cdc.gov/headsup/index.html>
http://www.cdc.gov/headsup/basics/concussion_symptoms.html

Policy History:

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Revised on:

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Council School District No. 13

STUDENTS

3505F1

Acknowledgement of Receipt of Concussion Guidelines

Parent's/Guardian's Signature

I, (print name) _____, acknowledge that I am the parent or guardian of the student (below); that I have received from the District information related to student athlete concussions, including information from the State Department of Education, the Idaho High School Activities Association, and District Policy 3505; and have had the opportunity to review and have reviewed such information. I understand that participation in school athletics leagues or sports is dangerous, and hereby agree to waive all liability against the Council School District, No. 13, its employees, agents, and Trustees, related to any injury or damages that student may experience or incur as a result of participation in such school athletics leagues or sports.

Signature

Date

Student's Signature

I, (print name) _____, acknowledge that I am a student of Council School District, No. 13, or otherwise am allowed to participate in school athletics leagues or sports; that I have received from the District information related to student athlete concussions, including information from the State Department of Education, the Idaho High School Activities Association, and District Policy 3505; and have had the opportunity to review and have reviewed such information. I understand that participation in school athletics leagues or sports is dangerous, and accept the risk of the potential consequences of such dangers.

Signature

Date

NOTE: Both signature lines must be filled in and this form must be provided to the District prior to the student athlete participating in any school athletic leagues or sports.

Council School District No. 13

STUDENTS

3505F2

Authorization to Return to Play or Participate in Student Sports

I hereby state that I am a:

Physician licensed pursuant to chapter 18, title 54, Idaho Code.

Physician’s assistant licensed pursuant to chapter 18, title 54, Idaho Code.

Advanced practice nurse licensed under section 54-1409, Idaho Code.

A licensed health care professional trained in the evaluation and management of concussions who is supervised by a directing physician licensed under chapter 18, title 54, Idaho Code.

My directing physician is _____, his or her license number is _____, and address is:

I further state that I have met with _____ (hereinafter referred to as “student athlete”) to evaluate student athlete for a concussion. I have discussed with student athlete the potential ramifications of continuing to play sports after having received a concussion or exhibiting concussion like symptoms. I am satisfied that student athlete can return to play and/or participate in school athletic leagues or sports without significant likelihood of danger or injury, and I therefore authorize student athlete to return to play and/or participation in school athletic leagues or sports.

Signature Date License No.

Address

Signature of Directing Physician Date
(if signed by a Licensed Health Care Professional)

Council School District No. 13

STUDENTS

3510

Student Medicines

Assistance in Self Administration of Medicines to Students

Any school employee authorized in writing by the school administrator or school principal:

1. May assist in the self-administration of any drug that may lawfully be sold over the counter without a prescription to a pupil in compliance with the written instructions, if the pupil's parent/guardian consents in writing.
2. May assist in the self-administration of a prescription drug to a pupil in compliance with the written instructions of a licensed health care practitioner, if the pupil's parent/guardian consents in writing.

Administering Medicines to Students

No employee except a qualified health care professional may administer a drug or prescription drug to a pupil under this policy except in an emergency situation.

The Board will permit the administration of medication to students in schools in its jurisdiction. Pursuant to the written authorization of the student's licensed health care practitioner, as well as the written authorization of a parent/guardian, the school nurse (who has received direction as to the administration of medication by the student's licensed health care practitioner) may administer medication to any student in the school.

Where administration of medication is a routine activity for a particular student, the subject shall be addressed in a student's health care plan, Section 504 Plan or IEP, as applicable.

Diagnosis and treatment of illness and the prescribing of drugs are never the responsibility of a school employee and should not be practiced by any school personnel.

The absence of a school nurse for the administration of medication shall be addressed on a case-by-case basis considering proper compliance with Idaho law and the medical needs of the student.

Emergency Administration of Medicines

In case of an anaphylactic reaction or the risk of such reaction, a school nurse or delegate may administer emergency oral and/or injectable medication to any student in need thereof on the school grounds, in the school building, or at a school function, according to the standing order of the chief medical advisor or the student's private physician.

In the absence of a school nurse, the administrator or designated staff member exempt from the nurse licensure requirements who has completed training in administration of medication, may give emergency medication to students orally or by injection. There must be on record a medically

diagnosed allergic condition which would require prompt treatment to protect the student from serious harm or death.

Record of the medication administered in an emergency will be entered on an Individual Student Medication Record and filed in the student's cumulative health folder.

Self-Monitoring and Treatment of Diabetes

A student with diabetes, upon written request of the student's parent/guardian and written authorization from the student's treating physician, shall be permitted by the Board to perform blood glucose checks, administer insulin through the insulin delivery system the student uses, treat hypoglycemia and hyperglycemia, and otherwise attend to the care and management of the student's diabetes in the classroom and in any area of the school or school grounds, and to possess on the student's person at all times all necessary supplies and equipment to perform these monitoring and treatment functions.

Self-Administration of Asthma Medication, Insulin/Diabetic Treatment, or Epinephrine Auto-Injectors

Pursuant to Idaho Code covering the self-administration of asthma medication, the following shall apply to epinephrine auto-injectors, insulin, or blood glucose monitoring supplies if a parent/legal guardian chooses to have his or her child self-medicate:

1. The parents/guardians of the pupil shall provide to the Board or designee written authorization for the self-administration of medication.
2. The parents/guardians of the pupil shall provide to the Board or designee written certification from the physician of the pupil that the pupil has a severe allergic reaction (anaphylaxis), asthma, another potentially life-threatening respiratory illness, or diabetes and is capable of, and has been instructed in, the proper method of self-administration of medication. In cases where the pupil has severe or life-threatening allergies, Policy 3515 Food Allergy Management, and any related procedures shall be followed. For students with a severe allergic reaction, asthma, another potentially life-threatening respiratory illness, or diabetes the student's physician or health care provider-supplied information shall contain:
 - A. The name and purpose of the medicine;
 - B. The prescribed dosage;
 - C. The time(s) at which or the special circumstances under which medication should be administered;
 - D. The length of time for which medication is prescribed;
 - E. The possible side-effects of the medicine;
 - F. Actions to take in the event of an emergency, including if the medication does not improve the child's breathing or allergic reaction;
 - G. Contact information for the physician and parent/guardian; and
 - H. If applicable, a list of the child's asthma triggers or allergies.

3. The school's administration and appropriate teachers and school personnel are informed that the student is self-administering prescribed medication. Such notification shall be done in a manner so as to best preserve the privacy of the student and the student's medical condition to the extent appropriate.

For students with severe or life-threatening allergies this information may be provided in the student's Emergency Care Plan.

Additional Requirements for Self-Administration of Medicines

The Board or Board designee will inform the parents/guardians of the pupil in writing that the District and its employees or agents shall incur no liability as a result of any injury arising from the self-administration of medication by the pupil, absent any negligence by the District, its employees, or its agents, or as a result of providing all relevant information provided pursuant to subdivisions of this subsection with the school nurse, absent any negligence by the District, its employees, or its agents, or in the absence of such nurse, to the school administrator.

The parents/guardians of the pupil shall sign a statement acknowledging that the District shall incur no liability as a result of any injury arising from the self-administration of medication by the pupil and that the parents/guardians shall indemnify and hold harmless the District and its employees or agents against any claims arising out of the self-administration of medication by the pupil.

Students who are authorized to carry their own epinephrine auto-injectors or supplies or equipment necessary for diabetes monitoring and/or treatment of diabetes may be retested periodically to ensure they are still capable of correctly self-administering the medication.

As used in this section:

1. "Medication" means an epinephrine auto-injector, a metered dose inhaler, or a dry powder inhaler or insulin, insulin delivery system and/or supplies or equipment necessary for diabetes monitoring and/or treatment prescribed by a physician and having an individual label;
2. "Self-administration" means a student's use of medication pursuant to prescription or written direction from a physician; and
3. A student who is permitted to self-administer medication pursuant to this section shall be permitted to possess and use the prescribed medication at all times.

Any school employee authorized in writing by the school administrator or principal may assist with self-administration of medications provided that only the following acts are used:

1. Verbal suggestions, prompting, reminding, gesturing, or providing a written guide for self-administering medications;

2. Handing a prefilled, labeled medication holder, labeled unit dose container, syringe, or original marked, labeled container from the pharmacy to the student;
3. Opening the lid of the above container for the student;
4. Guiding the hand of the student to self-administer the medication;
5. Holding a container of fluid and assisting the student in drinking fluid to assist in the swallowing of oral medications; and/or
6. Assisting with removal of a medication from a container for students with a physical disability which prevents independence in the act.

Handling and Storage of Medicines

All medications, including those approved for keeping by students for self medication, must first be delivered by the parent or other responsible adult to the nurse or employee assisting with the self-administration of medication. The nurse or the employee must:

1. Examine any new medication to ensure that it is properly labeled with dates, name of student, medication name, dosage, and physician's name;
2. If administration is necessary, the nurse must develop a medication administration plan for the student before any medication is given by school personnel;
3. Record on the Student's Individual Medication Record the date the medication is delivered and the amount of medication received;
4. Store medication requiring refrigeration at 36F - 46F; and
5. Store prescribed medicinal preparations in a securely locked storage compartment excluding those medications approved for self-administration. Controlled substances will be contained in a separate compartment, secured, and locked at all times. Students shall be permitted to possess and use a prescribed inhaler or epinephrine auto-injector at all times.

No more than a 45 school day supply of a medication for a student will be stored at the school. All medications, prescription and nonprescription, will be stored in their original containers. Access to all stored medication will be limited to persons authorized to administer medications or assist in the self-administration of medications. Each school will maintain a current list of those persons authorized by delegation from a licensed nurse to administer medications.

Disposal of Medication

School personnel must either return to the parent/guardian or destroy (with permission of the parent/guardian) any unused, discontinued, or obsolete medication. Medicine which is not repossessed by the parent/guardian within a seven day period of notification by school authorities will be destroyed by the school nurse in the presence of a witness

Legal References: I.C. § 33-520 Policy Governing Medical Inhalers, Epinephrine
Auto-Injectors, Insulin and Blood Glucose
Monitoring Supplies
I.C. § 54-1401 Nurses — Purpose — License Required —
Representation to the Public

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

STUDENTS

3510F1

Authorization for Self-Administered Medication

Student's Name: _____ Grade: _____ DOB: _____

Parent/Guardian Name: _____

Telephone: (Home): _____ (Work): _____

I give my permission for my child to self-administer the medication described below. I shall indemnify and hold harmless the District and its employees or agents for legal fees, costs, and any potential damages concerning self-administration of this medication arising out of any claims brought by the above named child or anyone else.

Parent/Guardian's Signature Date

.....

THE FOLLOWING IS TO BE COMPLETED BY THE PHYSICIAN:

I am recommending that the above named student be allowed to self-administer the following medication.

Name and Purpose of Medication: _____

Identification of Chronic Medical Problem: _____

Prescribed Dosage to be Taken: _____

Length of Time Medication Must be Taken: _____

Possible Side-Effects and/or Special Precautions to be Taken: _____

Conditions Under Which Self-Medication Will Take Place:

_____ **Independently** (*Child must have had training and be proficient in self-administering medication.*)

Trainer's Name: _____

Date of Training: _____

_____ **Under the supervision of a school nurse**

Medication should be: _____ Stored in the Health Office

_____ In the possession of the student

Type or Print Physician's Name

Physician's Signature

Date

Council School District No. 13

STUDENTS

3510F2

Indemnification/Hold Harmless Agreement For Self-Administration of Medication

Student Name: _____

The parent(s)/guardians(s) agree to indemnify, defend, and hold the School District harmless from any and all claims, actions, costs, expenses, damages, and liabilities, including attorney's fees, arising out of, connected with, or resulting from the self-administration of medication by the pupil. The parent(s)/guardians(s) agree(s) that the School District, Board of Education, Board of Education employees and its agents shall incur no liability as a result of any injury arising out of or connected with the self-administration of medication by the pupil. Specifically, the parent(s)/guardian(s) agree that they will not institute either on their own behalf or on behalf of the pupil, any claim or action against the Board of Education, Board of Education employees and its agents arising out of or connected with self-administration of medication by the pupil.

This agreement shall take effect on the date listed below and shall stay in effect for as long as the pupil is provided permission to self-administer medication. This agreement must be signed and in full effect prior to the granting of permission to self-administer medication.

Parent/Guardian's Name (Please Print)

Parent/Guardian's Signature

Parent/Guardian's Name (Please Print)

Parent/Guardian's Signature

Principal's Signature

Date of Agreement

Food Allergy Management

Food-allergic reactions can develop into severe or life-threatening reactions and, even with proper treatment, can be fatal. A student's ability to learn may be drastically altered by their fears of a reaction. The Board will endeavor to provide a safe and healthy environment for students with severe and life-threatening food allergies and to address food allergy management in District schools in order to:

1. Reduce the likelihood of severe or potentially life-threatening allergic reactions;
2. Ensure a rapid and effective response in the case of a severe or potentially life-threatening allergic reaction; and
3. To provide students, through necessary accommodations, the opportunity to participate fully in all school programs and activities, including classroom parties and field trips.

Food allergy management will focus on prevention, education, awareness, communication, and emergency response.

District and school administrators, will endeavor to be knowledgeable about and follow all applicable federal laws, including the Americans with Disabilities Act, Section 504, Individuals with Disabilities Education Act, and the Family Educational Rights and Privacy Act, as well as all State laws and District policies and guidelines that may apply to students with allergies. Administrators or their designees may make all of the appropriate allergy forms available to parents, explain the procedures for completing and returning them, and ensure that all forms and health records submitted by parents and physicians are reviewed by the appropriate personnel. Administrators and school nurses may also meet with parents and listen to their needs and concerns.

When a student has been identified as having food allergies verified by a physician, nurse practitioner, or physician assistant, individual written management plans may be used to determine accommodations to be made on a daily basis to prevent and prepare for an allergic reaction. An emergency care plan may be used to provide direction in the event of a life-threatening allergic reaction at school or at a school event. Key staff members may be trained to use emergency medications and may be notified of the location of those medications at school and at any special function.

The Superintendent or designee, in coordination with the school nurse, school nutrition services staff, and other pertinent staff, may develop administrative regulations to implement this policy, including regulations pertaining to all classrooms and instructional areas, school cafeterias, outdoor activity areas, school buses, field trips, and school activities held before or after the school day.

Administrative regulations may address the following components:

1. Identification of students with food allergies and provision of school health services;
2. Development and implementation of individual written management plans;
3. Medication protocols, including methods of storage, access, and administration;
4. Development of a comprehensive and coordinated approach to creating a healthy school environment;
5. Ensuring that the needs of children with documented allergies are taken into consideration in planning for District programs;
6. Communication and confidentiality;
7. Emergency response;
8. Professional development and training for school personnel;
9. Awareness education for students and parents/guardians;
10. Training for District staff and volunteers; and
11. Policy monitoring and evaluation.

Allergy-related policies, protocols, and plans may be updated annually or after any serious allergic reaction occurs at school or at a school-sponsored activity.

The Superintendent or designee may annually notify students, parents/guardians, staff, and the public about the District's food allergy management policy by publishing such in handbooks and newsletters, on the District's website, through posted notices, or other efficient methods.

Students with allergies will be treated in a way that encourages the student to report possible exposure to allergens and any symptoms of an allergic reaction and to progress toward self-care with his or her food allergy management skills. Allergy-related bullying will not be tolerated.

The parent/guardian is expected to provide an adequate supply of the medication to be dispensed, and to retrieve any unused medication at the end of the school year or at the withdrawal of the student. Medication that is not retrieved by the parent/guardian by the student's last day of attendance during the school year will be disposed of by the District. This disposal will be verified by two people.

Cross References:	2400	Special Education
	2410	Section 504 of the Rehabilitation Act of 1973
	3510	Student Medicines
	3510F1	Authorization for Self-Administered Medication
	3510F2	Indemnification/Hold Harmless Agreement for Self-Administration of Medication

Policy History:

Adopted on:

Revised on:

Reviewed on:

Food Allergy Management — Background

THIS DOCUMENT IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT INTENDED TO BE ADOPTED AS A POLICY OR PROCEDURE.

A food allergy is an abnormal, adverse reaction to a food that is triggered by the body's immune system. It is different from a food intolerance, which does not involve the immune system and is not life-threatening. Allergic food reactions can span a wide range of severity of symptoms. The most severe and potentially life threatening reaction is anaphylaxis. Anaphylaxis refers to a collection of symptoms affecting multiple systems in the body, the most dangerous of which are breathing difficulties and a drop in blood pressure. Eight foods (peanuts, tree nuts, milk, eggs, soy, wheat, fish, and shellfish) account for more than 90% of all food allergies, while peanuts and tree nuts together account for more than 90% of severe and fatal allergic reactions to food. Exposure may occur by eating the food or by food contact. Severe allergic reactions can occur within minutes of ingestion, but a reaction can be delayed for up to two hours. Some reactions are "biphasic" in nature with an initial period of symptoms, then a symptom free period of two to four hours followed by severe shock-like symptoms.

The most commonly prescribed medications for the treatment of anaphylaxis are epinephrine, with brand names that include, but are not limited to, EpiPen®, EpiPen Jr®, and Twinject®. Delaying use of epinephrine during an allergic reaction can be fatal.

If a student has a severe or life-threatening allergy or an allergy that impairs a major life activity their condition may qualify as a disability and may be covered under the Federal Americans with Disability Act (ADA), and Section 504 of the Rehabilitation Act of 1973. The student's physician usually makes this determination. In some circumstances, the Individuals with Disabilities Education Act may also apply.

While some schools have sought to protect students with life-threatening allergies by banning allergen-containing foods from school grounds, such bans are often controversial and difficult to enforce. In many cases, simply designating and maintaining particular lunchroom tables, desks, classrooms, or other specific areas of a school as allergen-free is sufficient. Allergen management is often easier for students of middle-school age or older, as they are able to take greater responsibility for avoiding allergens.

Council School District No. 13

STUDENTS

3515F

Emergency Care Plan

Name: _____

Date of Birth: _____

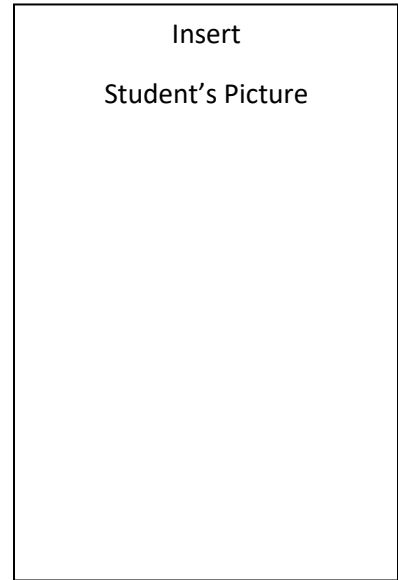
School: _____

Grade: _____

Known Allergies: _____

Asthmatic? Yes:* _____ No: _____

**Higher risk for severe reaction*



STEP 1: TREATMENT

NOTE: Different symptoms may occur with any reaction and the severity of symptoms can change rapidly. Delay in treatment can be fatal. A high level of vigilance must be maintained for any symptoms exhibited by a student with food allergies. **Act quickly!**

Symptoms

Select the medication to be given in each circumstance (To be determined by physician authorizing treatment).			
Food allergen has been ingested, but no symptoms:	Epinephrine:	Antihistamine:	
MOUTH: Itchy, tingling, or swelling of lips, tongue, mouth	Epinephrine:	Antihistamine:	
SKIN: Hives, itchy rash, swelling of the face or extremities	Epinephrine:	Antihistamine:	
GUT: Nausea, abdominal cramps, vomiting, diarrhea	Epinephrine:	Antihistamine:	
THROAT: Tightening of throat, hoarseness, hacking cough	Epinephrine:	Antihistamine:	
LUNG: Shortness of breath, repetitive coughing, wheezing	Epinephrine:	Antihistamine:	
HEART: Thready pulse, low blood pressure, fainting, pale, blue	Epinephrine:	Antihistamine:	
OTHER:	Epinephrine:	Antihistamine:	
If more than one of the above areas is affected	Epinephrine:	Antihistamine:	

Dosage (to be determined by physician authorizing treatment)

Epinephrine: (circle one) EpiPen EpiPen Jr. Twinject 0.3 mg Twinject .15mg
Inject intramuscularly (see following page for instructions)

Antihistamine: _____
(medication/dose/route)

Other: _____
(medication/dose/route)

Important: Asthma inhalers and antihistamines cannot be depended on to replace epinephrine in anaphylaxis.

STEP 2: EMERGENCY CALLS

Important: Even if a parent or guardian cannot be reached, do not hesitate to medicate or take the child to a medical facility.

1. Call 911. State that an allergic reaction has been treated and additional epinephrine may be needed. Send someone to meet the emergency services personnel at the school entrance and direct them to the site of the incident. The student will need to be transported to the hospital for further observation.
2. Notify the school nurse and school principal. Normally the administrator or their designee will make the rest of the emergency calls.

3. Dr. _____ Phone Number: _____

4. Parent: _____ Phone Number: _____

Parent: _____ Phone Number: _____

5. Emergency Contacts:

Name/Relationship: _____

Phone Number(s): _____

Name/Relationship: _____

Phone Number(s): _____

Parent/Guardian Signature: _____ Date: _____

Doctor's Signature: _____ Date: _____

Epinephrine Directions

The following staff members have been trained to use the epinephrine auto-injectors:






Name: _____ Room: _____

Name: _____ Room: _____

Name: _____ Room: _____

Name: _____ Room: _____

Name: _____ Room: _____

<p>EpiPen® and EpiPen® Jr. Directions</p> <ul style="list-style-type: none"> ▪ Pull off gray activation cap.  <ul style="list-style-type: none"> ▪ Hold black tip near outer thigh (always apply to thigh).  <ul style="list-style-type: none"> ▪ Swing and jab firmly into outer thigh until Auto-Injector mechanism functions. Hold in place and count to 10. Remove the EpiPen® unit and massage the injection area for 10 seconds. 	<p>Twinject™ 0.3 mg and Twinject™ 0.15 mg Directions</p>  <ul style="list-style-type: none"> ▪ Pull off green end cap, then red end cap. ▪ Put gray cap against outer thigh, press down firmly until needle penetrates. Hold for 10 seconds, then remove. <p><u>SECOND DOSE ADMINISTRATION:</u> If symptoms don't improve after 10 minutes, administer second dose:</p> <ul style="list-style-type: none"> ▪ Unscrew gray cap and pull syringe from barrel by holding blue collar at needle base. ▪ Slide yellow or orange collar off plunger. ▪ Put needle into thigh through skin, push plunger down all the way, and remove.  
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Once the EpiPen or Twinject is used, call 911. Take the used unit with you to the emergency room. Plan to stay for observation at the Emergency room for at least 4 hours.

Council School District No. 13

STUDENTS

3515P

Food Allergy Management

Medical Plans of Care

There are several written documents individualized for a particular student with a severe or life-threatening food allergy which may be used to address the student's needs throughout the school day. These may be developed with input from a core team, which may include the student (if appropriate), the student's parent/guardian, the principal or his or her designee, the student's teacher, the school nurse, the cafeteria manager, the counselor, transportation staff, coaches, and other personnel deemed necessary to make decisions about food allergies. Medical plans of care may include the:

Emergency Care Plan: A medical plan of care distributed to all school personnel who have responsibilities for the care of the student. This plan specifically describes how to recognize a food allergy emergency and what to do when signs or symptoms of these conditions are observed. In the event the student reports exposure to a food allergen or shows symptoms of anaphylaxis, he or she may be treated according to the Emergency Care Plan. This plan may be developed from information provided by the student's physician and parent/guardian prior to the student's entry to school, or immediately after the student is diagnosed with a severe allergy. Similar plans may also be developed for staff members with severe allergies.

Individualized Healthcare Plan: A medical plan of care that may be developed by the school nurse in collaboration with the student's health care provider and core team to provide written direction for school personnel to follow in accommodating the student's needs throughout the day. It may address conduct and use of allergen-containing products in the classroom, the cafeteria, the library, at recess, on field trips, during extracurricular activities, and in other environments the student will face during the school day or during District-sponsored activities. The plan may describe functional problem areas, set goals for overcoming problems, list tasks or interventions to meet the goals, and identify staff members responsible for implementing the plan. This plan may be developed prior to the student's entry to school or immediately after the student is diagnosed with a severe or life-threatening allergy. Input from the core team may be sought before changes are made to this plan. Similar plans may also be developed for staff members with severe allergies.

If a student's severe or life-threatening allergy is determined to be a disability, it may also be addressed in a Section 504 Service Agreement and/or in the Related Services Component of their Individualized Education Program (IEP).

A complete set of a student's current medical plans of care related to food allergies may be maintained by the school nurse. The Superintendent or building principal may also require that copies of the Emergency Care Plan be kept in other places where they may be needed. The school nurse may provide information or copies of the different components of a student's

medical plans of care to appropriate personnel, including teachers, cafeteria staff, District staff supervising school-sponsored extracurricular activities, and others who may be involved in the implementation of the medical plans of care. Such information may be provided to substitute teachers along with contact information for the school nurse.

Students with Disabling Special Dietary Needs

When a student's food allergy is identified, evaluated, and determined to be a disabling condition, the District shall make appropriate accommodations, substitutions, or modifications for such students in accordance with the applicable policies relating to students with disabilities.

In such cases, the student may be required to have a written medical statement signed by a licensed physician to be included with the student's Individualized Healthcare Plan. The medical statement may identify:

1. The student's special dietary disability;
2. An explanation of why the disability restricts the student's diet;
3. The major life activity(ies) affected by the disability;
4. The food(s) to be omitted from the student's diet; and
5. The food or choice of foods that must be provided as the substitute.

Students with Non-Disabling Special Dietary Needs

The District may, at its discretion, make appropriate accommodations, substitutions, or modifications for students who have a special dietary need but who do not meet the definition of disability, such as a food intolerance or allergy that does not cause a reaction that meets the definition of a disability. The decision to accommodate such a student shall be made on a case-by-case basis.

Students who fall under this provision may be required to have a written medical statement signed by a physician, physician assistant, or certified registered nurse practitioner identifying the following:

1. The medical or other special dietary condition which restricts the student's diet;
2. The food(s) to be omitted from the student's diet; and
3. The food or choice of foods to be substituted.

Allergy Inservice Training

The District may provide periodic training to teachers, aides, volunteers, substitutes, food service personnel, transportation personnel, and others as needed on any of the following topics:

1. Basic information such as signs, symptoms, and risks associated with food allergy and anaphylaxis;
2. Awareness of food and non-food items that might present risk;

3. Strategies that reduce risk of exposure to identified allergens throughout the school day;
4. Designation and maintenance of allergen-free zones;
5. Basic food handling procedures, including hand washing, avoiding cross-contamination, and cleaning surfaces;
6. District and school level policies, procedures, and plans for managing students with chronic health conditions including allergies;
7. How to respond in the case of a possible severe or life-threatening allergic reaction;
8. Local emergency medical service procedures;
9. Proper storage and administration of epinephrine auto-injectors, antihistamines, and other medications;
10. Strategies to manage student privacy and confidentiality while maintaining an inclusive class environment; and
11. How to deal with food allergy-related bullying.

Epinephrine and Other Medications

Students with severe allergies may be permitted to carry an epinephrine auto-injector with them, in accordance with Policy 3510. A student's epinephrine may also be kept in other locations where it would be easily accessible for the student, such as in their classroom, with a District employee supervising lunch or recess periods, or on their bus. Locations for storage will follow the manufacturer's guidelines. Staff may be notified of the locations of epinephrine in the school. The Superintendent or building principal may require that whenever students are present at a school, at least one person who has been trained to administer an epinephrine auto-injector also be present.

Any student who receives epinephrine at school must be immediately transported to a hospital for evaluation by a licensed healthcare provider and further observation or immediately released into the care and custody of their parent(s)/guardian(s).

The Cafeteria

The Superintendent or building principal may require that cafeteria staff take any of the following steps to accommodate students with severe or life-threatening allergies:

1. Prohibit specific foods;
2. Clean and sanitize kitchen surfaces and equipment to avoid cross contamination with potential food allergens;
3. Wear non-latex gloves, and change or wash gloved hands during extended use to avoid cross-contamination with potential food allergens;
4. Have photos of students with severe or life-threatening allergies placed in the kitchen, only for kitchen staff to view;
5. Make appropriate substitutions or modifications to meals served to students with serious allergies;
6. Be prepared to make food ingredient lists used in food production and service available. Maintain food labels from each food served to a child with allergies for at least 24 hours following service in case the student has a reaction from a food eaten in the cafeteria; and
7. With parental approval, set up cafeteria procedures such as entering a student's allergy into

computerized database. Such information would remain confidential and be shared on a need-to-know basis in compliance with federal privacy regulations.

Allergies and the Classroom

The school nurse, teacher, and parents of any children with severe or life-threatening allergies, may set a classroom protocol regarding the management of food in the classroom. This protocol will be communicated by the teacher to the students and parents of the affected class, and may include any of the following accommodations:

1. Parents of students with severe or life-threatening allergies may provide allergen-free snacks to be kept in the classroom and given to the student when treats are served in the classroom;
2. Students, parents, and staff may be prohibited from bringing homemade treats or specified foods for in-class consumption. Only commercially prepared treats with intact ingredient labels may be allowed in class;
3. Teachers may notify parents in writing of any school related activity that requires the use of food in advance of the project or activity;
4. Use of food for instructional lessons may be limited or eliminated;
5. Use of food or candy as part of a school project related to the curriculum may be prohibited; and
6. Allergen-containing foods may be prohibited in classrooms during after-school activities when that classroom will be used by a student with a known food allergy during the school day.

The Superintendent or building principal may require teachers to take any of the following additional steps to accommodate students with severe or life-threatening allergies:

1. Post signs indicating rules for preventing exposure to life-threatening allergens in the classroom and ensure that these rules are enforced;
2. Eliminate the use of food allergens in the allergic student's educational tools, school-provided supplies, and incentives;
3. Participate in planning students' re-entry into school after an anaphylactic reaction; and
4. Send notices to parents of students in the classroom that the classroom is a free zone with regard to a specified food.

Teachers may be required to develop and implement age-appropriate lessons on allergies for such subjects as health, family and consumer sciences, biology, and physical education. Such lessons may emphasize:

1. Support for, and inclusion of, classmates with chronic health conditions, such as food

- allergies;
2. Bullying prevention, including reporting harassment, hazing, and bullying to school personnel;
 3. Knowledge of potential allergens and the symptoms of a potentially life-threatening reaction;
 4. Differences between life-threatening allergies and food intolerances;
 5. Appropriate response to emergency situations such as life-threatening allergic reactions;
 6. Developmentally-appropriate self-management of food allergies; and
 7. The importance of following District health policies and guidelines, such as those regarding hand washing, food-sharing, and allergen safe zones.

Transportation

The school bus drivers may be informed when they are transporting a student with a life-threatening allergy. The Superintendent or building principal may require bus drivers to take any of the following additional steps to accommodate students with severe or life-threatening allergies:

1. Strictly enforce a policy of no eating on the bus. Students with medically documented needs may be permitted to eat allergen-safe foods on the bus;
2. Refrain from handing out food treats; and
3. Assign seats to students, and/or seat students with life-threatening allergies immediately behind and to the right side of the bus driver.

The Superintendent or building principal may require the transportation department to send letters to parents of all students who use District transportation informing them that at least one student at the school has a life-threatening allergy, requesting that their child wash their face and hands after breakfast and before boarding the bus, and informing them of rules prohibiting students from eating on the bus.

Field Trips

The Superintendent or building principal may require that those organizing field trips take any of the following steps to accommodate students with severe or life-threatening allergies:

1. Take into consideration the potential for exposure to the student's food allergens when determining sites for field trips, and consider ways of avoiding allergen exposure during the field trip;
2. Notify parents of students with severe or life-threatening allergies and the school nurse as soon as possible of any upcoming field trip;
3. Allow parents of students with severe or life-threatening allergies to accompany the student on field trips;
4. Store meals for students with food allergies separately to minimize cross-contamination;
5. Ensure that students do not eat on the bus;
6. Prepare ways for participants to wash hands before and after eating, such as with hand wipes;
7. Appoint a District employee attending the field trip to implement any student's Emergency

- Care Plan if necessary, and bring all supplies necessary to do so; and
8. Note the location of closest medical facility ahead of time.

Other Accommodations

The Superintendent or building principal or the designee may require that any of following steps be implemented to accommodate students with severe or life-threatening allergies:

1. Prohibit food and utensil trading and sharing, and post signs in schools informing students that they are expected to neither trade nor share food or utensils;
2. Designate particular tables in the cafeteria, particular classrooms, areas within classrooms, or other areas as allergen-free zones. These zones may be designated by a universal symbol, and be cleaned with a separate wash bucket and cloth with District-approved cleaning agents;
3. Post signs at points of entry to each school and/or on the school or District website advising that there are students with life-threatening allergies. Such signs may not disclose the identity of the student with the food allergy unless his or her parent has consented to that disclosure;
4. Have letters sent to all parents of children attending school with at least one student known to have a life-threatening allergy, notifying them of the severity of the health threat, signs and symptoms to be aware of, and a concise list of foods and materials of concern and school policy regarding them. This will be done in a way that protects the confidentiality of the student with the life-threatening allergy. If other students or parents may be able to guess or deduce which student has the life-threatening allergy, approval of the student's parent may be sought before the letter is sent;
5. Hold Emergency Care Plan drills to assure the efficiency and effectiveness of such plans;
6. Ensure that there is at least one functioning emergency communication device, such as a walkie-talkie or cell phone, available at all times in classrooms, on field trips, at recess, during physical education class, at school-sponsored extracurricular activities, and/or on school buses;
7. Develop a cleaning protocol to ensure that the threat of allergens is minimized;
8. Prohibit the sale of particular food items in the school; and
9. Request that students refrain from bringing foods to which a student is known to have a severe or life-threatening allergy to school, and request that parents refrain from sending such foods to school. A Superintendent or building principal may completely prohibit particular food items from the school or school grounds when it is felt that the benefits of doing so would outweigh the difficulty of enforcing such a ban and the controversy such a measure is likely to provoke.

Confidentiality

The District will endeavor to maintain the confidentiality of students with food allergies, to the extent appropriate and as requested by the student's parents/guardians. District staff shall maintain the confidentiality of student records as required by law, regulations, and Board policy.

Expectations of Students with Severe or Life-Threatening Allergies and their Parents

The Board expects students with life-threatening allergies to do the following, as age appropriate:

1. Take as much responsibility as possible for avoiding allergens, including refraining from sharing or trading of foods or eating utensils with others, refraining from eating anything with unknown ingredients or a known allergen; avoid putting anything in mouth such as writing utensils, fingers, or other foreign objects;
2. Use proper hand washing before and after eating and throughout the school day;
3. Learn to recognize personal symptoms;
4. Notify an adult immediately if they eat something they believe may contain a food to which they are allergic;
5. Notify an adult if they are being bullied, harassed, hazed, or threatened by other students as it relates to their food allergy;
6. Carry their epinephrine auto-injector with them at all times if they are permitted to do so, or know where the auto-injector is kept and who has access to it;
7. Know how to get to the nurse's office;
8. Develop an awareness of their environment and their allergen-free zones; and
9. Know their overall Individual Healthcare Plan and understand the responsibilities of the plan.

The Board encourages parents of students with serious allergies to do the following:

1. As age appropriate, teach their child to:
 - A. Not share snacks, lunches, drinks, or utensils;
 - B. Know which foods are and are not safe for them to eat, and to read labels, and understand ingredient safety;
 - C. Understand the importance of hand washing before and after eating;
 - D. Recognize the first symptoms of an allergic or anaphylactic reaction;
 - E. Communicate with school staff as soon as he or she feels a reaction is starting;
 - F. Understand rules and expectations about bullying related to food allergies, and report such teasing and/or bullying;

- G. Carry his or her own epinephrine auto-injector when appropriate, or know where the epinephrine auto-injector is kept and who has access to it;
 - H. Administer his or her own epinephrine auto-injector and be able to train others in its use; and
 - I. Develop awareness of their environments, including allergy-controlled zones.
2. Inform the school nurse of their child's allergies prior to the opening of school, or as soon as possible after diagnosis. All food allergies must be verified by documentation from physician, nurse practitioner, or physician assistant;
 3. Work with the core team collaboratively to develop the Individualized Healthcare Plan, and provide an Emergency Care Plan completed by the student's physician;
 4. Complete and submit all requested and required forms. Provide the school with current cell phone, pager, and other emergency contact numbers;
 5. Allow District health personnel to consult with the student's physician or healthcare provider, and provide current contact information for the healthcare provider;
 6. Provide the school nurse with up-to-date emergency medications so they can be placed in all required locations for the current school year. Parents may be requested to provide two or more epinephrine auto-injectors. Medications must comply with the District medication policy of proper labeling and expiration;
 7. Consider providing a medical alert bracelet for their child;
 8. If requested, provide "safe snacks" for their student's classroom in case of an unplanned special event. Parents may also be asked to provide a nonperishable safe lunch to be kept at school in case the student forgets to bring lunch;
 9. Review policies, procedures, and plans with the core team annually and following any allergic reaction at school; and
 10. Provide the school nurse with at least annual updates on their child's allergy status. Inform the school of any changes in the child's life-threatening allergy status and provide a physician's statement if the student no longer has food allergies.

Procedure History:

Promulgated on:

Revised on:

Reviewed on:

Council School District No. 13

STUDENTS

3520

Contagious or Infectious Diseases

The District is required to provide educational services to all school age children who reside within its boundaries. Attendance at school may be denied to any child diagnosed as having a contagious or infectious disease that could make the child's attendance harmful to the welfare of other students. In the instance of diseases causing suppressed immunity, attendance may be denied to a child with suppressed immunity in order to protect the welfare of the child with suppressed immunity when others in the school have an infectious disease which, although not normally life threatening, could be life threatening to the child with suppressed immunity.

The Board recognizes that communicable diseases that may afflict students range from common childhood diseases, acute and short-term in nature, to chronic, life-threatening diseases such as human immunodeficiency virus (HIV) infection. The District shall rely on the advice of the public health and medical communities in assessing the risk of transmission of various communicable diseases to determine how best to protect the health of both students and staff.

Management of common communicable diseases will be in accordance with Idaho Department of Health and Welfare guidelines and communicable diseases control rules. A student who exhibits symptoms of a communicable disease that is readily transmitted in the school setting may be temporarily excluded from school attendance.

Students who complain of illness at school may be referred to the school nurse or other responsible person designated by the Board and may be sent home as soon as the parent or person designated on the student's emergency medical authorization form has been notified.

The District reserves the right to require a statement from the student's primary care provider authorizing the student's return to school. In all proceedings related to this policy, the District shall respect the student's right to privacy.

When information is received by a staff member or volunteer that a student is afflicted with a serious communicable disease, the staff member or volunteer shall promptly notify the school nurse or other responsible person designated by the Board to determine appropriate measures to protect student and staff health and safety. The school nurse or other responsible person designated by the Board, after consultation with and on the advice of public health officials, shall determine which additional staff members, if any, have need to know of the affected student's condition.

Only those persons with direct responsibility for the care of the student or for determining appropriate educational accommodation will be informed of the specific nature of the condition, if it is determined there is a need for such individuals to know this information.

Parents of other children attending the school may be notified that their child has been exposed to a communicable disease without identifying the particular student who has the disease.

Pediculosis (Head Lice)

Pediculosis is the infestation of the hair, skin, or pubic area with adult lice, larvae, or nits (eggs).

The psychological, social, and economic impact of head lice infestations can create a problem in the community. Every attempt will be made to educate students and parents on the prevention and eradication of head lice before and after an infestation is detected.

To avoid embarrassment and to contain the infestation, whole classrooms will be checked for head lice upon the report of possible infestation by a classroom teacher. The principal, his or her designee, school nurse, or another qualified professional will examine the child in question and their classmates. Siblings of students found with lice and their classmates will also be checked if there is the suspicion that infestation may exist. Due to the possible and very probable epidemic infestation of head lice in the school environment, anyone exhibiting head lice will be isolated immediately.

Any student found to have head lice will be removed from the classroom with their belongings. The parent/guardian and/or listed emergency contact will be contacted so they can pick up the student and begin treatment immediately. A student suspected of infestation will not ride the bus. The student will be held in the front office or the nurse's office until the parent/guardian arrives in order to avoid further infestation.

Parents/guardians should be provided with printed educational information on head lice treatment. The educational material should include details explaining the problem, and list the procedures for treatment and requirements for reentering school.

The student may return to school after being successfully treated so that no live lice or eggs are detected by the school nurse or a designated school official. The student's parent/guardian must accompany the student upon returning to school and remain present during the recheck. With the presence of nits or lice at the time of recheck, the student will continue to be excluded from school.

In the interest of the health and welfare of students enrolled in the District, no student will be permitted to attend classes if they are infested with head lice or the eggs of head lice.

All other children in the classroom where lice or nits have been reported will be checked and given a letter to take home explaining the situation and the need for parents to inspect their children carefully. Any child who is suspected of having lice will be treated with the utmost discretion.

Legal Reference: I.C. § 33-512

District Trustees - Governance of Schools

Policy History:

Adopted on:

Revised on:

Reviewed on:

Immunization Requirements

The District is required to provide educational services to all school age children who reside within its boundaries. Attendance at school may be denied to any child who does not provide an immunization record to the school regarding the child’s immunity to certain childhood diseases. Immunity requirements are met if the child has received or is in the process of receiving immunization as specified by the Board of Health and Welfare or has previously contracted the disease. The parent or legal guardian of the child must comply with the immunization requirements at the time of admission and before attendance for the child.

Summary of Immunization Requirements			
Immunization Requirement	Child born after September 1, 2005	Child born after September 1, 1999 through September 1, 2005	Child born on or before September 1, 1999
Measles, Mumps, and Rubella (MMR)	2 doses	2 doses	1 dose
Diphtheria, Tetanus, Pertussis	5 doses	5 doses	4 doses
Polio	4 doses	3 doses	3 doses
Hepatitis B	3 doses	3 doses	3 doses
Hepatitis A	2 doses	0 doses	0 doses
Varicella	2 doses	0 doses	0 doses

Summary of Seventh Grade Immunization Requirements		
Immunization Requirement	Child admitted to 7th grade prior to the 2011-2012 school year	Child admitted to the 7th grade during the 2011-2012 school year and each year thereafter
Diphtheria, Tetanus, Pertussis	0 doses	1 dose
Meningococcal	0 doses	1 dose

Immunization Certification

The immunization record must be signed by a physician, physician’s representative, or another licensed health care professional including an osteopath, nurse practitioner, physician’s assistant, licensed professional nurse, registered nurse, and pharmacist stating the type, number, and dates of the immunizations received.

Intended Immunization Schedule

The schedule of intended immunizations statement must be provided by the parent or legal guardian of a child who is in the process of receiving or has been scheduled to receive the required immunizations. A form is provided by the Department of Health and Welfare or a similar one may be used provided it includes the following information:

1. Name and date of birth of child;
2. School and grade child is enrolling in and attending;
3. Types, numbers, and dates of immunizations to be administered;
4. Signature of the parent, custodian, or legal guardian; and
5. Signature of a licensed health care professional providing care to the child.

Children admitted to school and failing to continue the schedule of intended immunizations will be excluded from school until documentation of administration of the required immunizations is provided by the child's parent, custodian, or legal guardian.

Exemptions

1. Any child who submits a certificate signed by a physician licensed by the State Board of Medicine stating the physical condition of the child is such that all or any of the required immunization would endanger the life or health of the child is exempt from the immunization requirements;
2. Any minor child whose parent or guardian submits a signed statement to school officials stating their objections on religious or other grounds is exempt from the immunization requirements. The parent or guardian can use a form provided by the District or submit a written, signed statement that the District will attach to the form; and
3. A child who has laboratory proof of immunity to any of the childhood diseases listed above will not be required to be immunized for that disease; and
4. A child who has had varicella (chickenpox) diagnosed by a licensed physician upon personal examination will not be required to be immunized for the disease provided they submit a signed statement from the diagnosing physician.

A child exempted under one of the above requirements may be excluded by the District in the event of a disease outbreak.

Reporting

The District shall submit a report of each school's immunization status to the State Department of Education on or before the first day of November of each year. The report shall include:

1. Inclusive dates of the reporting period;

2. Name and address of the school, District, and county;
3. Grade being reported and total number of children enrolled in the grade;
4. Name and title of the person completing the report form;
5. Number of children who meet all of the required immunizations listed in the tables above;
6. Number of children who do not meet all of the required immunizations listed in the tables above, but are in the process of receiving the required immunizations; and
7. Number of children who claimed exemption to the required immunizations listed in the tables above.

Legal Reference:	I.C. § 39-4801	Immunization Required
	I.C. § 39-4802	Immunization Exemptions
	IDAPA 16.02.15	Immunization Requirements for Idaho School Children

Policy History:

Adopted on:

Revised on:

Reviewed on:

Suicide

Neither a school district nor a teacher has a duty to warn of the suicidal tendencies of a student absent the teacher's or school district's knowledge of direct evidence of such suicidal tendencies. The Board directs the Superintendent or his or her designee to draft and implement procedures relating to:

1. Suicide prevention;
2. Suicide intervention; and
3. Suicide postvention.

"Postvention" shall mean counseling or other social care given to students after another student's suicide or attempted suicide.

These procedures may include, but are not limited to, the following measures:

1. Prevention:
 - A. Offering and providing help and assistance, including early identification;
 - B. Support and/or counseling by school support personnel for low-risk students;
 - C. Referral to appropriate sources outside the school for high and moderate-risk students;
 - D. The designation of a District-level suicide prevention coordinator(s) by the Superintendent to be responsible for planning and coordinating the implementation of procedures addressing suicide.
 - E. Encouraging staff to report to the coordinator students they believe may be at elevated risk of suicide.
 - F. Education of students on suicide prevention through age-appropriate curriculum.
 - G. Small group suicide prevention programming.
 - H. Additional training on suicide prevention for all staff for whom such training is deemed necessary.
 - I. Offering resources to parents/guardians on suicide prevention.
2. Intervention:
 - A. Contacting the parents/guardians of students identified as at imminent risk of suicide.
 - B. Contacting emergency services to assist a student who is at imminent risk of suicide.
 - C. Providing first aid until emergency personnel arrive, as appropriate.
 - D. Moving other students away from the immediate area of any suicide attempt on District property or at a District event.
3. Postvention:

- A. After care support by the school for faculty, staff, and students after a sudden death has occurred.
- B. The development of a plan for responding to a death by suicide that has a significant impact on the school community.
- C. Notification of the suicide prevention coordinator, if applicable.
- D. The creation of a crisis team to respond to deaths by suicide that have a significant impact on the school community.
- E. Contacting the State Department of Education to report any student deaths by suicide and to seek postvention assistance and/or resources.
- F. Offering mental health services to students likely to be strongly affected by a recent death.
- G. Appointing a spokesperson to handle inquiries related to issues involving suicide in the District.

District personnel shall attend to the rights of the student and his or her family.

The District shall comply with all requirements of State law and administrative rules for training by personnel on suicide prevention and awareness.

Legal References:	I.C. § 33-136 I.C. § 33-512B IDAPA 08.02.03.160	Suicide Prevention in Schools District Trustees - Suicidal Tendencies — Duty to Warn Safe Environment and Discipline
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Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

STUDENTS

3540

Emergency Treatment

The Board recognizes that schools are responsible for providing first aid or emergency treatment in case of sudden illness or injury to a student, but that further medical attention is the responsibility of the parent or guardian.

Each parent or guardian must provide an emergency telephone number where the parent or designee of the parent can be reached.

When a student is injured, staff shall provide immediate care and attention until relieved by a superior, a nurse, or a doctor. The principal or designated staff member should immediately contact the parent so that the parent can arrange for care or treatment of the injured student.

If a child develops symptoms of illness while at school, the responsible school officials shall do the following:

1. Isolate the child immediately from other children in a room or area segregated for that purpose;
2. Inform the parent or guardian as soon as possible about the illness and request that he or she pick up the child; and
3. Report each case of suspected communicable disease the same day by telephone to the local health authority, or as soon as possible thereafter if no contact can be made the same day.

In the event that the parent cannot be reached and in the judgment of the principal or person in charge immediate medical attention is required, the injured student may be taken directly to the hospital and treated by the physician on call. When the parent is located, he or she may elect to continue the treatment or make other arrangements.

Policy History:

Adopted on:

Revised on:

Reviewed on:

Student Interviews, Interrogations, or Arrests

Interviews by School Administrators (Student Victims/Witnesses)

When a violation of Board policy or school rule occurs, the school principal or designee may question a potential student victim or students who may have relevant information without prior consent of the parent, guardian, or legal custodian. Another adult should be present during the questioning of students.

Interrogations by School Administrators (Student Suspect)

In situations where a student is suspected of violating Board policy or school rule, the principal or designee may interrogate the suspected student without the prior consent of the student's parent/guardian or legal custodian. The school official must first have reasonable grounds, however, to suspect that the student committed such a violation. The nature and extent of the questioning must be reasonably related to the objectives of the questioning. If the student denies any involvement or culpability, the student will be afforded the opportunity to present his or her side of the story, orally or in writing.

Interviews and Interrogations by Law Enforcement Officials (School-Related Violation)

When a suspected violation of criminal law has occurred on school grounds, at a school sponsored activity, or an activity involving school operations, law enforcement officers may be notified by school officials to request a criminal investigation. Law enforcement officers may also independently determine that an investigation requiring student interviews and interrogations is necessary. When law enforcement officers question a student victim, witness, or suspect in such instances, school officials shall make an effort to notify the student's parent/guardian or legal custodian in advance of the interview or interrogation.

When students are interviewed or interrogated by law enforcement officers, the principal or designee shall request that police officers observe all procedural safeguards prescribed by law. However, District personnel are not responsible for a police officer's compliance with the law. If a parent or student refuses to consent to police questioning, it is the law enforcement officer's responsibility to respond appropriately to such refusal.

School discipline investigations conducted by school administrators and criminal investigations conducted by law enforcement officers shall be conducted in a parallel manner rather than as a joint investigation. Therefore, a school discipline investigation need not stop as soon as the school administrator believes that a crime has been committed. The results of the parallel investigations may be shared among school officials and the police.

Interviews and Interrogations by Law Enforcement Officers (Non-School-Related Violation)

The District strives to maintain cooperative working relations between law enforcement, child protective authorities, and school authorities. Law enforcement officers may wish to interview students regarding their knowledge of suspected criminal activity and may wish to interrogate students who are themselves suspected of engaging in criminal activity. Except when law enforcement officers have a warrant or other court order, or when emergency or other exigent circumstances exist, such interviews and interrogations are discouraged during the student's class time. The principal and principal's designee have the right and the obligation to take reasonable steps to prevent disruption of school operations and the educational process while at the same time cooperating with law enforcement efforts. Accordingly, the principal or designee shall work together with law enforcement officers to coordinate efforts and minimize or prevent such disruption in cases of student interviews and interrogations. In the event of disagreement, the principal or designee shall immediately contact the area administrator or District legal counsel for assistance.

Before any student interview or interrogation begins regarding suspected criminal activity, the principal or designee shall ascertain that the law enforcement officer has proper identification evidencing affiliation with an identified law enforcement agency. The principal or designee shall request that all procedural safeguards prescribed by law are observed by the law enforcement officers when interviewing student witnesses or interrogating student suspects. An effort shall be made to notify the student's parent/guardian or legal custodian in advance of the interview or interrogation regarding suspected criminal activity. Whether or not to postpone the interview or interrogation until the parent arrives is ultimately the law enforcement officer's decision. **In cases involving investigation of reported child abuse of a student where the suspected perpetrator is a member of the student's family, such parent/guardian contact would not be warranted. The Idaho Department of Health and Welfare or law enforcement may exclude school personnel from any child abuse investigations/interviews and may use a school building to conduct the interview.**

Arrests by Law Enforcement Officers

A law enforcement officer may take a student into custody if the student has been placed under arrest or if the student's parent/guardian or legal custodian and the student consent to such release. The officer must first notify the principal or designee so that the student may be summoned to the principal's office and taken into custody in a manner that is as inconspicuous as possible and minimizes disruption of school operations and the educational process. When an emergency situation arises and the student is taken into custody or arrested on school premises without prior notification to the principal or designee, the law enforcement officer should notify school authorities of the situation as soon as possible.

When a student is removed from school by law enforcement officers for any reason, school officials will make every reasonable effort to notify the student's parent/guardian or legal custodian. The school official will document such effort in writing. Before removing the student from school, the police shall sign a release form in which they assume full responsibility for the student. If a school official has reason to believe that a student was removed from the school by a law enforcement officer without making a valid arrest or without the consent of the student and the parent/guardian or legal custodian, the school official will attempt to immediately contact the area administrator or legal counsel.

School officials will notify the appropriate area administrator of the removal of any student from school by law enforcement under any circumstance. School officials shall request that all procedural safeguards prescribed by law are observed by law enforcement officers conducting an arrest. District personnel are not, however, responsible for an officer's legal compliance with respect to said arrest.

Definitions

“Interview” means the questioning of a student who may be a witness or victim of an incident.

“Interrogation” means the questioning of a student suspected of violating District policy, school rule, or criminal law.

“Reasonable Grounds to Suspect” means more than a generalized suspicion or a mere hunch, but not requiring certainty that a violation has occurred. For example, it may be based upon, among other things, direct observations or the reported observations or experiences of others. It involves a common-sense conclusion about human behavior based upon all of the circumstances presented.

“Probable Cause” means set of probabilities grounded in factual and practical considerations, which would cause a reasonable person to believe that a violation has occurred. It requires having more evidence for than against.

Cross References:	4400	Relations with Law Enforcement and Child Protective Agencies
	4410	Investigations and Arrests by Police
	5260	Abused and Neglected Child Reporting
Legal References:	I.C. § 6-904(1)	Tort Claims Against Governmental Entities - Exceptions to Governmental Liability
	I.C. § 16-1605	Child Protective Act: Reporting of Abuse, Abandonment or Neglect
	I.C. § 16-1606	Child Protective Act: Immunity
	I.C. § 16-1607	Child Protective Act: Reporting in Bad Faith- Civil Damages
	I.C. § 16-1631	Child Protective Act: Authorization for Department to Act
	I.C. § 20-516	Juvenile Corrections Act — Apprehension and Release of Juveniles — Detention
Other References:	Idaho Att'y Gen. Ann. Rpt. 93-2 (1993) (available at https://www.ag.idaho.gov/content/uploads/2017/12/1993.pdf) (last accessed November 18, 2019)	

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

STUDENTS

3545F1

Student Arrest Form

Form for Signature of Arresting Officer

I, _____, a duly sworn peace officer and member of the _____ Department, _____, have asked that _____, a student in the _____ School, be surrendered to me, and pursuant thereto have taken said student into my custody and am assuming full responsibility for the student's arrest.

Date: _____ Signature: _____

Time: _____ Badge Number: _____

School Action

Date and time parents notified. If more than one attempt is made, include such information here:

Signature of Administrator

One copy each shall be made for:

- 1. School records;*
- 2. Parent mailing;*
- 3. The police officer; and*
- 4. The witnessing administrator*

Council School District No. 13

STUDENTS

3545F2

Student Interview Form

Form for Signature of Interviewing Officer

I, _____, a duly sworn peace officer and member of the
_____ Department, _____,
have asked that _____, a student in the
_____ School, be made available for
interview

Date: _____ Signature: _____

Time: _____ Badge Number: _____

School Action

Date and time parents notified. If more than one attempt is made, include such information here:

Signature of Administrator

One copy each shall be made for:

5. *School records;*
6. *Parent mailing;*
7. *The police officer; and*
8. *The witnessing administrator*

Council School District No. 13

STUDENTS

3550

Removal of Student During School Hours

The Board recognizes its responsibility for the proper care of students during school hours. Students shall not be removed from school grounds, any school building, or school function during school hours except by a person duly authorized in accordance with District procedures. Before a student is removed or excused, the person seeking to remove the student must present, to the satisfaction of the principal, evidence of his or her proper authority to remove the student. A teacher should not excuse a student from class to confer with anyone unless the request is approved by the principal. The Superintendent is directed to establish procedures for the removal of a student during school hours.

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

STUDENTS

3550P

Removal of Student During School Hours

Schools must exercise a high order of responsibility for the care of students while in school. The removal of a student during the school day may be authorized in accordance with the following procedures:

1. Law enforcement officers, upon proper identification, may remove a student from school as provided in Policy 4410P;
2. Any other agencies must have a written administrative or court order directing the District to give custody to them. Proper identification is required before the student shall be released;
3. A student shall be released to the custodial parent. When in doubt as to custodial rights, school enrollment records must be relied upon, as the parents/guardians have the burden of furnishing schools with accurate, up-to-date information;
4. The school should always check with the custodial parent before releasing the student to a non-custodial parent;
5. Prior written authorization from the custodial parent or guardian is required before releasing a student into someone else's custody, unless an emergency situation justifies a waiver; and

6. Police should be called if a visitor becomes disruptive or abusive.

Cross Reference: 4400

Relations with the Law Enforcement and Child
Protective Agencies

Procedure History:

Promulgated on:

Revised on:

Reviewed on:

Council School District No. 13

STUDENTS

3560

Video Surveillance

The Board believes that the use of video taping equipment can make positive contributions to the health, safety, and welfare of all students, staff, and visitors to the District, as well as safeguard District facilities and equipment. Having carefully weighed and balanced the rights of privacy of students, staff, and visitors against the District's goal of ensuring the safety of every student, employee, and visitor while they are on District property and also the goal of safeguarding District facilities and equipment, the Board hereby authorizes the use of video cameras on District property as follows:

Video surveillance shall be used to promote order, to maintain the security, health, welfare, and safety of all staff, students, and visitors on District property, and to safeguard District facilities and equipment.

The District shall notify staff and students through student/parent and staff handbooks that video surveillance may occur on District property. Additionally, notices shall be posted on or about School District property alerting those on District property that the District is utilizing video surveillance.

Review of any video recordings is restricted to those who have a security, safety, or a legitimate educational interest.

Video recordings may become a part of a student's educational record or a staff member's personnel record. The District shall comply with all applicable State and federal laws related to record maintenance and retention. Video tapes that are records of student and/or staff behavior shall be secured in a locked file until the tapes are either reused or erased. The video tape shall be considered a student and/or staff record and shall be subject to current law for the release of student record information and/or personnel record.

Video surveillance may be used for investigations of criminal activity by appropriate law enforcement agencies and may be used by the District to investigate violations of District policy.

Students or staff in violation of Board policies, administrative regulations, building rules, or law shall be subject to appropriate disciplinary action. Others may be referred to law enforcement agencies.

Video cameras may be installed in public locations as deemed appropriate by the Superintendent, and shall not be installed in areas with a reasonable expectation of privacy.

Audio shall not be part of the video recordings made, reviewed, or stored by the District.

Cross-Reference: 3570

Student Records

Legal References: 20 U.S.C. § 1232g, *et seq.* Family Education Right to Privacy Act (FERPA)
 34 C.F.R. Part 99 Implementing FERPA
 I.C. § 33-512 District Trustees - Governance of Schools
 I.C. § 18-6701, *et seq.* Communications Security
Books v. Logan, 903 P.2d 73 (1995)
Rife v. Long, 908 P.2d 143 (1995)

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

STUDENTS

3563

Student-Tracking Safety Devices

Because of student privacy concerns, the District requires listen-in technology to be disabled while any student tracking device is at school, on District-provided transportation, and at school events. The District prohibits unauthorized audio or visual recordings or transmission of audio or images of other students.

A parent/guardian shall obtain approval from the building principal before operating a student-tracking safety device or other electronic device with recording or listen-in capability, such as AngelSense, at school or at a school-sponsored event. Any parent/guardian receiving permission to use an electronic device with listen-in capability may be requested to enter into a user agreement with the school to define the scope and limits of such use.

Legal Reference: 20 U.S.C. § 1232g, *et seq.* Family Education Right to Privacy Act (FERPA)
34 C.F.R. Part 99 Implementing FERPA

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

STUDENTS

3565

Termination of Driving Privileges

In the event an enrolled student fails to meet the State enrollment and attendance requirements, the school principal or designee will provide written notification on a form provided by the Idaho Department of Education to the student and parent/guardian of the District's intent to request that the Idaho Department of Transportation suspend the student's driving privileges, because the student has dropped out of school (and has not otherwise enrolled in another public/private school, home schooling educational program, course of preparation for the GED, a college or university, a post-secondary vocational program, or job training program or other educational activity approved by the Board) or has failed to comply with the enrollment and attendance requirements found in Idaho Code.

The student and parent/guardian will have 15 calendar days from the date of receipt of the above-mentioned notice to request a hearing before the school principal or designee for the purpose of reviewing the pending suspension of driving privileges. The requested hearing will be held within 30 calendar days after the receipt of the request.

The school principal or designee may grant a hardship waiver of the requirements of this policy for any student for whom a personal or family hardship requires that the student have a driver's license for his or her own or family member's employment or medical care. The principal or designee will take into account the recommendations of teachers, other school officials, guidance counselors, or academic advisors prior to granting a waiver. Such a hardship waiver must be requested by the student or the student's parent/guardian at the initial hearing.

If the principal or designee, denies a hardship waiver, that decision may be appealed to the Board within seven calendar days of receipt of the principal's or designee's decision. The hearing before the Board will be held at a mutually convenient time. The Board will have the authority to uphold the decision of the principal or designee, or reverse the decision and grant the hardship waiver.

Cross-Reference:	2325	Driver's Education
Legal References:	I.C. § 33-211	Attendance at Schools —Students' Drivers' Licenses
	I.C. § 49-110	Motor Vehicles – Definitions
	I.C. § 49-303	Motor Vehicle Driver's Licenses - What Persons Shall Not Be Licensed
	I.C. § 49-303A	Motor Vehicle Driver's Licenses - Driver's License or Permits Issued to Certain Persons Under the Age of Eighteen Years

- I.C. § 49-305 Motor Vehicle Driver's Licenses -Instruction Permits —
Commercial Learner's Permit — Temporary Licenses —
Motorcycle Endorsement Instruction Permit
- I.C. § 49-310 Motor Vehicle Driver's Licenses – Applications of
Persons Under The Age of Eighteen Years
- I.C. § 49-326 Motor Vehicle Driver's Licenses -Authority of
Department to Suspend, Disqualify or Revoke Driver's
License and Privileges

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

STUDENTS

3570

Student Records

School student records are confidential, and information from them shall not be released other than as provided by law. Federal and state laws grant certain rights to parents and students, including the right to inspect, copy, and challenge school records. The information contained in school student records shall be kept current, accurate, clear, and relevant. All information maintained concerning a student receiving special education services shall be directly related to the provision of services to that child. The District may release directory information as permitted by law, but parents shall have the right to object to the release of information regarding their child. Military recruiters and institutions of higher education may request and receive the names, addresses, and telephone numbers of all high school students, unless the parent(s) notifies the school not to release this information.

The Superintendent shall implement this policy consistent with State and federal law and may develop administrative procedures to assure compliance with State and federal law. The Superintendent or a designee shall inform staff members of this policy, and shall inform students and their parents of it, as well as their rights regarding student school records.

Cross References:	3575 4260	Student Data Privacy and Security Records Available to the Public
Legal References:	20 U.S.C. § 1232g, <i>et seq.</i> 34 C.F.R. Part 99 I.C. § 33-133 I.C. § 33-209 I.C. § 33-717A	Family Education Right to Privacy Act (FERPA) Implementing FERPA Idaho Student Data Accessibility, Transparency, and Accountability Act - Definitions — Student Data — Use and Limitations — Penalties Attendance at Schools — Transfer of Student Records — Duties Divorce Actions - Parents' Access to Records and Information

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

STUDENTS

3570F

Student Records

Notification to Parents' and Student's of Rights Concerning a Student's School Records

This notification will be distributed annually, and may be distributed by any means likely to reach the parent(s)/guardian(s). The District shall effectively notify parents and eligible students who are disabled and those whose primary or home language is not English.

The District will maintain a file for each student that shall contain information, including but not limited to the following:

1. Unique student identifier;
2. Basic identifying information;
3. Academic transcripts;
4. Attendance record;
5. Immunization records;
6. Intelligence and aptitude scores;
7. Psychological reports;
8. Achievement test results;
9. Participation in extracurricular activities;
10. Honors and awards;
11. Teacher anecdotal records;
12. Special education files;
13. Verified reports or information from non-educational persons;
14. Verified information of clear relevance to the student's education;
15. Information pertaining to release of this record; and
16. Disciplinary information.

Family Educational Rights and Privacy Act (FERPA)

The Family Educational Rights and Privacy Act (FERPA) affords parents/guardians and students over 18 years of age ("eligible students") certain rights with respect to the student's education records. They are:

1. **The right to inspect and copy the student's education records within a reasonable time of the day the District receives a request for access.**

Students less than 18 years of age have the right to inspect and copy their permanent record. Parents/guardians or students should submit to the school principal (or appropriate school official) a written request that identifies the record(s) they wish to inspect. The principal will make arrangements for access and notify the parent(s)/ guardian(s) or eligible student of the time and place where the records may be inspected.

The District charges a nominal fee for copying, but no one will be denied their right to copies of their records for inability to pay this cost.

The rights contained in this section are denied to any person against whom an order of protection has been entered concerning a student.

When the student reaches 18 years of age, or is attending an institution of post secondary education, all rights and privileges accorded to the parent become exclusively those of the student.

2. **The right to request an amendment of the student's education records that the parent(s)/guardian(s) or eligible student believes is inaccurate, misleading, irrelevant, or improper.**

Parents/guardians or eligible students may ask the District to amend a record that they believe is inaccurate, misleading, irrelevant, or improper. They should write the school principal or records custodian, clearly identifying the part of the record they want changed, and specify the reason.

If the District decides not to amend the record as requested by the parent(s)/guardian(s) or eligible student, the District will notify the parent(s)/guardian(s) or eligible student of the decision and advise him or her of their right to a hearing regarding the request for amendment. Such notice shall be in writing and provided within a reasonable period of time after the hearing. Additional information regarding the hearing procedures will be provided to the parent(s)/guardian(s) or eligible student when notified of the right to a hearing.

3. **The right to permit disclosure of personally identifiable information contained in the student's education records, except to the extent that FERPA or State law authorizes disclosure without consent.**

Disclosure is permitted without consent to school officials with legitimate educational or administrative interests. A school official is a person employed by the District as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the Board; a person or company with whom the District has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent(s)/guardian(s) or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.

A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

Upon request, the District discloses education records without consent to officials of another school district in which a student has enrolled or intends to enroll, as well as to any person as specifically required by State or federal law. Before information is released to individuals described in this paragraph, the parent(s)/guardian(s) will receive written notice of the nature and substance of the information and an opportunity to inspect, copy, and challenge such records. The right to challenge school student records does not apply to:

- A. Academic grades of their child; or
- B. references to expulsions or out-of-school suspensions,

if the challenge is made at the time the student's school student records are forwarded to another school to which the student is transferring.

Disclosure is also permitted without consent to: any person for research, statistical reporting, or planning, provided that no student or parent(s)/guardian(s) can be identified; any person named in a court order; and appropriate persons if the knowledge of such information is necessary to protect the health or safety of the student or other persons.

- 4. **The right to a copy of any school student record proposed to be destroyed or deleted.**
- 5. **The right to prohibit the release of directory information concerning the parent's/guardian's child.**

Throughout the school year, the District may release directory information regarding students, limited to:

- A. Name;
- B. Address;
- C. Gender;
- D. Grade level;
- E. Birth date and place;
- F. Parents'/guardians' names and addresses;
- G. Academic awards, degrees, and honors;
- H. Information in relation to school-sponsored activities, organizations, and athletics;
- I. Major field of study; and
- J. Period of attendance in school.

Any parent(s)/guardian(s) or eligible student may prohibit the release of any or all of the above information by delivering a written objection to the building principal within 30 days of the date of this notice. No directory information will be released within this time period, unless the parent(s)/guardian(s) or eligible student is specifically informed otherwise.

- 6. **The right to request that that information not be released to military recruiters and/or institutions of higher education.**

Pursuant to federal law, the District is required to release the names, addresses, and telephone numbers of all high school students to military recruiters and institutions of higher education upon request.

Parent(s)/guardian(s) or eligible students may request that the District not release this information, and the District will comply with the request.

7. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the District to comply with the requirements of FERPA.

The name and address of the office that administers FERPA is:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-4605

Council School District No. 13

STUDENTS

3570F2

Permission to Use Likeness

I hereby authorize the Council School District permission to use my likeness in a photograph, image, motion picture, video recording, and/or sound recording, for use in any and all of its publications, including website entries, social media or to otherwise publish, circulate and disseminate said photographs, images, motion pictures, video recordings, and/or sound recordings or any duplication or facsimile thereof for any lawful purpose they deem proper. I recognize and consent that my name may or may not be attached or utilized in relation to the publication of any such photograph, image, motion picture, video recording, and/or sound recording and consent to the same.

By making such authorization, I hereby relinquish and assign to Council School District all right, title and interest I may have in the photographs, images, motion pictures, video recordings, and/or sound recordings, negatives, reproductions or copies, including, but not limited to, the right to copyright the same used by them. In addition, I waive the right to inspect or approve the finished product, including written or electronic copy, wherein my likeness or voice appears; and waive any right to royalties or other compensation arising or related to the use of such photographs, images, motions pictures, video recordings, and/or sound recordings.

I understand that Council School District and their employees, agents, officers, and owners cannot warrant or guarantee that any further dissemination of my image or voice will be subject to control by Council School District. I hereby hold harmless and release and forever discharge Council School District and their employees, agents, officers and owners, from all claims, demands, and causes of action which I, my heirs, representatives, executors, administrators, or any other persons action on my behalf or on behalf of my estate have or may have by reason of this authorization.

I am 18 years of age and am competent to contract in my own name. I have read this release and assignment before signing below and I fully understand the contents, meaning, and impact of this release.

Signature: _____ Date: _____

Printed Name: _____

If the person signing is under age 18, there must be consent by a parent or guardian, as follows:

I hereby certify that I am the parent or legal guardian of _____. I have read the foregoing release and assignment before signing below and I fully understand the contents, meaning, and impact of this release, and do hereby sign and authorize said release and assignment on behalf of the minor child named above.

Parent/Guardian/s Signature: _____

Date: _____

Parent/Guardian's Printed Name: _____

Student's Printed Name: _____

Council School District No. 13

STUDENTS

3570P

Student Records

Maintenance of School Student Records

The District shall maintain a record for each student that shall contain information, including but not limited to the following:

1. Birth certificate;
2. Proof of residency;
3. Unique student identifier;
4. Basic identifying information;
5. Academic transcripts;
6. Immunization records;
7. Attendance records;
8. Intelligence and aptitude scores;
9. Psychological reports;
10. Achievement test results;
11. Participation in extracurricular activities;
12. Honors and awards;
13. Verified reports or information from non-educational persons;
14. Verified information of clear relevance to the student's education;
15. Log pertaining to release of student's record; and
16. Disciplinary information.

Information in student files shall be maintained for a period of 10 years after a student graduates or permanently leaves the District, except for those records for which longer retention is required.

Records for a special education student with disabilities who graduates or permanently withdraws from the District, including eligibility documentation, IEPs, consents, and written notices will, for at least six years, be maintained until such time or when the District has been given written consent from the parent(s) and/or adult former student to destroy the records or transfer the records to the parent(s) or to the student if the student has succeeded to the rights of the parents. Such written records of individual students are confidential and shall be shredded under supervision of the staff member responsible for the records if not released to the parent(s) and/or adult former student. The records manager should maintain a log that documents the date of destruction or release of records.

The Superintendent's designee shall be responsible for the maintenance, retention, or destruction of a student's records, in accordance with the District's procedure established by the Superintendent.

The unique student identifier is a number issued and assigned by the State Department of Education to each student currently enrolled or who will be enrolled. The unique student identifier shall follow the student from each school district or local educational agency (LEA) or upon return to a school district or LEA after an absence no matter the length of absence.

Access to Student Records

The District shall grant access to student records as follows:

1. The District or any District employee shall not release, disclose, or grant access to information found in any student record except under the conditions set forth in this policy and consistent with the provisions of State and federal law.
2. The parents of a student under 18 years of age shall be entitled to inspect and copy information in the child's school records. Such requests shall be made in writing and directed to the records custodian. Access to the records shall be granted within 15 days of the District's receipt of such a request.

Where the parents are divorced or separated, both shall be permitted to inspect and copy the student's school records unless a court order indicates otherwise. The District shall send copies of the following to both parents at either one's request, unless a court order indicates otherwise or parental rights have been terminated by court order or parental agreement:

- A. Academic progress reports or records;
- B. Health reports;
- C. Notices of parent-teacher conferences;
- D. School calendars distributed to parents/guardians; and
- E. Notices about open houses and other major school events, including pupil-parent interaction.

When the student reaches 18 years of age, graduates from high school, marries, enters military service, or becomes legally emancipated all rights and privileges accorded to the parent become exclusively those of the student. The parents of dependent students, as defined by the Internal Revenue Service (i.e. student termed dependent for income tax purposes) may have access to student educational records if the parents establish, via either a copy of the applicable tax forms and/or a Parental Affidavit for Educational Records attesting to the student's dependent status.

Access shall not be granted to the parent or the student to confidential letters and recommendations concerning the admission to a post-secondary educational institution, applications for employment, or the receipt of an honor or award, if the student has waived his or her right of access, after being advised of his or her right to obtain the names of all persons making such confidential letters or statements.

3. The District may grant access to, or release information from, student records to employees or officials of the District or the Idaho State Board of Education, provided a current, demonstrable, educational or administrative need is shown, without parental consent or notification. Access in such cases shall be limited to the satisfaction of that need.
4. For purposes of an audit or evaluation by a federal or State-supported education program, and to comply with federal requirements related to such a program. The receiving entity

must be a State or educational authority or another entity allowed by the Family Educational Rights and Privacy Act (FERPA), or must be an authorized representative of such an entity.

For each new audit, evaluation, or enforcement effort, the District shall enter into a written agreement when designating anyone other than its employee as its authorized representative. The District shall be responsible for using reasonable methods to ensure, to the greatest extent practicable, that the authorized representative

- A. Uses the personal information only for the authorized purpose;
 - B. Protects the personal information from further unauthorized disclosures or other uses; and
 - C. Destroys the personal information when it is no longer needed for the authorized purpose. Such destruction shall be effected by any specified time period set forth in the written agreement.
5. The District may grant access to, or release information from, student records without parental consent or notification to any person, for the purpose of research, statistical reporting, or planning, provided that no student or parent can be identified from the information released, and the person to whom the information is released signs an affidavit agreeing to comply with all applicable statutes and rules pertaining to school student records. Any such release in this regard shall be consistent with Idaho Code and Policy 3575 relating to the limitations on the release of student data.
 6. The District shall grant access to, or release information from, a student's records pursuant to a court order or appropriate subpoena. In most instances, the parent/qualified student shall be given prompt written notice of such order/subpoena, a general statement of the documents which will be released, and the proposed date of release of the documentation requested. However, there are very limited circumstances under the USA Patriot Act where schools are required to disclose information without notice to the parent or student to the Attorney General of the United States upon an ex parte order in connection with the investigation or prosecution of terrorism crimes or other such specified situations when the court order prohibits disclosure (i.e. Federal Grand Jury Subpoena or Law Enforcement Subpoena wherein such order indicates disclosure is not permitted).
 7. The District shall grant access to or release information from any student record as specifically required by federal or State statute.
 8. The District shall grant access to, or release information from, student records to any person possessing a written, dated consent, signed by the parent or eligible student with particularity as to whom the records may be released, the information or record to be released, and the reason for the release. One copy of the consent form will be kept in the records, and one copy shall be mailed to the parent or eligible student by the Superintendent. Whenever the District requests the consent to release certain records, the records custodian shall inform the parent or eligible student of the right to limit such consent to specific portions of information in the records.

9. The District may release student records to the Superintendent or an official with similar responsibilities in a school in which the student has enrolled or intends to enroll, upon written request from such official.
10. Prior to the release of any records or information under items 6, 7, 8, and 9 above, the District shall provide prompt written notice to the parents or eligible student of this intended action except as specified in item 6. This notification shall include a statement concerning the nature and substance of the records to be released and the right to inspect, copy, and challenge the contents.
11. The District may release student records or information in connection with an emergency, without parental consent, if the knowledge of such information is necessary to protect the health or safety of the student or other persons. The records custodian shall make this decision taking into consideration the nature of the emergency, the seriousness of the threat to the health and safety of the student or other persons, the need for such records to meet the emergency, and whether the persons to whom such records are released are in a position to deal with the emergency. Any release that is made must be narrowly tailored considering the immediacy, magnitude, and specificity of the information concerning the emergency and the information should only be released to those persons whose knowledge of the information is necessary to provide immediate protection of the health and safety of the student or other individuals (i.e. law enforcement, public health officials, trained medical personnel). The exception is temporarily limited to the period of the emergency and does not allow for a blanket release of personally identifiable information from a student's records. The District shall notify the parents or eligible student as soon as possible of the information released; the date of the release; the person, agency, or organization to which the release was made; and the purpose of the release and the same information shall be recorded in the student's record log.
12. The District will comply with an *ex parte* order requiring it to permit the U.S. Attorney General or designee to have access to a student's school records without notice to or consent of the student's parent(s)/guardian(s).
13. The District may charge a fee for copying information in the student's records. No parent or student shall be precluded from copying information because of financial hardship. See Policy 4260 for information regarding the District copy fee schedule.
14. A log of all releases of information from student records, including all instances of access granted, whether or not records were copied, shall be kept and maintained as part of such records. This log shall be maintained for the life of the student record and shall be accessible only to the parent or eligible student, records custodian, or other such person. The log of release shall include:
 - A. Information released or made accessible;
 - B. The name and signature of the records custodian;
 - C. The name and position of the person requesting the release or access;
 - D. The legitimate interests the parties had in requesting or obtaining the information;
 - E. The date of the release or grant of access;

- F. A copy of any consent to such release; and
- G. Any additional information required by State or federal law.

Directory Information

The District may release certain directory information regarding students, except that parents may prohibit such a release. Directory information shall be limited to:

1. Name;
2. Address;
3. Gender;
4. Grade level;
5. Birth date and place;
6. Parents'/guardians' names and addresses;
7. Academic awards, degrees, and honors;
8. Information in relation to school-sponsored activities, organizations, and athletics;
9. Major field of study; and
10. Period of attendance in school.

The notification to parents and students concerning school records will inform them of their right to object to the release of directory information.

Military Recruiters/Institutions of Higher Education

Pursuant to federal law, the District is required to release the names, addresses, and telephone numbers of all high school students to military recruiters and institutions of higher education upon request. The notification to parents and students concerning school records will inform them of their right to object to the release of this information.

Student Record Challenges

The parents may challenge the accuracy, relevancy, or propriety of the records, except for grades, and references to expulsions or out-of-school suspensions, if the challenge is made when the student's school records are being forwarded to another school. They have the right to request a hearing at which each party has:

1. The right to present evidence and to call witnesses;
2. The right to cross-examine witnesses;
3. The right to counsel;
4. The right to a written statement of any decision and the reasons therefore; and
5. The right to appeal an adverse decision to an administrative tribunal or official, to be established or designated by the State Board.

The parents may insert a written statement of reasonable length describing their position on disputed information. The school will include a statement in any release of the information in dispute.

Procedure History:

Promulgated on:

Revised on:

Reviewed on:

Student Data Privacy and Security

The efficient collection, analysis, and storage of student information is essential to improve the education of our students. As the use of student data has increased and technology has advanced, the need to exercise care in the handling of confidential student information has intensified. The privacy of students and the use of confidential student information is protected by federal and State laws, including the Family Educational Rights and Privacy Act (FERPA) and the Idaho Student Data Accessibility, Transparency, and Accountability Act of 2014 (Idaho Data Accountability Act).

Student information is compiled and used to evaluate and improve Idaho's educational system and improve transitions from high school to postsecondary education or the workforce. The Data Management Council (DMC) was established by the Idaho State Board of Education to make recommendations on the proper collection, protection, storage, and use of confidential student information stored within the Statewide Longitudinal Data System (SLDS). The DMC includes representatives from K-12, higher education institutions and the Department of Labor.

This model policy is required by the Idaho Data Accountability Act. In order to ensure the proper protection of confidential student information, the District shall adopt, implement and electronically post this policy to its website. It is intended to provide guidance regarding the collection, access, security, and use of education data to protect student privacy. This policy is consistent with the DMC's policies regarding the access, security, and use of data maintained within the SLDS. Violation of the Idaho Data Accountability Act may result in civil penalties.

Definitions

Administrative Security consists of policies, procedures, and personnel controls including security policies, training, and audits, technical training, supervision, separation of duties, rotation of duties, recruiting and termination procedures, user access control, background checks, performance evaluations, and disaster recovery, contingency, and emergency plans. These measures ensure that authorized users know and understand how to properly use the system in order to maintain security of data.

Aggregate Data is collected or reported at a group, cohort, or institutional level and does not contain PII.

Data Breach is the unauthorized acquisition of PII.

Logical Security consists of software safeguards for an organization's systems, including user identification and password access, authenticating, access rights, and authority levels. These measures ensure that only authorized users are able to perform actions or access information in a network or a workstation.

Personally Identifiable Information (PII) includes: a student's name; the name of a student's family; the student's address; the students' social security number; a student education unique identification number or biometric record; or other indirect identifiers such as a student's date of birth, place of birth or mother's maiden name; and other information that alone or in combination is linked or linkable to a specific student that would allow a reasonable person in the school community who does not have personal knowledge of the relevant circumstances, to identify the student.

Physical Security describes security measures designed to deny unauthorized access to facilities or equipment.

Student Data means data collected at the student level and included in a student's educational records.

Unauthorized Data Disclosure is the intentional or unintentional release of PII to an unauthorized person or untrusted environment.

Collection

The District shall follow applicable State and federal laws related to student privacy in the collection of student data.

Access

Unless prohibited by law or court order, the District shall provide parents, legal guardians, or eligible students, as applicable, the ability to review their child's educational records.

The Superintendent or designee, is responsible for granting, removing, and reviewing user access to student data. An annual review of existing access shall be performed.

Access to PII maintained by the District shall be restricted to:

1. The authorized staff of the District who require access to perform their assigned duties; and
2. Authorized employees of the State Board of Education and the State Department of Education who require access to perform their assigned duties; and
3. Vendors who require access to perform their assigned duties.

Security

The District shall have in place Administrative Security, Physical Security, and Logical Security controls to protect from a Data Breach or Unauthorized Data Disclosure. The District shall immediately notify the Executive Director of the Idaho State Board of Education and the State Superintendent of Public Instruction in the case of a confirmed Data Breach or confirmed Unauthorized Data Disclosure. The District shall also notify in a timely manner affected individuals, students, and families if there is a confirmed Data Breach or confirmed Unauthorized Data Disclosure.

Use

Publicly released reports shall not include PII and shall use Aggregate Data in such a manner that re-identification of individual students is not possible.

District contracts with outside vendors involving student data, which govern databases, online services, assessments, special education or instructional supports, shall include the following provisions which are intended to safeguard student privacy and the security of the data:

1. Requirement that the vendor agree to comply with all applicable State and federal law;
2. Requirement that the vendor have in place Administrative Security, Physical Security, and Logical Security controls to protect from a Data Breach or Unauthorized Data Disclosure;
3. Requirement that the vendor restrict access to PII to the authorized staff of the vendor who require such access to perform their assigned duties;
4. Prohibition against the vendor's secondary use of PII including sales, marketing, or advertising;
5. Requirement for data destruction and an associated timeframe; and
6. Penalties for non-compliance with the above provisions.

The District shall clearly define what data is determined to be directory information.

If the District chooses to publish directory information which includes PII, parents must be notified annually in writing and given an opportunity to opt out of the directory within a specified period of time. If a parent does not opt out, the release of the information as part of the directory is not a Data Breach or Unauthorized Data Disclosure.

Cross Reference:	3570 – 3570P	Student Records
Legal References:	20 U.S.C. § 1232g, <i>et seq.</i> 34 C.F.R. Part 99 I.C. § 33-133	Family Education Right to Privacy Act (FERPA) Implementing FERPA Idaho Student Data Accessibility, Transparency, and Accountability Act - Definitions — Student Data — Use and Limitations — Penalties

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

STUDENTS

3580

Relations with Non-custodial Parents

Access to Students

The parent with whom the student primarily resides shall be recognized by the District as the custodial parent unless a current legal document or signed parental agreement indicates otherwise. Unless there are specific court-imposed restrictions on custody or visitation, such as:

1. A final divorce decree;
2. Interim orders, in the case that the parents are separated; or
3. A restraining order,

the non-custodial parent, upon written request, may visit the child briefly at school. If restrictions are made relative to these rights, the custodial parent will be required to submit a certified copy of all relevant court orders, to the Superintendent, which curtails these specific rights.

While both parents, absent a court document described above can visit the student at school, only the custodial parent has the right to remove the student from school property. Only a verified note from the custodial parent will be cause for exception to this provision. If school personnel anticipate possible student abduction, law enforcement personnel are to be notified immediately.

Access to Student Records

Unless informed otherwise, the Council School District assumes that there are no restrictions regarding the non-custodial parent's right to be kept informed of the student's school progress and activities. If restrictions are made relative to these rights, the custodial parent will be required to submit to the Superintendent a certified copy of all relevant court orders which curtail these specific rights. Otherwise, the non-custodial parent, upon written request may view the student's educational, medical, or similar records maintained in such student's cumulative record, receive school progress reports, and have an opportunity to conference with the student's teacher(s).

The custodial parent has the responsibility to keep the school office informed as to the address of the student's primary residence, in a manner determined by the school, and how he or she may be contacted at all times. The School District reserves the right to request verification in the form of a certified court document from any party presenting legal documents.

Legal Reference:	20 U.S.C. § 1232g, <i>et seq.</i>	Family Education Right to Privacy Act (FERPA)
	34 C.F.R. Part 99	Implementing FERPA

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

STUDENTS

3610

Records of Missing Children

Upon notification by the Idaho State Police of a missing or runaway child currently enrolled in the District, that student's records shall be flagged in such a manner that whenever a copy of or information regarding the record is requested, the school is alerted to the fact that the record is that of a missing or runaway child. If request is made for a flagged record, the record shall not be forwarded and the local law enforcement agency shall be notified of the request for the flagged record.

Any request concerning flagged records or knowledge as to the whereabouts of a missing or runaway child shall immediately be reported to the local law enforcement agency. Upon notification by the Idaho State Police of the return of the missing or runaway child, the school shall remove the flag from the student's record.

Legal Reference: I.C. § 18-4511

School Duties — Records of Missing Child —
Identification upon Enrollment — Transfer of
Student Records

Policy History

Promulgated on:

Revised on:

Reviewed on:

Council School District No. 13

STUDENTS

3620

Transfer of Student Records

Receiving School

Within 14 days after enrolling a transfer student, the elementary or secondary school shall request directly from the student's previous school a certified copy of his or her record and exercise due diligence in obtaining the copy of the record requested.

Forwarding School

A certified copy of the permanent or cumulative file of any student and the file containing special education records of any student shall be forwarded by mail, or electronically, to a local educational agency or accredited school in which the student seeks to or intends to enroll within ten days after receipt of a written or electronic request, except as provided in Policy 3610 Records of Missing Children. The files that are forwarded must include information concerning violent or disruptive behavior or disciplinary action, however, such information shall be contained in a sealed envelope, marked as "confidential" and addressed to the principal or other administrator of the receiving school.

Cross References: 3570 - 3570P
3610

Student Records
Records of Missing Children

Legal References: I.C. § 18-4511
I.C. § 33-209

School Duties — Records of Missing Child —
Identification upon Enrollment — Transfer of Student
Records
Attendance at Schools — Transfer of Student Records —
Duties

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

COMMUNITY RELATIONS

4000

Goals

The Board, through the leadership of the Superintendent and the assistance of the total staff, will seek to enhance the District's community relations by striving to achieve the following goals:

1. To encourage and enhance communication, understanding, trust, and mutual support between the District and the people it serves;
2. To increase both the quality and quantity of public participation in school affairs, activities, and programs;
3. To strengthen and improve relations and interactions among staff, trustees, citizens, parents, and students; and
4. To promote understanding and cooperation between the schools and community groups.

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

COMMUNITY RELATIONS

4100

Public Relations

The District shall strive to maintain effective two-way communication channels with the public. Such channels shall enable the Board and staff to interpret the schools' needs to the community and provide a means for citizens to express their needs and expectations to the Board and staff.

The Superintendent shall establish and maintain a communication process within the school system and between it and the community. Such a public information program shall provide for news releases at appropriate times, arrange for news media coverage of District programs and events, provide for regular direct communications between individual schools and the citizens they serve, and assist staff in improving their skill and understanding in communicating with the public.

Community opinion may be solicited through parent organizations, parent-teacher conferences, open houses and other such events or activities which may bring staff and citizens together.

Policy History:

Adopted on:

Revised on:

Reviewed on:

Public Participation in Board Meeting

All regular and special meetings of the Board shall be open to the public, but any person who disturbs good order may be required to leave. The Board of Trustees encourages all citizens of the District to express their ideas and concerns. The comments of the community will be given careful consideration. In the evaluation of such comments, the first priority will be District students and their educational program.

NOTICE

DUE TO THEIR SENSITIVE NATURE, COMMENTS OR COMPLAINTS ABOUT PERSONNEL OR INDIVIDUAL STUDENTS WILL ONLY BE HEARD IN EXECUTIVE SESSION. ADDITIONALLY, OTHER TOPICS YOU WISH TO ADDRESS MAY ONLY BE APPROPRIATE FOR EXECUTIVE SESSION. IN SUCH INSTANCES, THE BOARD WILL DETERMINE IF YOUR COMMENTS ARE APPROPRIATE FOR OPEN OR EXECUTIVE SESSION AND WILL NOTIFY YOU ACCORDINGLY.

A PERSON WHO DISRUPTS THE EDUCATIONAL PROCESS OR WHOSE PRESENCE IS DETRIMENTAL TO THE MORALS, HEALTH, SAFETY, ACADEMIC LEARNING, OR DISCIPLINE OF THE PUPILS OR WHO LOITERS IN SCHOOLS OR ON SCHOOL GROUNDS, IS GUILTY OF A MISDEMEANOR.

Any complaint about the District; including instruction, discipline, District personnel policy, procedure, or curriculum; should be referred through proper administrative channels before it is presented to the Board for consideration and action. All complaints should be resolved through proper channels in the following order:

1. Teacher or staff;
2. Principal or supervisor;
3. Director or administrator;
4. Superintendent; then
5. Board of Trustees.

Please also see District Policy No. 4110 Public Complaints.

Members of the public will not be recognized by the Chair as the Board conducts its official business except when the Board schedules a public discussion period on a particular item. The Board will listen to the public but, at the same time, expects the public to listen and speak only when properly recognized.

At each regular and special meeting of the Board the agenda may provide time for public comment before the Board. Persons wishing to address the Board will be required to submit a “Request to Address the Board” form. Forms are available from the Board Clerk and will be available at each meeting.

Total time allotted for public comment will not exceed 30 minutes. Public participation will be limited to the time allotted on the agenda. Each speaker will be limited to 3 minutes. Public comment will be taken on matters scheduled on the agenda. Should a large number of the public wish to speak on the same issue or topic, members of the public are encouraged to select one or more representatives to summarize their position. Additionally, the Board clerk will accept written comments for distribution to the Board. The Board may decline to hear repetitive comments. The Chair may also deny an individual the opportunity to address the Board if the individual has previously addressed the Board on the same subject within the past two months.

Written materials for Board Members must be submitted to the Board Clerk. The written material must include the name, address, and telephone number of the person submitting it. A copy of the materials that meet these requirements will be forwarded to Board Members if received by noon the Friday preceding the Board meeting. Materials should not be sent directly to Board Members. Materials may be presented or mailed to the Board clerk at 101 East Bleeker PO Box 468 Council, Idaho 83612.

If a topic is being considered by a committee established for that purpose, the Chair may refer the public comment to that committee.

Because of the diversity of issues, members of the Board will not respond to public comment. Instead, issues may be recorded and referred to the proper staff person for follow-up. The Chair may interrupt or terminate an individual’s statement when it is too lengthy, personally directed, abusive, obscene, repetitive, or irrelevant. The Board as a whole shall have the final decision in determining the appropriateness of all such rulings.

Nothing in this policy shall prohibit the removal of any person who willfully disrupts a meeting to the extent that orderly conduct is seriously compromised. Defamatory or abusive remarks are always out of order. The presiding officer may terminate the speaker’s privilege of address if, after being called to order, the speaker persists in improper conduct or remarks.

If a special meeting has been held to obtain public comment on a specific issue, the Chair of the Board may choose not to recognize speakers wishing to comment on the same topic at a regular meeting of the Board.

Cross Reference: 4110 Public Complaints
 4120 Uniform Grievance Procedure
 4320 Disruption of School Operations

Legal Reference: I.C. § 33-512 (11) Governance of Schools
I.C. § 74-206 Executive Sessions—When Authorized

Policy History

Adopted on:

Revised on:

Reviewed on:

REQUEST TO ADDRESS THE BOARD

NOTICE

DUE TO THEIR SENSITIVE NATURE, COMMENTS OR COMPLAINTS ABOUT PERSONNEL OR INDIVIDUAL STUDENTS WILL ONLY BE HEARD IN EXECUTIVE SESSION. ADDITIONALLY, OTHER TOPICS YOU WISH TO ADDRESS MAY ONLY BE APPROPRIATE FOR EXECUTIVE SESSION. IN SUCH INSTANCES, THE BOARD WILL DETERMINE IF YOUR COMMENTS ARE APPROPRIATE FOR OPEN OR EXECUTIVE SESSION AND WILL NOTIFY YOU ACCORDINGLY.

A PERSON WHO DISRUPTS THE EDUCATIONAL PROCESS OR WHOSE PRESENCE IS DETRIMENTAL TO THE MORALS, HEALTH, SAFETY, ACADEMIC LEARNING, OR DISCIPLINE OF THE PUPILS OR WHO LOITERS IN SCHOOLS OR ON SCHOOL GROUNDS, IS GUILTY OF A MISDEMEANOR.

Any complaint about the District, including instruction, discipline, District personnel policy, procedure or curriculum, should be referred through proper administrative channels before it is presented to the Board. All complaints should be resolved through proper channels in the following order:

6. Teacher or Staff
7. Principal or Supervisor
8. Director or Administrator
9. Superintendent
10. Board of Trustees

If these channels have been exhausted, this form should be filled out and handed to the Board clerk prior to the beginning of the meeting.

The Board of Trustees follows a written agenda, a copy of which is available to assist you in participating in the meeting.

If you have indicated on this form your desire to speak, at the appropriate time, the Chair will announce your name.

You will have the floor a maximum of 3 minutes.

The Board of Trustees encourages input from the public. If you want the Board to receive more information than time permits, please reduce your concerns to written form and send them to the Board Clerk. Written comments must include name, address, and telephone number.

All individuals appearing before the Board are expected to follow these guidelines:

1. Address the Board only at the appropriate time as indicated on the agenda and when recognized by the Board Chair.
2. Identify oneself and be brief. Comments shall be limited to 3 minutes. In unusual circumstances, and when an individual has made a request in advance to speak for a longer period of time, the individual may be allowed to speak for more than 3 minutes.
3. The Board Chair may shorten or lengthen an individual's opportunity to speak. The Chair may also deny an individual the opportunity if the individual has previously addressed the Board on the same subject within the past two months.
4. The Board Chair shall have the authority to determine procedural matters regarding public participation not otherwise defined in Board policy.

Request to Address the Board

Date: _____

Name: _____ (Please Print)

Subject Matter Desiring to Address:

Check if any of the below identified subject matters are matters you wish to address in your presentation to the Board:

- ___ **The hiring of a public school employee.**
- ___ **The qualifications of any individual employee/prospective employee.**
- ___ **The evaluation or performance of any individual employed by the District.**
- ___ **A complaint or concern about any individual employed by the District.**
- ___ **A complaint or concern about any student enrolled at the District.**

**Please deliver a completed copy of this form to the Board's clerk prior to the commencement of the Board meeting.

Council School District No. 13

COMMUNITY RELATIONS

4110

Public Complaints

The Board is interested in receiving valid complaints and suggestions. Public complaints and suggestions shall be submitted according to the Uniform Grievance Procedure to the appropriate-level staff member or District administrator. Each complaint or suggestion shall be considered on its merits.

Unless otherwise indicated in these policies or otherwise provided for by law, no appeal may be taken from any decision of the Board.

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

COMMUNITY RELATIONS

4120

Uniform Grievance Procedure

It is the Board's desire that administrative procedures for settling complaints and grievances of any and all persons (i.e., staff, students, patrons, hereinafter "Grievant") be an orderly process within which solutions may be pursued. Further, it is the intent of the Board that the procedure will provide prompt and equitable resolution at the lowest possible administrative level.

Additionally, it is the Board's desire that each grievant be assured an opportunity for orderly presentation and review of complaints without fear of reprisal.

Grievance Procedure

This grievance procedure should be followed if a grievant believes that the Board, its employees or agents have violated the grievant's rights guaranteed by the State or federal constitutions, State or federal statutes, or Board policy.

The District will endeavor to respond to and resolve complaints without resorting to this grievance procedure and, if a complaint is filed, to address the complaint promptly and equitably. The right of a person to prompt and equitable resolution of the complaint filed hereunder shall not be impaired by the person's pursuit of other remedies. Use of this grievance procedure is not a prerequisite to the pursuit of other remedies, and use of this grievance procedure does not extend any filing deadline related to the pursuit of other remedies.

Grievances will be processed according to the step-by-step process outlined below. However, if a person designated to hear a grievance is the subject of the grievance, the grievance process will begin at the next highest step and the process shall be modified as needed to meet the objectives of the Grievance Procedure. If a grievance is directly based on official Board action, the grievance shall be directed to the Clerk of the Board. The grievance may be heard by the Board at the sole discretion of the Board.

Level 1: Informal: A grievant with a complaint is encouraged to first discuss it with the teacher, counselor, or building administrator involved, with the objective of resolving the matter promptly and informally. An exception is that complaints of sexual harassment should be discussed with the first line administrator that is not involved in the alleged harassment.

Level 2: Principal: If the complaint is not resolved at Level 1, the grievant may file a written grievance stating:

1. The nature of the grievance; and
2. The remedy requested.

It must be signed and dated by the grievant. The Level 2 written grievance must be filed with the principal within 60 days of the event or incident, or from the date the grievant could reasonably become aware of such occurrence.

If the complaint alleges a violation of Board policy or procedure, the principal shall investigate and attempt to resolve the complaint within 30 school business days. If either party is not satisfied with the principal's decision, the grievance may be advanced to Level 3 by requesting in writing that the Superintendent review the principal's decision. This request must be submitted to the Superintendent within 15 days of the principal's decision.

If the complaint alleges a violation of Title IX, Title II, Section 504 of the Rehabilitation Act, or sexual harassment, the principal shall turn the complaint over to the Nondiscrimination Coordinator who shall investigate the complaint. The District has appointed Nondiscrimination Coordinators to assist in the handling of discrimination complaints. The Coordinator will complete the investigation and file the report with the Superintendent within 30 school business days after receipt of the written grievance. The Coordinator may hire an outside investigator if necessary. If the Superintendent agrees with the recommendation of the Coordinator, the recommendation will be implemented. If the Superintendent rejects the recommendation of the Coordinator, and/or either party is not satisfied with the recommendations from Level 2, either party may make a written appeal within 15 days of receiving the report of the Coordinator to the Board for a hearing.

Level 3: Superintendent: Upon receipt of the request for review, the Superintendent shall schedule a meeting between the parties and the principal. The parties shall be afforded the opportunity to either dispute or concur with the principal's report. The Superintendent shall decide the matter within ten days of the meeting and shall notify the parties in writing of the decision. If the Superintendent agrees with the recommendation of the principal, the recommendation will be implemented. If the Superintendent rejects the recommendation of the principal, the matter may either be referred to an outside investigator for further review or resolved by the Superintendent.

If either party is not satisfied with the decision of the Superintendent, the Board is the next avenue for appeal. A written appeal must be submitted to the Board within 15 days of receiving the Superintendent's decision. The Board is the policy-making body of the school, however, and appeals to that level must be based solely on whether or not policy has been followed. Any individual appealing a decision of the Superintendent to the Board bears the burden of proving a failure to follow Board policy.

Level 4: The Board: Upon receipt of a written appeal of the decision of the Superintendent, and assuming the individual alleges a failure to follow Board policy, the matter shall be placed on the agenda of the Board for consideration not later than their next regularly scheduled meeting. A decision shall be made and reported in writing to all parties within 30 days of that meeting. The decision of the Board will be final.

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

COMMUNITY RELATIONS

4120F

Concern You Would Like Addressed

(Please keep your presentation to one sheet. Thank you.)

Name: _____ Date _____

Mailing Address: _____

Phone Number(s): _____

Subject: _____

Problem: _____

Examples that demonstrate the problem: _____

Results: _____

Suggested Solutions: _____

Response Date: _____ Person Responding: _____

Council School District

Response to Concern

Person Responding: _____

Response Date: _____

Method used to communicate response: _____

Actions taken to investigate concern: _____

People contacted in gathering information upon which to make decision: _____

Findings of the investigation: _____

Decision: _____

Results of communicating the decision: _____

Signature

Council School District No. 13

COMMUNITY RELATIONS

4130

Public Access to District Website

In order to comply with various State laws and to ensure that the public is provided with web-accessible information, the District shall develop and maintain a publically available website for the posting of District information.

The District shall make available to the public on its website the annual budget approved by the Board, which will be posted within 30 days after its approval.

The District shall also make available to the public on its website the Board's Annual Continuous Improvement Plan. The plan must be reviewed, updated annually, and posted no later than October 1 each year.

The District shall also make available to the public on its website its Student Data Privacy and Security policy.

Notice of negotiations sessions between the District and any local education organization shall be posted on the front page of the District's website. This shall be done at the earliest time practicable for the District. The District shall also make available to the public on its website any current master collective bargaining agreement approved by the Board.

The District shall make available to the public on its website a posting of District expenditures that is easily accessible from the main District webpage. The expenditure data shall be provided as open structure data that can be downloaded by the public in one of the following formats:

1. Non-searchable PDF;
2. Searchable PDF;
3. Spreadsheet; or
4. Database.

The District shall ensure that the expenditure website includes the following data concerning all expenditures made by the District:

1. The name and location or address of the entity receiving moneys;
2. The amount of expended moneys;
3. The date of the expenditure;
4. A description of the purpose of the expenditure, unless the expenditure is self-describing;
5. Supporting contracts and performance reports upon which the expenditure is related when these documents already exist; and
6. To the extent possible, a unique identifier for each expenditure.

The District shall update the expenditure data contained on the website at least every 30 days and archive all expenditures so that they remain accessible for three years after the fiscal year in which they were made consistent with the District's records retention policy.

Website Accessibility and Nondiscrimination

The District is committed to ensuring that people with disabilities have an opportunity equal to that of their nondisabled peers to participate in the District's programs, benefits, and services, including those delivered through electronic and information technology, except where doing so would impose an undue burden or create a fundamental alteration.

Benchmarks for Measuring Accessibility

In order to assure that people with disabilities have an opportunity equal to that of their nondisabled peers to access information delivered through electronic and information technology, all pages on the District's website will conform to the W3C Web Accessibility Initiative's (WAI) Web Content Accessibility Guidelines (WCAG) 2.0 Level AA and the Web Accessibility Initiative Accessible Rich Internet Applications Suite (WAI-ARIA) 1.0 techniques for web content, or updated equivalents of these guidelines, except where doing so would impose an undue burden or create a fundamental alteration.

Website Accessibility

With regard to the District's website and any official District web presence which is developed by, maintained by, or offered through third party vendors and open sources, the District is committed to compliance with the provisions of the Americans with Disabilities Act (ADA), Section 504 and Title II so that students, parents, and members of the public with disabilities are able to independently acquire the same information, engage in the same interactions, and enjoy the same benefits and services within the same timeframe as those without disabilities, with substantially equivalent ease of use; and that they are not excluded from participation in, denied benefits or, or otherwise subjected to discrimination in any District programs, services, and activities delivered online.

All existing web content produced by the District, and new, updated, and existing web content provided by third party developers, will conform to the WCAG 1.0 Level AA and the WAI-ARIA 1.0 techniques for web content or updated equivalents. This policy applies to all new, updated, and existing web pages, as well as all web content produced or updated by the District or provided by third-party developers.

Website Accessibility Concerns, Complaints, and Grievances

A student, parent, or member of the public who wishes to submit a complaint or grievance regarding a violation of the ADA, Section 504 or Title II related to the accessibility of any official District web presence that is developed by, maintained by, or offered through the District, third party vendors and/or open sources may complain directly to a school administrator. The initial complaint or grievance should be made using the District's Uniform Grievance Form, upon request at the District office, however, a verbal complaint or grievance may be made. When a school administrator receives the information, they shall immediately inform the District's IT

Department. The complainant need not wait for the investigation of any grievance or complaint in order to receive the information requested.

Whether or not a formal complaint or grievance is made, once the District has been notified of inaccessible content, effective communication shall be provided as soon as possible to the reporting party to provide access to the information.

Testing and Accountability

The District will ensure website accessibility training to all appropriate personnel, including employees who are responsible for developing, loading, maintaining, or auditing web content functionality. The designated responsible personnel will be responsible for reviewing and evaluating new material that is published by school staff and uploaded to the website for accessibility on a periodic basis. The designated responsible personnel will be responsible for reviewing all areas of the District’s website and evaluating its accessibility on a periodic basis, and at least once per quarter. Any non-conforming webpages will be corrected in a timely manner.

Cross Reference: Uniform Grievance Procedure 4120
Uniform Grievance Form 4120F

Legal Reference: Title II of the Americans with Disabilities Act of 1990
Section 504 of the Rehabilitation Act

Policy History:

Adopted on:

Revised on:

Reviewed on

Council School District No. 13

COMMUNITY RELATIONS

4140

Visitors to the Schools

While the District encourages visits by Board members, parents, and citizens to all District buildings, all visitors are required to report to the administration or principal's office upon entering any District building.

All building administrators shall ensure that prominent notices are posted at each entrance requiring that all visitors first report to the administrative office. This includes all parents, Board members, volunteers, social service workers, invited speakers, maintenance and repair persons not employed by the District, salespersons, representatives of the news media, former students, and any other visitors.

Visits to individual classrooms during instructional time shall be permitted only with the principal's and teacher's approval and such visits shall not be permitted if their duration or frequency interferes with the delivery of instruction or disrupts the normal school environment.

Conferences should be held outside school hours or during the teacher's conference or prep time.

Loitering/Unauthorized Persons

The principal has authority to request assistance from law enforcement if any visitor or unauthorized individual refuses to leave school grounds or creates a disturbance. Violation of District policy may lead to removal from the building or grounds and denial of further access to District buildings or grounds.

Employees shall report to the principal any person loitering on or near a school building or school grounds. The principal may request such unauthorized individual leave or remove him or her from the school premises or area. If the individual does not leave voluntarily or resists removal, law enforcement shall be notified and requested to assist in the removal. The principal or designee shall notify the Superintendent's office immediately if such a situation develops.

Unauthorized persons loitering in or about any school building, or on school grounds shall be asked to leave the premises. Any such person failing to leave the premises shall be considered to be in probable violation of disorderly conduct or trespassing statutes. Law enforcement shall be notified and requested to remove the individual from the building or grounds.

Cross Reference: 4320
4420

Disruption of School Operations
Sex Offenders

Policy History:

Adopted on:

Revised on:

Reviewed on:

Accommodating Individuals with Disabilities

Individuals with disabilities shall be provided an opportunity to participate in all school-sponsored services, programs, or activities on a basis equal to those without disabilities and will not be subject to illegal discrimination.

The District may provide auxiliary aids and services where necessary to afford individuals with disabilities equal opportunity to participate in or enjoy the benefits of a service, program, or activity.

The Superintendent is designated the Americans with Disabilities Act, Title II Coordinator and, in that capacity, is directed to:

1. Oversee the District's compliance efforts, recommend necessary modifications to the Board, and maintain the District's final Title II self-evaluation document and keep it available for public inspection for at least three years after its completion date **[For districts having 50 or more full- or part-time employees]**.
2. Institute plans to make information regarding Title II's protection available to any interested party.

Individuals with disabilities should notify the Superintendent or building principal if they have a disability which will require special assistance or services and, if so, what services are required. This notification should occur as far as possible before the school-sponsored function, program, or meeting.

Individuals with disabilities may allege a violation of this policy or federal law by reporting it to the Superintendent, as the Title II Coordinator, or by filing a grievance under the Uniform Grievance Procedure.

The District will provide the parent or guardian of each student who has a disability with a copy of the Procedural Safeguards Notice available on the website of the Idaho State Department of Education. This notice will be provided one time each year. It will also be provided, as outlined in 34 C.F.R. 330.504(a), upon initial referral or parental request for an evaluation, upon filing a request for a due process hearing, upon a disciplinary action constituting a change in placement, and upon the request of a parent or guardian. The notice must be provided in the parent or guardian's native language unless it is not feasible to do so.

Cross Reference: 4120

Uniform Grievance Procedure

Legal Reference: Americans with Disabilities Act, 42 U.S.C. §§ 12111, et seq., and 12131, et seq.; 28 C.F.R. Part 35.

Individuals with Disabilities Education Act, 20, U.S.C. §§ 1415

Procedural Safeguards Notice, 34 C.F.R. § 300.504

Policy History:

Adopted on:

Revised on:

Reviewed on:

Parents' Right-to-Know Notices

*NOTE: This list of parental notice requirements is limited to those required by ESSA 20 USC § 6312(e), other notices to parents are found in other policies. The only notices applying to districts that do **not** receive Title I funds are those regarding student privacy. The notices described in this policy are paraphrased; please see the specific ESSA section cited for the exact requirements.*

Academic Notices

1. **Teacher Qualifications:** At the beginning of each school year, the District shall notify the parents of each student attending any school receiving Title I funds that the parents may request, and the District will provide the parents on request, information regarding the professional qualifications of the student's classroom teachers, including, at a minimum, the following:
 - A. Whether the teacher has met the State qualifications and licensing criteria for the grade levels and subject areas in which the teacher provides instruction;
 - B. Whether the teacher is teaching under emergency or other provisional status through which State qualifications or licensing criteria has been waived;
 - C. Whether the teacher is teaching in the field or discipline consistent with the teacher's certification; and
 - D. Whether paraprofessionals provide services to the student and, if so, their qualifications.

2. **Student Performance:** The District must provide parents the following information on the level of achievement of the parent's child:
 - A. Information on the level of achievement and academic growth of the student, if applicable and available, on each of the State academic assessments required by law; and
 - B. Timely notice that the student has been assigned or taught for four or more consecutive weeks by a teacher who does not meet applicable State certification or licensure requirements at the grade level and subject area in which the teacher has been assigned.

Testing Transparency Notices

1. **Testing Notification:** At the beginning of each school year, the District shall notify the parents of each student that the parents may request, and the District will provide the parents in a timely manner, information regarding any State or District policy regarding student participation in any required assessments which information shall include a policy, procedure,

or parental right to opt the child out of such assessment, where applicable.

2. **Testing Information:** The District shall make widely available through public means (including by posting in a clear and easily accessible manner on the District's website and, where practicable, on the website of each school served by the District) for each grade served by the District, information on each test or assessment required by ESSA 20 USC § 6311, other assessments required by the State, and where such information is available and feasible to report, assessments required districtwide by the local educational agency, including: The subject matter to be assessed; the purpose for which the assessment is designed and used; the source of the requirement for the assessment; and, if available, the amount of time the students will spend taking the assessment, the schedule for the assessment, and the time and format for disseminating test results.

English Learner Program Notices

1. **Initial Program Notice:** The District shall, not later than 30 days after the beginning of the school year, inform a parent of an English learner identified for participation or participating in such a program of:
 - A. The reasons for the identification of their child as an English learner and in need of placement in a language instruction educational program;
 - B. The child's level of English proficiency, how such level was assessed, and the status of the child's academic achievement;
 - C. The methods of instruction used in the program in which their child is, or will be, participating and the methods of instruction used in other available programs, including how such programs differ in content, instructional goals, and the use of English and a native language in instruction;
 - D. How the program in which their child is, or will be, participating will meet the educational strengths and needs of their child;
 - E. How such program will specifically help their child learn English and meet age-appropriate academic achievement standards for grade promotion and graduation;
 - F. The specific exit requirements for the program, including the expected rate of transition from such program into classrooms that are not tailored for English learners, and the expected rate of graduation from high school (including four-year adjusted cohort graduation rates and extended-year adjusted cohort graduation rates for such program) if funds under this part are used for children in high schools;
 - G. In the case of a child with a disability, how such program meets the objectives of the individualized education program of the child, as described in Section 614(d) of the Individuals with Disabilities Education Act (20 U.S.C. 1414(d)); and
 - H. Information pertaining to parental rights that includes written guidance—

- (i) Detailing the right of parents to have their child immediately removed from such program upon their request;
 - (ii) Detailing the options that parents have to decline to enroll their child in such program or to choose another program or method of instruction, if available; and
 - (iii) Assisting parents in selecting among various programs and methods of instruction, if more than 1 program or method is offered by the eligible entity.
2. **Program Notice During School Year:** For those children who have not been identified as English learners prior to the beginning of the school year but are identified as English learners during such school year, the District shall notify the children's parents during the first two weeks of the child being placed in a language instruction educational program consistent with subparagraph (1), above.
3. **Parental Participation:** The District shall provide the parents of English Learners information regarding how the parents can: be involved in the education of their children; be active participants in assisting their children to attain English proficiency; achieve at high levels within a well-rounded education; and meet the challenging State academic standards expected of all students; and shall implement an effective means of outreach to parents of the above include holding, and sending notice of opportunities for, regular meetings for the purpose of formulating and responding to recommendations from parents of English Learners.
4. **Program Exclusion and Admission:** A student shall not be admitted to, or excluded from, any federally assisted education program on the basis of a surname or language-minority status.

Parent and Family Engagement

Parents shall be notified of the parent and family engagement policy as outlined in 2420-2420P, in an understandable and uniform format and, to the extent practicable, in a language the parents can understand. Such policy shall be made available to the local community and updated periodically to meet the changing needs of parents and the school.

Education of Homeless Children and Youths

1. The District shall provide written notice, at the time any homeless child or youth seeks enrollment in a school, and at least twice annually while the child or youth is enrolled in the school, to the parent or guardian of the child or youth (or, in the case of an unaccompanied youth, the youth), which shall be signed by the parent or guardian, that:
- A. Sets forth the general rights provided by the McKinney-Vento Act as set forth in District Policy No. 3060; and
 - B. Specifically states:
 - i. The choice of schools homeless children and youths are eligible to attend;
 - ii. That no homeless child or youth is required to attend a separate school for homeless children or youths;
 - iii. That homeless children and youths shall be provided comparable services,

- including transportation services, educational services, and meals through school meals programs;
 - iv. That homeless children and youths should not be stigmatized by school personnel; and
 - v. Includes contact information for the local liaison for the homeless children and youths.
2. In the case of an unaccompanied homeless youth, the District shall ensure that the homeless liaison assists in placement or enrollment decisions, considers the views of such unaccompanied youth, and provides notice to such youth of the right to appeal.

Each district shall ensure that public notice of the educational rights of homeless children is disseminated where such children and youths receive services, such as schools, family shelters, and soup kitchens.

Persistently Dangerous Schools

A “persistently dangerous school” is defined as a school which, for three consecutive years, meets the following criteria:

1. In each of the three consecutive years, there is one instance of: suicide; sexual offense; or kidnapping; or
2. The school exceeds an expulsion or student conviction rate of: 1 percent of the student body; or three students, whichever number is greater, for violent criminal offenses or for violations of federal or state gun free schools requirements on school property or at a school sponsored event while school is in session.
3. For the purposes of this definition, a “violent criminal offense” is defined as conduct which could be charged as a felony or misdemeanor involving the threat of or actual physical injury, a sexual offense, homicide, rape, robbery, aggravated assault, aggravated battery, stalking, first degree kidnapping or aggravated arson.

If a school in the District is identified by the state as a “persistently dangerous school,” the Superintendent, or designee, shall ensure the following actions are accomplished in a timely manner:

1. Notify the parents of all students attending the school that the state has identified the school as persistently dangerous. Notification to the parents must occur within ten school days from the date the state provided such notice to the District.
2. Offer all students in such school the opportunity to transfer to a safe public school within the District. If there is no other school in the District, the District is encouraged, but not required, to explore other options such as an agreement with a neighboring district to accept transfer students. The offer to transfer students should occur within 20 school days from the time the District received notice from the state.

3. For those students who accept the offer, the transfer should be completed within 30 school days from the date the District notified the affected parents.
4. Parental notification regarding the status of the school and the offer to transfer student may be made simultaneously.
5. For student(s) choosing a transfer:
 - a. Students should be transferred to a school that is not identified as being in need of improvement, corrective action, or restructuring.
 - b. Transfers may be temporary or permanent, but must be in effect as long as the school is identified by the state as persistently dangerous.
 - c. In the event there is no other qualifying school in the District to accept the transferring student(s), the Superintendent should explore other options, such as an agreement with a neighboring district to accept the student(s). (See, Idaho Code §§ 33-1402, 33-1404.)

School Intervention Action Plan: For any school identified as “persistently dangerous” for two consecutive years, the District shall identify the problems and implement a written intervention action plan to ensure a safe school environment for students, faculty, and other school employees. Within 30 days of being notified, the intervention action plan shall be submitted to the State Department of Education (SDE) for approval. SDE will monitor the school progress.

Safe School Option for Victims: If a student is a victim of a violent criminal offense while attending school during normal school hours or at a school sponsored event, the District shall provide the following safe school options:

1. Within ten school days the Superintendent or designee shall ensure that the student is offered the opportunity to transfer to a safe school within the District;
2. If there is no qualifying school in the District, the District is encouraged, but not required, to explore other options such as an agreement with a neighboring district to accept the student.

To the extent feasible, the District will work with local victim assistance programs to determine whether they have services or funds available to help students in these circumstances. The Superintendent or designee should contact the office of the local county attorney to identify and locate qualified programs in the county.

Student Privacy

1. The student privacy policies developed by the District shall provide for reasonable notice of the adoption or continued use of such policies directly to the parents of students enrolled in schools served by the District. At a minimum, the District shall provide such notice at least annually at the beginning of the school year and within a reasonable period of time after any

substantive change in such policies; and offer an opportunity for the parent to opt the student out of the activity.

2. The District shall provide reasonable notice of such existing policies to parents and guardians of students, e.g., *“The Board has adopted and continues to use policies regarding student privacy, parental access to information, and administration of certain physical examinations to minors. Copies of those policies are available on request.”*

Program Notices to Parents Format

The notice and information provided to parents under this policy shall be in an understandable and uniform format and, to the extent practicable, provided in a language that the parents of English Learners can understand.

Cross Reference: 2385 Limited English Proficiency Programs
 2100 Curriculum Development and Assessment
 2140 Student and Family Privacy Rights
 2385 Limited English Proficiency Programs
 2420 Parent and Family Engagement
 3000 Entrance, Placement, and Transfer
 3060 Education of Homeless Children

Legal Reference: 20 U.S.C. § 6311et seq. State Plans
 20 U.S.C. § 6312(e) Parents Right to Know
 20 U.S.C. 1414(d) Individuals with Disabilities Education Act
 20 U.S.C. 6318 Parental Involvement, as amended by ESSA of 2015
 20 U.S.C. § 6321 Fiscal Requirements
 20 U.S.C. § 7912 Unsafe School Choice Option
 20 U.S.C. §§ 1232g, et seq., Family Education Right to Privacy Act

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

COMMUNITY RELATIONS

4170

District or School Operated Social Media

The District recognizes the value in using social media tools to reach students, parents, and community members in an effective and efficient manner. This policy establishes guidelines for the use of District and/or school-operated social media sites. The policy does not apply to private student or parent organizations.

The best, most appropriate District/school use of social media tools fall generally into three categories:

1. As a means of disseminating time-sensitive information as quickly as possible (example: school closure due to weather conditions);
2. To promote upcoming District/school events, such as athletic competitions and other curricular and extracurricular events; and
3. To recognize outstanding achievement on the part of students and teachers.

Each District/school that operates a social media site shall designate a staff member “Content Manager” who shall be responsible for the content and maintenance of the social media site(s). This person shall be identified as the responsible Content Manager in both social media and District/school websites and contact information shall be provided.

Social media sites shall be in compliance with all relevant District policies and state and federal rules and regulations, including without limitation, the Idaho Code of Ethics for Professional Educators, student and personnel acceptable Internet use policies, records retention policies, and applicable privacy and confidentiality policies adopted by the District or as provided by State or federal law. No confidential or proprietary information of the District shall be posted. No student records shall be posted.

Directory information regarding students may be posted on social media, which may include photos, student names, grade level, academic awards and information in relation to school-sponsored activities, organizations, and athletics. Any parent/student who has not opted out of providing directory information pursuant to District Policies 3570 and 3575 consents to the publishing of student directory information on social media, and such content shall not be a violation of applicable District policy or State or federal law.

Users and visitors to social media sites shall be notified that the intended purpose of the site is to serve as a mechanism for communication between the District/schools and students, parents, and members of the community.

The Content Manager may remove any material that would:

1. Disrupt the educational process or compromise the safety of students or staff;
2. Violate the rights of others;
3. Invade the privacy of others;
4. Infringe on a copyright;
5. Be obscene, vulgar, or indecent;
6. Promote, foster or perpetuate discrimination on the basis of race, ethnicity, age, religion, gender, national origin, physical or mental disability or sexual orientation;
7. Include sexual content or links to sexual content;
8. Encourage illegal activity;
9. Constitute hazing, harassment, intimidation, bullying, or cyberbullying;
10. Solicit commerce.

These guidelines must be displayed to users or made available by hyperlink. Any content removed based on these guidelines must be retained, including the time, date, and identity of the poster when available.

The District or Content Manager reserves the right to restrict or remove any content that is deemed in violation of this social media policy or any applicable law.

Cross Reference:	3570-3570P	Student Records
	3575	Student Data Privacy and Security
	4130	Public Access to District Website
	4260	Records Available to Public
	5280	Professional Standards Commission Code of Ethics
	5325-5325P	Employee Use of Social Media Sites, Including Personal Sites
	8605	Retention of District Records

Legal Reference:	20 U.S.C. § 1232g	Family Education Rights and Privacy Act
	34 C.F.R. 99	Family Education Rights and Privacy Act
	Title 74 Chapter 1	Public Records Act
	I.C. § 33-133	Idaho Student Data Accessibility, Transparency, and Accountability Act
	IDAPA 08.02.02.076	Code of Ethics for Idaho Professional Educators
	IDAPA 08.02.02.077	Definitions for Use with the Code of Ethics for Idaho Professional Educators

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

School-Support Organizations

The Board recognizes that parent, teacher, and student organizations are an invaluable resource to the District schools and so supports their formation and vitality. While parent, teacher, and student organizations have no administrative authority and cannot determine District policy, their suggestions and assistance are always welcome. Membership must be open and unrestricted.

Booster clubs and/or special interest organizations may be formed to support and strengthen specific activities conducted within the school or District. All such groups must receive the approval of the school principal, Superintendent, and the Board in order to be recognized as a booster organization. These organizations must keep on file in the Superintendent's office a record of officers, bylaws, mailing addresses, and other pertinent information as may be required by the Superintendent. Staff participation, cooperation, and support are encouraged in such recognized organizations.

Approving Activities of Booster Organizations

Booster-proposed plans, projects, or activities must be evaluated and promoted in light of their stated contribution to the curricular as well as the extracurricular programs of the District. Careful consideration must be given to the total value of all students, rather than to specific elements such as team participants.

Annually, booster organizations must submit to the Superintendent or designee their tentative goals and objectives along with their fundraising plans for the next school year for review by the Board. Should the goals and objectives or fundraising plans change during the school year, the Superintendent or designee is to be advised before any final revisions are made.

Booster organizations must abide by all District policies as well as the following:

1. Booster organizations may not use the District's tax ID number;
2. Booster organizations may not accept checks made out to the District. The District may not accept checks made out to the booster organization;
3. District officials should not have a leadership role in booster organizations;
4. Fundraising activities should not occur on District premises or during school hours unless permission has been given by the Superintendent or designee; and
5. Booster organizations must submit to the Superintendent for review and approval of annual reports on income, expenses, and balance sheets.

Fund-Raising by School Support Groups

Fund-raising by school support groups is considered a usual and desirable part of the function of such groups. The specific fund-raising activities must be approved in advance by the principal.

The principal must be consulted prior to any expenditure of such funds. All such funds raised by school adjunct groups are to be used for the direct or indirect support of school programs. Equipment purchased by support groups and donated to the schools becomes the property of the District and may be used or disposed of in accordance with District policy and State law.

Announcements of booster organization events and activities should clearly indicate that it is sponsored by a group and not the school or District. Groups should warrant that the activities will be adequately supervised.

Financial Records

Booster organizations shall handle their own accounting and bookkeeping procedures and maintain their own separate accounts for income and expenditures. However, each organization shall be required to submit an annual financial report to the Superintendent giving a full accounting of their financial dealings for the year including money raised and expended. The organization shall also submit to the Superintendent backup documentation. Adequate, auditable financial records shall be maintained at all times.

Booster organizations shall use a fiscal reporting period that begins July 1 and ends June 30. Only elected officers of the booster organization may be authorized to sign checks drawn on the bank account of the organization. Two signatures are required on all organization checks. Persons authorized to sign may not be related nor live in the same house. An employee of the school may not be authorized to sign checks drawn on the bank account of a booster organization operating at that school.

No member or officer of any school associated organization shall draw a salary or receive wages of any kind in connection with their work with any school associated organization with the exception that members or officers may be reimbursed for personal expenditures made on behalf of the organization to a maximum of \$1,000.00 per year as verified by actual receipts. Any school associated organization failing to submit an annual financial statement as required by this policy shall be subject to having the Board approval withdrawn and will no longer be allowed to raise funds on behalf of the schools or use the name of any school or of the District in any way, or imply that they are a school associated organization.

Audit

Any booster organization shall be required to conduct annual audits of their financial records. The District does not require booster organizations to hire an audit committee or qualified accountant to conduct the organization's audit.

Liability and Insurance

The District requires any booster organization or like organization to obtain and keep current liability insurance in the amount of \$1,000,000 naming the District as additional insureds.

High School Activities Association Regulations

The Idaho High School Activities Association (IHSAA) Rules and Regulations prohibit remuneration of any kind from any source outside the local School Board in return for services

rendered in instructing or coaching any high school athletic team. Said prohibition shall also apply to any coach, instructor, or advisor of other teams, clubs, groups, etc. Coaches, instructors, or advisors may receive appreciation gifts from team members, students' parents, or community organizations that do not exceed the value of an IHSAA player award.

Parameters for Use of the District's Name, Logo, or Mascot

The use of the District or any school name, logo, or mascot by booster organizations must be authorized by the Superintendent or designee. The Superintendent or designee may revoke the authorization to use the District's name, logo, or mascot if the Superintendent or designee determines that the booster organization has failed to comply with the terms of this policy or any other District policy. The Superintendent or designee will notify the booster organization in writing of the reason for the revocation. The booster organization may appeal the revocation to the Board whose decision will be final. The appeal must be filed in writing and submitted to the Board Clerk no later than five business days from the date of the Superintendent/designee's letter.

In the event a booster organization's authorization to use the District's name, logo, or mascot is revoked, the booster organization will, within three business days of the final decision, provide to the District Treasurer for deposit all of the funds in its possession.

Donations

Any item that a booster organization proposes to contribute to the school must meet all legal requirements, including safety codes. Before accepting any such donation, the Superintendent must ensure that funding is available to install and maintain all donated equipment, such as playground equipment, in compliance with all safety requirements. All items donated become the property of the District. While the intent of the donation will be considered, the District reserves the right to modify the use if the needs of the students or the District change.

Discrimination

The District and booster organizations may not create a vast difference in benefits or services to female and male athletes and/or students. The District and booster organization must ensure that any contribution by the booster organization does not create a disparity in participation opportunities, equipment, facilities, etc. between males and females.

Legal Reference: 34 C.F.R. § 106.31(6) Evolution Programs or Activities

Other Reference: Idaho High School Activities Association, 2006-2007 Rules and Regulations Manual
Office of Civil Rights, Title IX Athletics Investigator's Manual

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

COMMUNITY RELATIONS

4210

Community Use of School Facilities

School facilities are available to the community for education, civic, cultural, and other non-commercial uses consistent with the public interest, when such use does not interfere with the school program or school-sponsored activities. Such facilities may also be used for the operation of a senior citizen center. Use of school facilities for school purposes has precedence over all other uses. Persons on school premises must abide by the District's conduct rules at all times.

Student and school-related organizations shall be granted the use of school facilities at no cost. Other organizations granted the use of the facility shall pay fees and costs. The Superintendent shall develop procedures to manage community use of school facilities, which shall be reviewed and approved by the Board. Use of school facilities requires the Superintendent's approval and is subject to the procedures.

Authorization for use of school facilities shall not be considered an endorsement of or approval of the activity, person, group, or organization nor the purposes they represent.

The administration shall approve and schedule the various uses of the school facilities. A master calendar will be kept in the office for scheduling dates to avoid conflicts during the school year. Requests for use of the school facilities must be submitted in advance of the event to the Superintendent's office.

Proper protection, safety, and care of school property shall be primary considerations in the use of school facilities. All facility use shall comply with State and local fire, health, safety, and police regulations. All individuals using school facilities shall comply with the policies of this Board.

Legal Reference: I.C. § 33-601 Real and Personal Property – Acquisition, Use or Disposal of Same.
I.C. § 33-602 Use of School Property or Buildings for Senior Citizen Centers
Lamb's Chapel v. Center Moriches Union Free School Dist., 113 S.Ct. 2141 (1993).

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

COMMUNITY RELATIONS

4210F1

Fee Schedule for Community Use of School Facilities

Building/Area	Rate of Charge
High School:	
Fieldhouse when no admission is charged	
Fieldhouse when admission is charged	
Gym when no admission is charged	
Gym when admission is charged	
Auditorium when no admission is charged	
Auditorium when admission is charged	
Cafeteria without kitchen equipment	
Cafeteria with kitchen equipment*	

*When kitchen equipment is used, a school cook must be present.

Building/Area	Rate of Charge
Junior High School:	
Gym when no admission is charged	
Gym when admission is charged	

Building/Area	Rate of Charge
Elementary:	
Gym when no admission is charged	
Gym when admission is charged	

Building/Area	Rate of Charge
Use of any Classroom (per classroom):	
When no admission is charged	
When admission is charged	

All charges are based on a per-day charge. Should the services of additional personnel be required due to the nature of the use request, the charges will be based on \$ _____ per hour for such additional employee

Community Use of School Facilities

HOLD HARMLESS AGREEMENT FOR USE OF DISTRICT FACILITIES

Council School District No. 13 (hereinafter referred to as “the District” or “District”) receives requests to cooperate with other agencies in promoting student activities by use of school facilities. Occasionally, such cooperation exposes the District to possible liability exposure. This agreement provides the District with assurance that the cooperating agency agrees to accept the additional liability risks and to defend and hold the District harmless in case of claims arising out of the rental or use of District facilities or grounds.

1. Indemnity

_____ (*agency using district facility*) shall defend, indemnify, and hold harmless the District, all of its officers, agents, employees, the State of Idaho, and its political subdivisions from and against any and all demands, suits, actions, claims, loss, or damage of any kind, whether or not meritorious, and by whomsoever made or caused, in any manner arising out of or occurring by reason of or in relation to any action or omission of the _____ (*agency using district facility*), its agents, servants, or representatives, or any occurrences, incidents, or injuries connected with the activity.

2. Liability Insurance and Damage

Prior to the activity, _____ (*agency using district facility*) shall procure and prepay all premiums on a comprehensive general liability insurance policy issued by an entity licensed to provide business insurance in Idaho. Said policy shall contain standard liability insuring agreements naming the District as an additional insured with _____ (*agency using district facility*). The limits of said policy shall not be less than the following amounts:

- \$ _____ for injuries to, or wrongful death of, any one person in any one accident;
- \$ _____ for injuries to, or wrongful death of, all persons in any one accident;
- \$ _____ for damage to, or loss of property in any one accident.

_____ (*agency using district facility*) shall furnish to the District a certificate of insurance at least _____ business days prior to the event/activity/meeting date. Said certificate of insurance shall show compliance with this agreement and provide _____ days prior notice of cancellation to the District.

_____ (*agency using district facility*) shall be primarily responsible to the District for any and all damage of any nature and by whomsoever caused to District property arising out of the aforementioned event/activity/meeting, but not limited to, any consequential damages the District may suffer because of loss of use of school facilities.

3. Non-Assignability

This Agreement is not assignable by _____ (*agency using district facility*) without the express and written consent of the District.

4. Miscellaneous

This Agreement shall be construed pursuant to the laws of the State of Idaho. It is agreed that the State of Idaho is the place of the formation of this Agreement and that this Agreement constitutes the whole of the parties' understanding and may not be modified except as provided herein or by a writing signed by each party hereto. The individual signing below as an officer or a representative warrants that he or she has the actual authority to sign this Agreement on behalf of the cooperating agency.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals on this _____ day of _____, 20____.

Cooperating Agency:

Owner:
Council School District No. 13

By: _____
Authorized Agency Administrator

By: _____
Authorized District Administrator

Facilities Use Agreement

Organization or Individual Requesting Facility Use: _____

Facility Requested: _____

Date and Hours of Requested Use: _____

Purpose of Use: _____

Equipment/Services Needed: _____

Insurance and Other Special District Requirements for Use: _____

Use Charge for Services/Facilities Listed: _____

Date and Amount Paid: _____

Principal's Approval: _____ Date: _____

Superintendent's Approval: _____ Date: _____

Premises and Conditions

I. Conditions of Facilities Use—Use of District facilities is conditioned upon the following covenants:

1. That no alcoholic beverages, tobacco, or other drugs be sold or consumed on the premises by the requesting organization or individual or any of its employees, patrons, agents, or members;
2. That no illegal games of chance or lotteries be permitted;
3. That no functional alteration of the premises or functional changes in the use of such premises be made without specific written consent of the District; and
4. That adequate supervision be provided by the requesting organization or individual to ensure proper care and use of District facilities.

Rent and Deposit

The requesting organization or individual agrees to pay the District, as rent for the premises and as payment for special services provided by the District (if any), the sum of \$_____. This shall be due _____ days in advance. The requesting organization or individual shall be responsible for all actual damages, including costs, disbursements, and expenses resulting while it has use of the premises.

Insurance and Indemnification

The requesting organization or individual, by signature below, hereby guarantees that the organization shall indemnify, defend, and hold harmless the District and any of its employees or agents from any liability, expenses, costs (including attorney's fees), damages, and/or losses arising out injuries or death to any person or persons or damage to any property of any kind in connection with the organization or individual's use of the District facility which are not the result of fraud, willful injury to a person or property, or the willful or negligent violation of a law.

The requesting organization or individual shall provide the District with a certificate of insurance prior to the use of the facility. The certificate shall show coverage for comprehensive general liability insurance in an amount not less than \$1,000,000 for injuries to or death of any person or damage to or loss of property arising out of or in any way resulting from the described use of the facility.

Non-Discrimination

The requesting organization or individual agrees to abide by non-discrimination clauses as contained in the Idaho Human Rights laws and federal anti-discrimination laws.

DATED this _____ day of _____, 20____.

Council School District:

Requesting Organization/Individual

By _____

By _____

Address _____

Phone _____

Additional Obligations:

Council School District No. 13

COMMUNITY RELATIONS

4210P

Community Use of School Facilities

Facility Use Applications

Applications requesting use of the school facility must be presented to the building principal at least ten days in advance of the time desired and must be signed by a qualified representative of the organization desiring to use the building.

When considering facility use applications, the following should be taken into consideration:

1. The activity should not interfere with the schedule of normal activities of the school or District; and
2. The content of the activity should be reasonably appropriate in a school setting.

The renting of school facilities will ordinarily be on a first-come-first-serve basis for eligible organizations, except that school-related activities shall have priority.

Right of Refusal

The use of the school premises will be denied when, in the opinion of the Superintendent or the Board, such use may be construed to be solely for commercial purposes, when there is probability of damage or injury to school property, or when the activity is deemed to be improper to hold in school buildings.

Fees

The Superintendent, or designee, shall establish a schedule of fees and make additional adjustments in the fees as necessary for the use of any school facility or school grounds. Fees/rental charges shall cover costs of wages of school personnel involved and utilities. The Board will review this fee schedule annually. Fees may be waived by the Superintendent or designee in consideration of services rendered by public institutions or nonprofit organizations in direct support of public school students or staff.

Fees will be invoiced and the sponsoring organization whose name appears on the application shall be held responsible for any and all damages to school property and equipment.

Insurance Coverage

The Board may require facility users to carry a commercial general liability insurance policy with a minimum limit per occurrence of \$1,000,000. A Certificate of Insurance for the policy, naming the Council School District as an additional insured, may also be required along with the facility use request. The Board reserves the right to require increased insurance coverage on any event.

School Equipment

Use of school equipment in conjunction with the use of school facilities must be specifically requested in writing and may be granted by the procedure by which permission to use facilities is granted. The user of school equipment must accept liability for any damage to or loss of such equipment that occurs while it is in use. Where rules so specify, no item of equipment may be used except by a qualified operator. No District equipment shall be removed from the premises for use by non-District personnel unless otherwise provided for in policy.

Supervision

At least one District employee must be on hand, paid for by the organization when, in the opinion of the Superintendent or designee, it is necessary to supervise the individuals and protect school property. The number of paid employees shall depend on the type of service, number to be served, and number of volunteer helpers.

Whenever a cafeteria is used, it shall be under the supervision of a school employee. The group using the facility shall reimburse the District for the salary of the employee.

No school building or facility shall be used for any purpose which could result in picketing, rioting, disturbing the peace, or damage to property or for any purpose prohibited by law.

No access to other rooms or equipment in the building shall be permitted unless designated by agreement.

Outdoor Facility Usage

The following applies to all District outdoor facility rentals:

1. The rental group shall be responsible for the full replacement cost of any facility or equipment damage.
2. Arrangements for keys for any rented facility must be made prior to the event by contacting the Athletic Director.
3. The procedure for cancellation of outdoor events due to threatening weather and/or field conditions is as follows:
 - A. If field conditions are such that play is not recommended, the athletic director shall notify the rental group as far in advance as possible that contests must be cancelled. Practice field rental will be substituted, if possible; and
 - B. If there is rain the day of the scheduled contests, the game field rental is considered cancelled and game fields are not to be used. Questions can be answered by calling the athletic director, high school principal, or Superintendent (in that order).
4. All equipment items the rental group desires must be listed on the rental agreement.
5. Requests for night rentals will be reviewed on a case-by-case basis.

Procedure History:

Promulgated on:

Revised on:

Reviewed on:

Council School District No. 13

COMMUNITY RELATIONS

4225

Equipment Usage

The District athletic equipment will not be loaned out except under the provisions in the last paragraph of this policy.

For liability reasons, use of school equipment by any group or individual, other than for school sponsored events, is discouraged. In all cases where equipment is used by non-school groups, a liability release will be required.

Use of equipment will not be available to non-school groups. Equipment such as pitching machines, catcher's gear, shoulder pads, helmets, weight room equipment, blocking dummies and sleds, pole vault and high jump equipment and mats, meet hurdles, starting blocks, and wrestling mats are available for use by School District classes and athletic teams only. This does not include Freestyle Wrestling's use of the mats.

Different pieces of equipment such as practice hurdles, pole vault equipment, etc. may be used by District athletes for practice during non-scheduled practice times. These must be checked out through the athletic director and a waiver must be signed releasing the District of any liability.

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

COMMUNITY RELATIONS

4230

Use of School Property for Posting Notices

Non-school related organizations may ask the building principal permission to:

1. Display posters in the area reserved for community posters; or
2. Have flyers distributed to students.

Posters and/or flyers subject to a request must be student oriented and have the sponsoring organization's name prominently displayed. Permission will be denied to post or distribute any material that would:

1. Disrupt the educational process;
2. Violate the rights of others;
3. Invade the privacy of others;
4. Infringe on a copyright; or
5. Be obscene, vulgar, or indecent.

No commercial publication shall be posted or distributed unless the purpose is to further a school activity such as graduation, class pictures, or class rings. No information from any candidates for non-student elective offices shall be posted in the school, except on election-day, or distributed to the students.

If permission is granted to distribute, the organization must arrange to have copies delivered to the school. Distribution of the material will be arranged by the administration.

Cross Reference: 2920 Distributing and Posting of Non-Curricular Materials

Policy History

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

COMMUNITY RELATIONS

4240

Distribution of Fund Drive Literature through Students

It is the policy of this District to refrain from having the students, as student body members, used for collection or dissemination purposes.

Exceptions to this policy will be considered when recognized or student or school-affiliated organizations of the District request permission to participate in such activities.

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

COMMUNITY RELATIONS

4250

Educational Research in District Schools

All requests from the public to conduct research within the School District must be directed to the Superintendent. The following criteria will be utilized to make a determination regarding approval of such requests:

1. The study results in direct benefits or provides direct services to the children within the School District;
2. The study provides in-service opportunities for the growth and development of faculty and/or staff;
3. There is no expenditures of District funds or use of staff/faculty time unless there are benefits as described in 1 and 2 above; and
4. Students participating in studies authorized by school administration must have the approval of their parents.

Cross-reference: 2120 Program Evaluation and Diagnostic Tests
 2140 Students and Family Privacy Rights
 2130 Research Studies
 5380 Professional Research and Publishing

Policy History:

Adopted on:

Revised on:

Reviewed on:

Records Available to Public

Subject to the limitations provided herein, and as provided by law, full access to public records concerning the administration and operations of the District shall be afforded to the public. Public access to District records shall be afforded according to appropriate administrative procedures.

Every person has the right to examine and take a copy of any public record at all reasonable times. All District records except those restricted by State and federal law shall be made available to citizens upon written request for inspection at the Clerk's office.

The Superintendent shall serve, or designate someone to serve, as "Public Records Coordinator" with the responsibility and authority for ensuring compliance with the display, indexing, availability, inspection, retention, and copying requirements of federal law, State law, and this policy. Responsibility and authority for indexing shall include identifying the general subject matter of all public records kept or maintained by the District, the custodian of these records, and their physical location. The identified physical location of the District's records is provided in the Retention of District Records Policy. The Public Records Coordinator shall authorize the inspection and copying of the District's records only in accordance with the criteria set forth in this policy and in compliance with State and federal laws.

A written copy of the Board's minutes shall be available to the general public within a reasonable time after the meeting in which they are approved. Drafts of the Board's minutes are considered to be public records and shall be produced upon request. However, the District shall watermark such public records with the statement "Unofficial Draft Minutes not yet reviewed or approved by Board."

Definitions

A "public record" includes, but is not limited to, any writing containing information relating to the conduct or administration of the public's business prepared, owned, used, or retained by any State agency, independent public body corporate and politic, or local agency regardless of physical form or characteristics.

A "writing" includes, but is not limited to, handwriting, typewriting, printing, photocopying, photographing, and every means of recording, including letters, words, pictures, sounds or symbols, or combination thereof; and all papers, maps, magnetic or paper tapes, photographic films and prints, magnetic or punched cards, discs, drums, or other documents.

Records Exempt from Disclosure

In accordance with Idaho Code, the following records shall NOT be subject to public inspection or copying:

1. Any public record exempt from disclosure by federal or State law or federal regulations to the extent specifically provided for by such law or regulation.
2. Retired employees' and retired public officials' home addresses, home telephone numbers, and other financial and non-financial membership records.
3. Records of a current or former employee other than the employee's duration of employment with the District, position held, and location of employment. This exemption from disclosure does not include the contracts of employment or any remuneration, including reimbursement of expenses. However, all other personnel information relating to a public employee or applicant including, but not limited to, information regarding sex, race, marital status, birth date, home address and telephone number, net pay, applications, testing and scoring materials, grievances, correspondence, and performance evaluations shall not be disclosed to the public without the employee's or applicant's written consent.
4. Records relating to the appraisal of real property, timber, or mineral rights prior to its acquisition, sale, or lease by the District.
5. Any estimate prepared by the District that details the cost of a public project until such time as disclosed, or bids are opened, or upon award of the contract for construction of the public project.
6. Records of any risk retention or self-insurance program prepared in anticipation of litigation, or for analysis of, or settlement of potential or actual money damage claims against the District or its employees except as otherwise discoverable under the Idaho or federal rules of civil procedure. These records shall include but are not limited to claims evaluations, investigatory records, computerized reports of losses, case reserves, internal documents, and correspondence relating thereto. At the time any claim is concluded, only statistical data and actual amounts paid in settlement from public funds shall be deemed a public record unless otherwise ordered to be sealed by a court of competent jurisdiction. Provided however, nothing in this subsection is intended to limit the attorney client privilege or attorney work product privilege otherwise available to any public agency or independent public body, corporate and politic.
7. Computer programs developed or purchased by or for the District for its own use. As used in this subsection, "computer program" means a series of instructions or statements which permit the functioning of a computer system in a manner designed to provide storage, retrieval, and manipulation of data from the computer system, and any associated documentation and source material that explain how to operate the computer program. This does not include:
 - A. The original data including but not limited to numbers, text, voice, graphics, and images;

- B. Analysis, compilation, and other manipulated forms of the original data produced by use of the program; or
 - C. The mathematical or statistical formulas that would be used if the manipulated forms of the original data were to be produced manually.
8. Personal information from any file maintained for students. Information from student records shall be disclosed only in accordance with the requirements of the Family Educational Rights and Privacy Act, Idaho Code, and adopted District policy.
 9. Test questions, scoring keys, or other examination data used to administer academic tests.
 10. Records relevant to a controversy to which the District is a party, but which records would not be available to another party under the rules of pretrial discovery for cases pending resolution.
 11. Records of buildings, facilities, infrastructures, and systems when the disclosure of such information would jeopardize the safety of persons or the public safety. Such records may include emergency evacuation, escape, or other emergency response plans; vulnerability assessments; operation and security manuals; plans; blueprints; or security codes.

However, all personnel records of a current or former public official reflecting public service or employment history, classification, pay grade and step, longevity, gross salary and salary history, status, workplace, and employing agency are subject to public inspection and copying.

If the record requested for inspection and/or copying contains both information exempted from disclosure and nonexempt information, the District shall, to the extent practicable, produce the record with the exempt portion deleted and shall provide a written explanation for the deletion.

Response to Requests

The District shall require that a public records request be submitted in writing upon a form prescribed by the District with the requester's name, mailing address, email address, and telephone number. A request for public records may be conducted by electronic mail. The District may provide the requester information to help the requester narrow the scope of the request or to help the requester make the request more specific when the records requested are voluminous or costly.

The District shall either grant or deny a person's request to examine or copy public records within three working days of the date of the receipt of a request for public records. If a longer period of time is needed to locate or retrieve the records, the District shall notify the person requesting the records of the same and provide the records to such person not later than ten working days following the request. In the event an individual requests a record be provided in electronic format, the District shall provide the record in electronic format if the record is available in that format. If a record is requested in electronic format and the record cannot easily be converted to electronic format within ten working days, the District shall notify the person requesting the records of this fact and provide them with an estimate of the time necessary to complete the conversion. The documents shall then be provided at a time mutually agreeable to the parties giving consideration to any limitations that may exist regarding electronic conversion.

If the District fails to respond, the request shall be deemed to be denied within ten working days following the request. If the District denies the request for examination or copying the public records or denies in part and grants in part the request for examination and copying of the public records, the Public Records Coordinator shall notify the person in writing of the denial or partial denial of the request for the public record. The notice of denial or partial denial shall state that the attorney for the District has reviewed the request or shall state that the District has had an opportunity to consult with an attorney regarding the request for examination or copying of a record and has chosen not to do so. The notice of denial or partial denial also shall indicate the statutory authority for the denial and indicate clearly the right to appeal the denial or partial denial and the time periods for doing so.

The Public Records Coordinator is authorized to seek an injunction to prevent the disclosure of records otherwise suitable for disclosure when it is determined that there is reasonable cause to believe that the disclosure would not be in the public interest and would substantially or irreparably damage any person or would substantially or irreparably damage vital governmental functions.

Fee Waiver

The District will adhere to its copying fee schedule unless it is determined by the Public Records Coordinator that the individual making such a request has demonstrated information sufficient to fulfill the following test:

1. That the requester's examination and/or copying of public records is likely to contribute significantly to the public's understanding of the operations and activities of the government;
2. That the requester's examination and/or copying of public records is not primarily in the individual interest of the requester including, but not limited to, the requester's interest in litigation in which the requester is or may become a party; and
3. That the requester's examination and/or copying of public records will not occur if fees are charged because the requester has insufficient financial resources to pay such fees.

Upon a request that fees not be charged, and the Public Records Coordinator's consideration of the above factors, the Public Records Coordinator shall notify the requester in writing of their decision within ten working days following the request.

If the fee waiver is denied, the requester shall then have seven days to file an appeal of the denial with the Superintendent. The Superintendent shall review the denial and either affirm or reverse the denial of the Public Records Coordinator in writing within ten working days of receipt of the appeal. In the event that the Superintendent is the Public Records Coordinator the appeal shall be filed within seven days with the Board. At the Board's next regularly scheduled meeting, the Board shall review the denial of fee waiver and either affirm or reverse it. There shall be no further appeal beyond the Board.

The request shall not be fulfilled or prepared, and the time for response will not begin to run, until such time as the final determination as to fees has been addressed and any fees to be charged have been paid.

A requester may not file multiple requests for public records solely to avoid payment of fees. If the District suspects that this is the case, it can aggregate the related requests and charge based upon its copying fee schedule.

Fee Schedule

The copying fee schedule of the District is as follows:

1. The District shall not charge a fee for the first 100 pages of records or the first two hours of labor in responding to a request.
2. Copies of public records - 5¢ per page for copies beyond the first 100 pages or beyond the first two hours of labor in responding to a request.
3. The District will charge for the labor costs associated with locating and copying documents if:
 - A. The request is for more than 100 pages of records;
 - B. The request includes nonpublic information that must be redacted from the public records; or
 - C. The labor associated with locating and copying the records exceeds two hours.
4. The fees for labor associated with responding to a public records request shall be charged at the per hour pay rate of the lowest-paid administrative staff employee of the District who is necessary and qualified to process the request.
5. The fees associated with redactions required to be made by an attorney employed by the District shall be charged at the lowest-paid hourly rate of the lowest paid attorney employed by the District or, if there are no attorneys employed by the District, the rate shall be no more than the usual and customary rate of the attorney retained by the District.
6. Copy of a duplicate computer disc or similar record system the fee shall not exceed:
 - A. The District's cost of copying the information in that form;
 - B. The District's cost of conversion, or the cost of conversion charged by a third party, if the electronic record must be converted to electronic form.

Fees shall be collected in advance. The District shall provide requesters with an itemized statement of fees to show the per page costs for copies and the hourly rate of employees and attorneys involved in responding to the request.

Cross Reference: 3570-3570P
4130

Student Records
Public Access to District Website

Legal Reference: Title 74 Chapter 1 Public Records Act
I.C. § 74-204 Written Minutes of Meetings
IDAPA. 08.01.01.100 Procedures for Responding to Requests for
Examination and/or Copying Public Records
Idaho Public Records Law Manual, July 2015

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

COMMUNITY RELATIONS

4260F

District Record Request Form

Request for Public Records

I request: to examine to copy to receive an electronic copy of the following records:

Name (Please Print)

Mailing Address:

Date of Request

Daytime Phone Number

Received By: _____

Date Received: _____

Public Agency _____

_____ Initial if Applicable: More than three working days are needed to locate or retrieve the requested records. A response shall be provided within ten working days of the request.

Payment received for _____ copies _____
Amount Received

Payment received for _____ labor _____
Amount Received

Receipt Number

Council School District No. 13

COMMUNITY RELATIONS

4300

Conduct on School Property

In addition to prohibitions stated in other District policies, no person, including a student, on school property shall:

1. Injure or threaten to injure another person;
2. Damage another's property or that of the District;
3. Violate any provision of the criminal law of the State of Idaho, or any town or county ordinance;
4. Smoke or otherwise use tobacco products;
5. Consume, possess, or distribute alcoholic beverages or illegal drugs or possess dangerous weapons at any time;
6. Impede, delay, or otherwise interfere with the orderly conduct of the District's educational program or any other activity occurring on school property;
7. Enter upon any portion of the school premises at any time for purposes other than those which are lawful and authorized by the Board;
8. Willfully violate other District rules and regulations; or
9. To threaten by word or act to use a firearm or other dangerous or deadly weapon to commit an act of violence to any other person on school grounds.

As circumstances warrant, appropriate action will be taken by the District's administrators.

Definitions

"School property" means within school buildings, in vehicles used for school purposes, or on owned or leased school grounds.

"School grounds" means on the property of, or in a public or private elementary school or secondary school.

"Dangerous or deadly weapon" means a weapon, device, instrument, substance, or material that is used for or capable of causing serious bodily injury or death.

"Firearm" means any weapon, whether loaded or unloaded, that a shot, projectile or other object may be discharged by force of explosion, combustion, gas and/or mechanical means, regardless of whether such weapon is operable.

"Tobacco use" means the use of a cigarette, cigar, pipe, smokeless tobacco in any form, and other smoking products specifically including electronic cigarettes, electronic nicotine delivery systems, or vaporizer smoking devices.

Cross Reference: 3295 Hazing, Harassment, Intimidation, Bullying, Menacing
 3305 Prohibition of Tobacco Possession and Use

3330 Student Discipline
4320 Disruption of School Operations

Legal Reference: 20 U.S.C. § 6081 Pro-Children Act of 1994
I.C. § 18-3302I Threatening Violence on School Grounds
I.C. § 33-205 Denial of School Attendance
I.C. § 33-512 Maintenance of Schools
I.C. § 39-5503 Prohibitions – Exceptions

Policy History:

Adopted on:
Revised on:
Reviewed on:

Contact with Students

Students are entrusted to the schools for educational purposes. Although educational purposes encompass a broad range of experiences, school officials must not assume license to allow unapproved contact with students by persons who are not employed by the District for educational purposes. Teachers may arrange guest speakers on appropriate topics relative to the curriculum. Principals may approve school assemblies on specific educational topics of interest and relevance to the school program. Other types of contact by non-school personnel will normally not be permitted. Outside organizations desiring to use the captive audience in a school for information, sales material, or special interest curricula will not be allowed access to the schools.

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

COMMUNITY RELATIONS

4320

Disruption of School Operations

If any person disrupts or obstructs any school program, activity, or meeting, or threatens to do so, or commits, threatens to imminently commit, or incites another to commit any act that will disturb or interfere with or obstruct any lawful task, function, process or procedure, of any student, official, employee, or invitee of the District, the staff member in charge shall immediately notify the local law enforcement authorities of the incident.

The staff member in charge shall make a written report detailing the incident not later than 24 hours from when the incident occurred. A copy of the report shall be given to the staff member's immediate supervisor.

Cross Reference: 4140

Visitors to the Schools

Legal Reference: I.C. § 18-916

Abuse of School Teachers

I.C. § 18-6409

Disturbing the Peace

I.C. § 33-205

Denial of School Attendance

I.C. § 33-512

Governance of Schools

I.C. § 33-1222

Freedom from Abuse

Policy History:

Adopted on:

Revised on:

Reviewed on:

Spectator Conduct and Sportsmanship for Athletic and Co-Curricular Events

Any person, including an adult, who behaves in an unsportsmanlike manner during an athletic or co-curricular event may be ejected from the event the person is attending and/or denied admission to school events for up to a year, after a Board hearing. Examples of unsportsmanlike conduct include, but most certainly are not limited to:

1. Using vulgar or obscene language or gestures;
2. Possessing or being under the influence of any alcoholic beverage or illegal substance;
3. Possessing a weapon;
4. Fighting or otherwise striking or threatening another person;
5. Failing to obey the instructions of a security officer or School District employee; and
6. Engaging in any activity which is illegal or disruptive of the educational process.

The Superintendent may seek to deny future admission to any person by delivering or mailing a notice, sent by certified mail with return receipt requested, containing:

1. The date, time, and place of a Board hearing;
2. A description of the unsportsmanlike conduct; and
3. The proposed time period that admission to school events will be denied.

Legal Reference: I.C. § 18-916 Abuse of School Teachers
I.C. § 18-6409 Disturbing the Peace
I.C. § 33-205 Denial of School Attendance
I.C. § 33-512 Governance of Schools
I.C. § 33-1222 Freedom of Abuse

Policy History

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

COMMUNITY RELATIONS

4400

Relations with the Law Enforcement and Child Protective Agencies

The primary responsibility for maintaining proper order and conduct in the schools belongs to the staff. Staff shall be responsible for holding students accountable for infractions of school rules, which may include minor violations of the law occurring during school hours or at school activities. Where there is substantial threat to the health and safety of students or others, such as in the case of bomb threats, mass demonstrations with threat of violence, individual threats of substantial bodily harm, trafficking in prohibited drugs, or the scheduling of events where large crowds may be difficult to handle, the law enforcement agency shall be called upon for assistance. Information regarding major violations of the law shall be communicated to the appropriate law enforcement agency.

The District shall strive to develop and maintain cooperative working relationships with the law enforcement agencies. Procedures for cooperation between law enforcement, child protective, and school authorities shall be established. Such procedures shall be made available to affected staff and periodically revised.

Cross Reference: 3545	Student Interviews, Interrogations or Arrests
4320	Disruption of School Operations
4410	Investigations and Arrests by Police
5260	Abused and Neglected Child Reporting

Legal Reference: I.C. § 33-205	Denial of School Attendance
I.C. § 16-1605	Reporting of Abuse, Abandonment or Neglect

Policy History:

Adopted on:

Revised on:

Reviewed on:

Investigations and Arrests by Police

All contact between the school and the police department on matters involving students shall be made through the administrative office. The police have ample opportunity to talk to a student away from the school and before or after school hours. They should be encouraged to do so. Law enforcement authorities should only be allowed to conduct an interview in the school if they can show that special circumstances exist or if the interview is at the request of the school. This determination should be made by the principal or Superintendent.

1. If the police have a warrant for the student's arrest, they must be permitted to arrest the student; however, whenever possible, the arrest should be conducted in the principal's office out of view of other students. Before removing a student from school, the police shall sign a release form in which they assume full responsibility for the student;
2. Law enforcement personnel should not be allowed to roam about the school until the student is found. They should remain in the administration office while school personnel seek out the student;
3. If possible, the educational program of the student should not be disrupted to allow for police questioning;
4. Any questioning by police should be conducted in a private room or area where confidentiality can be maintained;
5. If law enforcement officials are to be allowed to question a student under the age of 18, a reasonable attempt shall be made to notify the parents, except in cases of suspected child abuse or child neglect involving the parent. The parents should be given the opportunity to come to the school prior to the questioning; and
6. If the parents are notified and are able to attend, they should be allowed to be present at the interview. The administrator should be present at the interview, but should not take part in any questioning. The administrator should at all times remain a neutral observer.

Cross Reference: 5260 Abused and Neglected Child Reporting
 3545 Student Interviews, Interrogations or Arrests

Policy History:

Adopted on:

Revised on:

Reviewed on:

Sex Offenders

The Council School District recognizes the danger sex offenders pose to student safety. Therefore, in an effort to protect students while they are under the control and supervision of the District, the District is implementing this policy.

Visitors to and Conduct on School Property

For the purposes of this policy, “school property” means school buildings, District buildings not being used as a school, vehicles used for school purposes, any location being utilized during a school athletic event or other school-sponsored event, properties posted with a notice that they are used by a school, and school grounds.

Visitors are welcome on school property provided their presence will not be disruptive. All visitors, including parents of students (unless otherwise exempted), must initially report to the building principal’s office. Any person wishing to confer with a staff member must contact that staff member by telephone to make an appointment. Conferences with teachers are held outside school hours or during the teacher’s conference/preparation period.

The District expects mutual respect, civility, and orderly conduct among all individuals on school property or at a school event. No person on school property or at a school event shall:

1. Injure, threaten, harass, or intimidate a staff member, a School Board Member, sports official or coach, or any other person;
2. Damage or threaten to damage another’s property;
3. Damage or deface District property;
4. Violate any Idaho law, or town or county ordinance;
5. Smoke or otherwise use tobacco products;
6. Consume, possess, distribute, or be under the influence of alcoholic beverages or illegal drugs, or possess dangerous devices or weapons;
7. Impede, delay, disrupt, or otherwise interfere with any school activity or function, including using cellular phones in a disruptive manner;
8. Enter upon any portion of school premises at any time for purposes other than those that are lawful and authorized by the School Board;
9. Operate a motor vehicle:
 - A. In a risky manner;
 - B. In excess of 20 miles per hour; or
 - C. In violation of an authorized District employee’s directive;
10. Engage in any risky behavior, including rollerblading, roller skating, or skateboarding; or
11. Violate other District policies or regulations, or an authorized District employee’s directive.

Convicted Sex Offender

State law prohibits a person who is currently registered or is required to register under the sex offender registration act to:

1. Be on or remain on the premises of a school building or school grounds, or upon other properties posted with a notice that they are used by a school, when the person believes children under the age of 18 years are present and are involved in a school activity or when children are present within 30 minutes before or after a school activity;
2. Loiter on a public way within 500 feet of the property line of school grounds or a school building when children under the age of 18 years are present;
3. Be in any vehicle owned, leased, or contracted by a school to transport students to or from school or school-related activities when children under the age of 18 years are present in the vehicle; or
4. Reside within 500 feet of a school, measured from the nearest point of the exterior wall of the offenders' dwelling unit to the school's property line, unless the person's residence was established prior to July 1, 2006.

All notices posted as required by Idaho Code, shall be at least 100 square inches, make reference to I.C. § 18-8329, include the term "registered sex offender" and be placed at commonly used entrances to the property. In addition, there shall be at least one notice posted every 660 feet along the property line.

Sample Posted Notice

"This property is used by or as a school. Pursuant to I.C. § 18-8329, registered sex offenders only have limited rights to enter upon or be near school property. Please contact the school district at 208-253-4217 or your probation/parole officer for more information."

Provided, however, section numbers 1 and 2 immediately above shall not apply when the person:

1. Is a student in attendance at the school; or
2. Resides at a State licensed or certified facility for incarceration, health care, or convalescent care; or
3. Is exercising his or her right to vote in public elections;
4. Is taking delivery of his or her mail through an official post office located on school grounds;
5. Has contacted the District Office annually to obtain written permission from the District to be on the school grounds or upon other property posted with a notice that the property is used by a school; or
6. Stays at a homeless shelter or resides at a recovery facility if such shelter or facility has been approved for sex offenders by the county sheriff or municipal police chief.

[Note: These provisions are required for an individual who is dropping off or picking up a student and is the student's parent or legal guardian; is attending an academic conference or other scheduled extracurricular event; or is temporarily on school grounds, during school hours, for the purpose of delivering mail, food, or other items.]

An individual seeking written permission as outlined above must contact the District at least 10 work days prior to the first visit. In determining whether to grant written permission as provided above, the District may, in its discretion, consider the nature of the offense committed, the time since an offense has been committed, the safety of the students, the likely disruption caused by the individual's access to the property, or any other factor. The District will provide a response to the requesting individual within seven days of receipt of the request.

Sex Offender Registry Notification

The Superintendent or his or her designee shall request notification of registered sex offenders in the same or contiguous zip codes as any school within the District. The request can be made to either the Idaho State Police, the local Sheriff's Department, or the Idaho State Superintendent of Public Instruction. Such request and notification shall be made in accordance with Idaho Code. The information in the sex offender registries is for purposes of protecting the public. It is not to be used for the purpose of harassing or intimidating anyone.

Staff Notification

At a quarterly meeting, the building principal shall disseminate sex offender registry information received. The principal shall inform staff of the roles and responsibilities of staff in dealing with instances of convicted sex offenders on school property, including, but not limited to, sex offenders on school property without approval, and/or if a staff member is the school official assigned to escort the sex offender.

When sex offender registry information is disseminated by the principal, it shall include a notice that such information should not be shared with others and may only be used for the purposes discussed in this policy and in accordance with Idaho Code. Employees who share registry information with others may be disciplined.

Enforcement

Any staff member may request identification from any person on school property. Any staff member shall seek the immediate removal of any person who refuses to provide requested identification.

As circumstances warrant, the District's administrators shall take appropriate action to enforce this policy. Violations will be handled as follows:

1. Anyone observing a parent/guardian or other person violating this policy shall immediately notify the building principal or designee. The principal or designee will request that the person act civilly or otherwise refrain from the prohibited conduct. If the person persists with uncivil or prohibited behavior, the principal shall request that the person immediately leave school property and may contact law enforcement, if appropriate.

2. If a sex offender violates this policy, school officials shall immediately contact law enforcement.

Legal Reference:	I.C. § 18-916	Abuse of School Teachers
	I.C. § 18-8323	Public Access to Sexual Offender Registry Information
	I.C. § 18-8324	Dissemination of Registry Information
	I.C. § 18-8326	Penalties for Vigilantism or Other Misuse of Information
	I.C. § 18-8329	Adult Criminal Sex Offenders – Prohibited Access to School Children
	I.C. § 33-512(11)	Governance of Schools

Policy History:

Adopted on:

Revised on:

Reviewed on:

Sex Offenders

**LETTER TO PARENTS REGARDING VISITS TO SCHOOL
BY CONVICTED SEX OFFENDERS**

Dear Parents/Guardians:

The purpose of this letter is to help the school and District comply with State law placing restrictions on sex offenders' access to school children and school property.

If you would like to obtain information regarding convicted sex offenders in your area, you can contact the Idaho State Police or your local Sheriff's Department. The Idaho State Police has a website available to provide this information. Currently, that website is:
http://isp.idaho.gov/sor_id/

State law prohibits a sex offender from:

5. Being on or remaining on the premises of a school building or school grounds, or upon other properties posted with a notice that they are used by a school, when the person believes children under the age of 18 years are present and involved in a school activity or when children are present within 30 minutes before or after a scheduled school activity.
6. Loitering on a public way within 500 feet of the property line of school grounds or a school building when children under the age of 18 years are present for a school activity, or when students are present 30 minutes before or after such activity.
7. Being in any vehicle owned, leased, or contracted by a school to transport students to or from school or school-related activities when children under the age of 18 years are present in the vehicle.
8. Residing within 500 feet of a school, measured from the nearest point of the exterior wall of the offender's dwelling unit to the school property line, unless the person's residence was established prior to July 1, 2006.

The following applies if you are a parent/guardian who is a convicted sex offender:

You need to immediately return this letter with the blanks completed to the building principal's office where your child is enrolled. This letter must be completed and returned to the school at least 10 days before your first anticipated visit to the school. If you have children attending more than one school, you must complete this form for each school. The District will crosscheck responses with the list the District receives from law enforcement identifying sex offenders living within its jurisdiction.

When you visit your child at school or a school event that you have not already described on the form below, you must inform the principal's secretary that you need to make an entry on your record of school visits. This record will be kept on file in the building principal's office where your child is enrolled.

The following must be completed by a convicted sex offender who is a parent or guardian of a student enrolled in the school.

TO BE COMPLETED ONLY IF YOU ARE A PARENT/GUARDIAN AND ARE A CONVICTED SEX OFFENDER

Student's Name (please print)

School

Name of Parent/Guardian (please print)

Date

Signature

Date

- At least once annually you need to obtain advance written permission to visit school property. Once written permission is obtained for the year, you will not need to obtain advance written permission for each individual visit, though you must comply with the procedures outlined in this letter, District policy, and with State and federal law.
- You must provide the information requested below for the times you anticipate visiting the school, such as after school to pick up your child, during specific sporting events, and during parent-teacher conferences.
- For all other visits, you must go immediately and directly to the principal's office and provide the information on your record of visits.
- You must remain under the direct supervision of the assigned school official.
- When you are to leave, you must go immediately and directly to the principal's office and provide the time that you are leaving. You must then immediately leave the school grounds.

Record of Visits

Date	Location & Purpose	School Official Assigned	Time In	Time Out

The following applies if you know someone who is a convicted sex offender who would like to visit school property:

If you know a convicted sex offender who is not a parent/guardian of a student enrolled in the school, but who would like to visit school property, please refer them to the Superintendent's office to request permission. A sex offender who is not a parent/guardian of a student enrolled in the school must complete a form in order to be granted permission to visit school property. This form must be completed at least once annually.

If permission is granted, the Superintendent or designee shall provide the details of the sex offender's upcoming visit to the building principal. The Superintendent, or designee who is a certified employee, will supervise the sex offender whenever the sex offender is in a student's vicinity.

**TO BE COMPLETED IF YOU ARE A CONVICTED SEX OFFENDER AND ARE
REQUESTING PERMISSION TO VISIT SCHOOL PROPERTY**

A convicted sex offender who is not a parent/guardian of a student enrolled in the District must complete this form in order to seek permission to visit school property whenever students are present. This form must be provided to the District at least 10 days prior to the anticipated visit. After a decision is made on whether to grant or deny permission to visit, a copy will be returned to you. This information will be kept in the administration offices as well as in the building principal's office where you are seeking permission to visit. Please be specific in completing this form.

Name (please print)

Residence Address

Signature

Residence City, State, Zip Code

Date

Visit Request

Date and Time Requested	Location of Visit	Purpose of Visit

The following is to be completed by District personnel only:

Permission Granted

Permission Denied

Signature
(Superintendent, Designee, or Board President)

Date

Visit Supervision:

Time In: _____

Time Out: _____

Signature of Supervisor
(Building principal or other certified employee)

Date

Council School District No. 13

Sex OffendersLETTER TO EMPLOYERS & CONTRACTORS
REGARDING ACCESS TO SCHOOL PROPERTY BY SEX OFFENDERS

Dear Employer/Contractor:

The purpose of this letter is to help the school and District comply with State law placing restrictions on sex offenders' access to school children and school property. State law prohibits a sex offender from:

9. Being on or remaining on the premises of a school building or school grounds, or upon other properties posted with a notice that they are used by a school, when the person believes children under the age of 18 years are present and are involved in a school activity or when children are present within 30 minutes before or after a scheduled school activity.
10. Loitering on a public way within 500 feet of the property line of school grounds or a school building when children under the age of 18 years are present for a school activity, or when students are present 30 minutes before or after such activity.
11. Being in any vehicle owned, leased, or contracted by a school to transport students to or from school or school-related activities when children under the age of 18 years are present in the vehicle.
12. Residing within 500 feet of a school, measured from the nearest point of the exterior wall of the offender's dwelling unit to the school's property line, unless the person's residence was established prior to July 1, 2006.

The following applies if you and/or your employee(s), subcontractor(s), delivery personnel, etc. are a convicted sex offender:

You need to immediately return this letter with the blanks completed to the building principal's office where you, your employee(s), subcontractor(s), delivery personnel, etc. may be providing any form of work or visitation onto any school grounds.

It is your responsibility to inform your employee(s), subcontractor(s), delivery personnel, etc. of this requirement. Anyone who is a convicted sex offender must complete this form and return it to the building principal prior to accessing school grounds.

When you and/or your employee(s), subcontractor(s), delivery personnel, etc., access school grounds that you have not already described on the form below, you must inform the principal's secretary that you need to make an entry on your record of school visits. This record will be kept on file in the building principal's office where you are performing work or accessing school grounds.

The following must be completed by any convicted sex offender who is accessing school grounds for the purposes of maintenance, deliveries, contract work, etc.

Name of School the Convicted Sex Offender Will Be Accessing

Name of Convicted Sex Offender
(please print)

Date

Signature

Date

- At least once annually you need to obtain advance written permission for you to visit school property. Once written permission is obtained for the year, you will not need to obtain advance written permission for each individual visit, however, the work that you are to perform, reason for visit, or deliveries that you will complete must be known and approved of by the principal prior to you accessing school grounds.
- You must provide the information requested below for the times you anticipate visiting the school, such as when work will be performed, when deliveries will be made, etc.
- For all other visits, you must go immediately and directly to the principal's office and provide the information on your record of visits.
- You must remain under the direct supervision of the assigned school official.
- When you are to leave, you must go immediately and directly to the principal's office and provide the time that you are leaving. You must then immediately leave the school grounds.

Record of Visits

Date	Location & Purpose	School Official Assigned	Time In	Time Out

Council School District No. 13

COMMUNITY RELATIONS

4500

Public Gifts/Donations to the Schools

The Board assumes responsibility, within its financial capabilities, for providing at public expense all items of equipment, supplies, and services that may be required in the interest of education in the school units under its jurisdiction. Gifts, donations, grants, or bequests will be accepted and the action recorded, provided the conditions of acceptance do not remove any degree of control of the School District from the Board and will not cause inequitable treatment of any student(s) or student group(s).

A gift shall be defined as money, real or personal property, and personal services provided without consideration. Gifts from organizations, community groups, and/or individuals that will benefit the District shall be encouraged by the District administration. Individuals or groups contemplating presenting a gift to a school or the District shall be encouraged to discuss, in advance, with the building principal or the Superintendent what gifts are appropriate and needed.

Community groups or individuals may donate equipment to the District. Such equipment shall be added to the District's inventory, provided it is operative at the time of donation and meets an educational purpose of the District.

The District reserves the right to accept or decline any proposed gifts. In determining whether a gift will be accepted, consideration shall be given to District policies, goals, and objectives (with particular emphasis on the goal of providing educational opportunities to all students) and adherence to the basic principles outlined in Board-approved regulations.

Propositions giving funds, equipment, or materials to the school with a "matching agreement" or restriction are generally not acceptable. Acceptance of donated equipment or materials may depend upon the compliance with the Board's policy of standardizing materials and equipment in the District which could restrict gifts given by the parent-teacher organizations to individual schools. While the intent of donations will be considered, the District reserves the right to modify the use if the needs of the students or the District change.

Any person or organization desiring to give a gift or make a donation, grant, or bequest to the Board should contact the appropriate staff member as indicated by Procedure 4500P Public Gifts/Donations to the Schools. Also, where the appropriateness of a gift is in doubt, the Superintendent will refer the matter to the Board for its acceptance or rejection. For example, single gifts of considerable value exhibiting the donor's name or business shall be considered on an individual basis by the Board.

All conditional gifts must be approved by the Board.

Any gift or grant accepted by the Board or the Superintendent as its executive officer shall become the property of the Board of Education and will comply with all State and federal laws.

Legal Reference: Title IX, Education Amendment of 1972, 20 U.S.C §1681, et seq.

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

COMMUNITY RELATIONS

4500P

Public Gifts/Donations to the Schools

The following basic principles shall apply to all gifts accepted by the School District:

1. Gifts to employ “regular” full- or part-time personnel shall be discouraged;
2. Gifts that involve significant costs for installation or maintenance, or initial or continuing financial commitments from school funds shall be discouraged;
3. Gifts to individual members of the staff by students, parents, or organizations shall be discouraged;
4. Gifts on a matching basis requiring money, property, or services by the District shall be discouraged;
5. Gifts to the School District become the property of the District and are subject to the same controls and regulations that govern the use of all District-owned property;
6. Any purchase to be funded by a cash donation must be processed in accordance with District policy.
7. Gifts that meet the definition of a fixed asset as outlined in the District policy on inventories must be added to the school’s fixed assets inventory.
8. Gifts with a value of \$1,000 or less will be accepted by the authority of the appropriate principal, director, or program manager. Gifts with a value in excess of \$1,000 but less than \$10,000 will be accepted by the authority of the Superintendent or designee. Contributions with a value in excess of \$10,000 will be presented to and acted upon by the Board of Trustees.
9. At the time of acceptance of the gift, there will be a definite understanding with regard to the use of the gift, including whether it is intended for the use of one particular school or all schools in the District. It is the responsibility of the appropriate principal, director, or program manager to approve and accept the gift, process the appropriate forms to update inventory, and to send an acknowledgement letter to the donor.

Procedure History:

Promulgated on:

Revised on:

Reviewed on:

Council School District No. 13

COMMUNITY RELATIONS

4510

Public Gifts to the Schools: Donations of Material/Equipment Affecting Building Structure or Maintenance

Organizations desiring to donate equipment or material that will affect the physical structure of a building, either in appearance or in operating maintenance expense, must have the project approved by the school administration.

Items to be donated must meet the technical specifications and standards of similar equipment or materials purchased by the District. If items are not new, the condition of the equipment or materials must be evaluated by qualified persons other than the organization making the donation.

The following procedures shall apply to filing a project request:

10. The organization desiring to make the donation must ensure the proposed project will not cause inequitable treatment of any student(s) or student group(s).
11. The organization will discuss the proposed project with the building principal prior to filing a request with the central office.
12. After discussion with the building principal, the organization will submit a written request to the director of property services specifying the type of item to be donated; the technical specifications of the item; and information regarding installation, maintenance, and replacement of the item.
13. The request will be evaluated by a committee appointed by the Superintendent or designee. The committee will use the following criteria in evaluating the proposed project:
 - A. Educational value to the student body;
 - B. Cost factors in relation to the Board's approved budget including:
 - i. Immediate costs such as installation or remodeling;
 - ii. Long-range costs such as operation and maintenance; and
 - iii. Replacement costs when the item is no longer operable.
 - C. Technical quality of the proposed donated item; and
 - D. Commitment of the donating organization to continuance of the project.
14. Based upon the committee's evaluation and recommendations, the Superintendent will approve or disapprove the request. If the request is disapproved, the committee will make recommendations to the requesting organization as to requirements necessary to approve the request.
15. If a project is disapproved by the committee and the Superintendent, the requesting organization may appeal the decision to the Board.

Policy History:

Adopted on:
Revised on:
Reviewed on:

Soliciting and Accepting Grants or Donations

Prior to seeking any grant or donation on behalf of the District or its schools, an applicant must obtain prior approval from the District. Any staff, administrators, school-related groups, or members of the public seeking grants or donations on behalf of the school or for the benefit of the school and/or its students should first discuss such request with the building principal.

Prior to finalization of any grant or donation associated with the school and/or its students, all requests for grants or donations must be approved by the Superintendent. When the appropriateness of a request is in doubt or if the grant/donation obligates the school to engage in specific actions or obligations or involves the addition of District/school funding, the Superintendent shall refer the request to the Board for final acceptance or rejection.

Grants for projects that will affect the physical structure of a building may be referred by the Superintendent to a committee in the same manner as requests to make donations that will affect a building's physical structure, as described in Policy 4510.

Approval of a grant or donation request shall depend on factors including, but not limited to, the availability of existing District resources and the following principles:

1. Conformance with the District's policies, goals, and objectives;
2. The District's instructional priorities, strategies, and standards;
3. Equity in funding;
4. Conformance to District governance and decision-making procedures of the Board, central office, and building-level staff;
5. Provision of value or benefit that is greater than the obligation under the grant award;
6. No violation of management or bargaining unit rights and responsibilities;
7. Lack of conditions that would divert school or District efforts away from the District's primary mission;
8. Conditions that obligate the District/school to engage in specific actions or obligations;
9. Any financial impact upon the District associated with required additions of District/school funds to the grant activity; and
10. District criteria for accepting gifts.

The Board reserves the right to deny approval of solicitation of any funding or grant application or to refuse acceptance of any funds awarded or donated.

Cross Reference:	4500	Public Gifts/Donations to the Schools
	4500P	Public Gifts/Donations to the Schools

4510

Public Gifts to the Schools: Donations of
Material/Equipment Affecting Building Structure or
Maintenance

Policy History:

Adopted on:

Revised on:

Reviewed on:

Crowdfunding

The District recognizes that crowdfunding is a useful tool to assist teachers and other employees in the procurement of funding for specific projects and/or programs. Crowdfunding campaigns have been used with great success to provide revenues for such benefits as classroom supplies, educational programs and activities and community advancement. However, the District also recognizes that unregulated use of employee crowdfunding campaigns that are administered on behalf of the District or an individual school or classroom within the District can subject the District and employees to legal liability.

Purpose

The purpose of this policy is to ensure that crowdfunding campaigns administered by employees in their capacity as District employees or on behalf of the District or to supplement any District programs are effectively regulated and are appropriately used to further the District's objectives and mission.

Definitions

"Crowdfunding campaign" means the practice of raising funds to meet an advertised goal or need by soliciting funds from a large number of people, typically via the Internet.

Prohibition on Unapproved Crowdfunding on Behalf of the District

District employees, including teachers, coaches, staff, and paraprofessionals, may not engage in crowdfunding campaigns in their official capacity as a District employee, on behalf of the District or for the benefit of a District program or activity, without obtaining prior written authorization from the building administrator.

Employees who have not obtained prior written approval pursuant to this policy may not:

1. Solicit funds or items on behalf of the District or an individual school or classroom within the District on a crowdfunding website;
2. Give the appearance of soliciting funds or items on behalf of the District on a crowdfunding website;
3. Use the District's name, logo, mascot, or other identifying information in a crowdfunding post;
4. Link to or reference any of the District's websites or social media sites; or
5. Link to or reference any other sites, platforms, or accounts associated with the District.

Absent prior written approval by the District of a crowdfunding project pursuant to this policy, employees are prohibited from providing any information that would lead a reasonable person to conclude that the funds identified on the crowdfunding website are to be used by the District or for any District purpose or program.

Procedures

Employees wishing to utilize crowdfunding for District purposes or programs are required to obtain written permission to do so by submitting a Crowdfunding Request Form, to the building administrator. Written permission must be received before launching any crowdfunding web page or effort.

It shall be the responsibility of building administration to approve or deny all crowdfunding requests. Crowdfunding requests that are incomplete, not submitted in writing, and/or do not meet the requirements of this policy shall not be considered for approval. Information required to be included in the crowdfunding request includes:

1. The name, job title, school, and contact information for the person overseeing the campaign;
2. The crowdfunding website to be used;
3. The items requested and/or the amount of funds targeted to be raised;
4. The classroom, program, and/or activity to be benefited;
5. The exact language that will be included in the post and/or advertising for the crowdfunding campaign; and
6. The start and projected end dates of the post and/or advertising.

Guidelines for Crowdfunding

1. All crowdfunding campaigns involving classroom materials, projects, or resources must be consistent with the District-approved curriculum;
2. Before the building administration accepts technology related items, the building administration is responsible for confirming acceptability with the coordinator of technology and media services.
3. All crowdfunding campaigns, including the solicitation of donations, online posting, selection of items, and/or use of funds must be consistent with all applicable laws and District policies; and
4. All crowdfunding campaigns must have specific, pre-determined beginning and ending dates.
5. To the extent that physical property and not funds are solicited, such property shall be delivered directly to the building administrator of the building where the items are to be used and shall be deemed District property, subject to District policies concerning the use and disposal of District property.

Crowdfunding campaigns may not:

1. Include personally identifying information of any District student or otherwise focus on any identifiable student or groups of students;
2. Include pictures of District students on the crowdfunding website or post any personal or biographical information about any individual student or students on the website;

3. Reveal any confidential information concerning student academic or disciplinary records, personal confidences, health or medical information, family status or income, or assessment or testing results;
4. Reveal any confidential information about colleagues obtained through employment practices;
5. Disparage the District or any of its buildings, programs, students, or employees or paint the District or any of its employees, students, or programs in a negative light;
6. Be used for personal gain to the teacher or of any individual other than the District-related benefits associated with the campaign's purpose;
7. Result in funds and/or items being provided or delivered directly to the individual who requested the funds;
8. Solicit funds for items or projects that are religious or political in nature or that have a religious or political purpose;
9. Violate Title IX or any other applicable state or federal law;
10. Be contingent on additional District spending or require "matching" funds from the District or another organization;
11. Request food items that do not meet the "smart snacks" standards of the USDA regulations for school nutrition; or
12. Contain language that suggests or states that an item or items for which the donations are being sought are required for or otherwise integral to a student's special education program, necessary for a student to achieve his or her IEP goals, or necessary to ensure participation of a student or students with disabilities in school or any program offered by the District.

Requirements for Crowdfunding Sites

All crowdfunding sites that are approved by the District must meet all of the following requirements:

1. The site must be operated by a legitimate corporation or limited liability company with no significant history of fraud, unlawful activity, financial mismanagement, or other misconduct; and
2. The site must have a policy that requires all funds raised by an individual on behalf of the school to go directly to the school, not the individual who posted or advertised the fundraising request.

Additional Requirements and Regulations

Where a crowdfunding campaign requires the electronic transfer of funds, the building administrator in consultation with the business manager shall ensure that such transfer is made properly and in accordance with acceptable standards of practice. Where such transfer cannot be properly achieved, the campaign should not be approved.

The District reserves the right to refuse funds that have been raised through an approved crowdfunding campaign if it discovers that the project violated this policy or was in violation of the crowdfunding site's requirements, policies, or regulations.

The District reserves the right to terminate any pre-approved crowdfunding campaign for any reason or withhold approval for any crowdfunding campaign project for any reason.

Delegation of Responsibility

The Superintendent or designee shall ensure that procedures and guidelines are in place to monitor all crowdfunding requests. Building administrators will be responsible for forwarding all information to his or her staff. Building administrators are responsible for reviewing all crowdfunding requests and determining the appropriate response. The building administrator or designee shall review any ongoing crowdfunding campaigns to ensure compliance. The District's business manager shall ensure the proper recording and accounting of any funds or items received through a crowdfunding campaign and shall be notified of any unused funds and determine the most appropriate method of expending or returning any unused funds. These duties are intended as a guideline and in no way establish liability on the part of the District if a crowdfunding campaign fails to comply with District policies, state or federal law.

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

COMMUNITY RELATIONS

4530F

Crowdfunding Request Form

Crowdfunding requests must be made via a fully completed copy of this form.

Contact Person

Name: _____

Job Title: _____

Phone Number: _____ Email Address: _____

School: _____

Campaign Information

Crowdfunding Website to be Used: _____

Target Amount of Fundraising and/or Items Requested: _____

Recipient Classroom, Program, and/or Activity: _____

Campaign Start Date: _____ End Date: _____

Please attach a copy of the exact language to be included in the post and/or advertising for the crowdfunding campaign.

Signature of Applicant

I have read and agree to abide by Policy 4530 Crowdfunding. I understand that I must have the written permission of the building principal before I begin this crowdfunding webpage or effort.

Name: _____ Date: _____

Signature: _____

Signature of Building Principal

Please select one:

_____ I have consulted the coordinator of technology and media service and the coordinator has confirmed the technology-related items the crowdfunding effort seeks to obtain are **acceptable**.

_____ I have consulted the coordinator of technology and media service and the coordinator has deemed the technology-related items the crowdfunding effort seeks to obtain **unacceptable**.

_____ This crowdfunding effort does not seek to obtain any technology-related items.

Please select one:

_____ I, the building principal, **authorize** this crowdfunding request.

_____ I, the building principal **decline** to authorize this crowdfunding request.

Name: _____ Date: _____

Signature: _____

Council School District No. 13

COMMUNITY RELATIONS

4600

Volunteer Assistance

The District recognizes the valuable contribution made to the total school program through the volunteer assistance of parents and other citizens. In working with volunteers, District staff shall clearly explain the volunteer's responsibility in school, on the playground, and on field trips. On field trips, both students and volunteers are to be informed of the rules of student behavior and the means by which they are to be held accountable to those rules.

Definition of Volunteer

Volunteers are persons who assist in school or District programs. Volunteers are encouraged to use their time and effort to support school and District programs.

A volunteer shall be an individual who:

1. Has not entered into an express or implied compensation agreement with the District;
2. Is excluded from the definition of "employee" under appropriate state and federal statutes;
3. May be paid expenses, reasonable benefits, and/or nominal fees in some situations; and
4. Is not employed by the District in the same or similar capacity for which he or she is volunteering.

Volunteers who have unsupervised access to children are subject to the District's policy mandating background checks.

The Superintendent or designee shall be responsible for developing and implementing procedures for the utilization of volunteers. The procedures will facilitate effective communication with persons who volunteer. The selection and use of volunteers will be consistent with the procedures outlined in 4600P.

The final decision to accept or reject a volunteer applicant rests exclusively with the principal and/or volunteer coordinator.

Legal Reference: 29 U.S.C. § 203 Fair Labor Standards Act
I.C. § 33-130 Criminal History Checks for School District Employees or Applicants for Certificates or Individuals Having Contact with Students

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

{{FULL_DISTRICT_NAME_NUMBER}}

Volunteer Application

Thank you for your interest in serving as a school volunteer. The application procedure helps us to provide the safest environment for our students. Prior to completing the volunteer application it is required that you read the District’s policy regarding volunteers. A criminal history/ fingerprint check will be obtained. The school’s volunteer coordinator will contact you upon the application process being completed.

Personal Information

Last Name: _____	First Name: _____
Social Security Number: _____	Date of Birth: _____
City of Birth: _____	State of Birth: _____
Gender: _____	Race: _____
Home Phone: () _____	Business Phone: () _____
Home Address: _____	
City: _____	State: _____ Zip: _____

School Selection

1. List all schools where you will volunteer:

_____	_____
_____	_____
_____	_____

2. If you have children attending those schools, list the child’s name, grade, and school:

Child’s First & Last Name: _____

School Child Attends: _____

Grade: _____

Child’s First & Last Name: _____

School Child Attends: _____
Grade: _____

Child's First & Last Name: _____
School Child Attends: _____
Grade: _____

Volunteer Availability

I am available at the following times:

	Morning	Afternoon
Monday	<input type="checkbox"/>	<input type="checkbox"/>
Tuesday	<input type="checkbox"/>	<input type="checkbox"/>
Wednesday	<input type="checkbox"/>	<input type="checkbox"/>
Thursday	<input type="checkbox"/>	<input type="checkbox"/>
Friday	<input type="checkbox"/>	<input type="checkbox"/>

Education Information

Highest Level of Education Completed: _____

Employment Information

Current Employer: _____
Address: _____
Position: _____
Years with Employer: _____

Past Volunteer Experience

Name of Organization: _____

Contact Name: _____

Address: _____

Can we contact your supervisor? Yes No

Name of Supervisor & Supervisor's Position: _____

Phone Number: () _____

When did you volunteer? From: _____ To: _____

References

List two references who have known you for at least one year and are not related to you. Please notify your references to expect us to contact them.

Name # 1: _____

Name # 2: _____

Phone: _____

Phone: _____

Relationship: _____

Relationship: _____

Email: _____

Email: _____

Background Security Information

To safeguard the children we serve, Council School District screens volunteer applicants. All information is confidential and will not be shared.

Yes No I will cooperate with the Council School District in obtaining a fingerprint background check.

Yes No Have you ever been convicted of a felony? If yes, explain:

Yes No Have you ever committed any criminal offenses against a minor?

Yes No Have you ever been arrested, found guilty, entered a plea of no contest or had adjudication withheld in a criminal offense other than a minor traffic violation?

Statement of Understanding & Signature (Required)

I have read the District's policy and procedure regarding volunteers. I fully understand the policy and procedure and agree to abide by them.

I affirm that all of my responses are true, complete, and correct to the best of my knowledge and are made in good faith. In addition, I certify that I have reviewed the above criminal history information and responded truthfully. I understand that all involvement with students is restricted to approved school activities. In exchange for the benefit I receive from being allowed to volunteer within the Council School District I agree to indemnify Council School District from any and all responsibility of liability that they may incur as a result of volunteering my services to the District.

Signature

Name Printed

Date

Volunteer Confidentiality

Volunteers may see student records whether they are doing data entry or not. To make sure volunteers know the importance of keeping records confidential, the Council School District requires all volunteers to sign this Volunteer Code of Confidentiality.

Volunteer Code of Confidentiality

1. All student records should be considered confidential.
2. Records should be not be left in a place where they can be viewed by others.
3. Copies of records can only be shared with administrative approval.
4. Volunteers should not discuss or repeat information overheard while in the staff lounge or offices.
5. Volunteers should not discuss information obtained while in a classroom, such as a student's grade or behavior, with anyone other than the student's teacher.
6. Directory information, including students' and staff names, addresses, telephone numbers, dates and places of birth, students' photographs, participation in officially recognized activities and sports, weight and height of student members of athletic teams, dates of attendance and awards received, and previous educational agencies or institutions attended can only be shared with administrative approval.
7. Concerns or questions regarding student records or issues of confidentiality should be brought to the attention of the staff member who supervises the volunteer and the school administrator.
8. Any knowledge of a violation of this Code of Confidentiality should be immediately reported to the school administrator and the staff member who supervises the volunteer.

By signing, I acknowledge that I have read, understand, and will comply with the Volunteer Code of Confidentiality.

Date

Signature

Council School District No. 13

COMMUNITY RELATIONS

4600P

Volunteer Assistance Procedures

The District supports and encourages volunteers in our schools. Volunteers work in cooperation with schools to help in meeting the needs of children and the school staff. The final decision to accept or reject a volunteer applicant rests exclusively with the principal and/or volunteer coordinator. The following procedural guidelines are set with regard to volunteers.

Qualifications and Requirements

The qualifications and requirements of a volunteer include:

1. Being a community member of good standing and possessing an aptitude/interest for working with students and teachers;
2. Being dependable and of appropriate character to work with students and teachers;
3. Completing a Criminal History Records Check. All volunteers must complete a Criminal History Records Check supplied by the District prior to service and will be subject to a background check. Any volunteer applicant who does not disclose his or her criminal background will not be eligible for service;
4. Reading the District's policy and procedure regarding volunteers; and
5. Completing a Volunteer Application provided by the District.

Section 3(e) of the Fair Labor Standards Act, 29 U.S.C. § 203(e)(4)(A), provides that individuals performing volunteer services for units of State and local governments will not be regarded as "employees" under the statute if several criteria are met:

1. The employee must perform the voluntary service without promise, expectation, or receipt of compensation for services rendered;
2. Individuals will be considered volunteers only where their services are offered freely and without pressure, direct or implied, from any employer; and
3. The individual may not be employed by the same school district to perform the same type of services as those for which the individual proposes to volunteer.

Additional Requirements

1. Any volunteer who falsifies information on his or her application will not be eligible for service;
2. Volunteers will work with students in areas designated by school staff;

3. Volunteers will treat all students equally regardless of gender, gender identity and expression, sexual orientation, race, religion, or culture and will refrain from making any comments that can be construed as racist, sexist, homophobic, transphobic, or bigoted;
4. Volunteers must refrain from promoting religious doctrines or beliefs, political candidates or parties, or commercial products;
5. Disciplinary issues should be referred to the student's teacher;
6. Volunteers may not be in possession of or under the influence of alcohol or illegal substances; and
7. Smoking or the use of tobacco products is not permitted on school grounds or supervised trips.

If a volunteer is unwilling to agree to the requirements of the District's policy and procedure regarding volunteers, the principal will inform the applicant that he or she may not perform volunteer services in the District.

Background Check

The District shall conduct, at District expense, a State criminal records check on all volunteers who have contact with students on a regularly scheduled and/or continuing basis, or who have supervisory responsibility for children at a school site or on school-sponsored trips. No volunteer shall be utilized to supervise students, or deemed to have the authority to supervise students, unless the volunteer has been designated to supervise students by the principal or designee and the volunteer has undergone the required background check.

If the background check reveals evidence of convictions as identified in the list below or other concerns regarding past behavior, the candidate will not be recommended.

1. Convicted of any crime against persons;
2. Found to have sexually assaulted or exploited any minor or to have physically abused any minor;
3. Found by a court in a domestic relations proceeding to have sexually abused or exploited any minor or to have physically abused any minor or their spouse; or
4. Found in any disciplinary board final decision to have sexually abused or exploited any minor or to have physically abused any minor or their spouse.

If a criminal background check reveals a conviction or pending charge which substantially relates to the nature of the position and which the candidate failed to disclose as required on the District application form, his or her application for volunteer assignment may be rejected.

If the criminal background check confirms a conviction or pending charge which the candidate acknowledged on the application form, a determination shall be made, in consultation with legal counsel, whether or not to reject the application based upon a consideration of the circumstances of the conviction/pending charge and whether the circumstances substantially relate to the nature of the particular position for which the candidate has applied.

Selection and Placement of Volunteers

Placement of volunteers shall be the responsibility of the building Principal who shall base placement decisions on data regarding staff needs. Volunteers shall not make decisions regarding students or other personnel. No volunteer shall be placed unless a need has been identified and approved by the building Principal.

Supervision

All volunteers shall provide assistance only under the direct supervision of a member of the professional administrative and/or teaching staff. Volunteers who assist in the District on a scheduled and/or continuing basis shall be provided with a written task description detailing responsibilities and expectations, as well as specific qualifications that may be required.

Volunteers who jeopardize the security or safety of a facility or office may be denied access to the school. Additionally, volunteers who are inappropriately dressed may be denied access to the school.

If a volunteer is injured while on school premises or providing volunteer services, he or she will report this injury to the building principal as soon as reasonably possible.

Relationship Between Schools and Volunteers

When arriving at school during regular school hours, volunteers will sign in and be issued a badge.

School staff will be courteous to volunteers and show respect for their contributions. Likewise, volunteers will be expected to extend courtesy and respect to school staff.

Any issues that may arise will be referred to the volunteer coordinator or principal as appropriate.

All volunteers working in schools will be under the direct supervision of a member of the school's staff. Periodic assessments should be made to ensure volunteers are working productively with students.

Orientation and Training

The Superintendent/designee shall develop orientation materials to be provided to all volunteers who have contact with students on a regularly scheduled or continuing basis. These materials shall include, but not be limited to, pertinent policies and safety and emergency procedures. Volunteers shall be provided appropriate training at the building level consistent with their tasks and existing District standards. This training shall be developed under the leadership of the principal.

Exceptions would be District-wide programs established by the administration whereby general volunteer programs would be defined.

Each school should thoroughly orient volunteers to the duties they will perform. Volunteers also should be acquainted with the overall operation of the school, including what is expected of all employees and volunteers. They should be cautioned to discuss school matters outside of school only in a responsible manner.

1. Training at local schools should not be held simultaneously with school-sponsored functions. Volunteers should not have to choose between attending a school function or a volunteer training. However, it is appropriate to hold trainings prior to or immediately following a school-sponsored event.
2. Each volunteer coordinator will provide all volunteers with a handout of expectations, guidelines, and procedures specific to the school.
3. All volunteers will be oriented on the following:
 - A. Volunteer guidelines, policies, and procedures;
 - B. Expectations for creating positive school climate;
 - C. Safety and security issues;
 - D. Confidentiality: All communications are to be kept strictly confidential. Information about students may be shared only with the teacher, principal, or guidance counselor of the school;
 - E. Transportation;
 - F. Dress code;
 - G. Sexual harassment; and
 - H. Blood borne pathogens
4. Volunteers may receive initial training from any Council School District school or from the District office. When a volunteer is trained away from the local schools, the District volunteer coordinator who conducts the training must provide the volunteer's name to the local school volunteer coordinator.
5. The volunteer coordinator will notify the volunteer specialist of training dates. These will be posted at the District office or on the District website.
6. At the beginning of each school year, schools are encouraged to have multiple training sessions at various times of the day. Beginning in October, the District's volunteer coordinator will hold one training session at the District office or at a local school each month.

Duties and Responsibilities

A volunteer's assignment shall be limited to assisting staff members with duties such as routine tutorial, clerical, housekeeping, and material preparation tasks. The assignment shall be limited to situations which may be supervised by a certificated staff person. In some instances, volunteers may perform clerical and material preparation tasks away from the school site. Volunteers with

special talents, hobbies, or experiences may share those with students on a scheduled basis in a suitable educational setting. Volunteers will not discuss the performance or actions of students except with the student's teacher, counselor, or principal.

Additional specific areas in which a volunteer may be used are as follows:

1. Reading stories to students;
2. Assisting in supervising the loading and unloading of buses;
3. Helping in learning centers, computer labs, libraries, cafeterias, offices, etc.;
4. Lecturing on special topics;
5. Assisting with technology;
6. Helping to set up science experiments;
7. Acting as host for school functions;
8. Providing exhibits;
9. Arranging and assisting in field trips;
10. Assisting in supervising playgrounds;
11. Tutoring;
12. Contacting groups of parents by telephone;
13. Organizing parents for special projects;
14. Mentoring; and
15. Participating in business and community partnerships.

Volunteers will supplement and enrich programs and services in the District but will not substitute for employee activities and functions.

Termination

Although the District is not limited to the reasons below, a volunteer can be terminated for the following:

1. Breach of confidentiality concerning student or other privileged information;
2. Unlawful conduct or breach of District rules and regulations;
3. Physical or emotional stress which incapacitates the volunteer;
4. Inability to cooperate and work effectively with site staff and students;
5. Activities that threaten the order or security of the site or the safety of the volunteer;
6. Erratic or unreliable attendance or behavior;
7. Unsatisfactory service;
8. Sexual misconduct;
9. Providing falsified information on the application;
10. Establishing inappropriate relationships with youth served; and
11. Criminal charges or conviction of a crime.

A volunteer may be asked to terminate his or her services when, in the judgment of the administrator, circumstances necessitate termination.

Procedure History:

Promulgated on:

Revised on:

Reviewed on:

Council School District No. 13

PERSONNEL

5000

Board Goal/Personnel

The human resources of the District are valuable and significant in creating an effective educational program and learning environment. Schools function most efficiently and successfully when highly qualified individuals are employed to staff the District. Opportunities for staff development should be provided periodically. Supervision is a necessary, ongoing function of the District's leadership. The Board seeks to promote an efficient and positive school climate in all educational endeavors, in order that students may work toward their greatest potential, and the community will be proud of its investment.

Nothing contained in the policies or administrative procedures included herein is intended to limit the legal rights of the Board or its agents except as expressly stated.

Should any provision of Board policy or administrative procedure be held to be illegal by a court of competent jurisdiction, all remaining provisions shall continue in full force and effect.

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

PERSONNEL

5100

Hiring Process and Criteria

The Board of Trustees has the legal responsibility of hiring all employees. The Board assigns to the Superintendent the process of recruiting staff personnel. The Superintendent may involve various administrative and teaching staff as may be needed in recruiting potential personnel. All personnel selected for employment must be recommended by the Superintendent or designee and approved by the Board. All personnel selected for employment must also go through the applicable screening process outlined in Idaho Code 33-1210.

To aid in obtaining quality staff members, the following non-exclusive list of factors will be considered, along with any other factors relevant to the position: qualifications, training, experience, personality, character, and ability to relate well with students. Every effort will be exerted to maintain wide diversity in staff experience and educational preparation. However, the welfare of the children of the District will be a paramount consideration in the selection of teachers and administrators.

This policy shall be made available to any District employee or person seeking employment with the District.

Guidelines

1. There will be no discrimination in the hiring process. See Policy 5120.
2. Applicants for teaching positions shall provide evidence of meeting State requirements for certification and sign a statement authorizing current and past school district employers, including those outside the state of Idaho, to release to the District all information relating to job performance or job related conduct, and making available to the District copies of all documents in the applicant's previous personnel files, investigative, or other files. Such statement will also release the applicant's current and past employers from any liability for providing such information and documentation. Applicants who do not sign the statement/release shall not be considered for employment. The District will consider information received from current and past school district employers only for the purpose of evaluating applicants' qualifications for employment in the position for which they have applied and no one shall disclose such information to anyone, other than the applicant, who is not directly involved in the process of evaluating the applicants' qualifications for employment. Applicants may be employed on a non contracted provisional basis as allowed by law. Applicants shall not be prevented from gaining employment if current or past out-of-state employers are prevented from or refuse to cooperate with the District's request. See Forms 5100F1 and 5100F2.

3. Applicants for high school and middle school positions should have a major or its equivalent in the specific teaching field(s). Elementary applicants should have a major or its equivalent in elementary education or in the special area of assignment(s). Applicants for specific teaching positions shall also meet the applicable State standards.
4. Applicants for all teaching positions should have a minimum over-all grade point average of 2.5 (A-4, B-3, C-2, D-1). All candidates should have a grade point average of 2.75 in their respective major teaching field(s).
5. When considering coaching assignments in secondary schools, preference for hiring will be given to a qualified certificated professional employee in the school where the coaching vacancy exists. The building principal will be responsible for assuring that all qualified and interested applicants within the building have been given consideration. Giving such individuals consideration does not mean that such an individual will necessarily be retained for a coaching position or that another individual may receive the position who is not an employee of the building in question.
6. As required in Idaho Code 65-505, the District will observe preference for veterans and disabled veterans when considering hiring employees to fill vacancies, selecting new employees, or implementing a reduction in force.
7. As required in Idaho Code 33-130 and 33-512(15), the District will conduct a criminal history check for applicable positions. See Policy 5110.
8. Each newly hired employee must complete an Immigration and Naturalization Service form, as required by federal law.

The employment of any certified staff member is not official until the contract is approved by the Board and signed by both the Board Chair and the applicant.

To assist administrators in compliance with the above policy for the hiring of professional staff, the following guidelines shall be utilized:

Notice of Vacancies

Vacancies will be posted after the Board has approved written resignation from a contracted professional employee of the District, a termination or non-renewal has occurred, a release from contract has been granted, a new position is created within the District, or a vacancy has otherwise occurred. When that official resignation has been received or a position is otherwise available, the Superintendent will post notices in all school buildings and the District Office.

The Superintendent's Office will post notice of any vacancy within the District for 10 school days for current teachers or administrators to apply for the position.

1. Upon the conclusion of the 10 school day period, the appropriate administrator will meet with the appropriate building or program administrator, and review all requests to apply for the open position. The building/program administrator will have the responsibility to interview all final applicants who meet the qualifications needed for the position, and may or may not make recommendation for such applicants after review.
2. If an applicant is recommended by the building principal, it will be submitted in writing to the Superintendent immediately following such determination. If such transfer would create a vacancy in another location, notice of that vacancy will be posted as specified above, with the exception that if the same grade level vacancy for the school has already been posted, the above building notice requirement may be waived and the existing applicant pool utilized.
3. Should the building/program administrator determine that he or she does not wish to accept the request of any internal applicants, or no internal applicants have requested to apply, the principal will give notice to the appropriate administrator, who will prepare a job notice to be posted externally.
4. An application or letter of interest will be maintained within the District file for a period of one year from the date of inquiry. It is the responsibility of any applicant who desires to be considered for positions within the District to reactivate his or her file annually.
5. The Superintendent may deviate from the processes outlined in sections A through E above if he or she determines that such deviation is in the best interest of the District.

Preliminary Screening

1. At either the time the job vacancy is published, or prior to the conclusion of the application period, the school administrator will provide notice to the appropriate administrator of the desired number of qualified individuals to be included in the "screening pool". The screening pool shall be defined as the number of individuals having completed applications that may be submitted to the building or program administrator for final screening.
2. Should the building or program administrator desire to have applicants prioritized, he or she shall make such known to the appropriate administrator who will provide the prioritized list of a number consistent with the pool.

Screening

1. The building or program administrator may establish a committee to assist in the final screening process.
2. The committee, upon receiving the written applications from the appropriate administrator, will review those applications for the purpose of:
 - A. Determining those most suited to the position;

- B. Making personal telephone contact with one or more references submitted by the applicant;
 - C. Contacting individuals who might know the candidate, but were not listed as references, if needed; and
 - D. Inviting the top candidates to be interviewed for the position.
3. The committee will establish the procedures at the building or program level for interviewing the successful applicants.
 4. For those applicants who have no prior public school work experience or whose out-of-state former employers will not release documentation requested pursuant to I.C. § 33-1210, the screening committee or administrator may engage in whatever background checks it deems appropriate, but at a minimum shall verify all prior work experience and educational achievement listed by the applicant as the committee or administrator deems appropriate, preferably by contacting the prior employers and/or educational institutions listed by the applicant, and shall communicate with every person listed as a reference by the applicant.
 5. Upon determining the qualified applicant, the building administrator will submit to the Superintendent the written recommendation for the applicant to be offered a contract.

Acceptance Procedure

Once the Committee or administrator has selected the final candidate, the name will be provided to the Superintendent who will review the applicant's credentials with the building/program administrator. If the Superintendent concurs with the recommendation, the Superintendent will:

1. Authorize a statement of intention to employ, pending Board approval, to be made to the candidate.
 - A. If, at the time the statement of intention to employ is made, the District has not yet received documentation requested pursuant to I.C. 33-1210(3), the District may provisionally employ such applicant on a non-contracted basis for up to 30 days after receipt of the documentation. Within that thirty day time period, the Board may issue a written statement to the applicant identifying why a standard contract will not be issued and specifying which information justifies such decision. The Board may not identify any reason for non-issuance of a standard contract not based on the documentation received. If, within 30 days from the receipt of the information requested pursuant to I.C. 33-1210(3) no contract is issued or the written statement of non-employment is not provided to the applicant, the employee will be deemed to be employed pursuant to a Category 1 contract. During this provisional employment, the applicant shall be provided the same compensation and benefits as if the employee had been employed on a standard certificated contract.

If no documentation is received from out of state employers, the District may employ the applicant on a standard Category 1 contract without utilizing the provisional, non-contracted employment.

- B. Upon receiving a verbal or written statement of intention to accept employment, pending Board approval, by the candidate, the Superintendent will prepare the necessary papers for recommendation to the Board of Trustees at the next regular or special Board meeting.
- C. Submit to the Board of Trustees such recommendation.

Board Action

The Board of Trustees Council School District will:

1. Have placed before it all candidate names for the position; and
2. Discuss hiring and in situations wherein the individual qualifications of the applicant are discussed go into executive session pursuant to law; and
3. Vote relating to approval or disapproval of the candidates. If members of the Board personally have knowledge not available to the building administrator and the screening committee the Board will not take action until all concerns have been reviewed by the building/program administrator.

Approval

Upon approval by the Board of Trustees, a contract, in a form approved by the State Superintendent of Public Instruction, will be sent or given to the applicant pursuant to the requirements set out in I.C. 33-513. The applicant must sign the contract and return it within ten days from the date the contract is delivered to them. Should the person willfully refuse to acknowledge receipt of the contract or the contract is not signed and returned to the Board in the designated period of time, the Board or designee may declare the position vacant. Should the candidate not be approved, or the person willfully refuse to acknowledge receipt of the contract or the contract is not signed and returned to the Board, the Superintendent will remand the situation to the building administrator and screening committee to provide the next applicant's name for consideration.

Any person on provisional employment pursuant to I.C. 33-1210(7) shall be subject to the same time limits and provisions for return of a signed contract when and if such contract shall be provided to them for signature.

Certification

To qualify for employment, each teacher or administrator must have, and maintain during the entire school year, a valid Idaho teaching/administrative certificate on file in the District Office at the beginning of the school year. If at any time the teacher/administrator's certification lapses, is

revoked, or suspended, the certificated employee may be subjected to action declaring a contract violation and possible action to terminate the employment of the individual with the District.

Cross References: 5110 Criminal History/Background Checks
5120 Equal Employment Opportunity and Non-Discrimination
5100F1-5100F3 Hiring Process and Criteria Forms
5740PA1 – 2 Reduction in Force Procedures and Forms

Legal References: I.C. § 33-130 Criminal History Checks for School District Employees or Applicants for Certificates
I.C. § 33-512 Governance of Schools
I.C. § 33-513 Professional Personnel
I.C. § 33-1210 Information on Past Job Performance
I.C. § 65-501, *et seq.* Rights and Privileges of Veterans
I.C. § 74-206 Executive Sessions—When Authorized
IDAPA 21.01.06 Rules for the Enforcement of the Veteran’s Preference in Public Employment

Policy History:

Adopted on:

Revised on:

Reviewed on:

[DISTRICT LETTERHEAD]

**AUTHORIZATION FOR RELEASE OF INFORMATION ON PAST
EMPLOYMENT WITH SCHOOL EMPLOYERS
IDAHO CODE 33-1210**

Idaho Law requires Applicants for any position at any Idaho Public School to allow the hiring School District Employer to obtain a copy of past public school employer personnel file materials and other documentation relating to the performance of the Applicant when such Applicant was employed by any other public school, whether in Idaho or any other state.

Before hiring an Applicant for any position, the District must request the Applicant sign this form. Should the Applicant refuse or fail to sign this form, the District is not permitted to hire the Applicant for any position. This authorization does not limit any employer from seeking additional information or disclosures from any Applicant.

This form:

1. Authorizes current and past public school employers of the Applicant/undersigned on this form, including Applicants outside of the State of Idaho, to release to the hiring School District all information relating to the job performance and/or job related conduct of the Applicant and make available to the hiring School District copies of all documents in the previous employer's personnel file, investigative file (regardless of outcome or finding, if any), or other files relating to the job performance of the Applicant; and
2. Releases the Applicant's/undersigned's current and past employers, and employees acting on behalf of the employer, from any liability for providing the above-mentioned information.

Pursuant to state law, "documentation related to the job performance or job related conduct of any employee/applicant is defined as, and may be limited by the producing district to include: all annual evaluations, letters of reprimand, letters of direction, letters of commendation or award, disciplinary actions and documentation of disciplinary investigations, recommendations for probation, notices of probation, notices of removal from probation, recommendations for termination or nonrenewal, notices of termination or nonrenewal, notices from the professional standards commission of Idaho or any other such similar state agency of action taken against an individual's certificate and any rebuttal documentation filed by the employee relative to any of the above documents." I.C. § 33-1210(2)(b).

§ 33-1210 RELEASE:

I understand that the above requirements are a condition of my obtaining employment with the District and I consent to my current and former employers, both inside and outside the State of Idaho, upon receipt of this signed authorization, to comply with Idaho law. I further consent that such authorization may be provided to the hiring District via electronic means.

Signature of Applicant

Date

Printed Name of Applicant

Identifying Employee Number/Name of Applicant or other Identifying Information for Past Employer

- Information obtained through the use of this Release will be used only for the purpose of evaluating the qualifications of the Applicant for employment. This information will not be disclosed in any manner other than as provided by Statute.
- A copy of this Release and all information obtained through use of this Release will be placed into the Applicant's Personnel File with the District upon employment of the Applicant, if any.
- An Applicant's failure to disclose any former School District employer, whether within or outside of the State of Idaho, will serve as the basis for immediate termination and, for certificated personnel, may also result in the District's reporting of the individual to the Idaho Professional Standards Commission for a potential violation of the Code of Ethics for Professional Educators.
- By accepting an executed copy of this form, the hiring School District makes no guaranty or promise of employment to the Applicant. Further, the hiring School District may employ the Applicant on a conditional basis pending review of information gathered pursuant to this Release. Such conditional employment is not a guarantee or promise of continued employment with the hiring School District for any length of time or pursuant to any additional conditions.

[DISTRICT LETTERHEAD]
REQUEST TO EMPLOYER
IDAHO CODE 33-1210

Idaho Code 33-1210 requires all Idaho Public School employers to obtain past Idaho Public School employer performance information regarding any individual they are considering for hire, with regard to any position at an Idaho Public School. Specifically, the code section language states:

Before hiring an applicant, a School District shall request, in writing, electronic or otherwise, the Applicant's current or past employers, including out-of-state employers, to provide the information described in subsection (2)(a) of this section, if any.

The aforementioned subsection (2)(a) of the statute requires Applicants to sign a statement "authorizing the applicant's current and past employers (meaning school district employers), including employers outside of the State of Idaho, to release to the hiring School District all information relating to the job performance and/or job related conduct, if any, of the applicant and making available to the hiring School District copies of all documents in the previous employer's personnel, investigative, or other files relating to the job performance by the Applicant."

Enclosed please find a copy of the signed Authorization for Release of Information from _____, an Applicant for employment with the Council School District. This individual has identified your Public School as a prior employer. Accordingly, we are requesting that you please provide to the District a copy of all information relating to this individual's performance as an employee with your District. In accordance with the terms of the statute in question, we request receipt of this information within 20 business days after receipt of this request. This information may be sent either as written documentation or in electronic format. We would request that you advance this information to:

[Insert District Contact Information Here]

It should be noted that this statute provides that any School District or employee acting on behalf of the School District, who in good faith discloses information pursuant to this section either in writing, printed material, electronic material, or orally is immune from civil liability for the disclosure. An employer is presumed to be acting in good faith at the time of the disclosure under this section unless the evidence establishes one or more of the following:

1. That the employer knew the information disclosed was false or misleading;
2. That the employer disclosed the information with reckless disregard for the truth; or
3. That the disclosure was specifically prohibited by a state or federal statute.

Should you have any questions regarding this matter, please contact:
_____ at the above contact information.

District HR

[DISTRICT LETTERHEAD]

REQUEST FOR VERIFICATION OF CERTIFICATE STATUS

Attn: _____
Director of Certification/Professional Standards
Idaho State Department of Education
650 W. State Street
P.O. Box 83720
Boise, ID 83720-0027

Pursuant to § 33-1210(5), Idaho Code, the District is seeking information regarding the following individual:

Name of Applicant _____

D.O.B.: _____

Specifically, pursuant to the above-referenced statute, the District is seeking the following information in order to address a hiring decision:

1. Certificate status;
2. The existence of any past findings or complaints relating to violations of the Code of Ethics for Professional Educators;
3. The existence of any current complaints or investigations relating to alleged violations of the Code of Ethics for Professional Educators; and
4. Any information relating to job performance as defined by the State Board of Education, pursuant to Subsection (11) of Idaho Code 33-1210, for any applicants for certificated employment.

The District would greatly appreciate it if this information could be advanced to the attention of _____ on or before the _____ day of _____ in order to allow a timely decision as to employment matters. This information may be mailed at the above address or sent via electronic format to: _____.

Sincerely,

Council School District HR Department

Council School District No. 13

PERSONNEL

5100P1

Procedures for Obtaining Personnel Records for Applicants

1. Before hiring an applicant for employment in a certificated or non-certificated position the District shall have the applicant sign the statement/release (form 5500F1) and provide a list of their previous employers. The list may be obtained via resume or application. The District will not hire an applicant who refuses or fails to sign the statement/release.
2. The signed statement/release will then be sent by the District to all of the applicant's current or past, in state or out of state, school district employers along with a request for information relating to job performance and/or job related conduct (Form 5100F2).

Note: The District does not have to request the information for all applicants. The District only has to request the information for the applicant(s) who are considered being offered the position. However, in the interests of timeliness, as it may take up to 20 days to receive such information, the District may request the information of every applicant who has sent a signed statement/release.

3. The District may follow up with current or past school district employers if the information requested has not been received within 25 days from the date the request was sent. The District may hire non-certificated applicants on a conditional basis pending receipt of the information requested. Applicants shall not be prevented from being hired if an out of state current or past school district employer refuses to comply with the request. The District will attempt to obtain a written refusal along with the reason for the refusal from the non-compliant out of state school district employer. The written refusal shall be kept as a part of the applicant's file. The Board directs the Superintendent to establish steps to be taken in confirming prior work experience and checking references of new employees whose former employers refuse to release documentation, and for those with no prior public school work experience.
4. The District shall also request State Department of Education verification of certification status as well as any past or pending violations of the Professional Code of Ethics and information related to the job performance of the applicants for any certificated position (form 5100F3).
5. When such information and documentation is not received prior to screening or interviews, the District will review such information no less than 30 days after it has been received. If an applicant has been offered provisional employment pursuant to I.C. 33-1210(7), the District should review the documentation within ten days of receipt. If a written statement of non-employment is to be provided to the provisional employee, it shall be provided before the end of 30 days after the receipt of the documents. If the provisional employee is to be employed by the District, a written contract should be provided prior to the end of the 30 day period. It is the goal of the District to avoid any situation where an applicant or provisional employee is employed by default or without a written contract.

6. The District shall use information received from applicant's current or past employers only for the purposes of evaluating an applicant's qualifications for employment in the position for which the applicant has applied. No Board member or District employee shall disclose the information received to any person, other than the applicant, who is not directly involved in the process of evaluating the applicant's qualifications for employment.

Procedure History:

Promulgated on:

Revised on:

Reviewed on:

Council School District No. 13

PERSONNEL

5100P2

Veteran's Preference

The District shall give preference in hiring, and in the case a reduction in force, consideration for a retention, to veterans, unmarried widows and widowers of veterans, and the spouse of any veteran who is unable to work in public employment due to a service-connected disability. Such applicants shall be referred to as "preference eligible applicants" throughout this policy.

This preference does not apply to temporary positions or to appointments to the Board.

For the purpose of this policy, "veterans" means any person who has been discharged or released from active duty in the armed forces under honorable conditions who served on active duty for at least 180 consecutive days.

The District shall post this procedure on the District's website and shall note on all announcements and advertisements of applicable vacancies that preference will be given to preference eligible applicants. Applications for qualifying positions shall ask whether the applicant is claiming veterans' preference and whether the applicant has previously claimed such a preference. The form shall also indicate what documentation is required to confirm veteran status.

Any application for a position submitted by a preference eligible applicant shall be considered, provided it is received before a candidate is chosen to fill the position, regardless of whether the application is received before the deadline to receive applications.

The District shall interview all preference eligible applicants who qualify for the position for which they have applied unless the total number of preference eligible applicants applying for a position exceeds ten.

A preference eligible applicant shall be hired in cases where no other employee is more qualified or there is no articulable reason to select another candidate.

Appeal Process

If an applicant or employee believes they have been denied preference to which they are entitled under this procedure, they may appeal the decision within 35 days of the alleged denial of preference by submitting a written request for appeal to the Board clerk. Such request must include:

1. The applicant or employee's full name and mailing address;
2. A request for either a telephonic or a face-to-face hearing. In the former case, the telephone number where a telephonic hearing may be conducted must be included;
3. The position applied for (if applicable);

4. A brief statement of the applicant or employee's basis of eligibility for a preference;
5. A brief statement of the issues the applicant or employee proposes to raise at the hearing; and
6. Any dates or times the petitioner or the petitioner's attorney cannot be available for a hearing.

The Board shall direct the Superintendent to notify the applicant or employee of the time and date of the hearing and that the Board shall be the presiding officer at the hearing. Such notice shall be provided at least seven days before the hearing and indicate:

1. Whether the meeting will be by phone or in person;
2. The location of the meeting, if it will be held in person. In person meetings may only be held in the city where the position is located unless the parties agree otherwise; and
3. The address to which relevant documents must be sent.

The hearing shall be held within 35 days of receipt of the request unless good cause to extend the hearing is shown by the Board or by the applicant/employee, in which case the hearing must be held within 70 days.

Prior to the hearing, each side shall notify the others of the witnesses they intend to call and provide one another with copies of any documents to be presented. Evidence may be considered or rejected in accordance with IDAPA 21.01.06.103.03.

The applicant or employee may be represented by an attorney, at their own expense, if they chose.

The Board shall issue a written order reflecting its decision on the matter within 35 days of the hearing. The order shall include:

1. Specific findings on all major facts at issue;
2. A reasoned statement in support of the decision;
3. All other findings and recommendations of the Board;
4. A preliminary decision finding that a preference was or was not applied by the public employer as required by Idaho law;
5. The procedure and time limits for filing an appeal to the district court under Section 65-506, Idaho Code.

Procedure History:

Promulgated on:

Revised on:

Reviewed on:

Council School District No. 13

PERSONNEL

5105

Certificated Personnel Employment

Definitions

Category 1 Certificated Employees: Certificated personnel hired on a limited one year contract after August 1st or the spouse of a Trustee hired under the limited provisions of Section 33-507(3), Idaho Code.

Category 2 Certificated Employees: Certificated personnel in the first and second years of continuous employment within the same school district.

Category 3 Certificated Employees: Certificated personnel in the third year of continuous employment by the same school district.

Renewable Contract Certificated Employees: Upon being offered a contract for a fourth full consecutive year of employment as a certificated teacher, certificated personnel may automatically renew their employment with this District, for the next school year, by timely returning their contract.

The District shall have the option to grant renewable contract status when it hires a certificated employee who has been on a renewable contract with another Idaho school district or who has out-of-state experience which would otherwise qualify the certificated employee for renewable contract status in Idaho. Alternatively, the District can place the certificated employee on a Category 3 contract.

Retired: Certificated personnel receiving retirement benefits from the public employee retirement system of Idaho, except those who received benefits under the early retirement program previously provided by the State, hired as at-will employees.

Interim Certificate Holder: A certificated employee who holds an interim certificate while they pursue an alternate route to certification must complete at least nine semester credits annually toward the completion of their alternate route to certification and meet their annual progress goals toward the completion of the alternate route. The District may take action to terminate or non-renew a teacher with an interim certificate who fails to meet these requirements. Such termination or non-renewal shall be carried out in accordance with State law and administrative rules and District policy.

Notice

1. Category 1 certificated employees' contracts are specifically offered for the limited duration of the ensuing school year, and no further notice is required by the District to terminate the contract at the conclusion of the contract year.
2. Category 2 certificated employees shall be provided a written statement of reason for non-reemployment by no later than July 1st and are not entitled to a review of the reasons or decision not to reemploy by the Board.
3. Category 3 certificated employees shall be provided a written statement of reason for non-reemployment by no later than July 1st and shall, upon written request, be given the opportunity for an informal review of such decision by the Board. The parameters for the informal review will be determined by the Board. Before the Board determines not to renew the contract for the unsatisfactory performance of category 3 certificated employees, such employees shall be entitled to a defined period of probation as established by the Board, following at least one evaluation. In no case shall the probationary period be less than eight weeks. The probation shall be preceded by written notice from the Board, with the reasons for the probationary period and the areas of work which are deficient and with provisions for adequate supervision and evaluation of the employees' performance during the probationary period.
4. Contracts for all renewable contracted certificated employees shall be issued by July 1st. All employees on renewable contracts must timely return their contract. The employee's failure to timely return a renewable contract may be interpreted by the Board as a declination of the right to automatic renewal or the offer of another contract. Before the Board determines not to renew the contract for the unsatisfactory performance of renewable contracted certificated employees, such employees shall be entitled to a defined period of probation as established by the Board, following an observation, evaluation, or partial evaluation. The probation shall be preceded by written notice from the Board, or its designee, with the reasons for the probationary period and with provisions for adequate supervision and evaluation of the employees' performance during the probationary period.
5. Contracts for retired teachers are specifically offered for the limited duration of the ensuing school year, and no further notice is required by the District to terminate the contract at the conclusion of the contract year.

Supplemental Contracts

An extra duty assignment is, and extra duty supplemental contracts may be issued for, an assignment which is not part of a certificated employee's regular teaching duties. A supplemental contract for extra duties shall be separate and apart from the certificated employee's underlying contract (Category 1, 2, 3 or renewable) and no property rights shall attach. A written notice of non-reissuance of the extra duty supplemental contract with a written statement of reasons shall be provided. Upon written request, the certificated employee shall be given the opportunity for an informal review of such decision by the Board. The parameters for the informal review will be determined by the Board. The contract shall be in a form approved by the state superintendent of public instruction.

An extra day assignment is, and supplemental extra day contracts, may be issued for, an assignment of days of service in addition to the standard contract length used for the majority of certificated employees of the District. Such additional days may be in service of the same activities as the employee's regular teaching duties. Any such extra day contracts shall provide the same daily rate of pay and rights to due process and procedures as provided by the certificated employee's underlying contract (Category 1, 2, 3 or renewable). The contract shall be in a form approved by the state superintendent of public instruction.

Delivery of Contract

Delivery of a contract may be made only in person, by certified mail, return receipt requested, or electronically, return receipt requested. If delivery is made in person, the delivery must be acknowledged by a signed receipt.

If a District delivers contracts via electronic means, with return electronic receipt, and the District has not received a returned signed contract and has not received an electronic read receipt from the employee, the District shall then resend the original electronically delivered contract to the employee via certified mail, return receipt requested, and provide such individual with a new date for contract return.

Return of the Contract

A person who receives a proposed contract from the District shall have ten days from the date of delivery to sign and return the contract.

Failure to Accept or Acknowledge

Should a person willfully refuse to acknowledge receipt of the contract or if the contract is not signed and returned to the Board within the designated time period, the Board may declare the position vacant. Through this policy the Board delegates to the Superintendent the power, as the designee of the Board, to declare such position vacant should a signed contract not be returned within the designated period.

Cross Reference:	Policy 5340	Evaluation of Certificated Personnel
	Policy 6100	Superintendent
Legal Reference	I.C. § 33-507	Limitation upon Authority of Trustees
	I.C. § 33-513	Professional Personnel
	I.C. § 33-514	Issuance of Annual Contracts – Support Programs – Categories of Contracts – Optional Placement
	I.C. § 33-514A	Issuance of Limited Contract – Category 1 Contract
	I.C. § 33-515	Issuance of Renewable Contracts
	I.C. § 33-515A	Supplemental Contracts
	IDAPA 08.02.02.016	Idaho Interim Certificate

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

PERSONNEL

5107

Informal Review

The following events and circumstances create a right allowing the specified employees to request an Informal Review for the Board's decision to not reemploy or reissue an employment contract:

1. Non-reemployment of Category 3 teachers;
2. An administrative employee reassignment;
3. Non-reissuance of Supplemental Extra-Duty Contracts; and
4. Any other circumstance specified in Idaho law creating a right to request an informal review.

The parameters for the Informal Review will be determined by the Board.

Cross Reference: 5105 Certificated Personnel Employment

Legal Reference	I.C. § 33-514	Issuance of Annual Contracts
	I.C. § 33-515	Issuance of Renewable Contracts
	I.C. § 33-515A	Supplemental Contracts

Policy History:

Adopted on:

Revised on:

Reviewed on:

Criminal History/Background Checks

General

It is the policy of the District not to employ or to continue the employment of classified, professional or administrative personnel who may be deemed unsuited for service by reason of arrest and/or criminal conviction. While an arrest or conviction of a crime, in and of itself, may not be an automatic bar to employment, if an arrest or conviction relates to suitability of the individual to perform duties in a particular position, such person may be denied employment or, in the case of current employees, may face disciplinary action up to and including termination.

It is the policy of this District to perform criminal history checks as required by Idaho law and to perform other types of background checks on employees or volunteers including, but not limited to:

1. Contacting prior employers for references;
2. Contacting personal references; and/or
3. Contacting other persons who, in the discretion of the District, could provide valuable information to the District.

Where a prior conviction is discovered, the District will consider the nature of the offense, the date of the offense, and the relationship between the offense and the position for which application is sought, or the person is employed. Any individual convicted of a felony offense listed in I.C. § 33-1208(2) shall not be hired.

If an applicant or employee makes any misrepresentation or willful omissions of fact regarding prior criminal history, such misrepresentation or omission shall be sufficient cause for disqualification of the applicant or termination of employment.

Initial Hires

In order to protect the health, safety, and welfare of the students of the District, Idaho law requires the following employees hired on or after July 1, 2008 to submit to criminal history checks. The list is to include, but is not limited to:

1. Certificated and non-certificated employees;
2. All applicants for certificates;
3. Substitute staff;
4. Individuals involved in other types of student training such as practicums and internships; and
5. All individuals who have unsupervised contact with students.

A criminal history check shall be based on a complete ten finger fingerprint card or scan and include, at a minimum, the following:

1. Idaho bureau of criminal identification;
2. Federal bureau of investigation (FBI) criminal history check; and
3. Statewide sex offender registry.

Employees will be required to undergo a criminal history check within five days of starting employment or unsupervised contact with students, whichever is sooner.

The fee charged to an employee shall be \$40.00. All criminal history check records will be kept on file at the state department of education. A copy of the records will be given to the employee upon request.

Employee Arrest or Conviction

All employees shall have the continuing duty to notify the District of any arrest or criminal conviction that occurs subsequent to being hired by the District. In the event that any employee, whether full-time or part-time, probationary or non-probationary, classified or certified, is arrested, charged, or indicted for a criminal violation of any kind, whether misdemeanor or felony, with the exception of minor traffic infractions, he or she is required to report such arrest promptly to the employee's supervisor or department head within one business day unless mitigating circumstances exist. This reporting requirement applies regardless of whether such arrest has occurred on-duty or off-duty. Failure to comply with this reporting requirement shall be grounds for disciplinary action, up to and including termination.

Additionally, if an employee has a protection order served against him or her, the employee shall follow the same reporting requirements as outlined above.

Supervisors or department heads shall contact the Superintendent or designee upon receiving notification that an employee has been arrested or has a protection order served against him or her. The District reserves the right to determine appropriate disciplinary action in such cases, up to and including termination, depending upon the facts and circumstances surrounding the incident.

It is the discretion of the District to terminate or take other action against any employee that has either been convicted of one or more of the felony offenses set forth in I.C. § 33-1208 or made a material misrepresentation or omission on their job application.

Substitute Teachers

The State Department of Education shall maintain a statewide list of substitute teachers. To remain on the statewide substitute teacher list, the substitute teacher shall undergo a criminal history check every five years. If a substitute teacher has undergone a criminal history check within five years as a result of employment with another District, the District may in its sole discretion, not require a substitute to undergo a criminal history check. If the District does desire a substitute teacher who has undergone a criminal history check within the last five years to undergo an additional criminal history check, the District will pay the costs of such check.

Other Employees

The District may require that any employee be subjected to criminal history checks. If required, the District will pay the costs of such checks.

Volunteers

Any volunteer in the District who has regular unsupervised access to students, as determined by the Superintendent or the Superintendent's designee, shall submit to a fingerprint criminal background investigation conducted by the appropriate law enforcement agency prior to consideration for volunteering in the schools of this District.

Any requirement of a volunteer to submit to a fingerprint background check shall be in compliance with the Volunteers for Children Act of 1998 and applicable federal regulations. If a volunteer has any prior record of arrest or conviction by any local, state, or federal law enforcement agency for an offense other than a minor traffic violation, the facts must be reviewed by the Superintendent, who shall decide whether the volunteer is suitable to be in the presence of the students in the District. Arrests resolved without conviction shall not be considered in the hiring process unless the charges are pending.

Contractors

The District maintains a safe environment for students by developing a system that cross-checks all contractors or other persons who have irregular contact with students against the statewide sex offender register.

Confidentiality

Outstanding warrants, criminal charges, and/or protective orders may be confidential. An employee who is provided access to such information relating to another employee shall ensure that the information remains confidential. If an employee discloses such information without authorization, the employee shall be subject to disciplinary action.

Legal Reference: I.C. § 33-130 Criminal History Checks for School District Employees or Applicants for Certificates
I.C. § 33-512 Governance of Schools
I.C. § 74-106 Records Exempt from Disclosure
Public Law 105-251, Volunteers for Children Act

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

PERSONNEL

5120

Equal Employment Opportunity and Non-Discrimination

The District shall provide equal employment opportunities to all persons, regardless of their race, color, religion, creed, national origin, sex, gender identity and expression, sexual orientation, age, ancestry, marital status, military status, citizenship status, pregnancy, use of lawful products while not at work, physical or mental handicap or disability if otherwise able to perform the essential functions of the job with reasonable accommodations, and other legally protected categories.

The District will make reasonable accommodation for an individual with a disability known to the District, if the individual is otherwise qualified for the position, unless the accommodation would impose an undue hardship upon the District.

Inquiries regarding discrimination should be directed to the Title IX or Nondiscrimination Coordinator. Specific written complaints should follow the Uniform Grievance Procedure.

In compliance with federal regulations, the District will notify annually all students and applicants of this policy and the designated coordinator to receive inquiries. Notification should include the name and location of the coordinator.

Cross References:	5250	Certificated Staff Grievances
	5100	Hiring Process and Criteria
Legal Reference:	8 U.S.C. §§ 1324(a), et seq.	Immigration Reform and Control Act
	20 U.S.C. §§ 1681, et seq.	Title IX of the Education Amendments
	29 U.S.C. § 206(d)	Equal Pay Act
	29 U.S.C. §§ 621, et seq.	Age Discrimination in Employment Act
	29 U.S.C. §§ 791, et seq.	Rehabilitation Act of 1973
	42 U.S.C. §§ 12111, et seq.	Americans with Disabilities Act, Title I
	42 U.S.C. §§ 2000(e), et seq.	Title VII of Civil Rights Act
	29 C.F.R., Part 1601	Title VII of Civil Rights Act
	29 CFR 1604.10	Pregnancy Discrimination Act - Employment Policies Relating to Pregnancy and Childbirth
	34 C.F.R., Part 106	Title IX of the Education Amendments
	I.C. § 67-5909	Acts Prohibited

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

PERSONNEL

5125

Reporting New Employees

The Idaho Legislature has established an automated State directory of new hires to be administered by the Idaho Department of Labor (herein after “Department”). The State directory of new hires provides a means for employers to assist in the State’s efforts to prevent fraud in the welfare, worker’s compensation, and unemployment insurance programs; to locate individuals to establish paternity; to locate absent parents who owe child support; and to collect support from those parents by reporting information concerning newly hired and rehired employees directly to a centralized State database.

The District will report the hire or rehire of an individual by submitting to the department a copy of the employee’s completed and signed United States internal revenue service form W-4 (employee’s withholding allowance certificate). Before submitting the W-4 form, the District will ensure that the W-4 form contains the following information:

1. The employee’s name, address, and social security number;
2. The District’s name, address, and federal tax identification number;
3. The District’s Idaho unemployment insurance account number, which must be designated at the bottom of the form; and
4. The employee’s date of hire or rehire, which must be designated at the bottom of the form.

This District will report the hiring or rehiring of any individual to the department within 20 calendar days of the date the employee actually commences employment for wages or remuneration. The report will be deemed submitted on the postmarked date or, if faxed or electronically submitted, on the date received by the Department. A copy of the report will be retained by the District, and the copy will set forth the date on which the report was mailed, faxed, or electronically transmitted.

Should the District choose to file its report electronically, the District will comply with the Department’s regulations of such transmissions. Electronically transmitted reports will be filed by two monthly transmissions if necessary, not less than 12 days apart and not more than 16 days apart.

The District is not liable to the employee for the disclosure or subsequent use of the information by the Department or other agencies to which the Department transmits the information.

Legal Reference: I.C. § 72-1601et seq. State Directory of New Hires

Policy History:

Adopted on:
Revised on:
Reviewed on:

Council School District No. 13

PERSONNEL

5130

Administrative Leave

The Board hereby delegates to the Superintendent and any designee of the Superintendent the Board's authority to place a certificated employee on a period of paid administrative leave or paid suspension if the Superintendent or designee believes that such action is in the best interest of the District.

Should this authority be exercised and any certificated employee placed onto a period of paid administrative leave or suspension, this action shall be presented to the Board within 21 days of taking such action, whether at the next regularly scheduled Board meeting or a special meeting.

At the time the Board is presented with the action they shall either ratify or nullify the act of placing the certificated employee onto a period of paid leave or suspension. The Board may continue the period of administrative leave or suspension at the time the Board takes action.

Legal Reference: I.C. § 33-513 Professional Personnel

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

PERSONNEL

5200

Applicability of Personnel Policies

Except where expressly provided to the contrary, personnel policies apply uniformly to the employed staff of the District. However, where there is a conflict between the terms of a collective bargaining agreement and the District's policy, the law provides that the terms of the collective bargaining agreement shall prevail for the staff covered by that agreement.

When a matter is not specifically provided for in an applicable collective bargaining agreement, the policies of the Board to effectively and efficiently manage the District shall govern.

Classified employees are employed at will and the District policy manual is not intended to express a term of an employment agreement. The provisions of this policy manual do not create a property right which would modify the District's right to terminate the employment relationship of classified employees at will.

Legal Reference: *Metcalf v. Intermountain Gas Co.*, 116 Idaho 622 (Idaho 1989)

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

PERSONNEL

5205

Job Descriptions

There shall be written job descriptions for all positions and for all employees of the School District. The job description will describe the essential characteristics, requirements, and general duties of the job or position. All personnel shall be subject to the requirements delineated in the job descriptions so that they may effectively contribute to the goals and purposes for the District. The descriptions shall not be interpreted as complete or limiting definitions of any job, and employees shall continue in the future, as in the past, to perform duties assigned by the Board, supervisors, or other administrative authority.

Once each year or as provided by Idaho Code, the supervisors of all employees shall confer with each person under his or her supervision to review the individual's work.

The evaluation shall be documented by use of the District evaluation form for classified or certified personnel. No evaluation should be signed before it is fully discussed by both the employee and the supervisor. One signed copy will be given to the employee and one signed copy will be given to the Superintendent to be maintained in the employee's personnel file.

Cross Reference: 5500 Personnel Files

Legal Reference: I.C. § 33-514 Issuance of Annual Contracts
 I.C. § 33-515 Issuance of Renewable Contracts
 I.C. § 33-517 Non-Certificated Personnel

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

PERSONNEL

5220

Assignments, Reassignments, Transfers

All staff shall be subject to assignment, reassignment, and transfer of position and duties by the Board, Superintendent, supervisor, and/or other administrative staff member. Changes in assignment may also be made at the request of an employee. Assignment shall be based upon the qualifications of the candidate and the philosophy and needs of the District.

If a change of assignment was not requested by the employee, he or she should be consulted and have an opportunity to express his or her preferences. However, the final decision on transfer or alteration of any assignment rests with the Board of Trustees.

Teachers shall be assigned at the levels and in the that are appropriate and allowable for the certificates and endorsements they hold. The Superintendent shall provide for a system of assignment, reassignment, and transfer of classified staff, including voluntary transfers and promotions consistent with this policy and State law. Nothing in this policy shall prevent the reassignment of a staff member during the school year.

When the Board reassigns an administrative employee to a non-administrative position, the employee shall be entitled to an informal review as described Policy 5107.

Classified Staff

The right of assignment, reassignment, and transfer shall remain that of the Board and/or Superintendent. Written notice of a reassignment or involuntary transfer shall be given the employee. Opportunity shall be given for the staff member to discuss the proposed transfer or reassignment with the Superintendent.

Teaching

All teachers shall be given notice of their teaching assignments relative to grade level, building, and subject area before the beginning of the school year, recognizing that such placement could change subsequent to this initial notice including during the course of the school year.

Note: This option only applies if there is a policy delegating authority to the Superintendent to make reassignment or other employment related decisions.

Cross reference:	5107	Informal Review
	6100-6100P	Superintendent
	6200	District Organization

Legal Reference	I.C. § 33-513	Professional Personnel
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I.C. § 33-515 Issuance of Renewable Contracts

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

PERSONNEL

5230

Accommodating Individuals with Disabilities

Individuals with disabilities shall be provided a reasonable opportunity to participate in all school-sponsored services, programs, and activities on an equal basis to those without disabilities and will not be subject to illegal discrimination. The District will provide auxiliary aids and services where necessary to afford individuals with disabilities equal opportunity to participate in or enjoy the benefits of a service, program, or activity.

Each service, program, or activity operated in existing facilities shall be readily accessible to, and useable by, individuals with disabilities. New construction and alterations to facilities existing before January 26, 1992, will be accessible when viewed in their entirety.

The Superintendent is designated the Americans with Disabilities Act, Title II Coordinator and, in that capacity, is directed to:

1. Oversee the District's compliance efforts, recommend necessary modifications to the Board, and maintain the District's final Title II self-evaluation document and keep it available for public inspection; and
2. Institute plans to make information regarding Title II's protection available to any interested party.

Individuals with disabilities should notify the Superintendent or building principal if they have a disability which will require special assistance or services and, if so, what services are required. This notification should occur as far as possible before the school-sponsored function, program, or meeting.

Cross Reference: 5250

Certificated Staff Grievances

Legal Reference: Americans with Disabilities Act, 42 U.S.C. §§ 12111, et seq., and 12131, et seq.; 28 C.F.R. Part 35

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

PERSONNEL

5235

Health Examination

The District has a legal obligation to protect the morals, health, and safety of the District's students and personnel, and in furtherance of such has an obligation to prohibit the presence of and provide for the removal of individuals whose presence is detrimental to the morals, health, safety, academic/learning environment, or discipline of pupils. The District further has a legal obligation to assure that professional teaching personnel are free from contagious disease.

Should a situation arise where the Superintendent or designee has reasonable and articulable grounds to believe that any school employee, certificated or non-certificated, is suffering from a physical or mental illness and that such illness that:

1. Prevents or impairs the ability of the employee to perform his or her duties; or
2. Poses a risk and/or is detrimental to the health, welfare, or safety of students; or
3. Poses a risk and/or is detrimental to the health, welfare, or safety of other employees; or
4. Falls within the requirements of Section 33-1202(3), Idaho Code, for certificate holders to be free from contagious diseases that may pose a health or safety risk to students or other employees;

the Superintendent or his or her designee may require the employee to secure a physical or mental examination and obtain a written medical certificate clearing the employee for work to be submitted to the Superintendent and may put such employee on a period of paid leave, pursuant to District and State statutory leave requirements, until such time as the examination and clearance to return to work has been obtained. Should such a request be made:

1. The requested examination shall be at the cost of the District;
2. The information obtained by the District as a result of the examination shall remain confidential and disclosed only to employees in a position to require knowledge; and
3. The employee shall not suffer any loss of compensation during the period of absence associated with the requested examination.

Legal Reference: I.C. § 33-512 Governance of Schools
I.C. § 33-1202 Eligibility for Certificate

Policy History:

Adopted on:

Revised on:

Reviewed on:

Sexual Harassment/Sexual Intimidation in the Workplace

According to the Equal Employment Opportunity Commission, sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, including unwanted touching, verbal comments, sexual name calling, gestures, jokes, profanity, and spreading of sexual rumors.

The District shall do everything in its power to provide employees an employment environment free of unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct or communications constituting sexual harassment, as defined and otherwise prohibited by State and federal law. In addition, principals and supervisors are expected to take appropriate steps to make all employees aware of the contents of this policy. A copy of this policy will be given to all employees.

District employees shall not make sexual advances or request sexual favors or engage in any conduct of a sexual nature when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
3. Such conduct has the purpose or effect of substantially interfering with the individual's work performance or creating an intimidating, hostile, or offensive working environment.

Sexual harassment prohibited by this policy includes verbal or physical conduct. The terms "intimidating", "hostile", or "offensive" include, but are not limited to, conduct which has the effect of humiliation, embarrassment, or discomfort. Sexual harassment will be evaluated in light of all of the circumstances.

Aggrieved persons who feel comfortable doing so, should directly inform the person engaging in sexually harassing conduct or communication that such conduct or communication is offensive and must stop.

Employees who believe they may have been sexually harassed or intimidated should contact the Title IX Coordinator or an administrator, who will assist them in filing a complaint. An individual with a complaint alleging a violation of this policy shall follow the Uniform Grievance Procedure.

Investigation

When an allegation of sexual harassment is made of any employee, the designated school officials will take immediate steps to:

1. Protect the grievant from further harassment;
2. Discuss the matter with and obtain a statement from the accused and his or her representative, if any;
3. Obtain signed statements of witnesses; and
4. Prepare a report of the investigation.

Confidentiality

Due to the damage that could result to the career and reputation of any person accused falsely or in bad faith of sexual harassment, all investigations and hearings surrounding such matters will be designed, to the maximum extent possible, to protect the privacy of, and minimize suspicion towards, the accused as well as the complainant. Only those persons responsible for investigating and enforcing this policy will have access to confidential communications. In addition, all persons involved are prohibited from discussing the matter with coworkers and/or other persons not directly involved in resolving the matter.

A violation of this policy may result in discipline, up to and including discharge. Any person making a knowingly false accusation regarding sexual harassment will likewise be subject to disciplinary action, up to and including discharge.

Cross Reference: 4120 Uniform Grievance Procedure

Legal Reference: Title VII of the Civil Rights Act, 42 U.S.C. §§ 2000(e), et seq., 29 C.F.R. § 1604.11
Title IX of Education Amendments, 20 U.S.C. §§ 1681, et seq.
I.C. § 67-5909 Acts Prohibited

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

PERSONNEL

5240F

Sexual Harassment/Intimidation in the Workplace Policy Acknowledgment

I have read and been informed about the content and expectations of the Sexual Harassment/Intimidation in the Workplace Policy. I have received a copy of the policy and agree to abide by the guidelines as a condition of employment and continuing employment by the District.

Employee Signature

Employee Printed Name

Date

Council School District No. 13

PERSONNEL

5250

Certificated Staff Grievances

It is the Board's desire that procedures for settling certificated staff grievances be an orderly process within which solutions may be pursued. Further, that the procedures provide prompt and equitable resolution at the lowest possible administrative level. Additionally, it is the Board's desire that each certificated employee be assured an opportunity for orderly presentation and review of grievances without fear of reprisal.

Grievance Definition

A grievance pursuant to this policy shall be a written allegation of a violation of Board approved District policies or a written allegation of a violation of the Master Agreement between the District and the teachers' association.

Grievance Procedure

The District will first review the collective bargaining agreement for any applicable grievance procedures. If such a provision exists, such procedures shall govern the resolution of certificated staff grievances.

A staff member with a grievance is encouraged to first discuss it with their immediate supervisor, with the objective of resolving the matter promptly and informally. An exception is that complaints of sexual harassment or violation of any other protected status should be discussed with the first line administrator that is not involved in the alleged harassment. This attempt at informal resolution is not a required component of the grievance policy but is suggested in an effort to attempt to resolve disputes informally.

If the grievance is not resolved informally, and the grievant wishes to continue to seek to address the grievance, the grievant shall file the written grievance with their immediate building principal. The written grievance shall state:

1. The policy or provision of the Master Agreement the employee believes was violated;
2. The alleged date of violation;
3. The actor involved in the alleged violation; and
4. The remedy requested by the employee.

The written grievance must be filed with the immediate building principal within ten working days of the date of the initial event allegedly giving rise to the grievance.

The immediate building principal or designee of the building principal shall meet with the grievant and shall, at the discretion of the principal or designee, conduct whatever additional meetings or investigative activities the principal or designee believes are necessary to address the grievance.

Subsequent to these activities and within a period of ten working days, the principal shall provide the grievant with a written response to the grievance of the certificated employee.

If the grievant is not satisfied with the decision of the principal or designee, the individual shall have a period of five working days to advance the grievance to the Superintendent by submitting a written objection to the decision with the Superintendent.

If the principal or designee does not provide a written response to the grievance at the conclusion of ten working days and no extension of this time period has been agreed to between the grievant and principal or designee, the grievance shall be advanced to the Superintendent without written response of the principal or designee.

Upon receipt by the Superintendent, the Superintendent or his or her designee shall schedule a meeting between the parties and the principal. The parties shall be afforded the opportunity to either dispute or concur with the principal's report. The Superintendent or designee shall, within a period of 15 working days, decide the matter notifying all the parties in writing of the decision. The decision of the Superintendent or designee shall be controlling, regardless of whether it is in agreement or in disagreement with the decision of the principal.

If either party is not satisfied with the decision of the Superintendent, the Board is the next avenue for appeal. A written appeal must be submitted to the Board within five days of receiving the Superintendent's decision. The Board is the policy-making body of the District, however, and appeals to that level must be based solely on whether or not policy has been followed. Any individual appealing a decision of the Superintendent to the Board bears the burden of proving a failure to follow Board policy.

Upon receipt of a written appeal of the decision of the Superintendent, and assuming the individual alleges a failure to follow Board policy, the matter shall be placed on the agenda of the Board for consideration not later than their next regularly scheduled meeting. A decision shall be made and reported in writing to all parties within 30 days of that meeting. The decision of the Board will be final.

Grievances will be processed according to the step-by-step process outlined in the Uniform Grievance Procedure 4120, however, in the case where a person designated to hear a grievance is the subject of the grievance, the grievance process will begin at the next highest step and the process shall be modified as needed to meet the objectives of the Grievance Procedure. If a grievance is directly based on official Board action, the grievance shall be directed to the Clerk of the Board. The grievance may be heard by the Board at the sole discretion of the Board.

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

PERSONNEL

5260

Abused and Neglected Child Reporting

The personal safety and welfare of each child is of paramount concern to the Board of Trustees, employees, and patrons of the School District. It is of particular importance that employees within the District become knowledgeable and thoroughly educated as to their legal and ethical responsibilities regarding observation and reporting of suspected child abuse, child abandonment, or child neglect. The Superintendent shall review with staff the legal requirements concerning suspected child abuse at the commencement of each year.

"Abuse" is defined in I.C. § 16-1602 of the Idaho Code as any case in which a child has been the victim of conduct or omissions resulting in skin bruising, bleeding, malnutrition, burns, fracture of any bone, subdural hematoma, or soft tissue swelling. Abuse is further defined in I.C. 16-1602 to include sexual conduct including rape; molestation; incest; prostitution; obscene or pornographic photographing, filming, or depiction for commercial purposes; or other similar forms of sexual exploitation harming or threatening the child's health or welfare or mental injury to the child. Abuse also includes abandonment and neglect.

"Abandoned" is defined as the failure of the parent to maintain a normal parental relationship with his child including, but not limited to, reasonable support or regular personal contact. Failure to maintain this relationship without just cause for a period of one year is evidence of abandonment. I.C. § 16-1602(2).

"Neglected" means a child:

Who is without proper parental care and control, or subsistence, education, medical or other care or control necessary for his or her well-being because of the conduct or omission of his parents, guardian or other custodian or their neglect or refusal to provide them with these items;

-I.C. § 16-1602(25).

A District employee who has reasonable cause to suspect that a student may be an abused, abandoned, or neglected as defined above or who observes a child being subjected to conditions which would reasonably result in abuse, abandonment, or neglect shall report or cause to be reported such a case to local law enforcement or the Department of Health and Welfare within 24 hours.

Employees of the District shall immediately notify the counselor and their supervisor of the case. The supervisor shall immediately notify the Superintendent or the Superintendent's designee, who shall in turn report or caused to be reported the case to local law enforcement or the Department of Health and Welfare.

Any person who has reason to believe that a child has been abused, abandoned, or neglected and, acting upon that belief, makes a report of abuse, abandonment, or neglect as required in Idaho Code § 16-1605 is immune from any liability, civil or criminal, that might otherwise be incurred or imposed. Any person who reports that a child has been abused, abandoned, or neglected in bad faith or with malice is not entitled to immunity from any civil or criminal liability that might otherwise be incurred or imposed, per I.C. § 16-1606.

In addition, according to I.C. § 16-1607:

Any person who makes a report or allegation of child abuse, abandonment, or neglect knowing the same to be false or who reports or alleges the same in bad faith or with malice shall be liable to the party or parties against whom the report was made for the amount of actual damages sustained or statutory damages of five hundred dollars (\$500), whichever is greater, plus attorney's fees and costs of suit. If the court finds that the defendant acted with malice or oppression, the court may award treble actual damages or treble statutory damages, whichever is greater.

Any District employee who fails to report a suspected case of abuse, abandonment, or neglect to the Department of Health and Welfare or local law enforcement, or who prevents another person from doing so, may be civilly liable for the damages proximately caused by such failure or prevention, and is guilty of a misdemeanor. The employee will also be subject to disciplinary action up to and including termination.

Legal Reference:	I.C. § 16-1602	Child Protection Act Definitions
	I.C. § 16-1605	Reporting of Abuse, Abandonment or Neglect
	I.C. § 16-1606	Child Protection Act Immunity
	I.C. § 16-1607	Reporting in Bad Faith-Civil Damages

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

PERSONNEL

5260F

Report of Suspected Child Abuse, Abandonment, or Neglect

Original to: Local Law Enforcement ____
Department of Health and Welfare ____

Copy to: Superintendent ____
Building Principal ____

From: _____ Title:

School: _____ Phone:

Persons contacted: Principal Teacher School Nurse
 Other _____

Name of Minor: _____ Date of Birth:

Address: _____ Phone:

Date of Report: _____ Attendance Pattern:

Father: _____ Phone: _____

Address: _____

Mother: _____ Phone: _____

Address: _____

Guardian or Step-Parent: _____ Phone: _____

Address: _____

Any suspicion of injury/neglect to other family members:

Nature and extent of the child's injuries, including any evidence of previous injuries, and any other information which may be helpful in showing abuse or neglect, including all acts which lead you to believe the child has been abused, abandoned, and/or neglected:

Previous action taken, if any: _____

Follow-up by Local Law Enforcement/Department of Health and Welfare
(copy to be completed and returned to the Superintendent/Building Principal):

Date Received: _____

Date of Investigation:

Council School District No. 13

PERSONNEL

5265

Employee Responsibilities Regarding Student Harassment, Intimidation, and Bullying

The personal safety and welfare of each child is of paramount concern to the Board of Trustees, employees, and patrons of the District. It is of particular importance that employees within the District become knowledgeable and thoroughly educated as to their legal and ethical responsibilities regarding intervention and reporting of student harassment, intimidation, and bullying.

Intervention

District employees are authorized and expected to intervene or facilitate intervention on behalf of students facing harassment, intimidation, and bullying.

Intervention shall be designed to:

1. Correct the problem behavior;
2. Prevent another occurrence of the problem;
3. Protect and provide support for the victim of the act; and
4. Take corrective action for documented systemic problems related to harassment, intimidation, or bullying.

Professional Development

The District shall provide ongoing professional development to assist school employees in preventing, identifying, intervening, and responding to harassment, intimidation, and bullying.

The content of ongoing professional development for District employees shall include, but is not limited to:

1. School philosophy regarding school climate and student behavior expectations;
2. Definitions of harassment, intimidation, and bullying with specific examples;
3. School prevention strategies or programs including the identification of materials to be distributed annually to students and parents;
4. Expectations and examples of staff intervention to harassment, intimidation, and bullying; and
5. School process for responding to harassment, intimidation, and bullying including the reporting process for students and staff, investigation protocol, the involvement of law enforcement, related student support services, and parental involvement.

Student Discipline

When disciplinary action is necessary for students engaging in harassment, intimidation and bullying, employees shall follow relevant District policies [3330 and 3340].

Reporting

Any District employee who has witnessed, or has reliable information, that a student has been subject to harassment, intimidation or bullying, must report the incident to the designated school official in accordance with District policy and procedure [3295 and 3295P].

Knowingly submitting a false report under this policy shall subject the employee to discipline up to and including termination.

The Superintendent, building principal, and/or their designee shall be responsible for receiving complaints alleging student harassment, intimidation, and bullying and will ensure that documented complaints will be maintained as a confidential file in the District office and reported as required by the State Department of Education.

Policy Distribution

The Superintendent or designee shall annually distribute and review with employees the requirements, policies, and procedures to be followed concerning the handling of student harassment, intimidation, and bullying and shall include this information in employee handbooks. All new employees will be given these policies and procedures as part of their orientation program.

Cross Reference: 3295-3295P Hazing, Harassment, Intimidation, Bullying, Cyber Bullying
3330 Student Discipline
3340 Corrective Actions and Punishment

Legal References: I.C. § 18-917 Hazing
I.C. § 18-917A Student Harassment – Intimidation – Bullying
I.C. § 33-1631 Requirements for Harassment, Intimidation, and Bullying
 Information and Professional Development
IDAPA 08.02.03.160 Safe Environment and Discipline

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

PERSONNEL

5270

Personal Conduct

Employees are expected to maintain high standards of honesty, integrity, and impartiality in the conduct of District business and are required to comply with and conform to the Idaho law and the Code of Ethics of the Idaho Teaching Profession.

In addition to the conduct enumerated in Idaho law and the Code of Ethics of the Idaho Teaching Profession, an employee should not dispense or utilize any information gained from employment with the District, accept gifts or benefits, or participate in business enterprises or employment which create a conflict of interest with the faithful and impartial discharge of the employee's District duties. A District employee may, prior to acting in a manner which may impinge on any fiduciary duty, disclose the nature of the private interest which creates a conflict. Care should be taken to avoid using, or avoid the appearance of using, official positions and confidential information for personal advantage or gain.

Further, employees should hold confidential all information deemed to be not for public consumption as determined by law and Board policy. Employees shall also respect the confidentiality of people served in the course of the employee's duties and use information gained in a responsible manner. Discretion should be employed even within the school system's own network of communication.

District employees who are contacted by the media should direct such inquiries to either the individual in question or to the Superintendent or his or her designee.

Administrators and supervisors may set forth specific rules and regulations governing an employees' conduct on the job within a particular building.

Personnel Conflict of Interest

It is not uncommon for a District to employ people who are related to one another or romantically involved with one another. However, it is inappropriate for one family member or romantic partner to have direct influence over the other's conditions of employment (i.e., salary, hours worked, shifts, evaluation, etc.).

For the purpose of this policy, family member or romantic partners are defined as spouse, domestic partner, daughter, son, parent, grandparent, grandchild, sister, brother, mother-in-law, father-in-law, daughter-in-law, or son-in-law.

In any case, when employees are unsure about a potential conflict, they should fully disclose the circumstances in writing to their supervisor. If one family member or romantic partner has influence over another family member or romantic partner's conditions of employment, the following should occur:

1. In collaboration with the supervisor, the involved employees will be provided 30 days to make a decision regarding a change. Options include, but are not limited to:
 - A. One employee applying to transfer to another area; or,
 - B. Revising the reporting structure in the department so that one employee no longer has direct influence over the other employee's conditions of employment; or
2. If a decision is not reached by the end of the thirty-day period, the department head, or next level of administrator, will resolve the situation.

Nothing in this policy shall require the Superintendent or Board, in the case when the conflict of interest directly relates to the Superintendent, to transfer an employee to a different position in an effort to avoid a conflict of interest if doing so would not be in the best interest of the District.

Insubordinate Conduct

In the educational setting there are high expectations for employee behavior. This is necessary to ensure effective and efficient operation of the school and to model and reinforce appropriate professional interactions for our students. Accordingly, employees shall treat all administrators, students, and colleagues in an appropriate professional manner.

Employees shall comply with all work-related orders, instructions, and directives issued by a proper authority. Insubordination; manifest disrespect; acts or language which hamper(s) the school's ability to control, manage, or function; displays of unacceptable modeling of rules for students or staff; or any other serious breaches involving improper attitudes or improper action toward persons in positions of authority are just cause for and may result in employee discipline, up to and including possible termination.

Examples of improper conduct include, but are not limited to:

1. Disobeying an appropriate order, instruction or directive of a supervising employee or administrator;
2. Refusing to accept a reasonable and proper work assignment or directive of a supervising employee or administrator;
3. Disputing or ridiculing authority;
4. Exceeding authority; and/or
5. Using vulgar or profane language to a supervising employee or administrator.

Legal Reference: I.C. § 33-1208 Revocation, Suspension or Denial of Certificate – Grounds
 I.C. § 33-1209 Proceedings to Revoke, Suspend or Deny or Place
 Reasonable Conditions on a Certificate
 IDAPA 08.02.02.076 Code of Ethics of the Idaho Teaching Profession

Policy History:

Adopted on:
Revised on:
Reviewed on:

Adult Sexual Misconduct

This policy shall apply to all staff, contractors, and volunteers who have contact with students.

For the purposes of this policy, sexual misconduct is defined as any sexual activity directed at a student, regardless of age, with the purpose of developing a romantic or sexual relationship. It includes activities that are:

1. Physical and non-physical;
2. Conducted in person or through other modes of communication;
3. Conducted before, during, or after school;
4. On District property or elsewhere; and
5. Legal and illegal.

Illegal sexual misconduct is characterized by sexual contact between an adult and a child under the age of 18 and includes explicit sexual conduct, solicitation of a minor child to participate in a sexual act, sexual exploitation and dissemination of sexual material harmful to minors. Sexual misconduct also includes such inappropriate verbal conduct as sexual comments or questions, jokes, taunting, and teasing and such inappropriate physical conduct as kissing, hair stroking, tickling, and frontal hugging.

Sexual misconduct is prohibited. Staff and volunteers who engage in sexual misconduct shall be subject to disciplinary activity, including termination. They may also be reported to law enforcement and/or the Department of Health and Welfare, as described in Policy 5260.

To avoid the appearance of impropriety, staff should avoid singling students out for personal attention such as frequent hugging or other physical contact, the giving of gifts, frequent compliments directed toward a particular student, overly personal cards, notes, or electronic communications, or teasing that references gender or contains sexual innuendo. Staff should take reasonable measures to avoid being alone with any student unless there is a legitimate, work-related need to be alone with the student. In cases such as before or after school tutoring, teachers may ask another teacher to be present in the classroom, or such tutoring may be conducted in a less private area with other adults present, such as in the school library.

The District recognizes that some student interactions occur outside the classroom. School employees and volunteers should avoid the appearance of impropriety by refraining from the following behavior:

1. Conducting ongoing, private conversations with individual students that are unrelated to school activities or the well-being of the student and take place in locations inaccessible to others;

2. Inviting a student or students for home visits without informing parents;
3. Visiting the homes of students without the knowledge of parents;
4. Inviting students for social contact off school grounds without the permission or knowledge of the parents; and
5. Transporting students in personal vehicles without the knowledge of parents or supervisors.

Reporting Sexual Misconduct

Any staff member, contractor, or volunteer who has reasonable cause to believe a staff member, contractor, or volunteer has engaged in misconduct or that any other adult has engaged in sexual misconduct on District property or at a District event shall report the misconduct to his or her supervisor, who shall notify the Superintendent or the Superintendent's designee. The matter shall be investigated in accordance with Policy 3290. Investigation of any report of sexual misconduct shall include an investigation of whether the incident constitutes a violation of Title IX.

The incident shall also be reported to the District Title IX Coordinator to be investigated and addressed in the same manner as a report of sexual harassment.

The individual with reasonable cause to believe sexual misconduct has occurred shall also report the incident in accordance with Policy 5260, if applicable.

False Reports

Making a knowingly false report of sexual misconduct is prohibited and may result in the termination of a staff member or volunteer who makes such a report or in the suspension or expulsion of a student who makes such a false report.

Distribution of Policy and Training

This policy shall be posted on the District website and provided to all new employees upon hiring, to all volunteers upon acceptance as volunteers. The employee or volunteer shall sign an acknowledgment, to be retained by the District, indicating that they have received and reviewed a copy of this policy.

The District shall provide training on preventing and reporting sexual misconduct to all staff who have contact with students.

Cross References:	3290	Sexual Harassment/Intimidation of Students
	5240	Sexual Harassment/Sexual Intimidation in the Workplace
	5260	Abused and Neglected Child Reporting
	5280	Professional Standards Commission (PSC) Code of Ethics
	5325	Employee Use of Social Media Sites, Including Personal Sites

Other References: US Department of Education: Office of Safe and Healthy Students Readiness and Emergency Management for Schools (REMS) Technical Assistance (TA) Center, *A Training Guide for Administrators and Educators on Addressing Adult Sexual Misconduct in the School Setting, Readiness and Emergency Management for Schools* (March, 2017) (available at <https://rems.ed.gov/docs/ASMTrainingGuide.pdf>).

Policy History:

Adopted on:

Revised on:

Reviewed on:

Professional Standards Commission (PSC) Code of Ethics

The Code of Ethics for Idaho Professional Educators was developed by the Professional Standards Commission, approved by the Idaho State Board of Education, and approved by the Idaho Legislature.

The Idaho Code of Ethics consists of Ten Principles. Below is a summary of those principles. Please refer to the complete document for details.

1. **Principle I:** A professional educator abides by all federal, State, and local laws and statutes.
2. **Principle II:** A professional educator maintains a professional relationship with all students, both inside and outside the classroom.
3. **Principle III:** A professional educator refrains from the abuse of alcohol or drugs during the course of professional practice.
4. **Principle IV:** A professional educator exemplifies honesty and integrity in the course of professional practice.
5. **Principle V:** A professional educator entrusted with public funds and property honors that trust with a high level of honesty, accuracy, and responsibility.
6. **Principle VI:** A professional educator maintains integrity with students, colleagues, parents, patrons, or business personnel when accepting gifts, gratuities, favors, and additional compensation.
7. **Principle VII:** A professional educator complies with State and federal laws and local School Board policies relating to the confidentiality of student and employee records, unless disclosure is required or permitted by law.
8. **Principle VIII:** A professional educator fulfills all terms and obligations detailed in the contract with the local Board of Education or education agency for the duration of the contract.
9. **Principle IX:** A professional educator reports breaches of the Code of Ethics for Idaho Professional Educators, and submits reports as required by Idaho Code.
10. **Principle X:** A professional educator ensures just and equitable treatment for all members of the profession in the exercise of academic freedom, professional rights, and responsibilities while following recognized professional principles.

Believing in the worth and dignity of each human being, the professional educator recognizes the supreme importance of pursuing truth, striving toward excellence, nurturing democratic citizenship and safeguarding the freedom to learn and to teach while guaranteeing equal educational opportunity for all. The professional educator accepts the responsibility to practice the profession according to the highest ethical principles. The Code of Ethics for Idaho Professional Educators symbolizes the commitment of all Idaho educators and provides principles by which to judge conduct.

Code of Ethics for Idaho Professional Educators

01. Aspirations and Commitments.

- a. The professional educator aspires to stimulate the spirit of inquiry in students and to provide opportunities in the school setting that will help them acquire viable knowledge, skills, and understanding that will meet their needs now and in the future.
- b. The professional educator provides an environment that is safe to the cognitive, physical, and psychological well-being of students and provides opportunities for each student to move toward the realization of his goals and potential as an effective citizen.
- c. The professional educator, recognizing that students need role models, will act, speak, and teach in such a manner as to exemplify nondiscriminatory behavior and encourage respect for other cultures and beliefs.
- d. The professional educator is committed to the public good and will help preserve and promote the principles of democracy. He will provide input to the local School Board to assist in the Board's mission of developing and implementing sound educational policy, while promoting a climate in which the exercise of professional judgment is encouraged.
- e. The professional educator believes the quality of services rendered by the education profession directly influences the nation and its citizens. He strives, therefore, to establish and maintain the highest set of professional principles of behavior, to improve educational practice, and to achieve conditions that attract highly qualified persons to the profession.
- f. The professional educator regards the employment agreement as a pledge to be executed in a manner consistent with the highest ideals of professional service. He believes that sound professional personal relationships with colleagues, governing boards, and community members are built upon integrity, dignity, and mutual respect. The professional educator encourages the practice of the profession only by qualified persons.

02. Principle I – Professional Conduct. A professional educator abides by all federal, state, and local education laws and statutes. Unethical conduct shall include the conviction of any felony or misdemeanor offense set forth in Section 33-1208, Idaho Code.

03. Principle II – Educator/Student Relationship. A professional educator maintains a professional relationship with all students, both inside and outside the physical and virtual classroom. Unethical conduct includes, but is not limited to:

- a. Committing any act of child abuse, including physical or emotional abuse;
- b. Committing any act of cruelty to children or any act of child endangerment;
- c. Committing or soliciting any sexual act from any minor or any student regardless of age;
- d. Committing any act of harassment as defined by District policy;
- e. Soliciting, encouraging, or consummating a romantic or inappropriate relationship (whether written, verbal, virtual, or physical) with a student, regardless of age;
- f. Using inappropriate language including, but not limited to, swearing and improper sexual comments (e.g. sexual innuendoes or sexual idiomatic phrases);
- g. Taking or possessing inappropriate images (digital, photographic, or video) of students;
- h. Inappropriate contact with any minor or any student regardless of age using electronic media;
- i. Furnishing alcohol or illegal or unauthorized drugs to any student or allowing or encouraging a student to consume alcohol or unauthorized drugs except in a medical emergency;
- j. Conduct that is detrimental to the health or welfare of students; and,
- k. Deliberately falsifying information presented to students.

04. Principle III – Alcohol and Drugs Use or Possession. A professional educator refrains from the abuse of alcohol or drugs during the course of professional practice. Unethical conduct includes, but is not limited to:

- a. Being on school premises or at any school-sponsored activity, home or away, involving students while possessing, using, or consuming illegal or unauthorized drugs;
- b. Being on school premises or at any school-sponsored activity, home or away, involving students while possessing, using, or consuming alcohol;
- c. Inappropriate or illegal use of prescription medications on school premises or at any school-sponsored events, home or away;
- d. Inappropriate or illegal use of drugs or alcohol that impairs the individual's ability to function; and
- e. Possession of an illegal drug as defined in Chapter 27, Idaho Code, Uniform Controlled Substances.

05. Principle IV – Professional Integrity. A professional educator exemplifies honesty and integrity in the course of professional practice. Unethical conduct includes, but is not limited to:

- a. Fraudulently altering or preparing materials for licensure or employment;
- b. Falsifying or deliberately misrepresenting professional qualifications, degrees, academic awards, and related employment history when applying for employment or licensure;
- c. Failure to notify the State at the time of application for licensure of past revocations or suspensions of a certificate or license from another state;
- d. Failure to notify the State at the time of application for licensure of past criminal convictions of any crime violating statutes or rules governing teacher certification;
- e. Falsifying, deliberately misrepresenting, or deliberately omitting information regarding the evaluation of students or personnel, including improper administration of any standardized tests (changing test answers; copying or teaching identified test items; unauthorized reading of the test to students, etc.);
- f. Falsifying, deliberately misrepresenting, or deliberately omitting reasons for absences or leaves;
- g. Falsifying, deliberately misrepresenting, or deliberately omitting information submitted in the course of an official inquiry or investigation;
- h. Falsifying, deliberately misrepresenting, or deliberately omitting material information on an official evaluation of colleagues; and,
- i. Failure to notify the state of any criminal conviction of a crime violating the statutes and/or rules governing teacher certification.

06. Principle V – Funds and Property. A professional educator entrusted with public funds and property honors that trust with a high level of honesty, accuracy, and responsibility. Unethical conduct includes, but is not limited to:

- a. Misuse, or unauthorized use, of public or school-related funds or property;
- b. Failure to account for school funds collected from students, parents, or patrons;
- c. Submission of fraudulent requests for reimbursement of expenses or for pay;
- d. Co-mingling of public or school-related funds in personal bank account(s);
- e. Use of school property for private financial gain;
- f. Use of school computers to deliberately view or print pornography; and,

- g. Deliberate use of poor budgeting or accounting practices.

07. Principle VI – Compensation. A professional educator maintains integrity with students, colleagues, parents, patrons, or business personnel when accepting gifts, gratuities, favors, and additional compensation. Unethical conduct includes, but is not limited to:

- a. Unauthorized solicitation of students or parents of students to purchase equipment, supplies, or services from the educator who will directly benefit;
- b. Acceptance of gifts from vendors or potential vendors for personal use or gain where there may be the appearance of a conflict of interest;
- c. Tutoring students assigned to the educator for remuneration unless approved by the local Board of Education; and,
- d. Soliciting, accepting, or receiving a financial benefit greater than \$50 as defined in Section 18-1359(b), Idaho Code.

08. Principle VII – Confidentiality. A professional educator complies with State and federal laws and local School Board policies relating to the confidentiality of student and employee records, unless disclosure is required or permitted by law. Unethical conduct includes, but is not limited to:

- a. Sharing of confidential information concerning student academic and disciplinary records, personal confidences, health and medical information, family status or income, and assessment or testing results with inappropriate individuals or entities; and
- b. Sharing of confidential information about colleagues obtained through employment practices with inappropriate individuals or entities.

09. Principle VIII – Breach of Contract or Abandonment of Employment. A professional educator fulfills all terms and obligations detailed in the contract with the local board of education or education agency for the duration of the contract. Unethical conduct includes, but is not limited to:

- a. Abandoning any contract for professional services without the prior written release from the contract by the employing school district or agency;
- b. Willfully refusing to perform the services required by a contract; and,
- c. Abandonment of classroom or failure to provide appropriate supervision of students at school or school-sponsored activities to ensure the safety and well-being of students.

10. Principle IX – Duty to Report. A professional educator reports breaches of the Code of Ethics for Idaho Professional Educators and submits reports as required by Idaho Code. Unethical conduct includes, but is not limited to:

- a. Failure to comply with Section 33-1208A, Idaho Code, (reporting requirements and immunity);
- b. Failure to comply with Section 16-1605, Idaho Code, (reporting of child abuse, abandonment, or neglect);
- c. Failure to comply with Section 33-512B, Idaho Code, (Suicidal tendencies and duty to warn); and
- d. Having knowledge of a violation of the Code of Ethics for Idaho Professional Educators and failing to report the violation to an appropriate education official.

11. Principle X - Professionalism. A professional educator ensures just and equitable treatment for all members of the profession in the exercise of academic freedom, professional rights and responsibilities while following generally recognized professional principles. Unethical conduct includes, but is not limited to:

- a. Any conduct that seriously impairs the Certificate holder's ability to teach or perform his professional duties;
- b. Committing any act of harassment toward a colleague;
- c. Failure to cooperate with the Professional Standards Commission in inquiries, investigations, or hearings;
- d. Using institutional privileges for the promotion of political candidates or for political activities, except for local, State, or national education association elections;
- e. Willfully interfering with the free participation of colleagues in professional associations; and
- f. Taking or possessing inappropriate images (digital, photographic, or video) of colleagues.

Definitions for Use with the Code of Ethics for Idaho Professional Educators

01. Administrative Complaint. A document issued by the State Department of Education outlining the specific, purported violations of Section 33-1208, Idaho Code, or the Code of Ethics for Idaho Professional Educators.

02. Allegation. A purported violation of the Code of Ethics for Idaho Professional Educators or Idaho Code.

03. Certificate. A document issued by the Department of Education under the authority of the State Board of Education allowing a person to serve in any elementary or secondary school in the capacity of teacher, supervisor, administrator, education specialist, school nurse, or school librarian (Section 33-1201, Idaho Code).

04. Certificate Denial. The refusal of the State to grant a certificate for an initial or reinstatement application.

05. Certificate Suspension. A time-certain invalidation of any Idaho certificate as determined by a stipulated agreement or a due process hearing panel as set forth in Section 33-1209, Idaho Code.

06. Complaint. A signed document defining the allegation that states the specific ground or grounds for revocation, suspension, denial, place reasonable conditions on a certificate, or issuance of a letter of reprimand (Section 33-1209(1), Idaho Code). The State Department of Education may initiate a complaint.

07. Conditional Certificate. Allows an educator to retain licensure under certain stated Certificate conditions as determined by the Professional Standards Commission (Section 33-1209(10), Idaho Code).

08. Contract. Any signed agreement between the School District and a certificated educator pursuant to Section 33-513(1), Idaho Code.

09. Conviction. Refers to all instances regarding a finding of guilt by a judge or jury; a plea of guilt by Nolo Contendere or Alford plea; or all proceedings in which a sentence has been suspended, deferred, or withheld.

10. Educator. A person who holds or applies for an Idaho Certificate (Section 33-1001(16) and Section 33-1201, Idaho Code).

11. Education Official. An individual identified by local School Board policy, including, but not limited to, a Superintendent, principal, assistant principal, or school resource officer (SRO).

12. Executive Committee. A decision-making body comprised of members of the Professional Standards Commission, including the chair and/or vice-chair of the Commission. A prime duty of the Committee is to review purported violations of the Code of Ethics for Idaho Professional Educators to determine probable cause and direction for possible action to be taken against a Certificate holder.

13. Hearing. A formal review proceeding that ensures the respondent due process. The request for a hearing is initiated by the respondent and is conducted by a panel of peers.

14. Hearing Panel. A minimum of three educators appointed by the chair of the Professional Standards Commission and charged with the responsibility to make a final determination regarding the charges specifically defined in the Administrative Complaint.

15. Investigation. The process of gathering factual information concerning a valid, written complaint in preparation for review by the Professional Standards Commission Executive

Committee, or following review by the Executive Committee at the request of the deputy attorney general assigned to the Department of Education.

16. Minor. Any individual who is under 18 years of age.

17. Not-Sufficient Grounds. A determination by the Executive Committee that there is not sufficient evidence to take action against an educator's certificate.

18. Principles. Guiding behaviors that reflect what is expected of professional educators in the State of Idaho while performing duties as educators in both the private and public sectors.

19. Reprimand. A written letter admonishing the Certificate holder for his conduct. The reprimand cautions that further unethical conduct may lead to consideration of a more severe action against the holder's Certificate.

20. Respondent. The legal term for the professional educator who is under investigation for a purported violation of the Code of Ethics for Idaho Professional Educators.

21. Revocation. The invalidation of any Certificate held by the educator.

22. Stipulated Agreement. A written agreement between the respondent and the Professional Standards Commission to resolve matters arising from an allegation of unethical conduct following a complaint or an investigation. The stipulated agreement is binding to both parties and is enforceable under its own terms, or by subsequent action by the Professional Standards Commission.

23. Student. Any individual enrolled in any Idaho public or private school from preschool through grade 12.

24. Sufficient Grounds. A determination by the Executive Committee that sufficient evidence exists to issue an Administrative Complaint.

Violations of the Code of Ethics of the Idaho Teaching Profession

Under Idaho Code §§ 33-1208, 33-1208A, and 33-1209, a violation of the Code of Ethics of the Idaho Teaching Profession may lead to a letter of reprimand, suspension, revocation, or denial of a certificate.

Legal Reference: IDAPA 08.02.02.076 Code of Ethics for Idaho Professional Educators
IDAPA 08.02.02.077 Definitions for Use with the Code of Ethics for Idaho
Professional Educators
I.C. § 33-513 Professional Personnel
I.C. § 33-1208 Revocation, Suspension, Denial, or Place Reasonable
Conditions on Certificate—Grounds
I.C. § 33-1208A Reporting Requirements and Immunity
I.C. § 33-1209 Proceedings to Revoke, Suspend, Deny or Place Reasonable
Conditions on a Certificate—Letters of Reprimand—
Complaint—Subpoena Power—Hearing

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

PERSONNEL

5285

Solicitations

Solicitations by Staff Members

Teachers will not sell, solicit for sale, or advertise for sale for personal gain any merchandise or service. Nor will teachers organize students for such purposes without the approval of the Superintendent.

Solicitations of Staff Members

No non-school organization may solicit funds from employees or distribute flyers related to fund drives through the schools without the approval of the Superintendent.

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

PERSONNEL

5290

Political Activity - Staff Participation

The Board recognizes its individual employees' rights of citizenship, including, but not limited to, engaging in political activities. An employee of the District may seek an elective office, or advocate for or against a political candidate or ballot measure, provided that the staff member does not campaign during instructional times or while they are responsible for other duties, or while they are in settings where they are likely to have contact with students; and provided all other legal requirements are met. "Ballot measure" includes, but is not limited to, bond or levy elections.

No person may attempt to coerce, command, or require a public employee to support or oppose any political committee, the nomination or election of any person to public office, or the passage of a ballot issue.

The District shall not restrict constitutionally protected political speech of employees during non-instructional times in non-student contact settings, such as during duty-free periods in faculty break rooms and lounges during the school day or during afterschool events. Nothing in this section is intended to restrict the right of a District employee to express his or her personal constitutionally protected political views.

No District employee may use public facilities, equipment, including, but not limited to, telephones, fax machines, copy machines, computers, e-mail, etc., or supplies, including, but not limited to, paper clips, staples, pens, pencils, paper, envelopes, tape, etc., that are purchased with public funds for election or political campaigns, private or charitable organizations or foundations, or ballot issues.

No District employee may work on election, political campaigns, ballot issues, or issues dealing with private or charitable organizations or foundations during the work day.

Legal Reference: 5 USC 7321, et seq. Hatch Act
I.C. § 74-601 Public Integrity in Elections Act
Idaho Constitution Article III, Section 1

Policy History:

Adopted on:

Revised on:

Reviewed on:

Professional Employee Representation for Purposes of Negotiations

In accordance with the applicable provisions of Idaho Code, in order for the District to engage in negotiations with an authorized Local Education Organization, upon Board request, the organization shall be required to demonstrate to the District that it has been duly chosen and selected by fifty 50% plus one of the professional employees of the District, excluding administrative personnel, as their representative organization for negotiations.

Commencing Negotiations

A party interested in commencement of negotiations shall provide the other party notice of such interest, in writing.

If the Board is interested in commencement of negotiations, it shall provide written notification to any representative organization for which membership is known to exist at the District (i.e. local affiliation with IEA, AFT, NWPEA etc.). If the District is not aware of any membership, the District has no obligation to provide notice. However, if the District is aware that a local educational entity has 50% plus one dues paying members, the District need only contact this one organization about a desire to commence negotiations.

If an organization is interested in the commencement of negotiations, a written letter shall be advanced by the organization to the Board's Clerk. An organization interested in the commencement of negotiations need not be a formal organization with any ties to any state or national entity. Such organization may be entirely comprised of a local group of professional employees of the District, with no affiliation to any outside organization.

Identification of the Number of Professional Employees Required for Negotiations

Upon notification of interest in commencing negotiations, whether such is by the District or by an organization, the District shall prepare a list of all professional employees of the District currently on contract, excluding those serving as administrative personnel.

District personnel shall ascertain from this list what number of individuals the organization must represent to obtain Local Education Organization status for the purpose of negotiations pursuant to the 50% plus one statutory requirement.

The District shall notify the organization of the representation number necessary to meet the 50% plus one statutory requirement. This notification shall be in writing or via electronic communication so as to maintain a record of such communication.

If an employee is a partial administrative FTE and a partial teaching FTE, and is counted as such on the District's State reporting, the District may include the partial teaching FTE, only to the extent of the percentage of the partial teaching FTE, in the listing and calculation for representative status.

If any question arises as to the number of professional employees required to reach the 50% plus one representative status, a meeting shall be held between a District representative(s) and representation of the organization to review the manner in which the figure was reached.

Obtaining Authorizations and Representative Status

The organization's process for obtaining authorization for representative status for the purposes of negotiations must include the following:

1. Representation authority for the purpose of negotiations must be documented in writing.
2. Representation authority for the purpose of negotiations must be associated with the current or immediate previous school year in question, even if such is contended to be continuing or rolling. The current or immediate previous school year's representation authority status shall be noted on the written authorization from the professional employee.
3. For representation status for the purpose of negotiations, the subject employee need not be a member, dues paying or otherwise, of any official labor organization, association or union.

Both parties shall keep in mind a number of additional considerations from the Code of Ethics for Idaho Professional Educators and the Idaho Right to Work Laws which indicate:

1. Unethical conduct includes willfully interfering with the free participation of colleagues in professional associations.
2. The right to work shall not be subject to undue restraint or coercion.
3. The right to work shall not be infringed or restricted in any way based on membership, affiliation, or financial support of a labor organization or the refusal of the same.
4. No person shall be required, as a condition of employment or continuation of employment:
 - A. To resign or refrain from voluntary membership in, voluntary affiliation with, or voluntary financial support of a labor organization, or
 - B. To become or remain a member of a labor organization, or
 - C. To pay any dues, fees, assessments, or other charges of any kind or amount to a labor organization, or
 - D. To pay to any charity or other third party, in lieu of such payments, any amount equivalent to or a pro-rata portion of dues, fees, assessments, or other charges regularly required of members of a labor organization, or
 - E. To be recommended, approved, referred, or cleared by or through a labor organization.
5. It is unlawful to deduct from the compensation of any employee any fees, assessments, or other charges paid over to a labor organization, unless the employee has first provided the

District with a signed written authorization. The employee may revoke the authorization for withholding at any time by giving written notice of such revocation to the District.

6. It is unlawful for any person, by any threatened or actual intimidation or by any damage or threatened damage to the property of an employee/prospective employee or the family of an employee/prospective employee, to compel or attempt to compel an employee to join, affiliate, or financially support a labor organization or to refrain from doing so.
7. It is unlawful to cause or attempt to cause an employee to be denied employment or discharged from employment because of support or nonsupport of a labor organization by inducing or attempting to induce any other person to refuse to work with an employee.

Neutral Party Selection

The District shall create a list of three neutral individuals from which one will be selected by the parties to serve as the “Neutral Party”, the individual responsible for reviewing and determining if the organization has met the representative status of 50% plus one as required by statute.

This list shall be prepared in writing and all such individuals on the list shall have been contacted to assure their willingness and capability to perform such duties and:

1. Such neutral individual shall not be or have been a former employee with the District and shall not have a spouse, parent, child, or grandchild who is or has been a former employee of the District.
2. Such neutral individual shall not be or have been a former employee or member of any affiliated state organization or fellow local organization affiliated with a state organization associated with the local organization seeking representative status and likewise shall not have a spouse, parent, child or grandchild who is or has been a former employee or member of the affiliated state organization or a fellow local organization associated with the state organization.
3. Such neutral individual list shall be generated from a review of local current and/or former public officials and public citizens who serve the community. Examples may include but not be limited to: local city council members or employees, local mayor or mayor’s office employees, local legislators, employees of the State Department of Education, employees of the State Board of Education, local judges or county clerk’s, officials or officers at a local banking institution, etc.

A meeting shall be held between a District representative(s) and representatives of the organization seeking to obtain Local Education Organization status. At such meeting, the written list of neutral individuals will be provided and discussed. If the parties cannot mutually agree to select one of the individuals from the list, the parties shall take alternative turns, each striking one individual from the list to leave a final selection, with the organization seeking to obtain representative status having the first option to strike a name. The final name left after each side has had the chance to strike one will serve as the Neutral Party responsible for determining if the organization has met the representative status of 50% plus one as required by statute.

Subsequent to selection of the neutral party, both the District and organization shall sign written notification of the selection and neither party shall have communications, directly or indirectly, with the neutral party, absent the consent and participation of the other party.

Neutral Party Review

Jointly, the District and the organization shall provide the Neutral Party with the following information to ascertain representative status:

1. The District shall provide, in writing, to the Neutral Party, the list of professional employees on contract, excluding administrative personnel, prepared pursuant to step number 2, above.
2. The organization shall provide, in writing, to the Neutral Party, the current or no older than two years authorization documentation, from each professional employee who has signed such, documenting authority to act as a representative for the purpose of negotiations.
3. The organization is not required to provide the current authorization documentation to the District or its administration, but may choose to do so if it so desires.
4. The District shall provide a copy of this policy as well as a copy of Section 33-1272, Idaho Code.

The neutral party shall then compare the list provided by the District and the current authorizations from the organization. Any authorizations that are older than two years shall not be counted in the establishment of representative status. Upon completion of the comparison, the neutral party shall prepare a written letter indicating the exact percentage of District Professional Employees, to the second decimal, that have provided written authorization to the organization to serve as a representative for negotiations purposes. This letter shall be notarized and jointly provided to the District and the organization seeking representation status for the purpose of negotiations.

Final Steps

If representative status of 50% plus one has been obtained, the parties then may initiate the negotiation process with the now determined Local Education Organization for the purpose of negotiations. If such representative status has not been met due to failure to meet the statutory required levels, negotiations shall not commence.

If no new organization seeks to obtain representative status for the purpose of negotiations and to be deemed the local education organization, in due course the District's Board may establish compensation and benefits and other working conditions as it deems appropriate.

Legal Reference: I.C. § 33-1271	School Districts – Professional Employees – Negotiation Agreements
I.C. § 33-1272	Definitions
I.C. § 44-2001	Declaration of Public Policy
I.C. § 44-2003	Freedom of Choice Guaranteed, Discrimination Prohibited
I.C. § 44-2004	Voluntary Deductions Protected

I.C. § 44-2006 Coercion and Intimidation Prohibited
IDAPA 08.02.02.076 Code of Ethics for Professional Educators

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

PERSONNEL

5310

Tobacco Free Policy

The District maintains tobacco free buildings and grounds. Use of tobacco will not be allowed in any buildings or grounds, or on any school property, buses, vans, or vehicles that are owned, leased, or controlled by the District. Nor will employees be allowed to use tobacco while on duty. New employees of the District will be hired with the understanding that they will be directed not to use tobacco in school buildings or grounds or on any school property, buses, vans, or vehicles that are owned, leased, or controlled by the District. Limitations or prohibitions on tobacco use are applicable to all hours.

Definition

For the purposes of this policy, tobacco use shall be defined as the use of a cigarette, cigar, pipe, smokeless tobacco in any form, and other smoking products specifically including electronic cigarettes, electronic nicotine delivery systems, or vaporizer smoking devices.

Legal Reference: I.C. § 39-5501 et seq. Clean Indoor Air Act

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

PERSONNEL

5320

Drug- and Alcohol-Free Workplace

Purpose

The Council School District is committed to a safe working environment, to making adequate provisions for the safety and health of its employees at their place of employment, and to the safety and health of the students we serve as well as the general public.

The use of alcohol and illegal drugs, and the misuse of prescription drugs is unacceptable. All District workplaces are hereby declared to be drug- and alcohol-free workplaces. A copy of this policy will be provided to each employee with materials describing the dangers of drug use in the workplace and information on any drug counseling, rehabilitation, or employee assistance programs available.

All employees are prohibited from:

1. Unlawful manufacturing, dispensing, distributing, possessing, being under the influence of a controlled substance, or using illegal drugs or drug paraphernalia, while on District premises, while performing work for the District, or in attendance at District-approved or school-related functions;
2. Distributing, manufacturing, selling, consuming, using, possessing, or being under any degree of intoxication or odor from alcohol while on District premises, while performing work for the District, or in attendance at school-approved or school-related functions; and
3. Taking prescription drugs above the level recommended by the prescribing physician and using prescribed drugs for purposes other than those for which they are intended. In addition, employees will not distribute a prescribed drug to another employee or student.

As a condition of employment, each employee shall:

1. Abide by the terms of the District policy respecting a drug- and alcohol-free workplace; and
2. Notify his or her Superintendent of his or her conviction under any criminal drug statute including but not limited to the use of controlled substances, alcohol, prescription drugs, or over-the-counter drugs for a violation occurring on the District premises or while performing work for the District, no later than five days after such a conviction.

Definitions as Used in This Policy

"Illegal use of drugs" means the use of drugs, the possession or distribution of which is unlawful. Such term does not include the use of a drug taken under the supervision of a licensed health care professional.

"Drug" or "illegal drug" means a controlled substance as defined in Schedules I through V of Section 202 of the Controlled Substances Act found in Chapter 27, Title 37 Idaho Code.

"Conviction" means a finding of guilt, including a plea of no-contest, or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the federal or state criminal drug statutes.

"Criminal Drug Law" means a federal or non-federal criminal statute involving the manufacture, distribution, dispensing, possession, or use of any controlled substance.

Controlled Substance” means any drug or substance that is:

1. Not legally obtainable;
2. Being used in a manner different than prescribed;
3. Legally obtainable, but has not been legally obtained; or
4. Referenced in federal or State controlled substance acts.

“Substance Abuse” is the misuse or illicit use of alcohol, drugs, or controlled substances, including but not limited to marijuana, heroin, or cocaine.

Confidentiality

Records that pertain to the District’s employee required substance screens are recognized to be private and sensitive records. They shall be maintained by the Superintendent or his or her designee in a secure fashion to ensure confidentiality and privacy and be disclosed only to the extent necessary to address any work-related safety risks occasioned by either the drug or alcohol use. Medical records, and information relating directly thereto, shall be maintained in accordance with provisions of Idaho law and used with the highest regard for employee privacy consistent with law and the purpose of achieving and maintaining a drug free workplace. All personnel records and information regarding referral, evaluation, substance screen results, and treatment shall be maintained in a confidential manner and no entries concerning such shall be placed in an employee's personnel file.

Pre-Employment Testing

Applicants being considered for employment positions may be required to submit to a urinalysis test for the detection of the illegal use of drugs. Applicants shall be given a copy of this policy in advance of employment. Applicants must acknowledge having read or had this policy explained to them and should understand that as a condition of employment they are subject to its contents. Applicants shall sign an acknowledgment prior to substance screening, permitting the summary result to be transmitted to the Superintendent or his or her designee.

An applicant refusing to complete any part of the drug testing procedure shall not be considered a valid candidate for employment with the District, and such will be considered as a withdrawal of the individual's application for employment. If substance screening shows a confirmed positive result for which there is no current physician's prescription, a second confirming test may be requested by the Superintendent or his or her designee. If the first or any requested second confirming test is positive, any job offer shall be revoked.

Physical Examination/Screening Based Upon Reasonable Suspicion

Whenever the Board, through its authorized designee, and/or the Superintendent, reasonably suspect that an employee's work performance or on-the-job behavior may have been affected in any way by illegal drugs or alcohol or that an employee has otherwise violated the District's Drug-Free Workplace Substance Abuse Policy, the employee may be required to submit a breath, saliva, urine, and/or blood sample for drug and alcohol testing. When a supervisor observes or is notified of behaviors or events that lead the supervisor to believe that the employee is in violation of the Drug-Free Workplace Substance Abuse Policy, the supervisor shall notify the Superintendent.

An employee who is required to submit to drug/alcohol testing based upon reasonable suspicion and refuses shall be charged with insubordination, and necessary procedures will be taken to terminate the employee in accordance with Board policy and State law.

An employee who tests positive on a reasonable suspicion test will be in violation of this policy. Violation of this policy shall constitute grounds for termination in accordance with Board policy and State law.

The District's authorized designee, or the Superintendent are the only individuals in the District authorized to make the determination that reasonable suspicion or cause exists to order a drug screen and are the only individuals who may order an employee to submit to a drug screen.

Two types of cases for which reasonable suspicion procedures may be invoked are:

1. Chronic cases: Deteriorating job performance or changes in personal traits or characteristics where the use of alcohol or drugs may be reasonably suspected as the cause; and
2. Acute case: Appearing to be under the present influence of alcohol and/or drugs or investigation of an accident where the use of alcohol or drugs is reasonably suspected to be a contributing cause in a specific incident or observation.

Circumstances under which substance screening may be considered, in either the chronic or acute cases, include but are not limited to the following:

1. Observed use, possession, or sale of illegal drugs and/or use, possession, sale, or abuse of alcohol, and/or the illegal use or sale of prescription drugs;
2. Apparent physical state of impairment of motor functions;

3. Marked changes in personal behavior not attributable to other factors;
4. Employee involvement in or contribution to an accident where the use of alcohol or drugs is reasonably suspected or employee involvement in a pattern of repetitive accidents, whether or not they involve actual or potential injury; and
5. Violations of criminal drug law statutes involving the use of illegal drugs, alcohol, or prescription drugs and/or violations of drug statutes.

The circumstances under which substance screening may be considered, as outlined above, are strictly limited in time and place to employee conduct on duty or during work hours, or on or in District property, or at District-approved or school-related functions.

Post-Accident Testing

Drivers while on school business or operating a school vehicle involved in a motor vehicle accident which involves either a fatality or the issuance of a citation for a moving violation to the District employee may be tested for alcohol misuse and controlled substance abuse.

The driver will contact the District at the time of the accident unless he or she is physically impaired as a result of the accident. The District will contact the testing lab. The testing lab will specify where the alcohol and/or controlled substance testing is to be completed.

If a driver is not able to produce enough breath to test for alcohol using a state approved breath analyzer, a blood test may be done for alcohol.

Law enforcement officials may require a driver involved in an accident to submit to tests administered as part of their jurisdiction. For purposes of this policy, only the test results provided by the District testing laboratory will be accepted.

Failure of an employee to submit to testing for either alcohol or a controlled substance will be considered a positive test and will be determined as cause for disciplinary action.

Testing for alcohol must be done within eight hours of the time of the accident. Testing for controlled substances must be done within 32 hours of the time of the accident.

The driver subject to post-accident testing must refrain from consuming alcohol for either eight hours following the accident or until he or she submits to an alcohol test, whichever comes first. Failure to do so will constitute a positive test result and will be determined as cause for disciplinary action.

Opportunity to Contest or Explain Test Results

Employees or job applicants who have a positive confirmed test result may explain or contest the result to the Superintendent or his or her designee within 5 working days after the Superintendent or designee contacts the employee or job applicant and shows him or her the positive test result as it was received from the laboratory in writing.

Return to Duty Testing

An employee who has been given the opportunity to undergo rehabilitation for drugs or alcohol shall, as a condition of returning to duty, be required to agree to a reasonable follow-up testing established by the Superintendent or his or her designee. The extent and duration of the follow-up testing will depend upon the safety or security nature of the employee's position and the nature and extent of the employee's substance abuse problem. The Superintendent or his or her designee is to review the conditions of continued employment with the employee prior to the employee returning to work. Any such condition for continued employment shall be given to the employee in writing. This agreement must be signed by the employee before the employee is allowed to return to the job. Prior to the employee coming back on the job, the employee must complete a drug and/or alcohol test which shows negative results.

The Superintendent or his or her designee may consult with the employee's rehabilitation program in determining an appropriate follow-up testing program, including the frequency of any substance screening contained in a follow-up testing program. In no instance shall such screening be ordered by the Superintendent or his or her designee more than one time within a 72 hour period. In the event of positive test results, the Superintendent or his or her designee will work out disciplinary procedures, if any, in accordance with Board policy and State law.

Any employee subject to return to duty testing that has a confirmed positive drug test shall be in violation of this policy. Violation of this policy shall constitute grounds for immediate termination in accordance with Board policy and State law.

Inspections

Employees may be assigned District-owned offices, vehicles, lockers, desks, cabinets, etc. for the mutual convenience of the District and personnel. Employees have no expectation of privacy in any of these locations or any personal belongings which they may place in such areas.

Whenever the Board reasonably suspects that an employee's work performance or on-the-job behavior may have been affected in any way by alcohol or drugs or that an employee has sold, purchased, used, or possessed alcohol, drugs, or drug paraphernalia on District premises, the Board may search the employee and the employee's locker, desk, or other District property under the control of the employee.

Inspections under this policy are limited to investigations into work-related misconduct and offenses. Any searches for law enforcement purposes must comply with all applicable State laws.

District Action Upon Violation of Policy

Employees in violation of the provisions of this policy shall be subject to disciplinary action up to and including termination. Alternatively, the Board may require an employee to successfully complete an appropriate drug- or alcohol-abuse employee-assistance rehabilitation program. The fact that an employee has been referred for assistance and his or her willingness or ability to rehabilitate are appropriate considerations as to what, if any, disciplinary action may be taken.

Should the District employees be engaged in the performance of work under a federal contract or grant, or under a state contract or grant of \$5,000 or more, the Superintendent or his or her designee shall notify the appropriate State or federal agency from which the District receives contract or grant moneys of the employee's conviction, within ten days after receiving notice of the conviction.

In determining whether and to what extent an employee will be disciplined or discharged in regard to violating this policy, the Board will consider the following factors: the degree to which the nature of the criminal offense reduces the District's ability to maintain a safe working environment; the degree to which the nature of the criminal offense unreasonably endangers the safety of other employees and/or students; the degree to which the conviction unreasonably undermines the public confidence in the District's operations; the nature of the criminal offense; the nature of the employee's job with the District; the existence of any explanatory or mitigating facts or circumstances; whether the employee promptly reports the conviction; and any other facts relevant to the employee, including but not limited to years of service and record of performance with the District.

An employee can be discharged for work-related misconduct as provided in I.C. 72-1366, for the following reasons:

1. A confirmed positive drug and/or alcohol test, with a test result of not less than .02 BAC;
2. The employee refusing to provide a sample for testing purposes;
3. The employee altering or attempting to alter a test sample by adding a foreign substance; or
4. The employee submitted a sample that is not his or her own.

Within 30 days after receiving notice of a conviction, the District will take appropriate disciplinary action and/or refer the employee to an appropriate substance abuse rehabilitation program.

Legal Reference: Drug Free Workplace Act of 1988
29 CFR 94.205 What Must I Include in my Drug-free Workplace Statement
34 CFR 84.205-215
I.C. § 72-1701 through 72-1716

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

PERSONNEL

5320F1

Drug and Alcohol Abuse Testing Acknowledgment

I have read and been informed about the content, procedures, and expectations of the Drug and Alcohol Abuse Testing Policy and Procedures. I have received a copy of the policy and procedures and agree to abide by the guidelines as a condition of employment and continuing employment by the District.

I understand that if I have questions, at any time, regarding the Drug and Alcohol Abuse Testing Policy and Procedures, I will consult the Superintendent or his or her designee.

I understand that refusal to sign this document constitutes a refusal to test and the Superintendent will follow the Drug and Alcohol Abuse Testing Policy and Procedures regarding a refusal to test in accordance with Board policy and State law.

Employee Signature

Employee Printed Name

Date

Council School District No. 13

PERSONNEL

5320F2

Drug and Alcohol Abuse Testing Agreement

I agree to be tested according to the drug and alcohol testing policy and procedures.

I understand that agreeing to be tested according to the drug and alcohol testing policy and procedures is a condition of employment and continuing employment by the District.

I understand that if I have questions, at any time, regarding the Drug and Alcohol Abuse Testing Policy and Procedures, I will consult the Superintendent or his or her designee.

I understand that refusal to sign this document constitutes a refusal to test and the Superintendent will follow the Drug and Alcohol Abuse Testing Policy and Procedures regarding a refusal to test in accordance with Board policy and State law.

Employee Signature

Employee Printed Name

Date

Council School District No. 13

PERSONNEL

5320P

Drug and Alcohol Abuse Testing Program and Procedures

Drug and Alcohol Abuse Testing Program

Purpose: The purpose of this procedure is to establish guidelines to be followed in the drug and alcohol testing of applicants for positions with the District as well as current District employees.

Program Responsibility: The Superintendent or his or her designee has the overall responsibility for this program and will be responsible for reviewing the results of drug tests; reviewing and interpreting each confirmed positive test to determine if there is an alternative medical explanation for the positive result; conducting an interview with the individual testing positive to determine if the positive result was caused by legally prescribed medication; requiring a retest of the original specimen if the Superintendent or designee deems it necessary; and verifying that the laboratory report and the specimen are correct.

If the Superintendent or designee determines that there is a legitimate medical explanation for the positive test other than the use of a prohibited drug, the Superintendent or designee will conclude that the test is negative and will not take any further action.

Any employee or prospective employee who has a positive test result may request that the same sample be retested by a laboratory mutually agreed upon by the employee and the District.

Designation of Laboratory: The Adams County Health Center has been selected to perform the testing on specimens submitted. The Adams County Health Center will be responsible for performing the required drug test. The Adams County Health Center will also be responsible for properly handling specimens for alcohol testing. The Adams County Health Center is a certified lab approved for drug testing. A breath analysis test will be performed by a certified Breath Alcohol Technician.

Collection Site: The Adams County Health Center, is the designated collection site for collecting urine specimens.

Authorization for Testing: When the person reports to the collection site, the drug and/or alcohol screening procedure will be explained and the person will be asked to assist in completing any necessary forms. All persons subject to testing for any reason shall be asked to sign the necessary authorization forms which will allow the test to be performed and for the information to be provided to the Superintendent about the required drug and/or alcohol test.

Refusal to Test: The following constitutes refusal to test:

1. Refusing to sign any of the following forms:

- A. Statement that a copy of the alcohol and drug testing procedures and policy has been given and explained; or
- B. Agreement to be tested according to the alcohol and drug testing procedures and policy.

The following constitutes alcohol testing refusals:

1. Refusal by any employee to complete and sign the breath alcohol testing form;
2. Failure to provide adequate breath without a valid medical explanation in writing; or
3. Failure of an employee to remain readily available for testing for eight (8) hours following an accident that requires testing.

The following constitutes drug testing refusals:

1. Failure to provide a urine sample within four hours, without a valid medical explanation in writing; or
2. Conduct that clearly obstructs testing procedures; or
3. Failure of employee to remain readily available for testing for 32 hours following an accident requiring testing

Specimen Retention: The retention of specimens for possible future analysis is the responsibility of The Adams County Health Center. The Adams County Health Center will retain all specimens for a minimum period of one week. At such time, negative specimens will be discarded. Positive specimens will be resealed and retained in a separate and secure area for a minimum of one year. Within this one year period, the person tested or the Superintendent or his or her designee can request in writing that the laboratory retain the sample for an additional reasonable period specified in the request. If no proper written request is received within the one year period, the sample may be discarded.

Notification and Administrative Processing of Positive Results: All analytical results, negative and positive, will be reported by the laboratory to the Superintendent within an average of five days after receiving the specimens. The Superintendent or his or her designee will interview the person to determine if there is any satisfactory explanation for the positive result. The Superintendent or designee may conduct an additional medical interview with the individual and may require the original specimen to be reanalyzed if necessary.

Record Retention: Confidential records of drug tests results are recognized to be private and sensitive records, which will be maintained in a secure fashion to ensure confidentiality. Records showing an employee passed a drug test will be kept for at least one year. Records showing that an employee failed a drug test, the type of test (e.g., reasonable suspicion), the illegal drug(s) used by the employee, and the disposition of each employee will be kept for at least five years. These records, or any of them, may be maintained by the Superintendent or his or her designee's discretion for an indefinite period of time beyond the above specified minimums.

Information regarding an individual's drug testing results is confidential and will be released by the Superintendent or designee only upon the written consent of the individual, except that results may be released and relied upon by the District in any administrative or court action by the employee involving the drug test or any discipline resulting from a violation of this policy, including employment and court proceedings.

Collection of Specimens: At least 30 ml of urine will be required to complete the test, or the test will be rejected and must be re-performed. The designated collection site shall have an enclosure within which private urination can occur, a toilet for completion of urination, and a source of water for washing hands. Procedures for collecting urine specimens shall allow individual privacy unless there is reason to believe that a particular individual may alter or substitute the specimen. Examples of reasonable cause to believe a specimen will be altered or substituted include the presentation of a urine specimen that falls outside the normal temperature range (90.0 deg. F - 100.0 deg. F) and presentation of a specimen with a specific gravity of less than 1.0003.

Changes to Procedures: This procedure may be amended from time to time to facilitate changes in the District's Drug Free Workplace Substance Abuse Policy as necessary.

Drug and Alcohol Abuse Testing Procedures for Job Applicants

All applicants will be furnished a copy of the Drug Free Workplace Substance Abuse Policy in advance of the drug testing and alcohol testing and will have the screening procedure explained to them.

Applicants will be asked to sign an authorization for the tests which will release the Superintendent to disclose the results of the drug and alcohol test. In the event an applicant refuses to execute the appropriate authorization or to submit to the drug and alcohol tests, the Superintendent will suspend the procedures at that point.

The Superintendent or his or her designee will review the analytical results of the drug and alcohol tests, and interview the applicant, either by phone or in person, to determine whether there is any satisfactory explanation for a positive result.

The Superintendent or designee may require the original specimen to be reanalyzed if necessary.

The Superintendent or designee will advise the applicant that he or she has tested positive and, if requested, will allow the applicant a reasonable period, not to exceed three days, to provide additional medical evidence of a proper prescription for the drug(s) which caused the positive test. Nothing herein shall be construed as requiring the Superintendent or designee to disclose to the applicant the drug(s) for which the applicant tested positive. Rather, it is the duty of the applicant to disclose to the Superintendent or designee and, upon request, to provide the Superintendent or designee with evidence of all drugs taken by prescription.

Drug and Alcohol Testing of Current Employees Reasonably Suspected of Drug or Alcohol Abuse

Once the determination has been made that an employee is to be tested based upon reasonable suspicion, the Superintendent or his or her designee should then transport the employee to the collection site or make other appropriate arrangements for transportation. The collection site personnel should be notified that the reason for testing is reasonable suspicion.

Upon arriving at the collection site, the employee will be asked to sign a release for testing and to assist in completing the necessary forms for testing. After the employee has signed the necessary releases for testing, then the standard procedures for drug and alcohol testing should be followed by the collection site personnel.

Once the procedure has been completed, the employee should be transported back to the Superintendent's office where the employee will be placed on administrative leave with pay until the results of the tests are available.

If the employee refuses to sign the release or refuses to be tested by The Adams County Health Center, the employee should be advised that refusal under Board Policy is insubordination. If the employee continues to refuse, the employee should be transported back to the Superintendent's office. The Superintendent will place the employee on administrative leave with pay with instructions to call his or her office before the normal reporting time for that employee on the following workday.

If the Superintendent or designee feels that the employee is in no condition to operate a vehicle, then the employee should be transported home. Under no circumstances should the employee be allowed to drive. If the employee insists, the Superintendent designee should tell the employee that if he or she gets in a vehicle to drive that he or she will call the police or the Sheriff's Department and give them the location, license plate number, etc.

In the event of positive test results, the Superintendent or designee will review other records of the employee and work out proper disciplinary procedures, if any, in accordance with Board policy and State law.

Once the employee has been scheduled for testing, if the employee refuses to be tested, the employee will be considered insubordinate and subject to disciplinary procedures. If an employee has been notified to go for testing and fails to show up for the test, this will be considered the same as refusal to test unless a medical emergency or accident prevents the employee from testing, in which case credible documentation will be required that substantiates the reason for being absent from the testing. If, at the sole discretion of the Superintendent, the employee is allowed to be tested at a later date, the above procedure will be repeated. In no case will an employee be allowed more than one opportunity to be rescheduled for testing.

Employees who refuse to be tested or who do not appear for testing and do not have a documented credible reason for being absent from the testing time will be subject to disciplinary procedures

and will cease to be considered a viable candidate for the current position and for any future position openings in this classification until the employee has signed a release for drug testing at the time of submitting any future applications for this classification. The collection site personnel should notify the Superintendent in the event an employee refuses to test or does not arrive for testing. In the event of positive test results, the Superintendent will then review other records of the employee work out proper disciplinary procedures, if any, in accordance with Board policy and State law.

Procedure History:

Promulgated on

Revised on:

Reviewed on:

Council School District No. 13

PERSONNEL

5325

Employee Use of Social Media Sites, Including Personal Sites

Because of the unique nature of social media sites, such as Facebook and Twitter, and because of the District's desire to protect its interest with regard to its electronic records, the following rules have been established to address social media site usage by all employees:

Protect Confidential and Proprietary Information

Employees shall not post confidential or proprietary information about the District, its employees, students, agents, or others. The employee shall adhere to all applicable privacy and confidentiality policies adopted by the District or as provided by State or federal law.

Do Not Use the District's Name, Logos, or Images

Employees shall not use the District logos, images, iconography, etc. on personal social media sites. Nor shall employees use the District name to promote a product, cause, political party, or political candidate. Nor shall employees use personal images of students, names, or data relating to students, absent written authority of the parent of a minor or authority of an adult or emancipated student.

Respect District Time and Property

Employees will use e-mail and social media for personal purposes only during non-work times, such as during lunch or before or after school. Any use must occur during times and places that the use will not interfere with job duties, negatively impact job performance, or otherwise be disruptive to the school environment or its operation.

On Personal Sites

If you identify yourself as a District employee online, it should be clear that the views expressed, posted, or published are personal views, not necessarily those of the District, its Board, employees, or agents.

Opinions expressed by staff on a social networking website have the potential to be disseminated far beyond the speaker's desire or intention, and could undermine the public perception of fitness of the individual to educate students, and thus undermine teaching effectiveness. In this way, the effect of the expression and publication of such opinions could potentially lead to disciplinary action being taken against the staff member, up to and including termination or nonrenewal of the contract of employment

Keep Personal and Professional Accounts Separate

Staff members who decide to engage in professional social media activities will maintain separate professional and personal email addresses. Staff members will not use their District email address for personal social media activities. Use of District email for this purpose is prohibited and will be considered a violation of District policy that may result in disciplinary action.

Contact with Students

Although it is desired that staff members have a sincere interest in students as individuals, partiality and the appearance of impropriety must be avoided. Pursuant to the Code of Ethics for Idaho Professional Educators, individuals shall maintain a professional relationship with all students, both inside and outside of the classroom. Excessive informal or social involvement with students is therefore prohibited. This includes:

1. Listing current students as “friends” on networking sites wherein personal information is shared or available for review which results in the certificated professional employee not maintaining the Code of Ethics requiring professional relationships with students both inside and outside the classroom;
2. Contacting students through electronic means other than the District’s email and telephone system;
3. Coaches electronically contacting a team member or members without including all team members in the communication;
4. Giving private cell phone or home phone numbers to students without prior approval of the District; and
5. Inappropriate contact of any kind including via electronic media.

Nothing in this policy prohibits District staff and students from the use of education websites or use of social networking websites created for curricular, co-curricular, or extracurricular purposes where the professional relationship is maintained with the student.

Failure to maintain a professional relationship with students, both inside and outside of a classroom setting, including interaction via social networking websites of any nature, e-mailing, texting, or any other electronic methods will result in the required reporting of such conduct to the Professional Standards Commission by the District’s Administration.

Rules Concerning District-Sponsored Social Media Activity

If an employee wishes to use Facebook, Twitter, or other similar social media sites to communicate meetings, activities, games, responsibilities, announcements etc., for a school-based club or a school-based activity or an official school-based organization, the employee must also

comply with the following rules:

1. The employee must set up the club, activity, etc. as a group list which will be “closed and moderated”;
2. The employee must set up mechanisms for delivering information to students that are not members of the group via non-electronic means;
3. Members will not be established as “friends” but as members of the group list;
4. Anyone who has access to the communications conveyed through the site may only gain access by the permission of the employee. Persons desiring to access the page may join only after the employee invites them and allows them to join;
5. Parents shall be permitted to access any site that their child has been invited to join. Parents shall report any communications by students or school personnel they believe to be inappropriate to District administration;
6. Access to the site may only be permitted for educational purposes related to the club, activity, organization, or team;
7. The employee responsible for the site will monitor it regularly;
8. The employee’s supervisor shall be permitted access to any site established by the employee for a school-related purpose;
9. Employees are required to maintain appropriate professional boundaries in the establishment and maintenance of all such District-sponsored social media activity. This includes maintaining a separation between the school activity pages and employees’ personal social media profiles and pages;
10. Postings made to the site must comply with the District’s Policy 5335 Employee Use of Electronic Communications Devices; and
11. The Superintendent reserves the right to shut down or discontinue the group if he or she believes it is in the best overall interest of the students.

Cross Reference: 5335 Employee Use of Electronic Communications Devices
 3270P Acceptable Use of Electronic Networks

Legal Reference: Code of Ethics for Idaho Professional Educators

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

PERSONNEL

5325P

Recommended Practices for Use of Social Media Sites, Including Personal Sites

Think Before Posting

Privacy does not exist in the world of social media, therefore the District recommends that employees consider what could happen if a post becomes widely known or how that may reflect on the poster, the District, or its patrons. Search engines can turn up posts years after they are created and comments can be easily forwarded or copied. If you would not say it at a Board Meeting or to a member of the media or a colleague, consider the propriety of posting it online.

Be Respectful

Posts should be considered carefully in light of how they would reflect on the poster, colleagues, the District, and its students, patrons, and employees.

Remember Your Audience

Be aware that a presence in the social media world is or easily can be made available to the public at large. This includes students, fellow employees, and peers. Consider this before publishing to ensure the post will not unnecessarily alienate, harm, or provoke any of these groups.

Contact with Students

Pursuant to the Code of Ethics for Idaho Professional Educators, individuals shall maintain a professional relationship with all students, both inside and outside of the classroom. In order to avoid the appearance of partiality or impropriety, all electronic communications with students should be through the official District e-mail or your work phone. Do not list current students as friends on social media sites, do not give students your personal e-mail address or phone number, and do not text students.

Keep Personal and Professional Use Separate

Staff members who decide to engage in personal social media activities will maintain separate professional and personal email addresses. Staff members will not use their District email address for personal social media activities. Such uses will be considered a violation of District policy and may result in disciplinary action. The District reserves the right to monitor communications transmitted and received through the District network. This may include social media messages and updates sent to a District e-mail account.

District Social Media Sites

Notify the District: Employees that have or would like to start a school social media page should contact their Superintendent or designee. All District pages must have an appointed employee who is responsible for content. Districts should outline the duties of the employee responsible for the site, including how often the site must be checked for comments and who is allowed to post to the site. Superintendents should be aware of the content on the site, arrange for periodic monitoring of the site, and for the receipt and addressing of any complaints about the content on the site. The Superintendent reserves the right to shut down or discontinue the site if he or she believes it is in the best overall interest of the students.

Have a Plan: Districts should consider their messages, audiences, and goals as well as their strategy for keeping information on social media sites up to date, accurate, and in the best interest of the students.

Protect the District Voice: Posts on District affiliated social media sites should protect the District's voice by remaining professional in tone and in good taste. Carefully consider the naming of pages or accounts, the selecting of pictures or icons, compliance with District policy and State and federal laws with regard to student and employee confidentiality and the determination of content.

Procedure History:

Promulgated on:

Revised on:

Reviewed on:

Employee Electronic Mail and On-Line Services Usage

Electronic mail (“e-mail”) is defined as a communications tool whereby electronic messages are prepared, sent, and retrieved on personal computers. On-line services (i.e., the Internet) are defined as a communications tool whereby information, reference materials, and messages are sent and retrieved electronically on personal computers.

Internet access and interconnected computer systems are available to the District’s faculty. Electronic networks, including the Internet, are a part of the District’s instructional program in order to promote educational excellence by facilitating resource sharing, innovation, and communication.

In order for the District to be able to continue to make its computer network and Internet access available, all users must take responsibility for appropriate and lawful use of this access.

The use of the District’s electronic networks shall comply with the selection criteria for instructional materials and library-media center materials. Staff may, consistent with the District’s educational goals, use the Internet throughout the curriculum.

Because of the unique nature of e-mail and of the Internet, and because of the District’s desire to protect its interest with regard to its electronic records, the following rules have been established to address e-mail and Internet usage by all employees.

The District e-mail and Internet systems are provided for educational purposes only. The District’s electronic network is part of the curriculum and is not a public forum for general use.

Uses

Use for other informal or personal purposes is permissible within reasonable limits provided it does not interfere with work duties and complies with District policy. All e-mail and Internet records are considered District records and should be transmitted only to individuals who have a need to receive them and only relating to educational purposes. Staff has no expectation of privacy in any materials that are stored, transmitted, or received via the District’s electronic network or District computers. The District reserves the right to access, monitor, inspect, copy, review, and store, at any time and without prior notice, any and all usage of the computer network and Internet access and any and all information transmitted or received in connection with such usage, including email and instant messages.

Use for informal or personal purposes is not permissible and shall be considered a violation of District policy and may result in disciplinary action. Staff has no expectation of privacy in any materials that are stored, transmitted, or received via the District’s electronic network or District computers. The District reserves the right to access, monitor, inspect, copy, review, and store, at

any time and without prior notice, any and all usage of the computer network and Internet access and any and all information transmitted or received in connection with such usage, including email and instant messages.

Unacceptable Uses of Network

The following are considered examples of unacceptable uses and constitute a violation of this policy. Additional unacceptable uses can occur other than those specifically listed or enumerated herein:

- O. Uses that violate the law or encourage others to violate the law including local, State, or federal law; accessing information pertaining to the manufacture of weapons; intruding into the networks or computers of others; and downloading or transmitting confidential, trade secret information, or copyrighted materials;
- P. Uses that cause harm to others or damage their property, person, or reputation, including but not limited to engaging in defamation; employing another's password or some other user identifier that misleads message recipients into believing that someone other than you is communicating; reading or sharing another person's communications or personal information; or otherwise using his or her access to the network or the Internet;
- Q. Uploading a worm, virus, other harmful form of programming or vandalism; participating in "hacking" activities or any form of unauthorized access to other computers, networks, or other information. Staff will immediately notify the school's system administrator if they have identified a possible security problem. Staff will not go looking for security problems, because this may be construed as an illegal attempt to gain access;
- R. Uses amounting to harassment, sexual harassment, bullying, or cyber-bullying (defined as using a computer, computer system, or computer network to convey a message in any format that is intended to harm another individual);
- S. Uses that jeopardize the security of access and of the computer network or other networks on the Internet; uses that waste District resources;
- T. Uses that are commercial transactions, including commercial or private advertising;
- U. The promotion of election or political campaigns, issues dealing with private or charitable organizations or foundations, ballot issues, or proselytizing in a way that presents such opinions as the view of the District;
- V. Sending, receiving, viewing, or downloading obscene materials, materials harmful to minors, materials that depict the sexual exploitation of minors, or other inappropriate materials;
- W. Sharing one's password with others or allowing them to use one's account;
- X. Downloading, installing, or copying software or other files without authorization of the

Superintendent or the Superintendent's designee;

- Y.** Posting or sending messages anonymously or using a name other than one's own;
- Z.** Attempting to access the Internet using means other than the District network while on campus or using District property;
- AA.** Sending unsolicited messages such as advertisements, chain letters, junk mail, and jokes;
- BB.** Sending e-mails that are libelous, defamatory, offensive, or obscene;
- CC.** Notifying patrons or the public of the occurrence of a school election by providing anything other than factual information associated with the election – such as location, purpose, etc. Such factual information shall not promote one position over another;
- DD.** Forwarding or redistributing the private message of an e-mail sender to third parties or giving the sender's e-mail address to third parties without the permission of the sender; and/or
- EE.** Downloading or disseminating copyrighted or otherwise protected works without permission or license to do so.

Records

District records, including e-mail and Internet records are subject to public records requests, disclosure to law enforcement or government officials, or to other third parties through subpoena or other processes. The District may review any and all e-mail of any employee, at any time, with or without cause. Consequently, employees should always ensure that all information contained in e-mail and Internet messages is accurate, appropriate, and lawful. E-mail can be used to communicate with parents however, it is important that confidential information about a student never be transmitted via email. A letter, telephone call, or a parent conference may be more appropriate. Please be aware that student-teacher and parent-teacher communication via email is not secure and that any email can become a public record or possibly be obtained by unauthorized users. When communicating with students and parents by e-mail, employees should use their District e-mail rather than a personal e-mail account. E-mail and Internet messages by employees may not necessarily reflect the views of the District. Abuse of the e-mail or Internet systems, through excessive and/or inappropriate personal use, or use in violation of the law or District policies, will result in disciplinary action, up to and including termination of employment. E-mail messages and Internet records are to be treated like shared paper files, with the expectation that anything in them is available for review by the Superintendent.

Privacy

While the District does not intend to regularly review employees' e-mail and Internet records, employees have no right or expectation of privacy in e-mail or the Internet, and the District may review any and all e-mail of any employee, at any time, with or without cause. Employees shall not use the District's equipment, e-mail, network, software, etc. to engage in otherwise confidential communications as there is no right or expectation of privacy in any communication

using District property and any such communications are subject to review by District personnel. Depending upon content, email and Internet communications may potentially be disclosed to any member of the public through a public records request. The District owns the computer, networks, and software making up the e-mail and Internet system and permit employees to use them in the performance of their duties for the District.

Confidentiality of Student Information

Personally identifiable information concerning students may not be disclosed or used in any way on the Internet without the permission of a parent or guardian and the student or, if the student is 18 or over, the permission of the student. Staff should be aware that conduct on the District's computer and/or using the District's server may be subject to public disclosure depending upon the nature of the communication. A supervising teacher or administrator may authorize the release of directory information, as defined by law, for internal administrative purposes or approved educational projects and activities.

Internet Access Conduct Agreements

Each staff member will be required to sign the Procedure 5330F Employee Electronic Mail and On-Line Services Use Policy Acknowledgment upon the adoption of this policy or upon hiring.

Warranties/Indemnification

The District makes no warranties of any kind, express or implied, in connection with its provision of access to and use of its computer networks and the Internet provided under this policy. The District is not responsible for any information that may be lost, damaged, or unavailable when using the network, or for any information that is retrieved or transmitted via the Internet. The District will not be responsible for any unauthorized charges or fees resulting from access to the Internet, and any user is fully responsible to the District and shall indemnify and hold the District, its Trustees, administrators, teachers, and staff harmless from any and all loss, costs, claims, or damages resulting from such user's access to its computer network and the Internet, including but not limited to any fees or charges incurred through purchases of goods or services by the user.

Violations

If any staff member violates this policy, he or she may be subject to disciplinary action. The system administrator and/or the Internet Safety Coordinator and/or the building principal will make all decisions regarding whether or not a user has violated this policy and any related rules or regulations. Actions which violate local, State, or federal law may be referred to the local law enforcement agency.

Cross Reference: 5290 Political Activity-Staff Participation
5325 Employee Use of Social Media Sites, Including Personal Sites

Legal Reference: *Board of County Com'rs v. Idaho Health Fac. Auth.*, 531 P.2d 588 (1975)

Other Reference: Idaho Attorney General Opinion No. 95-07 (“What are the limitations on loaning and/or sharing State of Idaho employees or facilities to or with private charitable foundations?”) (available at: <https://www.ag.idaho.gov/content/uploads/2017/12/1995.pdf>)

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

PERSONNEL

5330F

Employee Electronic Mail and On-Line Services Use Policy Acknowledgment

I have read and been informed about the content, procedures, and expectations of the Employee Electronic Mail and On-Line Services Use Policy. I have received a copy of the policy and agree to abide by the guidelines as a condition of employment and continuing employment by the District.

Employee Signature

Employee Printed Name

Date

Council School District No. 13

PERSONNEL

5335

Employee Use of Electronic Communications Devices

The Board recognizes that employees may carry electronic communications devices, either District-issued or personally owned, and hereby adopts this policy.

Communication devices issued by the District may include, for example, cellular telephones; walkie-talkies; personal digital assistants (PDA's); mobile computing devices; laptop computers; citizens band radios, either installed in vehicles or hand-held; and pagers/beepers.

Before they are issued a mobile computing device, each staff member must submit an executed Mobile Computing Device Agreement and the Employee Electronic Mail and On-Line Services Usage Acknowledgment Agreement. Each form must be signed by the staff member.

Staff may take District issued devices out of the State of Idaho at the discretion of the building principal. The District directs the Superintendent to establish procedures for staff to request permission to take the device with them.

At the end of the school year, the school will collect all devices from staff. At the school's discretion, staff continuing under contract for the next school year and/or for the summer school session may be issued devices to support summer school programs, or other work-related activities.

The Superintendent shall establish procedures for the maintenance of records regarding the devices, including tracking device inventory and which device is issued to which staff member.

Care and Safety

Employees in receipt of District-issued equipment shall be held responsible for the safekeeping of the equipment and for the exercise reasonable efforts to see that the equipment is not lost, stolen, or damaged. Reckless or irresponsible use of District equipment, resulting in loss or damage may result in the employee having to reimburse the District for any associated costs of replacement or repair.

Managing Files

Once details are known about the availability of file space that is shared or is backed up automatically, the Superintendent will set a procedure for where staff should save important documents.

Staff members should also back up their work frequently using removable file storage or by e-mailing important document to themselves.

Software

The software originally installed by the District must remain on the device in usable condition and be easily accessible at all times.

From time to time the school may add or update software applications. The licenses for this software sometimes require that the software be deleted from devices at the completion of a course. Periodic reviews of devices may be made to ensure that staff members have deleted software that is no longer required and that the school has not exceeded its licenses.

All devices will be equipped with anti-virus protection software which will be upgraded regularly.

Staff members wishing to add additional software onto a device must first obtain the permission of the school's technology department. Each staff member is responsible for ensuring that only licensed software pre-approved by the school's technology department is loaded onto his or her device.

Inspection and Filtering

Filtering software will be used to prevent access to material considered inappropriate or harmful to minors.

If technical difficulties occur or unauthorized software or any other violation of District policy is discovered on the device, all files and the hard drive may be reformatted. Only authorized software will be installed. The District does not accept responsibility for the loss of any software or other materials deleted due to a reformat and reimage.

Electronic mail, network usage, and any stored files shall not be considered confidential and may be monitored at any time by designated District staff. The District or its designee may demand the return of the device at any time for inspection, copying, or review of all files, histories, saved data, meta-data, or other information on the device. After the inspection, copying, or review of the device, unless there is cause to refrain from doing so, it shall be returned to the employee. Failure to turn over the device upon demand may result in disciplinary action, up to and including termination. The District will cooperate fully with local, State, or federal officials in any investigation concerning or relating to violations of law.

Remote Access of Devices

Devices may be equipped with the ability to be accessed remotely in the case of technical problems requiring remote assistance, missing or stolen devices, or other for any other appropriate District purpose. A staff member does not need to be asked for permission prior to remote software maintenance.

Any individual in receipt of a school-issued device does not have the authority to deactivate the remote access feature of the device. Any employee doing such will be subject to discipline and/or reclamation of the device by the District.

Personalizing District-Issued Mobile Computing Devices

While at no time does the device become the personal property of staff members; they may place individualized items on the device, which are limited to music, pictures, and other items that do not hinder the network or device functionality.

Staff members may be permitted to select their own screen savers and backgrounds provided they are appropriate.

Staff members may not add options or upgrades to the device, change the operating system, or add unauthorized software or safety controls.

Should staff members place personalized items on the device such items may be accessed or viewed by District staff at any time, for any reason, including randomly selected device reviews. Further, the content on such device may be subject to disclosure pursuant to a public records request under the Idaho Public Writings Act. No content placed on District provided devices is privileged or confidential.

Use

Any such devices issued shall be with the expectation that they are to be used for District-related business purposes and are not intended for personal use except in emergencies involving employee health or safety and/or as specifically authorized under this policy.

District-issued equipment shall be used in a manner that does not disrupt instruction and should not be used during school-sponsored programs, meetings, in-services, or other events where there exists a reasonable expectation of quiet attentiveness unless there is a reason of personal health or safety involved.

District-issued equipment may be used only in a manner consistent with the Code of Ethics for Idaho Professional Educators as well as all State and federal laws relating to electronic communications with students and/or minors.

Any District-issued equipment is to be surrendered to the District immediately upon request.

Protecting and Storing Devices

Staff members are expected to password protect their devices and shall keep their password confidential, except for requested disclosure by the school's administration or personnel of the technology department.

Under no circumstances should devices be left in unsupervised areas. Unsupervised areas include the school grounds, the cafeteria, computer lab, locker rooms, library, unlocked classrooms, dressing rooms, and hallways.

Repair of Devices

Staff members are to report all device problems to District technology personnel.

The Superintendent will issue a document clarifying staff responsibility for lost and damaged devices when the details of the District's insurance policy are known.

Personally-Owned Communications Devices

Employees may carry and use personally-owned cellular telephones, pagers/beepers, and PDA's, mobile computing devices, or laptops during the school day on school property.

Personally owned hand-held citizens band radios, portable police scanners, and long or short-range walkie-talkies should not be used or carried by employees on school property during the school day unless by specific permission of their immediate supervisor based on a personal health or safety need.

Cellular telephones, pagers, beepers, and PDA's should not be used during the employee's normal duty times to send or receive messages of a personal nature, but such use is allowable during normal break times, lunch times, and preparation times. Personally owned mobile computing devices or laptops should not be used during the employee's normal duty times unless such is being used solely for the purposes of one's job duties for the school. Use of cellular telephones, audible pagers/beepers, PDA's, and private use of personal mobile computing devices or laptops should be curtailed during instructional time or at school-sponsored programs, meetings, in-services, parent/guardian conferences, or any other time when there would be a reasonable expectation of quiet attentiveness.

Any employee violating the above rules may be subject to disciplinary action.

Cross Reference:	5330	Employee Electronic Mail and On-Line Services Usage
	5330F	Employee Electronic Mail and On-Line Services Usage Acknowledgment
	5335F	Mobile Computing Device Agreement

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

PERSONNEL

5335F

MOBILE COMPUTING DEVICE AGREEMENT

Every staff member must read and sign below:

I have read, understand, and agree to abide by the terms of the Council School District's policies regarding District-provided mobile computing devices (Policy No. 5335). Should any violation or misuse of the device occur while it is in my custody, I understand that I may be subject to disciplinary action, and will forfeit any fees paid for use of the device, regardless of whether the misuse was committed by me or another person.

I accept full responsibility for the safe and secure handling of the device for this school year. I accept full responsibility for the proper use and safeguarding of the device under all applicable policies. I understand that it is my responsibility to immediately report any damage, theft, or problems with the device to the designated administrator.

_____ I do not wish to take the device home at this time.

User's Name (Print) _____ Home Phone: _____

User's Signature: _____ Date: _____

Address: _____

Signature: _____

Council School District No. 13

PERSONNEL

5340

Evaluation of Certificated Personnel

The District has a firm commitment to performance evaluation of District personnel, whatever their category and level, through the medium of a formalized system. The primary purpose of such evaluation is to assist personnel in professional development, in achieving District goals, and to assist with decisions regarding personnel actions. This policy applies to certificated personnel, but the District shall differentiate between non-instructional and pupil instructional personnel. The Superintendent is hereby directed to create procedures that differentiate between certificated non-instructional and certificated pupil instructional personnel in a way that aligns with the *Charlotte Danielson Framework for Teaching Second Edition* to the extent possible and aligns to the pupil staff's applicable national standards.

Each certificated staff member shall receive at least one written evaluation to be completed by no later than June 1st for each annual contract year of employment and shall use multiple measures that are research based and aligned to the *Charlotte Danielson Framework for Teaching Second Edition* domains and components. The evaluation of certificated personnel shall annually include a minimum of two documented observations, one of which shall be completed prior to January 1st. In situations where certificated personnel are unavailable for two documented classroom observations, due to situations such as long-term illness, late year hire, etc., one documented classroom observation is acceptable.

Objectives

The formal performance evaluation system is designed to:

1. Maintain or improve each employee's job satisfaction and morale by letting him or her know that the supervisor is interested in his or her job progress and personal development;
2. Serve as a systematic guide for supervisors in planning each employee's further training;
3. Assure considered opinion of an employee's performance and focus maximum attention on achievement of assigned duties;
4. Assist in determining and recording special talents, skills, and capabilities that might otherwise not be noticed or recognized;
5. Assist in planning personnel moves and placements that will best utilize each employee's capabilities;
6. Provide an opportunity for each employee to discuss job problems and interests with his or her supervisor; and
7. Assemble substantiating data for use as a guide, although not necessarily the sole governing factor, for such purposes as wage adjustments, promotions, disciplinary action, and termination.

Responsibility

The Superintendent or his or her designee shall have the overall responsibility for the administration and monitoring of the Performance Evaluation Program and will ensure the fairness and efficiency of its execution, including:

1. Distributing proper evaluation forms in a timely manner;
2. Ensuring completed evaluations are returned for filing by a specified date;
3. Reviewing evaluations for completeness;
4. Identifying discrepancies;
5. Ensuring proper safeguards and filing of completed evaluations;
6. Creating and implementing a plan for ongoing training for evaluators and certificated personnel on the District's evaluation standards, forms, and processes and a plan for collecting and using data gathered from evaluations;
7. Creating a plan for ongoing review of the District's Performance Evaluation Program that includes stakeholder input from teachers, Board Members, administrators, parents/guardians, and other interested parties;
8. Creating a procedure for remediation for employees that receive evaluations indicating that remediation would be an appropriate course of action; and
9. Creating an individualized evaluation rating system for how evaluations will be used to identify proficiency and record growth over time with a minimum of three rankings used to differentiate performance of certificate holders including: unsatisfactory being equal to a rating of 1; basic being equal to a rating of 2; and proficient being equal to a rating of 3. A fourth rating of distinguished being equal to 4 may also be used.

The Immediate Supervisor is the employee's evaluator and is responsible for:

1. Continuously observing and evaluating an employee's job performance including a minimum of two documented observations annually for certificated personnel, one of which shall be completed prior to January 1st of each year;
2. Holding periodic counseling sessions with each employee to discuss job performance;
3. Completing Performance Evaluations as required; and

The individuals assigned this responsibility shall have received training in conducting evaluations based on the statewide framework for evaluations within the immediate previous five years of conducting any evaluations.

Written Evaluation

A written summative evaluation will be completed for each certificated employee by June 1st. A copy will be given to the employee. The original will be retained by the Immediate Supervisor. The evaluation should be reviewed annually and revised as necessary to indicate any significant changes in duties or responsibilities. The evaluation is designed to increase planning and relate performance to assigned responsibilities through joint understanding between the evaluator and the employee as to the job description and major performance objectives.

The written evaluation will identify the sources of data used in conducting the evaluation. Aggregate data shall be considered as part of the District and individual school needs assessment in determining professional development offerings.

Evaluation Measures

Observations: Periodic classroom observations will be included in the evaluation process with a minimum of two documented observations annually for certificated personnel, one of which shall be completed prior to January 1st. In situations where certificated personnel are unavailable for two documented classroom observations, due to situations such as long-term illness, late year hire, etc., one documented classroom observation is acceptable.

Professional Practice: A majority of the evaluation of certificated personnel will be comprised of Professional Practice based on the *Charlotte Danielson Framework for Teaching Second Edition*. The evaluation will include at least one of the following as a measure to inform the Professional Practice portion: input received from parents/guardians, input received from students, and/or portfolios. The District has chosen input from parents and from students as its measures to inform the Professional Practice portion. The Board shall determine the manner and weight of parental input, student input, and/or portfolios on the evaluation.

Student Achievement: Instructional staff evaluation ratings must, in part, be based on measurable student achievement as defined in Section 33-1001, Idaho Code, applicable to the subjects and grade ranges taught by the instructional staff. All other certificated staff evaluations must include measurable student achievement or student success indicators as applicable to the position. This portion of the evaluation may be calculated using current and/or the immediate past year's data and may use one or both years' data. Growth in student achievement may be considered as an optional measure for all other school-based and District-based staff, as determined by the Board.

Charlotte Danielson Framework: The evaluation will be aligned with minimum State standards and based upon the *Charlotte Danielson Framework for Teaching Second Edition* and will include, at a minimum, the following general criteria upon which the Professional Practice portion will be based. Individual domain and component ratings must be determined based on a combination of professional practice and student achievement as specified above.

1. Planning and Preparation

- A. Demonstrating Knowledge of Content and Pedagogy;
- B. Demonstrating Knowledge of Students;
- C. Setting Instructional Outcomes;
- D. Demonstrating Knowledge of Resources;
- E. Designing Coherent Instruction; and
- F. Designing Student Assessments.

2. Classroom Learning Environment

- A. Creating an Environment of Respect and Rapport;
- B. Establishing a Culture for Learning;
- C. Managing Classroom Procedures;
- D. Managing Student Behavior; and
- E. Organizing Physical Space.

3. Instruction and Use of Assessment

- A. Communicating with Students;
- B. Using Questioning and Discussion Techniques;
- C. Engaging Students in Learning;
- D. Using Assessment in Instruction; and
- E. Demonstrating Flexibility and Responsiveness.

4. Professional Responsibilities

- A. Reflecting on Teaching;
- B. Maintaining Accurate Records;
- C. Communicating with Families;
- D. Participating in a Professional Community;
- E. Growing and Developing Professionally; and
- F. Showing Professionalism.

Meeting with the Employee

Counseling Sessions: Counseling sessions between supervisors and employees may be scheduled periodically. During these sessions, an open dialogue should occur which allows the exchange of performance oriented information. The employee should be informed of how he or she has performed to date. If the employee is not meeting performance expectations, the employee should be informed of the steps necessary to improve performance to the desired level. Counseling sessions should include, but not be limited to, the following: job responsibilities, performance of duties, and attendance. A memorandum for record will be prepared following each counseling session and maintained by the supervisor.

Communication of Results: Each evaluation shall include a meeting with the affected employee to communicate evaluation results. At the scheduled meeting with the employee, the supervisor will:

1. Discuss the evaluation with the employee, emphasizing strong and weak points in job performance. Commend the employee for a job well done if applicable and discuss specific corrective action if warranted. Set mutual goals for the employee to reach before the next performance evaluation. Recommendations should specifically state methods to correct weaknesses and/or prepare the employee for future promotions.
2. Allow the employee to make any written comments he or she desires. Inform the employee that he or she may turn in a written rebuttal/appeal of any portion of the evaluation within seven days and outline the process for rebuttal/appeal. Have the employee sign the evaluation indicating that he or she has been given a copy and initial after supervisor's comments.

No earlier than seven days following the meeting, if the supervisor has not received any written rebuttal/appeal, the supervisor will forward the original evaluation in a sealed envelope, marked "Personnel-Evaluation" to the Superintendent, or the designee, for review. The supervisor will also retain a copy of the completed form.

Rebuttals/Appeal

Within seven days from the date of the evaluation meeting with their supervisor, the employee may file a written rebuttal/appeal of any portion of the evaluation. The written rebuttal/appeal shall state the specific content of the evaluation with which the employee disagrees, a statement of the reason(s) for disagreement, and the amendment to the evaluation requested.

If a written rebuttal/appeal is received by the supervisor within seven days, the supervisor may conduct additional meetings or investigative activities necessary to address the rebuttal/appeal. Subsequent to these activities, and within a period of ten working days, the supervisor may provide the employee with a written response either amending the evaluation as requested by the employee or stating the reason(s) why the supervisor will not be amending the evaluation as requested.

If the supervisor chooses to amend the evaluation as requested by the employee then the amended copy of the evaluation will be provided to, and signed by, the employee. The original amended evaluation will then be forwarded to the Superintendent, or the designee, for review in a sealed envelope, marked Personnel-Evaluation. The supervisor will also retain a copy of the completed form.

If the supervisor chooses not to amend the evaluation as requested by the employee then the evaluation along with the written rebuttal/appeal, and the supervisor's response, if any, will be forwarded to the Superintendent, or the designee, for review in a sealed envelope, marked Personnel-Evaluation. The supervisor will also retain a copy of the completed evaluation including any rebuttal/appeal and responses.

Action

Each evaluation will include identification of the actions, if any, available to the District as a result of the evaluation as well as the procedure(s) for implementing each action. Available actions include, but are not limited to, recommendations for renewal of employment, non-renewal of employment, probation, and others as determined. Should any action be taken as a result of an evaluation to not renew an individual's contract the District will comply with the requirements and procedures established by State law.

Records

Permanent records of each certificated personnel's evaluation and any properly submitted rebuttal/appeal documentation will be maintained in the employee's personnel file. All evaluation records, including rebuttal/appeal documentation, will be kept confidential within the parameters identified in State and federal law regarding the right to privacy.

Reporting

Any subsequent changes to the District's evaluation plan shall be resubmitted to the State Department of Education for approval. The District shall report the summative rankings, the number of components rated as unsatisfactory, whether a majority of the certificated personnel's students met their measurable student achievement or growth targets or student success indicators as well as what measures were used, and whether an individualized professional learning plan is in place for all certificated personnel evaluations, annually to the State Department of Education.

Legal Reference: I.C. § 33-514	Issuance of Annual Contracts – Support Programs – Categories of Contracts – Optional Placement – Written Evaluation
I.C. § 33-515	Issuance of Renewable Contracts
I.C. § 33-518	Employee Personnel Files
I.C. § 33-1001	Definitions
IDAPA 08.02.02.120	Local District Evaluation Policy

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

PERSONNEL

5340F

Parent or Guardian Input Form—Classroom Teacher Evaluation

Teacher: _____

Grade(s)/Classes: _____

School Year: _____

Instructions:

1. Please complete the evaluation by circling the most appropriate number.
2. This form should be placed into the box located at _____ or mailed to:

[Insert Address]
3. Only one form should be completed by each parent for this teacher for each school year.
4. If a parent has a concern with regard to an event occurring in their child’s classroom and wishes to more directly address this issue, please understand that this form alone will not directly address the parental concern. The parent should raise the concern with the teacher and/or building administration.
5. Please offer specific comments when possible. Specific comments will be considered in the preparation of the teacher’s evaluation and will aid both the District and the teacher in addressing performance.

Area of Evaluation	Agree Disagree Don’t know
1. The teacher engaged in frequent and informative communications with the parent about student progress, attendance, behavior, curriculum topics, and objectives.	1 2 3 4 5 0 Comment:

<p>2. The teacher provided adequate suggestions for home support of learning.</p>	<p>1 2 3 4 5 0</p> <p>Comment:</p>
<p>3. The teacher is approachable and open to parental communication and parental input.</p>	<p>1 2 3 4 5 0</p> <p>Comment:</p>
<p>4. The teacher is respectful of the family's culture and the social expectations of the family for the child.</p>	<p>1 2 3 4 5 0</p> <p>Comment:</p>
<p>5. The teacher maintains a classroom in which my child feels physically and emotionally safe.</p>	<p>1 2 3 4 5 0</p> <p>Comment:</p>
<p>6. The teacher administers discipline fairly and consistently.</p>	<p>1 2 3 4 5 0</p> <p>Comment:</p>
<p>7. The teacher provides curriculum-based and developmentally appropriate homework.</p>	<p>1 2 3 4 5 0</p> <p>Comment:</p>

<p>8. The teacher has provided the child and family with knowledge of class expectations.</p>	<p>1 2 3 4 5 0</p> <p>Comment:</p>
<p>9. Classroom work demonstrated the appropriate level of difficulty for my child.</p>	<p>1 2 3 4 5 0</p> <p>Comment:</p>
<p>10. The teacher knows the content area and how to teach it.</p>	<p>1 2 3 4 5 0</p> <p>Comment:</p>
<p>11. The teacher treated my child with respect, care, and knowledge of my child's needs.</p>	<p>1 2 3 4 5 0</p> <p>Comment:</p>
<p>12. The teacher appropriately monitored and assessed student learning.</p>	<p>1 2 3 4 5 0</p> <p>Comment:</p>
<p>13. The teacher provided appropriate individual assistance to my child.</p>	<p>1 2 3 4 5 0</p> <p>Comment:</p>

14. You were satisfied with your child's overall school experience as provided by this teacher.	1 2 3 4 5 0 Comment:
Did you attend parent/teacher conferences?	YES NO
Did you attend Open House?	YES NO
Were you provided with a timely copy of your child's report cards?	YES NO
Did your child's teacher ever contact you via telephone?	YES NO
Did your child's teacher provide you information regarding your child and/or class activities via e-mail?	YES NO
Did your child's teacher provide you information regarding your child and/or class activities via notes sent home to you?	YES NO
Did you ever visit your child's classroom?	YES NO
Did you ever volunteer in your child's classroom?	YES NO

Any additional comments you wish to share not covered by the above questions (**please feel free to attach a separate page**):

Please complete and sign the form, and place it in a sealed envelope.

Name: _____

Signature: _____

Date: _____

Telephone No.: _____

Council School District No. 13

PERSONNEL

5350

Certified Personnel Resignation (Release from Contract)

Applicants for teaching positions with Council School District who are issued a contract and employees who are on contract should recognize that their contract with the District carries responsibilities. Certified personnel will generally be expected to fulfill the terms of their contract unless:

1. There are clearly compelling, mitigating circumstances which prevent the certified or exempt individual from doing so; and
2. Until such time as the Board releases the certified individual from the terms of the contract upon the recommendation of the Superintendent.

Employees, including those employees who have just signed their first contract, will not be released from contract during the school year or within 45 days of the start of the school year unless a suitable replacement can be found. The Board may make exceptions to this rule for serious health problems or if a replacement can be found to fill the position being vacated.

The employee may make a written request for release from contract during the school year or immediately prior to the start of the school year, stating the date of requested release. The request should be submitted to the District offices so that a search for a suitable replacement can be initiated. The request for release will be submitted to the Board at the time specified by the employee. If finding a replacement is not imminent, the District offices will advise the person submitting the request that the administration will recommend to the Board that the request be denied. The District offices will also give the person making the request the opportunity to hold the request until finding a suitable replacement is imminent at which time the resignation would then be submitted to the Board. If no time is specified for the request to be submitted to the Board, it will be submitted when the administration feels that finding a suitable replacement is imminent. The person making the request will be advised of that action.

A determination of availability of a suitable replacement, approved by the building principal as per Idaho Code, will be made by the administration before recommendation will be made to the Board that the employee be released from contract. If, in the judgment of the administration, there is not a suitable replacement, and/or if retention of a new employee is not approved by the building principal, recommendation will be made that the Board NOT release the employee from contract.

Should any certificated employee abandon the contract of employment with the District without the prior written release from the contract by the Board, the Board of Trustees will report such event to the Professional Standards Commission, alleging that the certificated employee is guilty of unethical practices and has violated the Code of Ethics for Idaho Professional Educators.

Classified Personnel

Classified employees not under contract are expected to give due written notice that will permit the District to conduct a search for a suitable replacement. Generally speaking, the Board expects a two week notice.

All resignations should be in writing. Requests for resignation shall be transmitted to the Board as part of the regular personnel report.

Legal Reference

I.C. § 33-524
IDAPA 08.02.02.076.09

Principals to Determine New Staffing
Code of Ethics for Idaho Professional
Educators

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

PERSONNEL

5360

Dress and Appearance

One of the reasons we have schools is for students to learn what is appropriate. Young people learn what is appropriate in society by looking at their adult role models. Your dress and your behavior are what young people will take to be appropriate.

- Harry K. Wong

As professionals in our schools, we recognize and value the public's perception of our roles as mentors and models for students. We therefore set in policy the following outline of "reasonable expectations" for all professional staff.

The following dress code will apply to all teachers, counselors, aides, secretaries, and administrators throughout the District. It is to be applied for all of the days students are present, parent-teacher conferences, and professional development days.

Dressing up is encouraged.

The following is considered an outline of acceptable dress, unless otherwise specified by the principal or Superintendent:

Males:

1. Pinpoint or button-down dress shirts;
2. Knit shirts, but not t-shirts;
3. Slacks, khakis, and Docker-type slacks;
4. Dress shoes, boots, athletic shoes, and casual shoes;
5. Socks;
6. Neckties;
7. Business suits;
8. Sport coats or sweaters;
9. Holiday, theme, or school sweatshirts;
10. Blue jeans on activity days, such as spirit days, special classroom activities, and field days;
and
11. Wind suits and sweat suits on spirit or activity days.

Females:

1. Business suits;
2. Jumpers, dresses, skirts of appropriate fit and length. Denim and chambray fabric are acceptable;
3. Slacks, khakis, and Dockers-type slacks;
4. Dress shoes, casual shoes, boots, athletic shoes;

5. Blouses, knit shirts, cotton shirts, and sweaters with moderate necklines;
6. Holiday, theme, and school sweatshirts;
7. Dress shorts and skorts of appropriate professional fit and length;
8. Knit dress pants with tunic length top;
9. Dress “crop slacks” that are loose fitting;
10. Blue jeans on activity days such as spirit days, special classroom activities, and field days; and
11. Wind suits and sweat suits on spirit or activity days.

Inappropriate/Unacceptable Attire:

1. Backless, see-through, tight fitting, or low-cut blouses, tops, and dresses;
2. T-shirts, lycra, spandex, midriff tops, tank tops, and muscle shirts;
3. Cut-offs and jeans shorts;
4. Sweatpants;
5. Coaching shorts and spandex shorts or pants of any length;
6. Blue jeans;
7. Mini-skirts;
8. Jogging suits;
9. Denim overalls; and
10. Apparel with offensive logos.

Exceptions:

1. Gym Teachers: Gym clothing as appropriate to activity, shorts restricted to gym or outdoor P.E. areas;
2. Field Trips/Field Days: Modest clothing appropriate to the activity;
3. Special Days: Holiday clothing, school spirit clothing, and thematic clothing with Principal’s permission; and
4. The principal may grant exceptions based on job-related needs.

Any casual dress or accessories not stated above must at all times meet or exceed standards set for our students in each of their respective schools.

Enforcement

School District staff members who do not, in the judgment of the principal or supervisor, reasonably conform to this dress code shall receive a written notice from the principal or program supervisor. The principal or program supervisor shall submit a copy of the notice to the Superintendent. Repeated violations could result in disciplinary action by the Superintendent against the staff member. In cases where a staff member refuses to comply with the directions of the principal, program supervisor, or Superintendent, the staff member’s employment could be terminated. The decision of the Superintendent is final regarding administration of this policy.

Policy History:

Adopted on:

Revised on:

Reviewed on:

Nonschool Employment by Professional Staff Members

A staff member's outside work or self-employment is of concern to the Board insofar as it may:

1. Prevent the employee from performing assigned responsibilities in an effective manner;
2. Be prejudicial to proper effectiveness in the position or compromise the District; or
3. Raise a question of conflict of interest – for example, where the employee's position in the District permits access to information or other advantage useful to the outside employer.

Therefore a regular, full-time employee's position in the District shall take precedence over any type of outside work or self-employment. Employees are free to carry on individual work or self-employment projects as long as no District facilities, equipment, or school(s) are used, except as provided by policy, and the outside work or self-employment does not interfere with the employees' performance of District assigned duties.

In addition, an employee may not perform any duties related to outside work or self-employment during regular District working hours or during the additional time that is needed to fulfill the responsibilities of the District position. Employees who violate this policy are subject to reprimand, suspension, or termination.

Except by prior written authorization from the Superintendent, school buildings are not to be used for private tutoring or classes for which students pay a fee to a staff member unless a rental contract has been entered into with the District.

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

PERSONNEL

5380

Professional Research and Publishing

The Board considers that the school system has proprietary rights to publications, instructional materials, and devices prepared by employees during their paid work time. However, the Board also recognizes the importance of encouraging its professionals' writing, research, and other creative endeavors.

When original materials are developed by employees or staff committees during working time or as part of regular or special assignments for which they are paid, the school system will have sole rights in matters of publication or reproduction; however, the identity of the employee(s) who created the materials will be clearly recognized and noted.

In situations where the proprietary rights to material is in doubt—as, for example, when original instructional materials have been developed partially during working time or as part of a paid assignment, and partially during the staff member's own time—arrangements will be made for the appropriate assignment of rights and any profits.

However, a staff member may use his or her background knowledge of programs and operations in professional writing of any type, without the Board claiming any rights to the materials or authority to approve them prior to publication, except that articles purporting to represent school system policy will be cleared by the Superintendent who may, if the subject warrants, seek Board approval before they are released.

Cross-Reference: 4250 Educational Research in District Schools

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

PERSONNEL

5390

Employment Referrals and Prevention of Sexual Abuse

All employees, contractors, and agents of the District are prohibited from providing any recommendation for employment or otherwise helping an employee, contractor, or agent of the District in obtaining a job if they know or have probable cause to believe the individual has engaged in sexual misconduct with a student or minor in violation of the law.

This prohibition does not include following routine procedures regarding the transmission of administrative or personnel files.

These prohibitions shall not apply to cases in which the alleged misconduct was properly reported to law enforcement and any other authorities required by federal, state, or local law; and

1. The matter was officially closed;
2. The prosecutor or police with jurisdiction over the case investigated the allegations and notified District officials that there is insufficient information to establish probable cause that individual engaged in sexual misconduct with a minor or student in violation of the law;
3. The individual alleged to have engaged in sexual misconduct with a student or minor has been charged with and acquitted or otherwise exonerated of the sexual misconduct; or
4. The case or investigation has remained open and no indictment or other charges have been brought within four years of the date on which the information was provided to law enforcement.

Legal Reference: 20 USC § 7926 Prohibition on Aiding and Abetting Sexual Abuse

Policy History:

Adopted on:

Revised on:

Reviewed on:

Whistleblowing

The Board of Trustees expects employees of the District to be trustworthy and to conduct themselves in an honorable manner, abiding by all District policies and procedures and by all applicable State and federal laws and administrative rules.

When District employees know or have reasonable cause to believe that serious wrongful conduct has occurred, they should report such wrongful conduct to the Superintendent or his or her designee.

For the purposes of this policy, the term “wrongful conduct” shall mean:

1. Theft or misuse of District funds, property, or resources;
2. Fraud;
3. Violation of federal and state laws or administrative rules; and/or
4. Material violation of District policy or procedure aimed at protecting the health and safety of staff and students.

Disclosure and Investigation

Employees who know or have reasonable cause to believe that wrongful conduct has occurred shall report such activity to the Superintendent or his or her designee. Upon receiving a report of wrongful conduct, the Superintendent or designee shall take immediate steps to conduct an investigation.

If the person alleged to have committed the wrongful conduct is the designee, the Superintendent shall conduct the investigation. If the person alleged to have committed the wrongful conduct is the Superintendent, the investigation shall be addressed in accordance with Policy 4120.

The Superintendent or designee shall maintain a written record of the allegation; conduct an investigation, refer the matter to law enforcement or other appropriate authorities, if applicable; and notify the Board of the allegation and of the results of the investigation.

The Superintendent or designee shall attempt to protect the identity of a whistleblower, provided that doing so does not interfere with the investigation of the allegations or with the taking corrective action.

Complaints of Retaliation

The District shall not take adverse employment action against an employee who has notified the District of wrongdoing, allowing the District the opportunity to investigate and correct the misconduct. The District shall not take adverse action against an employee who has reported misconduct to another government agency or who has cooperated with an investigation of

wrongful conduct. Likewise, District employees are prohibited from retaliating against an individual for these actions.

There shall be no adverse employment action or retaliation against an individual who refuses to carry out a directive which he or she believes constitutes a violation of state or federal law or administrative rule.

An employee who alleges they have been subject to retaliation in the form of adverse employment action may contest the action as specified in the appropriate employee grievance policy. The District shall investigate any complaints of such retaliation and take immediate steps to stop any retaliation.

District employees who have engaged in retaliation shall be subject to discipline, which may include dismissal.

These protections do not apply to cases in which an employee knew or reasonably ought to have known that the report is malicious, false or frivolous.

Nothing in this policy is intended to interfere with legitimate employment decisions.

The Superintendent shall establish any procedures necessary to implement this policy.

This policy and any related procedures may be published in employee handbooks, posted in employee lounges, and/or given to all employees on an annual basis.

Cross Reference:	5250	Certificated Staff Grievances
	5800	Classified Employment, Assignment, and Grievance
	5800P	Classified Employee Grievance Procedure

Legal Reference: Idaho Code § 6-2101 et seq. Idaho Protection of Public Employees

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

PERSONNEL

5400

Leaves of Absence

The Board believes that the provision of leaves in addition to the contractual leaves provided by the Master Agreement helps to attract and retain staff members who will continue to grow professionally, maintain their physical health, and have a feeling of security.

The Board has the authority to grant any employee's request for a leave of absence. A leave of absence may be at the request of the employee or may be done involuntarily by action of the Board. The Board may also delegate this authority to a designee.

Delegation of Authority

Through this policy, the Board has delegated this ongoing authority to the Superintendent, both with regard to acceptance of an employee's request for leave of absence as well as an action of placing a certificated employee on an involuntarily leave of absence.

Upon the Superintendent's action to place a certificated employee on a period of involuntary leave of absence, the Board shall ratify or nullify action of the Superintendent at the next regularly scheduled meeting of the Board or at a special meeting of the Board should the next regularly scheduled meeting of the Board not be within a period of 21 days from the date of the action. Whether such leave is with pay or without pay shall be determined when applying the appropriate principles of Section 33-513(7), Idaho Code.

A Superintendent's acceptance of a certificated employee's request for leave of absence shall be put before the Board for ratification at the next regularly scheduled meeting of the Board or within twenty-one (21) days, whichever comes first.

Sick Leave

Classified employees who regularly work 20 hours or more per week and certificated employees who work half time or more per week shall be granted sick leave and other leaves in accordance with State law. Each such employee shall be granted sick leave with full pay of one day as projected for the employment year for each month of service in which he or she works a majority portion of that month. Sick leave for classified employees shall be calculated proportionate to the average hours worked per day. Sick leave for certificated employees shall be calculated by the day, or percentage thereof, as defined in his or her individual employment contract. The District, may in its discretion, require proof of illness when deemed appropriate, including but not limited to suspicion of abuse of sick leave or false claims of illness. Compensation shall not be provided for unused sick leave.

“Sick leave” means a leave of absence, with pay, for a sickness suffered by an employee or his or her immediate family. “Immediate family” for purposes of sick leave shall mean the employee’s spouse and children residing in the employee’s household. Nothing in this policy guarantees approval of the granting of such leave in any instance. Each request will be judged by the District in accordance with this policy and the needs of the District.

It is understood that seniority shall accumulate while a teacher or employee is utilizing accumulated sick leave credits. Seniority will not accumulate unless an employee is in a paid status. Abuse of sick leave is cause for discipline up to and including termination.

Accrual of Unused Sick Leave

Employees may accrue unused sick leave. Upon retirement, an employee’s accumulated unused sick leave must be reported by the District to the public employee retirement system.

Bereavement Leave

An employee who has a death in the immediate family shall be eligible for bereavement leave. “Immediate family” for purposes of bereavement leave shall mean parents, children, and siblings. The Superintendent shall have the authority to give bereavement leave for up to five days. Bereavement leave of greater than five days must be approved by the Board. Such leave shall not exceed ten days.

Personal and Emergency Leave

Upon recommendation of the Superintendent, and in accordance with law and District policy, classified staff may be granted personal leave pursuant to the following conditions:

1. Leave will be without pay unless otherwise stated. If leaves are to include expenses payable by the District, the leave approval will so state;
2. Leave will only be granted in units of half or full days;
3. Notice of at least one week is required for any personal leave of less than one week. Notice of one month is required for any personal leave exceeding one week;
4. The Superintendent, with approval of the Board, shall have the flexibility, in unusual or exceptional circumstances, to grant personal leave to employees not covered by sick or any other District recognized leave. During any personal leave of greater than 15 days, the employee will not receive fringe benefits. During the leave, the employee may pay the District’s share of any insurance benefit program in order to maintain those benefits, provided that such is acceptable to the insurance carrier. Staff using personal leave shall not earn any sick leave or annual leave credit or any other benefits during the approved leave of absence.

Legal Reference: 42 USC 2000(e)
I.C. § 33-513
I.C. § 33-1216 *et seq.*
I.C. § 33-1228

Equal Employment Opportunities
Professional Personnel
Sick and Other Leave
Severance Allowance at Retirement

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

PERSONNEL

5405

Proof of Illness for Sick Leave

The Board of Trustees or a designee of the Board of Trustees may require proof of illness in a form adequate to protect the District from any employee abusing sick leave through such actions as malingering or false claims of illness.

If the Board or a designee of the Board makes such a request of any employee, the employee shall provide written documentation from a provider of the healing arts as to the illness and/or necessity of the employee to be absent from work to the District's Administrative Office.

Legal Reference: I.C. § 33-1216 Sick and Other Leave

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

PERSONNEL

5410

Family and Medical Leave

In accordance with the provisions of the Family Medical Leave Act (FMLA) of 1993, a leave of absence of up to twelve 12 weeks during a 12 month period may be granted to an eligible employee for the following reasons:

1. The birth of a child;
2. The placement of a child for adoption or foster care with the employee;
3. A serious health condition that makes the employee unable to perform the functions of the job;
4. To care for the employee's spouse, child, or parent with a serious health condition; or
5. For any qualifying exigency arising out of the fact that a spouse, son, daughter, or parent of the employee is on active duty status, or has been notified of an impending call to active duty status, in the Armed Forces.

An employee is eligible to take FMLA leave if the employee has been employed for at least 12 months, and has worked at least 1,250 hours during the 12 months immediately prior to the date when the leave is requested. Further, an employee may only be eligible if there are at least 50 District employees within a 75 mile radius.

An eligible employee who is the spouse, son, daughter, parent, or next of kin of a covered service member who is recovering from a serious illness or injury sustained in the line of duty on active duty is entitled to up to 26 weeks of leave in a single 12 month period to care for the service members.

Employees will not be required to use appropriate paid leave while on FMLA Leave. Workers Compensation absences will not be designated FMLA Leave.

The Board has determined that the 12 month period during which an employee may take FMLA leave is 12 months backward from the date of FMLA Leave.

Medical certification shall be required to determine FMLA initial or continued eligibility as well as fitness for duty.

Legal Reference: 29 CFR 825, 29 USC 2601, et seq. Family Medical Leave Act – National Defense Authorization Act for FY 2008 (NDAA), Pub. L. 110-181

NOTE: The FMLA applies to all school districts as they are public agencies, and therefore covered employers under the act. However, depending on the size of the District, District employees may not be eligible employees. This policy applies to school districts with 50 or more employees. Those districts with fewer than 50

employees must comply with notice and record retention but are not obligated to provide the leave as a benefit of any employee's employment.

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

PERSONNEL

5410P

Family and Medical Leave Procedure

Who Is Eligible: Employees are eligible if they have worked for the District for at least one year, and for 1,250 hours over the previous 12 months, and if there are at least 50 District employees within a 75 mile radius.

Benefit: Under certain conditions, eligible employees, if qualified, may be entitled to up to 12 weeks leave with continuing participation in the District's group insurance plan.

An eligible employee who is the spouse, son, daughter, parent, or next of kin of a covered service member who is recovering from a serious illness or injury sustained in the line of duty on active duty is entitled to up to 26 weeks of leave in a single 12 month period to care for the service members.

Reasons for Taking Leave: Unpaid leave will be granted to eligible employees for any of the following reasons:

1. To care for the employee's child after birth, or placement of a child for adoption or foster care with the employee; or
2. To care for the employee's spouse, child, or parent (not including parents in-law) who has a serious health condition; or
3. For a serious health condition that makes the employee unable to perform the employee's job; or
4. For any qualifying exigency arising out of the fact that a spouse, son, daughter, or parent of the employee is on active duty status, or has been notified of an impending call to active duty status, in support of a contingency operation.

Substitution of Paid Leave: Paid leave will be substituted for unpaid leave under the following circumstances:

1. Accumulated sick or personal leave will be utilized concurrently with any FMLA leave that is taken for a serious health reason as described in 2 or 3 above;
2. Accumulated vacation or personal leave will be utilized concurrently with any FMLA leave that is taken for a family reason as described in 1 above;
3. Accumulated sick leave will be utilized concurrently with FMLA leave whenever the FMLA leave is taken for reasons which qualify for sick leave benefits pursuant to District policy; and
4. Whenever appropriate, workers' compensation absences shall be designated FMLA leave.

When Spouses are District Employees: If spouses are employed by the District, they each are entitled to a total of 12 weeks of leave per year. However, where the reason for the leave is for birth of a child, or because of adoption or foster care, or to care for a sick parent, such leave may be limited to an aggregate of 12 weeks, between the married employees.

Advance Notice: Employees must provide 30 days advance notice when the leave is foreseeable. In other situations an employee must give notice as soon as practicable. Leave may be allowed in emergency situations when no advance warning is possible. Inexcusable delays in notifying the District may result in the delay or denial of leave.

Requests: A sick leave request form is to be completed whenever an employee is absent from work for more than three days or when an employee has need to be absent from work for continuing treatment by or under the supervision of a health care provider.

Medical Certification: The District will require medical certification to support a request for leave or any other absence because of a serious health condition (at employee expense), and may require second or third opinions (at the employer's expense) and a fitness for duty report to return to work statement.

Intermittent/Reduced Leave: FMLA leave may be taken "intermittently or on a reduced leave schedule" under certain circumstances. Where leave is taken because of birth or placement of a child for adoption or foster care, an employee may take leave intermittently or on a reduced leave schedule only with the approval of the District. Where FMLA leave is taken to care for a sick family member or for an employee's own serious health condition, leave may be taken intermittently or on a reduced leave schedule when medically necessary. An employee may be reassigned to accommodate intermittent or reduced leave. When an employee takes intermittent leave or leave on a reduced leave schedule, increments will be limited to the shortest period of time that the District's payroll system uses to account for absences or use of leave.

Insurance: An employee out on FMLA leave is entitled to continued participation in the appropriate group health plan, but it is incumbent upon the employee to continue paying the portion of the premiums the employee usually pays throughout the leave period. An employee's eligibility to maintain health insurance coverage will lapse if the premium payment is more than 30 days late. The District will mail notice of delinquency at least 15 days before coverage will cease.

Return: Upon return from FMLA leave, reasonable effort shall be made to place the employee in the original or equivalent position with equivalent pay, benefits, and other employment terms.

Record Keeping: Employees, supervisors, and building administrators will forward requests, forms, and other material to payroll to facilitate proper record keeping.

Summer Vacation: The period during the summer vacation or other scheduled breaks, such as Christmas, an employee would not have been required to work will not count against that employee's FMLA leave entitlement.

Special Rules for Instructional Employees

Leave More Than Five Weeks Before End of Term: If an instructional employee begins FMLA leave more than five weeks before the end of term, the District may require the employee to continue taking leave until the end of a semester term if:

1. The leave is at least three weeks; and
2. The employee's return would take place during the last three-week period of the semester term.

Leave Less Than Five Weeks Before End of Term: If an instructional employee begins FMLA leave for a purpose other than that employee's own serious health condition less than five weeks before the end of term, the District may require the employee to continue taking leave until the end of a semester term if:

1. The leave is longer than two weeks; and
2. The employee's return would take place during the last two-week period of the semester term.

Leave Less Than Three Weeks Before End of Term: If an instructional employee begins FMLA leave for a purpose other than that employee's own serious health condition less than three weeks before the end of term, the District may require the employee to continue taking leave until the end of the academic term if the leave is longer than five days.

Intermittent or Reduced Leave: Under certain conditions, an instructional employee needing intermittent or reduced leave for more than 20% of the total working days over the leave period may be required by the District to:

1. Take leave for a period(s) of particular duration not to exceed the duration of treatment; or
2. Transfer to an alternate but equivalent position.

Employee Notification of Policy

A general notice from the Department of Labor explaining the FMLA's provisions and complaint procedures will be posted prominently where it can be readily seen by employees and applicants and shall either be distributed to each new employee upon hiring or will be included in employee handbooks or other written guidance concerning benefits or leave rights. No notification of rights under the FMLA or related regulations should be construed to alter any applicable at-will employment relationship between the District and an employee.

Procedure History:

Promulgated on:

Revised on:

Reviewed on:

Council School District No. 13

PERSONNEL

5412

Jury Duty

Serving on a jury is a fundamental responsibility of citizenship, and the Council School District supports this important role in our society. Upon receipt of the initial official notification, an employee selected for jury duty must submit a copy of such notice to the immediate supervisor and to the District office as soon as possible so that appropriate substitute needs can be met. If the absence would pose a significant hardship for the School District, the employee may be asked to request a postponement of jury duty from the court.

Upon being excused from jury service during any day, an employee shall return to complete his or her assignment for the remainder of the regular work day.

Jury duty leave is paid for up to ten work days. Employees must submit all compensation paid by the Court to be eligible for compensated jury duty leave.

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

PERSONNEL

5413

Witness for Court Appearance Leave

Council School District employees who are subpoenaed into court as a witness will be allowed leave for required court appearances. Employees are expected to use only the portion of the work day of days required for their appearance as a witness. Employees are required to receive prior approval of the Superintendent and their immediate supervisor, such as the maintenance, school lunch, or bus supervisor or principal. The employee will be granted leave to be a witness for court appearance with pay providing the person submits a copy of the subpoena to the District office as soon as possible.

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

PERSONNEL

5420

Long-Term Illness/Temporary Disability

Employees may use sick leave for long-term illness or temporary disability, and upon the expiration of sick leave and family medical leave the Board may grant eligible employees leave without pay if requested. Medical certification of the long-term illness or temporary disability shall be required.

Long-term illness or temporary disability shall be construed to include pregnancy, miscarriage, childbirth, and recovery therefrom.

Leave without pay arising out of any long-term illness or temporary disability, including pregnancy, miscarriage, childbirth, and recovery therefrom, shall commence only after sick leave and family medical leave have been exhausted.

Cross Reference: 5410 – 5410P Family Medical Leave

Legal Reference: 29 CFR 825, 29 USC 2601, et seq. Family Medical Leave Act – National Defense Authorization Act for FY 2008 (NDAA), Pub. L. 110-181
29 CFR 1604.10 Pregnancy Discrimination Act - Employment Policies Relating to Pregnancy and Childbirth

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

PERSONNEL

5420P

Long-Term Illness/Temporary Disability

The following procedures will be used when an employee has a long-term illness or temporary disability.

1. When any illness or temporarily disabling condition is “prolonged”, an employee will be asked by the administration to produce a written statement from a physician stating that the employee is temporarily disabled and is unable to perform the duties of his or her position, but at some point in the future will be able to return to work.
2. In the case of any other extended illness, procedures for assessing the probable duration of the temporary disability will vary. The number of days of disability will vary according to different conditions, individual needs, and the assessment of individual physicians. Normally, however, the employee should expect to return on the date indicated by the physician unless complications develop which are further certified by a physician.
3. Maternity leave will be treated as any other disability. As a disabling condition, maternity leave is not available to fathers.

Procedure History:

Promulgated on:

Revised on:

Reviewed on:

Council School District No. 13

PERSONNEL

5430

Insurance Benefits for Employees/ Trustees

Newly hired certificated employees will be eligible for insurance benefits offered by the District consistent with the terms of the current collective bargaining agreement, if applicable.

Classified employees who work 20 hours or more per week shall be entitled to the same group health insurance benefits applicable to certificated personnel.

Trustees will not be allowed to participate in the District's group health insurance program.

Legal Reference: I.C. § 33-517A School Districts – Non-Certificated Employees – Group Health Insurance
I.C. § 67-5763 Governmental Body Authorized to Make Contracts for Group Insurance for Officers and Employees

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

PERSONNEL

5440

School Holidays

The District designates the following days as school holidays:

1. New Year's Day;
2. Memorial Day;
3. Independence Day;
4. Labor Day;
5. Thanksgiving Day; and
6. Christmas Day.

In those cases where an employee, as defined in policy, is required to work any of these holidays, another day shall be granted in lieu of such holiday unless the employee elects to be paid for the holiday in addition to the employee's regular rate of pay for all time worked on the holiday.

If a holiday occurs during the period in which vacation is being taken by an employee, the holiday shall not be charged against the employee's annual leave.

Legal Reference: I.C. § 33-512 Governance of Schools
 I.C. § 73-108 Holidays Enumerated

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

PERSONNEL

5450

Vacation Leave

12 month classified and administrative employees shall accrue annual vacation leave benefits according to the following schedule:

<u>Year of Service with the District</u>	<u>Days of Annual Vacation Leave</u>
1-10	10 days
10-15	15 days
16-19	18 days
20+	20 days

Vacation leave is intended to be used during that year in which it is earned. Accumulation of unused vacation time will be allowed up to a total of 30 days.

Leave credits may not be advanced nor may leave be taken retroactively.

Prior approval by the administration must be given before vacation leave is taken.

If a legal holiday should fall within an employee's vacation period, the employee will be entitled to an additional day for that holiday. An employee is eligible for holiday pay if the employee worked during the payroll week in which the holiday fell or during the preceding payroll week. No additional time will be given if the employee is absent due to illness or if on unpaid leave.

Upon termination of employment, up to 30 days of unused vacation leave will be paid at the employee's daily rate of pay.

Nothing in this policy guarantees approval of the granting of specific days as annual vacation leave in any instance. Each request will be judged by the District in accordance with staffing needs.

Employees of less than six months duration will not accrue vacation benefits.

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

PERSONNEL

5460

Workers' Compensation Benefits

All employees and volunteers of the District are covered by Workers' Compensation benefits pursuant to, and in accordance with, the terms of the District's Worker's Compensation insurance policy. In the event of an injury or accident:

1. The injured employee shall immediately obtain first aid or emergency medical care as necessary to stabilize their medical condition. This treatment shall, to the extent possible, be in accordance with the requirements of the District's Worker's Compensation insurance policy.

Absent the need for emergency medical care, all school employees who require medical attention in the event of a workplace injury should communicate with the school's Human Relations Director with regard to seeking out medical attention at one of the designated Occupational Health Clinics.

2. The injured employee shall promptly report the accident and injury to his or her immediate supervisor.
3. The employee shall, if possible, immediately remediate the hazardous condition. If immediate remediation is not possible, the employee shall report the hazardous condition so it can be remediated as soon as possible.
4. The employee shall complete the District's Worker's Compensation report of injury forms with the District's Human Resources Department within forty-eight (48) hours of the accident (unless prohibited by the employee's medical condition, in which case the forms shall be completed as soon as the employee's medical condition reasonably allows).
5. On behalf of the employee, the District's Human Resources Department shall immediately report the injury and claim to the District's Worker's Compensation carrier to coordinate income, medical, and other benefits available to the employee under Idaho's Worker's Compensation Law.
6. In the event the employee is unable to work, the District shall allow the employee to take available sick leave benefits until the date that Worker's Compensation income benefits are made available to the employee under the District's Worker's Compensation insurance policy.

The District's Human Resources Department shall notify the immediate supervisor of the report and shall consult with the immediate supervisor when completing the required reports.

An employee who is injured in an accident may be eligible for Workers' Compensation benefits.

Upon receipt of a report of an accident, the District shall conduct an investigation to determine:

1. Whether continuing hazardous conditions exist that require remediation; and
2. Whether the employee's work environment caused or contributed to the reported accident.

The employee is required to cooperate with the District's Worker's Compensation insurance carrier to coordinate and effectuate appropriate medical treatment and to secure other available Worker's Compensation benefits, including but not limited to income benefits.

In all instances where an employee is unable to work as a result of an injury, the employee must obtain a written work release from their treating physician prior to returning to work. This release shall be provided to the employee's immediate supervisor who will make a copy and provide the original to the Human Resources Department for placement in the employee's personnel file.

Legal Reference: I.C. § 72-101, et seq. Workers' Compensation Act

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

PERSONNEL

5470

Leaves of Absence - Military Leave

General Policy

All District employees, other than those who are employed on a temporary basis, are entitled to military leave of absence when ordered to active duty for training as members of the Idaho National Guard or any component of the U.S. Armed Forces. Employees who volunteer, are drafted, or are ordered to extended active duty with any component of the U.S. Armed Forces shall be entitled to reinstatement to their former positions or comparable positions if the right is exercised in a timely manner as noted below.

The District shall notify each employee entitled to rights and benefits under the Uniformed Services Employment and Reemployment Rights Act (USERRA) of their rights, benefits, and obligations under USERRA and those of the District.

Notice to District

All employees should provide either written or oral notice of upcoming military training to the District as soon as reasonably practical. The employee or an appropriate officer of the branch of military in which the employee will serve may provide the notice. Employees who are ordered for such duty shall provide one copy of their orders to the Superintendent. Notice shall include date of departure and date of return for purposes of military training 90 days prior to the date of departure.

Military Leave for Training or Short Term Duty

Employees who are required to attend active duty, inactive-duty training, funeral honors duty, or field or coast defense training as a Reserve of the armed forces or member of the National Guard shall not suffer any loss of salary, seniority, or efficiency rating during the first 15 work days of such absence in any fiscal year. Leave will be without loss of benefits.

In the case of a part-time employee, military leave for training or short-term duty shall accrue at a rate of 15 days per year multiplied by a percentage determined by dividing by 40 the number of hours in the regularly scheduled workweek of that employee during that fiscal year. Unused leave shall accumulate until it totals 15 days.

Completion of Military Training

Upon completion of military training, the employee shall give evidence of the satisfactory completion of such training immediately thereafter. The employee shall be restored to his or her previous or similar position with the same status, pay, vacation leave, sick leave, bonus, advancement, and seniority. Such seniority shall continue to accrue during such period of absence.

Benefits for Uniformed Service Personnel On Active Duty

(Note: Federal law does not require an employer to pay the salary of an employee on military leave except as specified in “Military Leave for Training or Short Term Duty” above.)

Pension and Retirement Plans

Pension and retirement plans are considered a benefit to which reinstated employees are entitled. Any normal contributions will continue to be made for service members who are absent for 90 days or fewer. If the employee has been absent for military service for 91 days or more, the District may elect to delay making retroactive pension contributions until the employee submits satisfactory reemployment documentation.

Medical Insurance

Health benefits will be offered to the extent they are available to other employees on leave. An employee performing military service for 30 days or fewer is not required to pay more than the normal employee share of any health premium. If the employee’s military service is for 31 days to 24 months, the health plan will offer continuous coverage. An employee on military leave may elect to continue health care coverage through the District for up to 24 months after the military leave begins or for the period of military service, whichever is shorter. The District’s obligation to provide health benefits ends once an employee’s military leave exceeds 24 months. When the employee is reinstated, a waiting period or exclusion cannot be imposed if health coverage would have been provided to the employee had he or she not been absent for military service.

Reporting to District Once Military Leave is Complete

The standard military service length and reporting times are:

1 to 30 Days of Military Service: The employee reports to the District by the beginning of the first scheduled work day that falls eight hours after the end of the last calendar day of military service.

31 to 180 Days of Military Service: The employee must submit an application for reemployment no later than 14 days after completion of service in the armed forces. If the 14th day falls on a day when the District’s offices are not open or available to accept a reemployment application, the time extends to the next business day.

181 Days or More of Military Service: The employee must submit an application for reemployment no later than 90 days after completion of military service. If the 90th day falls on a day when the employee’s offices are not open or available to accept a reemployment application, the time extends to the next business day.

Cases of Disability: Employees who are hospitalized or recovering from a disability that was incurred or aggravated during the period of military service leave have up to two years to submit an application for reemployment.

There is an exception to these guidelines for those employees who, through no fault of their own, find themselves in a situation that makes it impossible or unreasonable to meet the required timetables. In those cases the employee must return to work as soon as possible.

Disqualification from Returning to Work

There are four conditions that disqualify an employee from exercising his or her right to reemployment after military service:

1. A dishonorable or bad conduct discharge;
2. Separation from the service under “other than honorable conditions”;
3. A commissioned officer’s dismissal via court martial or by order of the President; and
4. When a service member has been dropped from the rolls for being absent without authority or for civilian imprisonment.

Reinstatement to Positions after Extended Duty

Employees who volunteer, are drafted, or are called to active duty for extended periods will be placed on “Military Leave of Absence” upon written application and will be entitled to reinstatement to their former or similar positions upon their return and under the following conditions:

1. They must not have remained on active duty beyond their first opportunity for honorable or general release; and
2. They must report to claim reinstatement within the timelines specified under “Reporting to District Once Military Leave is Complete” above.

After an employee has been absent for 31 days or more of military service, the District may ask the employee or the employee’s military unit for documentation showing that:

1. The employee submitted a timely application for reemployment;
2. The employee’s length of military service has not exceeded the five year limitation; and
3. The employee’s separation from the military service meets the requirement for reemployment.

As a general rule, employees returning from military service must be reemployed in the job that they previously held, or would have attained had they not been absent for military service. If the employee was disabled while on military duty, or a disability is aggravated by military service, the District will make reasonable efforts to accommodate the disability.

Legal Reference:	I.C. § 46-224	Militia and Military Affairs/Entitled to Restoration of Position After Leave of Absence for Military Training
	I.C. § 46-407	Militia and Military Affairs/Reemployment Rights
	I.C. § 46-225	Militia and Military Affairs/Vacation, Sick Leave, Bonus and Advancement Unaffected by Leave
	38 USC §§ 4301	Uniformed Services Employment and Reemployment Act (“USERRA”).
	5 USC § 6323	Military Leave; Reserves and National Guardsmen

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

PERSONNEL

5480

Leadership Premiums

The Board shall have in place a plan and criteria for providing leadership premium compensation to reward teachers and pupil service staff for serving in a leadership capacity in their schools.

Leadership priorities will be based upon one or more of the criteria below as identified by a committee consisting of teachers, administrators, and other District stakeholders and approved by the Board. The decision as to whom and how many instructional and pupil service employees receive leadership premiums shall not be subject to collective bargaining and shall not become a part of the negotiated agreement.

Leadership Criteria

The Board shall award leadership premiums of a minimum of \$900 to certificated instructional and pupil service employees, regardless of such employee's full or part time status, in recognition of the additional time they will spend fulfilling one or more of the following leadership roles:

1. Teaching a course in which the student earns both high school and college credit;
2. Teaching a course to middle school students in which the students earn both middle school and high school credit;
3. Holding and providing service in multiple non-administrative certificate or subject endorsement areas;
4. Serving, or being hired to serve, in an instructional position designated as hard to fill by the Board, including a career technical education program;
5. Providing mentoring, peer assistance, or professional development to teachers in their first two years in the profession;
6. Having received professional development in career and academic counseling, and then providing career or academic counseling for students, with such services incorporated within or provided in addition to the teacher's regular classroom duties; and
7. Various other criteria designated by the Board, excluding duties related to student activities or athletics, that require the employee to work additional time such as:
 - A. Curriculum development;
 - B. Assessment development;
 - C. Data analysis;
 - D. Grant writing;
 - E. Special program coordinator;
 - F. Research project; and
 - G. Teaching professional development course;

[Note: Should the Board choose to identify various other criteria as eligible, a description of those duties should be included in the plan or identified in this policy.]

The Board may grant multiple leadership premiums to those performing multiple duties, but no employee shall receive leadership premiums that exceed 25% of the employee's minimum salary as designated on the career ladder.

These premiums shall be valid only for the fiscal year for which the awards are made. Duties related to student activities and athletics shall not be eligible for leadership premiums.

Legal Reference: I.C. § 33-1004F Obligations to Retirement and Social Security Benefits
I.C. § 33-1004J Leadership Premiums

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

PERSONNEL

5500

Personnel Files

The District maintains a complete personnel record for every employee, certificated and classified. Much of the information contained in employee personnel files is confidential and access to such files should be limited to the Superintendent, principal, supervisor, the employee, the employee's designee or representative, and school districts requesting information based upon Idaho Code for hiring.

A log of those persons other than the Superintendent, principal, or other administrative staff will be kept indicating the date and time of inspection; name of person requesting access; description of the records copied, if any; and the initials of the person providing the access and/or copies requested.

In accordance with federal law, the District shall release information regarding the professional qualifications and degrees of teachers and the qualifications of paraprofessionals to parents upon request, for any teacher or paraprofessional who is employed by a school receiving Title I funds, and who provides instruction to their child at that school. Access to other information contained in the personnel records of District employees is governed by Policy 4260 Records Available to the Public.

In accordance with state law, not later than 20 days after receiving a request from another Idaho public school, the District shall release information regarding job performance or job related conduct, as defined by Idaho Code, to school districts requesting such information for hiring purposes. See Policy 5100 Hiring Process and Criteria and Procedure 5500P Procedures for Obtaining Personnel Records for Applicants.

The District shall maintain official District files for employees.

An employee's official file shall be kept in the District administrative office. It should, at a minimum, contain the following records:

1. Application materials;
2. Contracts of employment;
3. Communications from the administration;
4. Performance evaluations;
5. Rebuttals to performance evaluations;
6. Parental input materials;
7. Written reprimands, directives, commendations, or awards;
8. Original statements and releases to and from hiring school districts;
9. A copy of the employee's job description signed by the employee;
10. A signed acknowledgement that the employee has received a copy of the District's sexual harassment policy;
11. A signed acknowledgement that the employee has received a copy of the District's email and internet use policy;

12. Documentation of additional training received, course work completed, in-services attended, etc.;
13. Documentation of fingerprints and background checks;
14. Documentation of record and reference checks pursuant to Idaho Code 33-1210;
15. Rebuttal documents;
16. Copies of certifications from the Office of the Superintendent of Public Instruction;
17. Transcripts of credits earned for credit review purposes;
18. Salary schedule placement; and
19. Any information relevant to the evaluation of the employee.

The file may contain notes and observations. Letters of recommendation will be kept in a separate, sealed file maintained by the Superintendent or a separate, sealed portion of the personnel file. Personal notes of supervisors should be placed in the personnel file, if they are relevant to the evaluation of the employee.

Each employee will be provided written notice of all materials placed in an employee's personnel file. Notice shall be provided within ten days of placement of information in the employee's file or, if possible, presented to the employee prior to placement in the file. An employee will have the opportunity to attach a rebuttal to any information placed in the employee's personnel file. An employee will have twenty-one days from the date written notice of placement to attach a statement or notification of rebuttal.

Upon request, an employee or the employee's designee or representative will have access to the employee's personnel file, with the exception of letters of recommendation, and will be provided copies, upon request within a reasonable period of time. The request, inspection, and/or copying of the file will be logged indicating the date and time; name of the person requesting access; description of the records copied, if any; and the initials of the person providing the access and/or copies requested.

Other Files upon Separation

Idaho law recognizes that other files may be kept relative to employees, such as investigative files. Upon separation of employment, all documents from such files, including investigative files, shall be moved into the employee's personnel file. Names of students, fellow employees, or complainants (with the exception of the employee's administrative supervisor or other administrative authors) shall be redacted from such documents before they are placed in the personnel file. Copies of such documents shall be provided to the employee within ten days of placement in the personnel file and written notice of their inclusion in the file by sending such to the employee's last known address. The employee shall be given the opportunity to file a rebuttal to such information in the same manner outlined above.

Record Keeping Requirements under the Fair Labor Standards Act

In addition to the information to be placed in an employee's personnel file set forth hereinabove, any and all payroll information required by the Fair Labor Standards Act shall also be kept for each employee as follows:

1. Records required for ALL employees:

- A. Name in full (same name as used for Social Security);
- B. Employee's home address, including zip code;
- C. Date of birth if under the age of nineteen;
- D. Gender (may be indicated with Male/Female, M/F, or a Mr., Mrs., Miss, or Ms.);
- E. Time of day and day of week on which the employee's work week begins;
- F. Basis on which wages are paid (such as \$5/hour, \$200/week, etc.);
- G. Any payment made which is not counted as part of the "regular rate";
- H. Total wages paid each pay period; and
- I. I-9.

2. Additional records required for non-exempt employees:

- A. Regular hourly rate of pay during any week when overtime is worked;
- B. Hours worked in any work day, meaning a consecutive 24 hour period;
- C. Hours worked in any work week, or work period in case of 207[k]);
- D. Total daily or weekly straight-time earnings, including payment for hours in excess of 40 per week, but excluding premium pay for overtime;
- E. Total overtime premium pay for a work week;
- F. Date of payment and the pay period covered;
- G. Total deductions from or additions to wages each pay period;
- H. Itemization of dates, amounts, and reason for the deduction or addition, maintained on an individual basis for each employee;
- I. Number of hours of compensatory time earned each pay period;
- J. Number of hours of compensatory time used each pay period;
- K. Number of hours of compensatory time compensated in cash, the total amount paid, and the dates of such payments;

Cross Reference:	4260 5100 5205 5240F 5330F 5340 5820	Records Available to the Public Hiring Process and Criteria Job Descriptions Sexual Harassment/Intimidation in the Workplace Policy Acknowledgement Employee Electronic Mail and On-Line Services Use Acknowledgment Evaluation of Certificated Personnel Evaluation of Non-Certified Staff
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Legal Reference:	29 USC 201, et seq. 29 C.F.R. § 516.2 and 3 I.C. § 33-517 I.C. § 33-518 I.C. § 33-1210 I.C. § 74-106	Fair Labor Standards Act Record Keeping Requirements Non-Certificated Personnel Employee Personnel Files Information on Past Job Performance Records Exempt from Disclosure – Personnel Files, etc.
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Policy History:

Adopted on:

Revised on:

Reviewed on:

Procedures for Releasing Personnel Records to Hiring School Districts

1. No later than 20 days after receiving a request from a hiring school district under the provisions of I. C. § 12-1210 the District shall provide the information requested and make available to the hiring school district copies of all documents in the past or current employee's personnel file relating to job performance or job related conduct. *[NOTE: The District may provide records in electronic format.]*

Pursuant to State law, the only information or documentation that the District must provide pursuant to a request under I.C. § 33-1210 is:

- A. All annual evaluations;
- B. Letters of reprimand;
- C. Letters of direction;
- D. Letters of commendation or award;
- E. Disciplinary actions and documentation of disciplinary investigations;
- F. Recommendations for probation;
- G. Notices of probation and notices of removal from probation;
- H. Recommendations for termination or nonrenewal;
- I. Notices of termination or nonrenewal;
- J. Notices from the professional standards commission of Idaho or any other such similar state agency of action taken against an individual's certificate; and
- K. Any rebuttal documentation filed by the employee relative to any of the above documents.

In an effort to save time and expense in responding to such requests, the District will provide only the above information in response to a request for documentation under I.C. § 33-1210. Names of students or fellow employee complainants, other than the employee's administrative evaluator or other administrative authors of communication to the employee, shall be redacted from information provided in response to a request.

2. No Board member or District employee shall enter into any agreement that has the effect of suppressing information about negative job performance by a present or former employee or expunge information about performance or misconduct from any document in an employee personnel file.
3. In fulfilling a request from a hiring school district, the District may choose to expunge information from an employee's personnel file relating to alleged verbal or physical abuse or sexual misconduct that has not been substantiated.
4. In fulfilling a request from a hiring school district, the District shall expunge information from an employee's personnel file on any materials for which disclosure would violate FERPA, HIPAA, or any other applicable federal law. The District shall also redact student names from

investigative or other documentation in the employee or former employee's file as well as any medical documentation.

5. No District employee who, in good faith, discloses information to the hiring school district either in writing, printed material, electronic material, or orally shall be held civilly liable for the disclosure.

Procedure History:

Promulgated on:

Revised on:

Reviewed on:

Council School District No. 13

PERSONNEL

5600

Staff Health

Medical Examinations

Through its overall safety program and various policies pertaining to school personnel, the Board shall promote the safety of employees during working hours and assist them in the maintenance of good health. It shall encourage all its employees to maintain optimum health through the practice of good health habits.

Under the circumstances defined below, the Board may require physical examinations of its employees. Results of such physical examinations shall be maintained in separate medical files and not in the employee's personnel file and may be released only as permitted by law.

Physical Examinations

If the work is of a physically demanding nature, subsequent to a conditional offer of employment and prior to a commencement of work, the District may require an applicant to have a medical examination and to meet any other health requirements that may be imposed by the State. The District may condition an offer of employment on the results of such examination, if all entering employees in the applicable job category are subject to such examination. If approved by personnel services, a 30 day grace period beginning from the date of employment may be allowed for the employee to obtain the required medical examination.

All bus drivers, including full-time, regular part-time, and temporary part-time drivers, shall be required to have a satisfactory medical examination prior to employment.

Contagious or Infectious Diseases

If a staff person has a contagious or infectious disease and has knowledge that a person with compromised or suppressed immunity attends the school, the staff person must notify the school nurse or other responsible person designated by the District that he or she has a contagious or infectious disease which could be life threatening to an immune compromised person. The school nurse or other designated person must determine, after consultation with and on the advice of public health, if the immune compromised person needs appropriate accommodation to protect their health and safety.

An employee with a contagious or infectious disease shall not report to work during the period of time in which the employee is infectious. An employee afflicted with a contagious or infectious disease capable of being readily transmitted in the school setting (i.e. airborne transmission of tuberculosis) shall be encouraged to report the existence of the illness in case there are precautions that must be taken to protect the health of others. The District reserves the right to require a statement from the employee's primary care provider prior to the employee's return to work.

Confidentiality

In all instances, District personnel shall respect the individual's right to privacy and treat any medical diagnosis as confidential information. Any information obtained regarding the medical condition or history of any employee shall be collected and maintained on separate forms and in separate medical files and be treated as confidential information. Only those individuals with a legitimate need to know, such as those persons with a direct responsibility for the care of or for determining work place accommodation for the staff person, will be provided with necessary medical information.

Supervisors and managers may be informed of the necessary restrictions on the work or duties of the employee and necessary accommodations. First aid and safety personnel may be informed, when appropriate, if the disability might require emergency treatment.

Legal Reference: 29 U.S.C. 794, Section 504 of the Rehabilitation Act
29 CFR, Section 1630.14(c)(1)(2)(3)
41 U.S.C. 12101, et seq. Americans with Disabilities Act

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

PERSONNEL

5610

Prevention of Disease Transmission

All District personnel shall be advised of routine procedures to follow in handling body fluids. These procedures shall provide simple and effective precautions against transmission of diseases to persons exposed to the blood or body fluids of another. These procedures shall be standard health and safety practices. No distinction shall be made between body fluids from individuals with a known disease or infection and from individuals without symptoms or with an undiagnosed disease.

The administration shall develop, in consultation with public health and medical personnel, procedures to be followed by all staff. The procedures shall be distributed to all staff, and training on the procedures shall occur on a regular basis. Training and appropriate supplies shall be available to all personnel, including those involved in transportation and custodial services.

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

PERSONNEL

5700

Substitutes

The term “substitute teacher” as defined in I.C. § 33-512(15) is any individual who temporarily replaces a certificated classroom educator and is paid a substitute teacher wage for one day or more during a school year.

The State Department of Education shall maintain a statewide list of substitute teachers.

To remain on the statewide substitute teacher list the substitute teacher shall undergo a criminal history check every five years.

The Board authorizes the use of substitute teachers as necessary to replace teachers who are temporarily absent. The principal shall arrange for the substitute to work for the absent teacher. Under no condition is a teacher to select or arrange for a private substitute.

The Board annually establishes a daily rate of pay for substitute teachers. Subject to the terms of a current collective bargaining agreement, no fringe benefits are given to substitute teachers.

Substitutes for classified positions will be paid by the hour.

Cross Reference: 5110 Criminal History / Background Checks

Legal Reference:	I.C. § 33-130	Criminal History Checks for School District Employees or Applicants for Certificates
	I.C. § 33-512(15)	Governance of Schools

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

PERSONNEL

5710

Paraprofessionals, Teachers' Aides and Paraeducators

Teachers' aides and paraeducators, as defined in the appropriate job descriptions, are under the supervision of a principal and a teacher to whom the principal may have delegated responsibility for close direction. The nature of the work accomplished by paraeducators will encompass a variety of tasks that may be inclusive of "limited instructional duties."

Under federal law, a paraprofessional, also known as a "paraeducator," an "education assistant" or an "instructional assistant," is defined as an individual who is employed in a preschool, elementary school, or secondary school under the supervision of a certificated or licensed teacher, and includes persons employed in language instruction educational programs, special education programs, and migrant education programs.

Paraeducators are employed by the District mainly to assist the teacher. A paraeducator is an extension of the teacher, who legally has the direct control and supervision of the classroom or playground and is responsible for the control and welfare of the students.

In compliance with applicable legal requirements, the Board shall require all paraeducators with instructional duties that are newly hired in a Title I school-wide program to have a high school diploma or general equivalency diploma (GED) **and**:

1. Demonstrate through a state approved academic assessment knowledge of and the ability to assist in instructing or preparing students to be instructed as applicable to the academic areas they are providing support in; **or**
2. Have completed at least two (2) years of study at an accredited postsecondary educational institution,; **or**
3. Obtained an associate degree or higher level degree;

It is the responsibility of each principal and teacher to provide adequate training for a paraeducator. This training should take into account the unique situations in which a paraeducator works and should be designed to cover the general contingencies that might be expected to pertain to that situation. During the first 30 days of employment, the supervising teacher or administrator shall continue to assess the skills and ability of the paraeducator to assist in reading, writing, and mathematics instruction.

The Superintendent shall develop and implement procedures for an annual evaluation of teachers' aides and paraeducators. Evaluation results shall be a factor in future employment decisions.

Cross Reference: 1315 District Planning
Legal Reference: 20 USC § 6312 Local Agency Plans, as amended by ESSA of 2015
20 USC § 6314 School Wide Programs, as amended by ESSA of 2015
20 USC §§ 7011, 7801 Definitions, as amended by ESSA of 2015
IDAPA 08.02.02.0007.10.a Paraprofessional

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

PERSONNEL

5725

Private Service Providers/Consultants

The District encourages the use of private service providers and professional consultants as resource individuals when such consultative services will be helpful in the improvement of the educational program of the District. The District, through the Superintendent as its designee, may enter into contracts with private service providers and/or consultants to provide necessary services to students.

Services provided by a private service provider/consultant (hereinafter referred to as "PSP"), and the frequency and duration of such services, shall be pursuant to the terms of the contract between the PSP and the District. Any contract the District enters into with the PSP shall provide the responsibility for eligibility determination, choice of educational methodology, and other determinations of educational services and programs which shall be retained at all times by the District.

Prior to being hired, the PSP shall undergo a background check in the same manner as any new employee or volunteer of the District. The same requirements shall apply to the PSP.

The Superintendent or designee shall conduct periodic reviews of the services of the PSP. The Board may request that the Superintendent provide the Board with the review findings of the PSP.

Consultants shall exercise no authority over the work of District employees, but shall act only as advisors in those fields in which they are qualified to offer assistance and for which they are employed.

Compensation

PSP compensation shall be approved by the Board prior to invitation and arrangement for visitation by such person or persons to the District except when such compensation is within the amount specifically budgeted. If reimbursement is obtained through Medicaid, the PSP shall agree in the contract that those services will not exceed the approved Medicaid rate.

All consultants shall be hired based on a written contract which shall not exceed 12 months.

Confidentiality

The PSP shall at all times maintain confidentiality pursuant to the Family Educational Records and Privacy Act (FERPA) of all records of services, including, but not limited to, identifying information regarding the student and services, observations, evaluations, and assessments.

Definition

Private service provider or consultant means a person, group, agency, or organization that meets the following conditions:

1. Is not an employee of the District or a public agency with legal jurisdiction over the circumstances related to the provider/consultant's involvement with the student; and
2. Is paid for services provided to the student.

Examples of private service providers include psychologist, counselor, targeted service provider, behavioral therapist, speech therapist, occupational therapist, physical therapist, social worker, and psychosocial rehabilitation specialist.

Examples of consultants include attorney, auditor, architect, agents of record, and others with technical skills or professional training.

Cross References:	4420 4600 5110 5725	Sex Offenders Volunteer Assistance Criminal History/Background Checks Private Service Providers/Contractors
Legal References:	20 U.S.C. § 1232g, <i>et seq.</i> 34 C.F.R. Part 99 I.C. § 33-512	Family Education Right to Privacy Act (FERPA) Implementing FERPA Governance of Schools

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

PERSONNEL

5730

Volunteer—Authorization to Release Information

To Whom it May Concern:

I, _____, am seeking a volunteer assignment with the Council School District. I acknowledge that a complete investigation into my background is necessary to protect the safety and welfare of the children in the Council School District. I hereby expressly and voluntarily give the Council School District the right to make a thorough investigation of my past employment, education, and activities. I understand that the Council School District reserves the right to use any lawful method of investigation that, in its sole discretion, it deems reasonable and necessary.

This document is effective until revoked in writing by me.

Signature: _____ Date: _____

Printed Full Name: _____

Printed Full

Address: _____

_____ Birth

Date: _____ Social Security Number:

State of Idaho, County of Adams

On this ____ day of _____, 20__, before me, a notary public of the State of Idaho, personally appeared _____, known to me to be the person named in the foregoing Release, and acknowledged to me that _____ executed the same as _____ free act and deed, for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal the day and year in this certificate first above written.

Notary Public, State of Idaho
County of Adams
My commission expires _____

Council School District No. 13

PERSONNEL

5740

Reduction in Force

It is recognized that the Board has the responsibility to maintain good public elementary and secondary schools and to implement the educational interest of the State, consistent with State and federal educational requirements, including District improvement plans, accreditation requirements, and other school-based issues. However, recognizing also that it may become necessary to eliminate certificated staff positions in certain circumstances, this policy is adopted to provide a fair and orderly process should such elimination become necessary.

The Board has the sole and exclusive authority to determine the appropriate number of certificated employees and to eliminate certified staff positions consistent with the provisions of the State law. A reduction of certified employees may occur as a result of, but not be limited to, the following examples or from other conditions necessitating reductions:

1. Decreases in student enrollment;
2. Changes in curriculum or programs
3. Staffing limitations of the District; or
4. Negative changes in the financial conditions of the District.

The need for implementation of a reduction in force or the elimination of certificated positions is left to the sole discretion of the Board provided however, that no such decision shall be made until after completion of the written evaluation for each certificated staff member and that the decision as to which employee(s) shall be subject to such reduction shall not be made solely on consideration of seniority or contract status.

The Board may choose to implement a reduction in force through the elimination of:

1. An entire program or portions of programs;
2. Positions in certain grade levels only;
3. Positions by category;
4. Positions in an overall review of the District;
5. A portion or percentage of a position or positions; or
6. Any combination of the above.

Legal Reference:	I.C. § 33-514	Issuance of Annual Contracts
	I.C. § 33-515	Issuance of Renewable Contracts
	I.C. § 33-522	Financial Emergency
	I.C. § 33-522A	Reductions in Force

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

PERSONNEL

5740F

Name: _____

Location: _____

Subject of Instruction: _____

CRITERIA AND MEASURE	POINT VALUE	DATA SOURCE	TOTAL POINTS
TEACHER EVALUATION	____ Total Points Possible		
For every evaluation determination of exceeding expectations on District Evaluation	____ points		
For every evaluation determination of meeting expectations on District Evaluation	____ points		
PROFESSIONAL STANDARDS AND CONDUCT	____ Total Points Possible		
No documented offenses in violation of professional standards or District Policies. For each documented offense in violation of professional standards or District Policy, as documented through a reprimand, suspension, or other documented notation, subtract ____ points from the total possible points	____ points		
EDUCATIONAL CERTIFICATION AND CREDENTIALS	____ Total Points Possible		
Highly qualified in subject matter of instruction	____ points		

Highly qualified in hard to fill position as determined by board*	____ points		
Highly qualified in multiple subject matters of instruction	____ points per each subject matter of instruction for which Highly Qualified		
Advanced Degree – MA/MS	____ points per degree		
Advanced Degree – Doctorate	____ points per degree		
Other Advanced Degree	____ points per degree		
National Board Certification	____ points		
Instructs in a course necessary for high school graduation requirements	____ points		
Instructs in course necessary for middle school advancement	____ points		
PROFESSIONAL CONTRIBUTIONS	____ Total Points Possible		
Lead Teacher	____ points		
Master Teacher	____ points		
Advisor of co-curricular activity	____ points		
Advisor of extracurricular activity	____ points		
TIE BREAKER CONSIDERATIONS			
Number of Certifications for which highly qualified	____ points		
Years of service in the District	____ points		
TOTAL SCORE			

*Highly Qualified Hard to Fill positions have been determined by the Board to include:

Council School District No. 13

PERSONNEL

5740P

Reduction in Force Procedures

The following definition and procedures shall be used for conducting a reduction in force.

Definition

As used in this procedure, “teacher” shall apply to any employee of the District who holds a certificate issued by the State Board of Education who is employed in a teaching or administrative position, below the rank of Superintendent.

Procedures

1. Prior to commencing action to terminate teacher contracts under these procedures, the Board will give due consideration to its ability to effectuate position elimination and/or reduction in staff by:
 - A. Voluntary retirements;
 - B. Voluntary resignations;
 - C. Transfer of existing staff members; or
 - D. Voluntary leaves of absence.
2. In the event a reduction in force is required, teachers who are retained pursuant to these procedures may be reassigned if suitable position openings are available in instructional areas for which they are highly qualified and for which the principal has approved transfer pursuant to Idaho Code.
3. In the Board’s determination as to the individuals to be released pursuant to the Reduction in Force, consideration will be given to the criteria set out below. Each criterion shall be considered in terms of the total context when selecting those employees who are to be considered for release pursuant to the provisions of these procedures. The following criteria will be considered:
 - A. Area(s) of certification for which the teacher is highly qualified which are classified by the District as hard to fill positions;
 - B. Number of areas of certification for which the teacher is highly qualified;
 - C. Educational or degree status;
 - D. National certifications held;
 - E. Position as a Lead or Master Teacher within the District;
 - F. Whether or not the teacher is highly qualified in a course necessary for high school graduation requirements;
 - G. Whether or not the teacher is highly qualified in a course necessary for middle school advancement;
 - H. Contribution and/or involvement in extracurricular or cocurricular positions with students;

- I. Compliance with Professional Standards and Conduct over the course of employment with the District; and
- J. Teacher evaluation, including components required by Idaho Code to be encompassed in teacher evaluation.

It is the intention of the Board that the individual and cumulative effect of each criterion on the welfare of students and the best long-term and short-term interest of the District be considered.

It is further the intent of the Board that primary consideration be the quality of instruction and the progress that students are making throughout the course of the school year, as well as that properly endorsed highly qualified instructors be in classroom positions in order for the District to be compliant with federal and State education requirements. Thus, each criterion shall be considered in terms of this total context.

The factors for consideration shall be reviewed on an annual basis by the District's administration to determine whether factors should be added, eliminated, or weighted differently. Such recommendations for modification will then be brought before the Board for consideration.

4. The Human Resources Department shall advance notice of the possible reduction in force to all teachers who may be released, based upon the number of teachers who may be released, in whole or in part, and the school programs, teacher positions, or categories of positions that may be affected.
5. Upon receipt of this notification, it is recommended that the subject teachers review their personnel file materials with the District's Administrative Office to assure that the school has appropriate information relating to the various criteria referenced above.
 - A. If a teacher receiving a teacher profile believes that there is an error, the teacher shall notify the Human Resources Department of their concern of an error, in writing, by the close of the school day on the 10th school day after the teacher has received notice of the possible reduction in force.
 - B. This written notice shall specifically identify what element or elements of the teacher's personnel file and criteria are believed to be erroneous and explain specifically why the element(s) is believed to be in error.
 - C. If the District receives notice of possible error, each such written notice, timely received, shall be individually reviewed for possible reconsideration or evaluation of the information used in consideration of the Reduction in Force.
 - D. Should a teacher fail to inspect his or her personnel file and have inaccurate information in their personnel file and/or have failed to provide the District with updated information, the information contained in the file will be utilized for the Reduction in Force determination and the teacher will not have the opportunity to subsequently correct such information after the reduction in force has been implemented.

6. If the Board determines that a reduction in force will be implemented, the Superintendent shall submit a list of the teachers recommended for release, through use of the above process, and shall make recommendation to the Board as to what due process, if any, the Board needs to implement for each individual personnel situation.
7. All releases shall be done in conformance with the applicable provisions of Idaho Code and all affected teachers will be promptly notified, in writing, of the Board's decision or actions that need to be taken by the Board relating to applicable due process activities, if any.

Procedure History:

Promulgated on:

Revised on:

Reviewed on:

Employing Retired Teachers and Administrators

One of the Board's personnel goals is to recruit, select, and employ the best qualified personnel to staff the schools within the District. As such, retired employees who leave the District in good standing may be re-employed according to the following guidelines:

1. The District may employ certificated teachers and administrators who are receiving retirement benefits from the public employee retirement system of Idaho (PERSI) for positions requiring such certification provided such individuals were not promised "rehire" by the District before their retirement was in effect. Said employees are hereinafter referred to as "retiree" or "retirees".

These employees shall be employed on a Standard Retired Teacher Contract or Standard Retired Administrator Contract form that has been approved by the State Superintendent of Public Instruction.

2. Any employment contract between the District and retirees shall be separate and apart from the collective bargaining agreement or master agreement between the District and the local teachers association.
3. Retirees employed consistent with this policy and State law shall accrue one (1) day per month of sick leave. No annual sick leave shall be accumulated unless additional sick leave has been negotiated between each individual retiree and the District at the time of employment. Sick leave accrued under Idaho Code § 33-1004H does not qualify for unused sick leave benefits under Idaho Code § 33-1228.
4. The District will provide health insurance and life insurance benefits for retirees hired consistent with this policy.
5. The District shall not employ certificated teachers and administrators who receive or received benefits under the previously existing early retirement program provided in now repealed Idaho Code 33-1004G.
6. Retirees who qualify to be rehired are those who have:
 - A. Reached the Rule of 90;
 - B. Are not participating in the early retirement program;
 - C. Who are retired at or after 60 years of age;
 - D. Have never received a "promise of rehire" before their retirement date; and
 - E. Have received at least one payment from their PERSI retirement account;
7. Employees hired pursuant to this policy and who are assigned to work in a specific District building will only be hired and placed into the building upon the approval and consent of the building principal as per Idaho Code 33-523.

Cross Reference: 5100 Hiring Process and Criteria

Legal Reference:	I.C. § 33-513	Professional Personnel
	I.C. § 33-1004H	Employing Retired Teachers and Administrators
	I.C. § 33-1228	Severance Allowance at Retirement
	I.C. § 59-1356	Reemployment of Retired Members

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

PERSONNEL

5800

Classified Employment, Assignment, and Grievance

Classified employees are those noncertificated employees who are employed by the District or personnel hired in positions which do not require certification.

With the exception of those classified employees specifically hired by the Board as holding a status of not at-will, all classified employees shall be regarded as “at-will” employees and may be dismissed at the will of either party and the employment relationship may be terminated at any time for any or no reason, so long as the same does not violate public policy or violate any other provision of law. Such at-will designation will be included in all job descriptions and related written documentation, should the same be implemented by the District. An employment period, as well as other terms and conditions of employment set forth in a job description and/or written documentation shall not create a property right as such are included for the specific purpose only of providing notice to the employee of the service and expectations of the District so long as the employment relationship continues.

Classified employees shall have no expectation of continued employment, unless so expressly specified by the District’s Board. The District reserves the right to change employment conditions affecting the employee’s duties, assignment, supervisor, or grade.

The Board shall determine the salary and wages for classified personnel.

The grievance procedure for classified employees shall be the procedure set forth in Idaho Code. Classified employees may file a written grievance alleging a violation of current, written District approved policy, procedure, or employee handbook, a condition or conditions that jeopardize the health or safety of the employee or another, or tasks assigned outside of the employee's essential job functions and for which the employee has no specialized training. However, neither the rate of pay nor the decision to terminate an employee during the initial 180 days of employment shall be regarded as a proper grievable matter.

Cross Reference: 5800P

Classified Employee Grievance Procedure

Legal Reference: I.C. § 33-517

Non-Certificated Personnel

I.C. § 33-1201

Certificate Required

Metcalf v. Intermountain Gas Co., 116 Idaho 622 (Idaho 1989).

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

PERSONNEL

5800P

Classified Employee Grievance Procedure

Classified employees may file a written grievance alleging a violation of current, written District approved policy, procedure, or employee handbook, a condition or conditions that jeopardize the health or safety of the employee or another, or tasks assigned outside of the employee's essential job functions and for which the employee has no specialized training in strict accordance with the procedure set forth herein. For the purposes of this procedure current, written District policy means the policy in place and approved by the Board as of the date of the incident giving rise to the grievance and not any previous or subsequent policy.

Neither the rate of pay nor the decision to terminate an employee during the initial 180 days of employment shall be regarded as a proper grievable matter.

A classified employee filing a grievance pursuant to this procedure shall be entitled to a representative of their choosing at each step of the grievance process outlined herein. Additionally, the person against whom the grievance is filed and the Superintendent or his or her designee shall be entitled to a representative at each step of the grievance process outlined herein. None of these individuals will be qualified to sit on the advisory grievance panel.

Neither the Board nor any member of the administration shall take reprisals affecting the employment status of any party in interest. The employee filing a grievance shall not take any reprisals regarding the course of the outcome of the grievance nor take any reprisals against any party or witness participating in the grievance.

Level 1: Informal

A classified employee with a complaint is encouraged to first discuss it with his or her immediate supervisor with the objective of resolving the matter promptly and informally. An exception is that complaints of sexual harassment should be discussed with the first line administrator that is not involved in the alleged harassment or with the Title IX coordinator or administrator.

Level 2: Administration

If the complaint is not resolved at Level 1, the grievant may file a written grievance stating:

1. The nature of the grievance; and
2. The remedy requested.

It must be signed and dated by the grievant. The Level 2 written grievance must be filed with the District's human resources administrator within six working days of the event or incident giving rise to the grievance.

Within six working days of receipt of the grievance, the District's human resources administrator shall schedule an informal grievance meeting with the grievant, the employee against whom the grievance is filed, any known advocates, as well as a District administrator who will not be

involved in the statutory grievance process. The purpose of the meeting shall be to attempt to find a resolution to the employee grievance.

If the complaint alleges a violation of Title IX, Title II, Section 504 of the Rehabilitation Act, or sexual harassment, the person who received the written grievance shall turn the complaint over to the nondiscrimination coordinator who shall investigate the complaint. The District has appointed nondiscrimination coordinators to assist in the handling of discrimination complaints. The coordinator will complete the investigation and file the report with the Superintendent within 30 days after receipt of the written grievance. The coordinator may hire an outside investigator if necessary. If the Superintendent agrees with the recommendation of the coordinator, the recommendation shall be implemented. If the Superintendent rejects the recommendation of the coordinator, and/or either party is not satisfied with the recommendations from Level 2, either party may make a written appeal within 15 days of receiving the report of the coordinator to the Board for a hearing.

Level 3: Superintendent

If a resolution is not reached during the informal grievance meeting, the individual against whom a grievance is filed shall file a written response to the employee grievance within six working days after the conclusion of the informal grievance meeting. Thereafter, the employee may appeal the grievance to the Superintendent or his or her designee within six working days of the receipt of the written response or within six working days from the date the written response was due if the classified employee received no written response. Within six working days of an appeal, the Superintendent or designee shall provide a written response to the employee.

Level 4: Hearing Panel

If the classified employee is not satisfied with the decision of the Superintendent or his or her designee or there is no response from the Superintendent or designee, the employee may request a review of the grievance by a hearing panel within six working days of the response or lack thereof. A written appeal must be submitted to the Board and within ten working days of receiving the appeal the Board shall convene a hearing panel consisting of three persons; one to be selected by the Board, one to be selected by the employee and one to be mutually agreed upon by the two appointed members of the panel. The panel shall submit its decision in writing to the employee, the Superintendent, and the Board within ten working days of completing its review.

Level 5: The Board

The panel's decision shall be final unless the Board overturns the panel's decision by resolution at the Board's next regularly scheduled public meeting. The decision of the Board will be final, unless appealed within 42 calendar days of the Board's resolution to overturn the panel's decision in the district court in the county in which the School District is located.

Procedure History:

Promulgated on:

Revised on:

Reviewed on:

Compensatory Time and Overtime for Classified Employees

Classified employees who work more than 40 hours in a given work week may receive overtime pay of one and one-half times the normal hourly rate unless the District and the employee agree to the provision of compensation time at a rate of one and one-half times all hours worked in excess of 40 hours in any work week. No overtime is authorized for any classified employee without the specific approval of the Superintendent, except as the Superintendent shall otherwise prescribe.

A classified employee may not volunteer work time in an assignment similar to his or her regular work without pay.

A non-exempt employee who works overtime without authorization may be subject to disciplinary action.

A general notice from the Department of Labor explaining the explaining the Fair Labor Standards Act, as prescribed by the Department's Wage and Hour Division, will be posted prominently where it can be readily seen by employees and applicants and shall either be distributed to each new employee upon hiring or will be included in employee handbooks. No notification of rights under the Fair Labor Standards Act or related regulations should be construed to alter any applicable at-will employment relationship between the District and an employee.

[NOTE: Please be advised that comp time is not required. If a district adopts a comp time policy, there are basically two types of employees: 1) Those who are covered before the policy was adopted need to be treated on a case-by-case basis, and the agreement to allow comp time must be entered into before the work is performed; and 2) Those hired after the policy is in place.]

Legal Reference: 29 USC 201, et seq. Fair Labor Standards Act
29 CFR 516.4 Posting of Notices

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

PERSONNEL

5815

Employee Compensation by Annualized Election

The Council School District offers its employees an annualized election. For the purpose of this policy, an annualized election means that the employee is allowed to choose between being paid only during the school year and being paid over a 12 month period and the employee chooses to be paid over the twelve month period. Employees who choose an annualized election are deferring part of their income from one year to the next.

Annualized Election

If an employee selects the annualized election option, the employee must do so no later than the end of the prior year. For example, if an employee would like to defer his or her salary that would be earned in 2008, then an election would need to be made by December 31, 2007. The employee shall cooperate with the following guidelines:

1. The employee must give written or electronic election to the District that notifies the District that the employee wants to defer compensation;
2. The election must be made before the beginning of the work period;
3. The election is to remain in place until the employee elects a change. Employees cannot change their election during the school year;
4. The election is irrevocable so that it cannot be changed after the work period begins; and
5. The election must state how the compensation is going to be paid if the election is made.

Legal Reference: I.C. §§ 45-606 through 45-617 Claims for Wages

Other References: Internal Revenue Service, Newsroom Article, Announcement IR-2007-142, August 7, 2007, "New Rule Will Not Affect Teacher Salaries in Upcoming Year"
Internal Revenue Service, Newsroom Article, August 7, 2007, "Frequently Asked Questions: Sec. 409A and Deferred Compensation"

Policy History:

Adopted on:

Revised on:

Reviewed on:

(This policy is for informational purposes. If you have any questions regarding the IRS Rule, annualized elections, or any other accounting issues, please contact the District's tax advisor or legal counsel.)

Council School District No. 13

PERSONNEL

5815F1

Notice of Election for Annualized Salary

[This form should be used by districts that choose to offer the annualized election to employees.]

[The School District should provide this document to all school employees who work less than 12 months and choose to be paid over 12 months. This document should be provided to school employees before the beginning of the work period for the ensuing school year.]

This is to notify the Council School District that I have elected, beginning with the _____ school year, to have the salary for the approximately ten month period during which I actually perform services paid out over a 12 month period. My total salary is \$_____.

The payments should be made in [choose one]: **[The District should include each of the following options that it allows.]**

_____ 12 equal monthly payments

_____ 24 equal bi-monthly payments (or 26 equal payments every 2 weeks)

_____ Equal monthly payments beginning in the month of September, or on the date specified in any applicable collective bargaining agreement, with a final lump sum payment in June encompassing all remaining payments due for June, July, and August or the final 3 months of the 12-month payment period.

_____ Equal bi-monthly payments beginning in the month of September, or on the date specified in any applicable collective bargaining agreement, with a final single lump sum payment in June encompassing all remaining payments due for June, July, and August or the final 3 months of the 12-month payment period.

[If the employer or the collective bargaining agreement allows, the employee may have other options for how the salary will be paid out, and the notice of election form should be drafted to permit the employee to elect to utilize these options.]

If I elect to receive payments in a form that includes a lump sum payment in June encompassing all remaining payments due for June, July, and August or the final 3 months of the 12-month payment period, the employer shall retain full discretion to pay the amount of this lump sum in the form of equal monthly or bi-monthly payments over the final 3 months of the 12-month payment period.

In the event a separation from service occurs before the end of the 12-month payment period, I will be entitled to an additional payment for the amount I have actually earned from the beginning

of the 12-month pay period until the date of my separation from service, but which has not yet been paid. This additional payment will be included in my final paycheck. For this purpose, "separation from service" shall have the same meaning as that term is defined in section 1.409A-1(h) of the Treasury Regulations.

This notice is irrevocable for any particular school year, and may not be changed or withdrawn after the beginning of the school year in which I am working. This notice will be effective for the _____ school year and all following school years, unless I choose to change my election. If I choose not to have my salary deferred in any future school year and be paid only during the period that I actually perform services, I will so notify the employer in writing prior to beginning work for that school year.

This notice shall have no effect if not submitted to the District prior to the time I begin working for the _____ school year.

Signature: _____ Date: _____

Print Name: _____

Employee ID Number: _____

Reminder to Employees: This form must be submitted to the District before the beginning of the work period for the _____ school year.

Council School District No. 13

PERSONNEL

5820

Evaluation of Non-Certificated Staff

Each noncertified staff member's job performance shall be evaluated by the staff member's direct supervisor. The evaluation process includes scheduled evaluations on forms applicable to the job classification and description, and day-to-day appraisals.

The supervisor shall provide a copy of the completed evaluation to the staff member and shall provide an opportunity to discuss the evaluation. The original should be signed by the staff member and filed with the Superintendent. If the staff member refuses to sign the evaluation, the supervisor should note the refusal and submit the evaluation to the Superintendent. The employee will be allowed the opportunity to attach a rebuttal to any information contained in the evaluation.

This policy shall be made available to any District employee or person seeking employment with the District.

Cross Reference: 5205 Job Descriptions

Legal Reference: I.C. § 33-517 Non-certificated Personnel
 I.C. § 33-518 Employee Personnel Files

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

PERSONNEL

5825

Evaluation of School Bus Drivers

Each school bus driver shall be evaluated annually by the transportation supervisor or the District's school bus driver trainer for the purpose of assessing driver performance. This evaluation shall be conducted in accordance with Policy § 5820, and may use the model driver evaluation form provided by the State Department of Education's Transportation Department.

The completed evaluation and any rebuttal attached by the driver shall be retained in the driver's personnel file.

Cross Reference: 5205 Job Descriptions
5800 Classified Employment, Assignment, and Grievance
5820 Evaluation of Non-Certified Staff

Legal Reference: I.C. § 33-517 Non-certificated Personnel
 I.C. § 33-518 Employee Personnel Files
 Standards for Idaho School Buses and Operations

Other Reference: Standards for Idaho School Buses and Operations (available at:
<https://boardofed.idaho.gov/resources/standards-for-idaho-school-buses-and-operations/>)

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

PERSONNEL

5830

Drug and Alcohol Testing for School Bus and Commercial Vehicle Drivers

The District shall adhere to federal law and regulations requiring a drug and alcohol testing program for school bus and commercial vehicle drivers.

This program shall comply with the requirements of the Code of Federal Regulations, Title 49, §§ 382, et seq. The Superintendent shall adopt and enact regulations consistent with the federal regulations, defining the circumstances and procedures for the testing.

Legal Reference: 49 U.S.C. § 2717, Alcohol and Controlled Substances Testing (Omnibus Transportation Employee Testing Act of 1991)
49 C.F.R. Parts 40 Procedures for Transportation Workplace Drug and Alcohol Testing Programs, 382 Controlled Substance and Alcohol Use and Testing, and 395 Hours of Service of Drivers
49 U.S.C. § 5331, 31306 Omnibus Transportation Employee Testing

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

PERSONNEL

5830P

Drug and Alcohol Testing for School Bus and Commercial Vehicle Drivers

School bus and commercial vehicle drivers shall be subject to a drug and alcohol testing program that fulfills the requirements of the Code of Federal Regulations, Title 49, Part 382.

Other persons who drive vehicles designed to transport 16 or more passengers, including the driver, are likewise subject to the drug and alcohol testing program.

Testing procedures and facilities used for the tests shall conform with the requirements of the Code of Federal Regulations, Title 49, §§ 40, et seq.

Pre-Employment Tests

Tests shall be conducted before the first time a driver performs any safety-sensitive function for the District.

Safety-sensitive functions include all on-duty functions performed from the time a driver begins work or is required to be ready to work, until he or she is relieved from work and all responsibility for performing work. It includes driving; waiting to be dispatched; inspecting and servicing equipment; supervising, performing, or assisting in loading and unloading; repairing or obtaining and waiting for help with a disabled vehicle; performing driver requirements related to accidents; and performing any other work for the District or paid work for any entity.

The tests shall be required of an applicant only after he or she has been offered the position.

Exceptions may be made for drivers who have had the alcohol test required by law within the previous six months and participated in the drug testing program required by law within the previous 30 days, provided that the District has been able to make all verifications required by law.

Post-Accident Tests

Alcohol and controlled substance tests shall be conducted as soon after an accident as practicable on any driver:

1. Who was performing safety-sensitive functions with respect to the vehicle, if the accident involved loss of human life; or
2. Who receives a citation under State or local law for a moving traffic violation arising from the accident.

Drivers shall make themselves readily available for testing, absent the need for immediate medical attention.

No such driver shall use alcohol for eight hours after the accident, or until after he or she undergoes a post-accident alcohol test, whichever occurs first.

If an alcohol test is not administered within two hours or if a drug test is not administered within 32 hours, the District shall prepare and maintain records explaining why the test was not conducted. Tests will not be given if not administered within eight hours after the accident for alcohol or within 32 hours for drugs.

Tests conducted by authorized federal, State, or local officials will fulfill post-accident testing requirements provided they conform to applicable legal requirements and are obtained by the District. Breath tests will validate only the alcohol test and cannot be used to fulfill controlled substance testing obligations.

Random Tests

Tests shall be conducted on a random basis at unannounced times throughout the year. Tests for alcohol shall be conducted just before, during, or just after the performance of safety-sensitive functions. The number of random alcohol tests annually must equal 25% of the average number of driver positions. The number of random drug tests annually must equal 50% of the average number of driver positions. Drivers shall be selected by a scientifically valid random process, and each driver shall have an equal chance of being tested each time selections are made.

Reasonable Suspicion Tests

Tests shall be conducted when a supervisor or District official trained in accordance with law has reasonable suspicion that the driver has violated the District's alcohol or drug prohibitions. This reasonable suspicion must be based on specific, contemporaneous, articulable observations concerning the driver's appearance, behavior, speech, or body odors. The observations may include indications of the chronic and withdrawal effects of controlled substances.

Alcohol tests are authorized for reasonable suspicion only if the required observations are made during, just before, or just after the period of the work day when the driver must comply with alcohol prohibitions. An alcohol test may not be conducted by the person who determines that reasonable suspicion exists to conduct such a test. If an alcohol test is not administered within two hours of a determination of reasonable suspicion, the District shall prepare and maintain a record explaining why this was not done. Attempts to conduct alcohol tests shall terminate after eight hours.

A supervisor or District official who makes observations leading to a controlled substance reasonable suspicion test shall make a written record of his or her observations within 24 hours of the observed behavior or before the results of the drug test are released, whichever is earlier.

Enforcement

Any driver who refuses to submit to a post-accident, random, reasonable suspicion, or follow-up test shall not perform or continue to perform safety-sensitive functions.

Drivers who test positive for alcohol or drugs shall be subject to disciplinary action up to and including dismissal.

A driver who violates District prohibitions related to drugs and alcohol shall receive from the District the names, addresses, and telephone numbers of substance abuse professionals and counseling and treatment programs available to evaluate and resolve drug and alcohol-related problems. The employee shall be evaluated by a substance abuse professional who shall determine what help, if any, the driver needs in resolving such a problem. Any substance abuse professional who determines that a driver needs assistance shall not refer the driver to a private practice, person, or organization in which he or she has a financial interest, except under circumstances allowed by law.

An employee identified as needing help in resolving a drug or alcohol problem shall be evaluated by a substance abuse professional to determine that he or she has properly followed the prescribed rehabilitation program and shall be subject to unannounced follow-up tests after returning to duty.

Return-to-Duty Tests

A drug or alcohol test shall be conducted when a driver who has violated the District's drug or alcohol prohibition returns to performing safety-sensitive duties.

Employees whose conduct involved drugs cannot return to duty in a safety-sensitive function until the return-to-duty drug test produces a verified negative result.

Employees whose conduct involved alcohol cannot return to duty in a safety-sensitive function until the return-to-duty alcohol test produces a verified result that meets federal and District standards.

Follow-Up Tests

A driver who violates the District's drug or alcohol prohibition and is subsequently identified by a substance abuse professional as needing assistance in resolving a drug or alcohol problem shall be subject to unannounced follow-up testing as directed by the substance abuse professional in accordance with law. Follow-up alcohol testing shall be conducted just before, during, or just after the time when the driver is performing safety-sensitive functions.

Records

Employee drug and alcohol test results and records shall be maintained under strict confidentiality and released only in accordance with law. Upon written request, a driver shall receive copies of any records pertaining to his or her use of drugs or alcohol, including any records pertaining to his or her drug or alcohol tests. Records shall be made available to a subsequent employer or other identified persons only as expressly requested in writing by the driver.

Notifications

Each driver shall receive educational materials that explain the requirements of the Code of Federal Regulations, Title 49, Part 382, together with a copy of the District's policy and regulations for meeting these requirements. Representatives of employee organizations shall be notified of the availability of this information. The information shall identify:

1. The person designated by the District to answer driver questions about the materials;
2. The categories of drivers who are subject to the Code of Federal Regulations, Title 49, Part 382;
3. Sufficient information about the safety-sensitive functions performed by drivers to make clear what period of the work day the driver is required to comply with Part 382;
4. Specific information concerning driver conduct that is prohibited by Part 382;
5. The circumstances under which a driver will be tested for drugs and/or alcohol under Part 382;
6. The procedures that will be used to test for the presence of drugs and alcohol, protect the driver and the integrity of the testing processes, safeguard the validity of test results, and ensure that test results are attributed to the correct driver;
7. The requirement that a driver submit to drug and alcohol tests administered in accordance with Part 382;
8. An explanation of what constitutes a refusal to submit to a drug or alcohol test and the attendant consequences;
9. The consequences for drivers found to have violated the drug and alcohol prohibitions of Part 382, including the requirement that the driver be removed immediately from safety-sensitive functions and the procedures for referral, evaluation, and treatment;
10. The consequences for drivers found to have an alcohol concentration of 0.02 or greater but less than 0.04; and
11. Information concerning the effects of drugs and alcohol on an individual's health, work, and personal life; signs and symptoms of a drug or alcohol problem (the driver's or a coworker's); and available methods of intervening when a drug or alcohol problem is suspected, including confrontation, referral to an employee assistance program, and/or referral to management.
12. Drivers shall also receive information about legal requirements, District policies, and disciplinary consequences related to the use of alcohol and drugs.

Each driver shall sign a statement certifying that he or she has received a copy of the above materials. This statement shall be retained by the District.

Before any driver operates a commercial motor vehicle, the District shall provide him or her with post-accident procedures that will make it possible to comply with post-accident testing requirements.

Before drug and alcohol tests are performed, the District shall inform drivers that the tests are given pursuant to the Code of Federal Regulations, Title 49, Part 382. This notice shall be provided only after the compliance date specified in law.

The District shall notify a driver of the results of a pre-employment drug test if the driver requests such results within 60 calendar days of being notified of the disposition of his or her employment application.

The District shall notify a driver of the results of random, reasonable suspicion, and post-accident drug tests if the test results are verified positive. The District shall also tell the driver which controlled substance(s) were verified as positive.

Drivers shall inform their supervisors if at any time they are using a controlled substance which their physician has prescribed for therapeutic purposes. Such a substance may be used only if the physician has advised the driver that it will not adversely affect his or her ability to safely operate a commercial motor vehicle.

Procedure History:

Promulgated on:

Revised on:

Reviewed on:

Council School District No. 13

ADMINISTRATION

6000

Goals

The administrative staff's primary functions are to manage the District and to facilitate the implementation of a quality educational program. It is goal of the Board that the administrative organization:

1. Provide for efficient and responsible supervision, implementation, evaluation, and improvement of the instructional program, consistent with the policies established by the Board;
2. Provide effective and responsive communication with staff, students, parents, and other citizens; and
3. Foster staff initiative and rapport.

The District's administrative organization shall be designed so that all divisions and departments of the District are part of a single system guided by Board policies which are implemented through the Superintendent. Principals and other administrators are expected to administer their facilities in accordance with Board policy and the Superintendent's rules and procedures.

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

ADMINISTRATION

6100

Superintendent

Duties and Authorities

The Superintendent is the District's executive officer and is responsible for the administration and management of the District schools, in accordance with Board policies and directives and State and federal law. The Superintendent is hereby granted authority to act on behalf of the Board and the District in all administrative matters with the exception of those matters specifically reserved for the Board in law or rule for which there lawfully cannot be any delegation by the Board. The Superintendent is also authorized to develop administrative procedures to implement Board policy and to delegate duties and responsibilities. When a written procedure is developed, the Superintendent or designee shall submit it to the Board as an information item. Delegation of power or duty, however, shall not relieve the Superintendent of responsibility for the action which was delegated.

[Optional: The Board hereby delegates authority to the Superintendent to declare positions vacant should an employee willfully refuse to acknowledge receipt of an employment contract or the employment contract is not signed and returned to the Board in the designated period of time.]

Qualifications and Appointment

The Superintendent must be of good character and of unquestionable morals and integrity. The Superintendent shall have the experience and the skills necessary to work effectively with the Board, District employees, students, and the community. The Superintendent shall have a valid superintendent's endorsement.

When the office of the Superintendent becomes vacant, the Board will conduct a search to find the most capable person for the position. Qualified staff members who apply for the position will be considered for the vacancy.

Evaluation

The Board will conduct a written formal evaluation, at least annually, of the performance of the Superintendent using standards and objectives developed by the Superintendent and the Board which are consistent with the District's mission and goal statements. The Board shall include progress towards the targets for student outcomes found in the Annual Strategic Plan in the evaluation by using relevant data to measure growth.

A specific time shall be designated for a formal evaluation session. The evaluation should include a discussion of strengths and weaknesses in the year immediately preceding the evaluation, as well as performance areas needing improvement.

A portion of the evaluation must include multiple objective measures of student growth in achievement as defined in Section 33-1001, Idaho Code.

Compensation and Benefits

The Board and the Superintendent shall enter into a contract approved by the State Superintendent of Public Instruction. This contract shall govern the employment relationship between the Board and the Superintendent.

Cross Reference: 1315

Strategic Planning

Legal Reference: I.C. § 33-320

Strategic Planning and Training

I.C. § 33-513

Professional Personnel

I.C. § 33-1001

Definitions

IDAPA 08.02.02.120

Local District Evaluation Policy

Hancock v. Idaho Falls School District No. 91, No. CV-04-537-E-BLW, 2006

U.S. Dist. Ct. LEXIS 52243

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

ADMINISTRATION

6100P

Board/Superintendent Relations

The Board shall:

Select the Superintendent and delegate to him or her all necessary administrative powers

Adopt policies for the operations of the school system and review administrative procedures.

Formulate a statement of goals reflecting the philosophy of the District.

Adopt annual objectives for improvement of the District.

Approve courses of study.

Approve textbooks.

Approve the annual budget.

Employ certificated and classified staff, in its discretion, upon recommendation of the Superintendent.

Authorize the allocation of certificated and classified staff.

Approve contracts for construction, remodeling, or major maintenance.

Approve payment of vouchers and payroll.

The Superintendent shall:

Serve as chief executive officer of the District.

Recommend policies or policy changes to the Board and develop procedures that implement Board policy.

Provide leadership in the development, operation, supervision, and evaluation of the educational program.

Recommend annual objectives for improvement of the District.

Recommend courses of study.

Recommend textbooks.

Prepare and submit the annual budget.

Recommend candidates for employment as certificated and classified staff.

Recommend staff needs based on student enrollment; direct and assign teachers and other employees of the schools under his or her supervision; organize, reorganize, and arrange the administrative and supervisory staff, including instruction and business affairs, as best serves the District, subject to the approval of the Board.

Recommend contracts for major construction, remodeling, or maintenance.

Recommend payment of vouchers and payroll.

The Board shall:

Approve proposed major changes of school plant and facilities.

Approve collective bargaining agreements.

Assure that appropriate criteria and processes for evaluating staff are in place.

Appoint citizens and staff to serve on special Board committees, if necessary.

Conduct regular and special meetings.

Serve as final arbitrator for staff, citizens, and students.

Promptly refer all criticisms, complaints, and suggestions called to its attention to the Superintendent.

Authorize the ongoing professional enrichment of its administrative leader as feasible.

Approve appropriate District expenditures recommended by the Superintendent for the purpose of ongoing District operations.

The Superintendent shall:

Prepare reports regarding school plant and facilities needs.

Supervise negotiation of collective bargaining agreements.

Establish criteria and processes for evaluating staff.

Recommend formation of ad hoc citizens' committees.

As necessary attend all Board meetings and all Board and citizen committee meetings, serve as an ex-officio member of all Board committees and provide administrative recommendations on each item of business considered by each of these groups.

Inform the Board of appeals and implement any such forthcoming Board decisions.

Respond and take action on all criticism, complaints, and suggestions as appropriate.

Undertake consultative work, speaking engagements, writing, lecturing, or other professional duties and obligations.

Diligently investigate and make purchases that benefit the most efficient and functional operation of the District.

*** A copy of the Superintendent's evaluation may be included.**

Procedure History:

Promulgated on:

Revised on:

Reviewed on:

Council School District No. 13

ADMINISTRATION

6200

District Organization

The Superintendent shall develop an organizational chart indicating the channels of authority and reporting relationships for school personnel. These channels should be followed, and no level should be bypassed, except in unusual circumstances. Unless otherwise approved by the Superintendent, or (in the case of a Superintendent's relationship), by the Board, no supervisory status shall exist when the supervisor and subordinate maintain a romantic relationship.

The organization of District positions of employment for purposes of supervision, services, leadership, administration of Board policy, and all other operational tasks shall be on a "line and staff" basis. District personnel occupying these positions of employment shall carry out their duties and responsibilities on the basis of line and staff organization.

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

ADMINISTRATION

6300

Duties and Qualifications of Administrative Staff Other Than Superintendent

Duty and Authority

As authorized by the Superintendent, administrative staff shall have full responsibility for the day-to-day administration of the area to which they are assigned. Administrative staff are governed by the policies of the District and are responsible for implementing the administrative procedures that relate to their assigned responsibilities.

Each administrator's duties and responsibilities shall be listed in the job description for that position.

Qualifications

All administrative personnel shall have a valid certificate and appropriate endorsements issued by the State Board of Education, and other qualifications as specified in the position's job description.

Administrative Work Year

The administrators' work year shall be the same as the District's fiscal year, unless otherwise stated in the employment agreement. In addition to legal holidays, the administrators shall have vacation periods as approved by the Superintendent.

Compensation and Benefits

All administrators shall be placed on a written contract approved by the State Superintendent of Public Instruction.

Legal Reference: I.C. § 33-513 Professional Personnel

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

ADMINISTRATION

6310

Employment Restrictions for Administrative Personnel

Time taken from the regularly assigned work schedule for such paid activities as consulting, college teaching, lecturing, etc., shall be subject to prior approval by the Superintendent.

The amount of time lost to the District will be, but is not restricted to be:

1. Deducted from vacation time;
2. Granted as additional personal leave as specified by Board policy; or
3. Prorated to a dollar amount and that amount deducted from the next regularly scheduled pay period.

Time taken from the regularly assigned work schedule for non-paid activities shall follow the format established above.

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

ADMINISTRATION

6320

Evaluation of Administrative Staff

Each administrator shall be evaluated annually in order to provide guidance and direction to the administrator in the performance of his or her assignment. Such evaluation shall be based on the job description, accomplishment of annual goals and performance objectives, and established evaluative criteria. Measures of growth in student achievement as determined by the Board and may be included as an optional measure on the evaluation.

The Superintendent shall establish procedures for the conduct of these evaluations. Near the beginning of the school year, the Superintendent shall inform the administrator of the criteria to be used for evaluation purposes, including the adopted goals for the District. Such criteria shall include performance statements dealing with leadership; administration and management; school financing; professional preparation; effort toward improvement; interest in students, staff, citizens, and programs; and staff evaluation.

Both staff members involved in the evaluation conference shall sign the written report and retain a copy for their records. The person being evaluated shall have the right to submit and attach a written statement to the evaluation within ___ days following the conference.

Cross Reference: 6300 Duties and Qualifications of Administrative Staff Other Than Superintendent

Legal Reference: I.C. § 33-513 Professional Employees
I.C. § 33-518 Employee Personnel Files

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

ADMINISTRATION

6330

Professional Growth and Development

The Board recognizes that training and study for administrators contribute to skill development necessary to better serve the needs of the District. Each year, the Superintendent should develop an administrative inservice program based upon the needs of the District, as well as the needs of individual administrators.

Administrative staff are encouraged to be members of and participate in professional associations which have as their purposes the upgrading of school administration and the continued improvement of education in general.

Policy History:

Adopted on:

Revised on:

Reviewed on:

Principals

Principals are the chief administrators of their assigned schools. The primary responsibility of principals is to supervise the operation and management of their assigned schools. They shall be under the direct supervision of the Superintendent. The majority of the principals' time shall be spent on curriculum and staff development through formal and informal activities establishing clear lines of communication regarding the school rules, accomplishments, practices, and policies with parents, students, and teachers. Principals are responsible for management of their staff, maintenance of the facility and equipment, administration of the educational program, control of the students attending the school, management of the school's budget, and communication between the school and the community.

Evaluation of Principals

Each principal shall receive at least one written evaluation to be completed no later than June 1st for each annual contract year of employment. Each principal evaluation shall use multiple measures that are research based and aligned to the State minimum standards based on the Interstate School Leaders Licensure Consortium (ISLLC) standards and include proof of proficiency in conducting teacher evaluations using the State's adopted model, the *Charlotte Danielson Framework for Teaching Second Edition*.

The process of developing criteria and procedures for principal evaluations will allow opportunities for input from stakeholders, including the Board, administrators, teachers, and parents/guardians.

Evaluation Objectives

The District's Principal Evaluation Program is designed to:

8. Maintain or improve each principal's job satisfaction and morale by letting him or her know that the Superintendent is interested in his or her job progress and personal development;
9. Serve as a systematic guide for planning each principal's further training and professional development;
10. Assure considered opinion of a principal's performance and focus maximum attention on achievement of assigned duties;
11. Assist in determining and recording special talents, skills, and capabilities that might otherwise not be noticed or recognized;
12. Assist in planning personnel moves and placements that will best utilize each principal's capabilities;

13. Provide an opportunity for each principal to discuss job problems and interests with the Superintendent; and
14. Assemble substantiating data for use as a guide, although not necessarily the sole governing factor, for such purposes as wage adjustments, promotions, disciplinary action, and termination.

Responsibility

The Superintendent shall have the responsibility for administrating and monitoring the District's Principal Evaluation Program and will ensure the fairness and efficiency of its execution, including:

10. Creating and implementing a plan for ongoing training and professional development and the funding thereof for principals in the District's Performance Evaluation Program, including evaluation standards, forms, procedures, and processes and a plan for collecting and using data gathered from evaluation;
11. Creating a plan for ongoing review of the District's Principal Evaluation Program that includes stakeholder input from teachers, Board Members, administrators, parents/guardians, and other interested parties;
12. Creating a procedure for remediation for principals that receive evaluations indicating that remediation would be an appropriate course of action;
13. Creating an individualized evaluation rating system for how principal evaluations will be used to identify proficiency and record growth over time with a minimum of three rankings used to differentiate performance of principals including:
 - A. Unsatisfactory being equal to a rating of 1;
 - B. Basic being equal to a rating of 2; and
 - C. Proficient being equal to a rating of 3.

A fourth evaluation rating of Distinguished, being equal to "4," may be used in addition to the three minimum rankings at the discretion of the Board; and

14. Completing Principal Evaluation annually, ensuring proper safeguards, and filing completed evaluations.

The individuals assigned this responsibility shall have received training in administrator evaluations based on the statewide framework for evaluations.

Written Evaluation

A written summative evaluation will be completed for each principal by the Superintendent no later than June 1st for each annual contract year of employment. A copy will be given to the principal. The original will be retained by the Superintendent. The evaluation shall be reviewed annually and revised as necessary to indicate any significant changes in duties or responsibilities. The evaluation is designed to increase planning and relate performance to assigned responsibilities through joint understanding between the Superintendent and the principal as to the job description and major performance objectives.

The evaluation will identify the sources of data used in conducting the evaluation. Proficiency in conducting observations and evaluating effective teacher performance shall be included as one source of data.

Evaluation Measures and Criteria

Professional Practice: Principals must receive an evaluation in which a majority of the summative evaluation results are based on Professional Practice. All measures within the Professional Practice portion of the evaluation must be aligned at a minimum to the following Domains and Components based upon the Idaho Standards for Effective Principals.

Domain 1: School Climate: The principal promotes the success of all students by advocating, nurturing, and sustaining a school culture and instructional program conducive to student learning and staff professional development. The principal articulates and promotes high expectations for teaching and learning while responding to diverse community interests and needs.

1. **School Culture:** The principal establishes a safe, collaborative, and supportive culture ensuring all students are successfully prepared to meet the requirements for tomorrow's careers and life endeavors;
2. **Communication:** The principal is proactive in communicating the vision and goals of the school or District, the plans for the future, and the successes and challenges to all stakeholders; and
3. **Advocacy:** The principal advocates for education, the District and school, teachers, parents, and students and engenders school support and involvement.

Domain 2: Collaborative Leadership: The principal promotes the success of all students by ensuring management of the organization, operations, and resources for a safe, efficient, and effective learning environment. In collaboration with others, he or she uses appropriate data to establish rigorous, concrete goals in the context of student achievement and instructional programs. The principal uses research and/or best practices in student achievement, instructional programs, and improving the education program.

1. **Shared Leadership:** The principal fosters shared leadership that takes advantage of individual expertise, strengths, and talents, and cultivates professional growth;
2. **Priority Management:** The principal organizes time and delegates responsibilities to balance administrative/managerial, educational, and community leadership priorities;

3. **Transparency:** The principal seeks input from stakeholders and takes all perspectives into consideration when making decisions;
4. **Leadership Renewal:** The principal strives to continuously improve leadership skills through professional development, self-reflection, and utilization of input from others; and
5. **Accountability:** The principal establishes high standards for professional, legal, ethical, and fiscal accountability for self and others.

Domain 3: Instructional Leadership: The principal promotes the success of all students by facilitating the development, articulation, implementation, and stewardship of a vision of learning that is shared and supported by the school community. The principal provides leadership for major initiatives and change efforts and uses research and/or best practices in improving the education program.

1. **Innovation:** The principal seeks and implements innovative and effective solutions that comply with general and special education law;
2. **Instructional Vision:** The principal ensures that instruction is guided by a shared, research-based instructional vision that articulates what students do to effectively learn;
3. **High Expectations:** The principal sets high expectation for all students academically, behaviorally, and in all aspects of student well-being;
4. **Continuous Improvement of Instruction:** The principal has proof of proficiency in assessing teacher performance based upon the Charlotte Danielson Framework for Teaching Second Edition and aligns resources, policies, and procedures toward continuous improvement of instructional practice guided by the instructional vision;
5. **Evaluation:** The principal uses teacher/principal evaluation and other formative feedback mechanisms to continuously improve teacher/principal effectiveness; and
6. **Recruitment and Retention:** The principal recruits and maintains a high quality staff.

The evaluation will also include at least one of the following as a measure to inform the Professional Practice portion:

1. Input received from parents or guardians;
2. Input received from students;
3. Input received from teachers; and/or
4. Portfolios.

The District has chosen _____ [**choose: 1, 2, 3, and/or 4**] as its measure(s) to inform the Professional Practice portion. The Board shall determine the manner and weight of parental input, student input, teacher input, and/or portfolios on the evaluation.

Student Achievement: Part of the evaluation must be based on multiple objective measures of growth in measurable student achievement as defined in Section 33-1001, Idaho Code. This portion of the evaluation may be calculated using current and/or the immediate past year's data

and may use one or both years of data. Growth in student achievement may be considered as an optional measure for all other school-based and District-based administrators, as determined by the Board.

Proof of Proficiency in Teacher Evaluations

Proof of proficiency in evaluating teacher performance shall be required of all individuals assigned the responsibility for appraising, observing, or evaluating certificated personnel performance. The individuals assigned this responsibility shall have received training in administrator evaluations based on the statewide framework for evaluations.

Communicating Evaluation Results

Each evaluation shall include a meeting between the Superintendent and principal wherein the Superintendent will:

1. Discuss the evaluation with the principal, emphasizing strong and weak points in job performance. Commend the principal for a job well done if applicable and discuss specific corrective action if warranted. Recommendations should specifically state methods to correct weaknesses. Set mutual goals for the principal to reach before the next performance evaluation.
2. Allow the principal to make any written comments he or she desires. Inform the principal that he or she may turn in a written rebuttal/appeal of any portion of the evaluation within seven days and outline the process for rebuttal/appeal. Have the principal sign the evaluation indicating that he or she has been given a copy.

Rebuttal/Appeal

Within seven days from the date of the evaluation meeting with the Superintendent the principal may file a written rebuttal/appeal of any portion of the evaluation. The written rebuttal/appeal shall state the specific content of the evaluation with which the principal disagrees, a statement of the reason(s) for disagreement, and the amendment to the evaluation requested.

If a written rebuttal/appeal is received by the Superintendent within seven days, the Superintendent shall provide the principal with a written response within ten working days either amending the evaluation as requested by the principal or stating the reason(s) why the Superintendent will not be amending the evaluation as requested.

If the Superintendent chooses to amend the evaluation as requested by the principal then the amended copy of the evaluation will be provided to, and signed by, the principal and retained in the principal's personnel file.

If the Superintendent chooses not to amend the evaluation as requested by the principal then the evaluation along with the written rebuttal/appeal, and the Superintendent's response, if any, will be retained in the principal's personnel file.

Action

Each evaluation will include identification of the actions, if any, available to the District as a result of the evaluation as well as the procedure(s) for implementing each action. Available actions include, but are not limited to, recommendations for renewal of employment, non-renewal of employment, probation, and others as determined. Should any action be taken as a result of an evaluation to not renew a principal's contract the District will comply with the requirements and procedures established by State law.

Records

Permanent records of each principal evaluation will be maintained in the principal's personnel file. All evaluation records, including rebuttal/appeal documentation, will be kept confidential within the parameters identified in State and federal law regarding the right to privacy.

Reporting

Any subsequent changes to the District's evaluation plan shall be resubmitted to the State Department of Education for approval. The District shall report the rankings of individual principal evaluations annually to the State Department of Education.

Legal Reference: I.C. § 33-513 Professional Personnel
 I.C. § 33-518 Employee Personnel Files
 I.C. § 33-1001 Definitions
 IDAPA 08.02.02.121 Local District Evaluation Policy – School Principal

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

PERSONNEL

6400F

Parent or Guardian Input Form—Principal Evaluation

Principal: _____

School Year: _____

Instructions:

6. Please complete the evaluation by circling the most appropriate number.
7. This form should be placed into the box located at _____ or mailed to:

[ADDRESS]
8. Only one form should be completed by each parent for this principal for each school year.
9. If a parent has a concern or wishes to more directly address a specific issue, please understand that this form alone will not directly address the parental concern. The parent should raise the concern with the principal or Superintendent.
10. Please offer specific comments when possible. Specific comments will be considered in the preparation of the principal's evaluation and will aid both the District and the principal in addressing performance.

Area of Evaluation	Agree Disagree Don't know
1. Works with parents, staff, and students in development and promotion of the school's vision.	1 2 3 4 5 0 Comment:

<p>2. Promotes and maintains high standards of academic excellence for the performance of students and staff.</p>	<p>1 2 3 4 5 0</p> <p>Comment:</p>
<p>3. Manages all aspects of the school to ensure a positive educational experience for all students.</p>	<p>1 2 3 4 5 0</p> <p>Comment:</p>
<p>4. Listens to community members, parents, and students and timely responds to their concerns.</p>	<p>1 2 3 4 5 0</p> <p>Comment:</p>
<p>5. Treats students and adults with respect.</p>	<p>1 2 3 4 5 0</p> <p>Comment:</p>
<p>6. Communicates with community members accurately.</p>	<p>1 2 3 4 5 0</p> <p>Comment:</p>

<p>7. Shows awareness/understanding of developmental characteristics of different age groups. Acts with an understanding of social, racial, cultural, political, and economic forces that influence a positive school environment.</p>	<p>1 2 3 4 5 0</p> <p>Comment:</p>
<p>8. Encourages parental involvement in the educational process.</p>	<p>1 2 3 4 5 0</p> <p>Comment:</p>
<p>9. Is a positive advocate for students.</p>	<p>1 2 3 4 5 0</p> <p>Comment:</p>
<p>10. Is a strong and visible leader of the school.</p>	<p>1 2 3 4 5 0</p> <p>Comment:</p>
<p>11. Effectively coordinates school programs that promote student involvement, education, safety, growth, and development of responsibility.</p>	<p>1 2 3 4 5 0</p> <p>Comment:</p>

<p>12. Administers student discipline fairly and consistently.</p>	<p>1 2 3 4 5 0</p> <p>Comment:</p>
<p>13. Maintains a school climate that welcomes parents, families, and community members and invites their participation. Encourages teachers to provide opportunities to engage families to assist in student learning.</p>	<p>1 2 3 4 5 0</p> <p>Comment:</p>
<p>14. Have you personally met with the principal?</p>	<p>YES NO</p>
<p>15. Have you had any reason to visit the principal's office?</p>	<p>YES NO</p>
<p>16. Were you satisfied that your concerns were addressed?</p>	<p>YES NO</p>

Any additional comments you wish to share not covered by the above questions (**please feel free to attach a separate page**):

Please complete and sign the form, and place it in a sealed envelope.

Name: _____

Signature: _____

Date: _____

Telephone No.: _____

Council School District No. 13

FINANCIAL MANAGEMENT

7000

Goals

Since educational programs are dependent on adequate funding and the proper management of those funds, District goals can best be attained through efficient fiscal management. As Trustee of local, State, and federal funds allocated for use in public education, the Board shall fulfill its responsibility to see that funds are used to achieve the purposes intended.

Because of resource limitations, fiscal concerns often overshadow the educational program. Recognizing this, the District must take specific action to ensure that education remains primary. This concept shall be incorporated into Board operations and into all aspects of District management and operation.

In the District's fiscal management, the Board seeks to achieve the following goals:

1. Engage in advance planning, with staff and community involvement, to develop budgets that will achieve the greatest educational returns in relation to dollars expended;
2. Establish levels of funding which shall provide superior education for the District's students;
3. Provide timely and appropriate information to staff who have fiscal responsibilities; and
4. Establish efficient procedures in all areas of fiscal management.

Legal Reference: I.C. § 33-701 et seq. Fiscal Affairs of School Districts

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

FINANCIAL MANAGEMENT

7010

[NOTE: This Policy does not apply to a school district that does not have more than one building for each grade span.]

Equivalence in Instructional Staff and Materials

The Board directs that all schools within the District are, to the greatest extent possible, equivalent in teaching, administrative, and other staff, and in provision of curricular materials and instructional supplies so that programs and services throughout the schools of the District are substantially comparable.

In reaching this equivalency status, the Board recognizes that individual teacher salary differentials due to schedule factors will not be included in the determination of staff equivalency. Further, the District recognizes that unpredictable changes in student enrollment and personnel assignments that occur after the beginning of the school year in determining comparability of services under this policy will not be included in an analysis of equivalency.

To promote this purpose, and to comply with applicable federal law, the Superintendent, to the maximum extent possible, shall ensure the District complies with the following:

Maintenance of effort. To the maximum extent possible, the District shall maintain its programs and expenditures in a consistent manner from year to year, unless changes to District funding or attendance make such allocations unfeasible.

Federal funds to supplement, not supplant, non-Federal funds. The District may use federal funds only to supplement the funds that would, in the absence of such federal funds, be made available from State and local sources for the education of students participating in programs assisted under this part, and not to supplant such funds. To demonstrate compliance with this requirement, the District shall maintain adequate accounting records to demonstrate that the methodology used to allocate State and local funds to each school receiving assistance under this part ensures that all schools receive all of the State and local funds it would otherwise receive if it were not receiving federal funds.

Comparability of services. Except as provided in paragraph captioned “**Compliance,**” below, the District shall ensure that State and local funds will be used in schools receiving federal funds to provide services that, taken as a whole, are at least comparable to services in schools that are not receiving federal funds. If the District is serving all of its schools with federal funds, it must ensure that State and local funds are used to provide services that, taken as a whole, are substantially comparable in each school.

Written assurance. The District shall provide the State Department of Education written

assurances that the District has established and implemented:

1. District-wide salary schedule;
2. A policy to ensure equivalence among schools in teachers, administrators, and other staff; and
3. A policy to ensure equivalence among schools in the provision of curriculum materials and instructional supplies.

Procedures and records. The Superintendent shall:

1. Develop procedures for compliance with this Policy; and
2. Maintain records that are updated biennially documenting compliance with this Policy.

Compliance. For the purpose of determining compliance with the requirement to supplement and not supplant state funds with federal funds, the District is permitted to *exclude* State and local funds expended for:

1. Language instruction educational programs; and
2. The excess costs of providing services to children with disabilities as determined by the Superintendent.

Exclusion of funds. For the purpose of complying with the requirements of comparable services, the District may exclude receipt of supplemental State or local funds expended in any school for programs that meet the intent and purpose of 20 USC § 6321.

Legal Reference: 20 U.S.C. § 6321 Fiscal Requirements, as amended by Every Student Succeeds Act of 2015

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

FINANCIAL MANAGEMENT

7100

Budget and Program Planning

The annual budget is evidence of the Board's commitment to the objectives of the instruction programs. The budget supports the immediate and long-range goals and established priorities within all areas: instructional, non-instructional, and administrative programs.

Prior to presentation of the proposed budget for adoption, the Superintendent or designee shall prepare, for the Board's consideration, recommendations (with supporting documentation) which shall be designed to meet the needs of students within the limits of anticipated revenues.

Program planning and budget development shall provide for staff participation and the sharing of information with patrons prior to action by the Board.

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

FINANCIAL MANAGEMENT

7110

Budget Implementation and Execution

Once adopted by the Board, the operating budget shall be administered by the Superintendent and his or her designees. All actions of the Superintendent or designees in executing the programs and/or activities delineated in that budget are authorized according to these provisions:

1. Expenditure of funds for the employment and assignment of staff shall meet the legal requirements of the State of Idaho and adopted Board policies;
2. Funds held for contingencies may not be expended without approval from the Board;
3. A listing of warrants describing goods and/or services for which payment has been made must be presented for Board approval each month; and
4. Purchases shall be made according to the legal requirements of the State of Idaho and adopted Board policy.

Legal Reference: I.C. § 33-701 et seq. Fiscal Affairs of School District

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

FINANCIAL MANAGEMENT

7120

Budget Adjustments

Any person(s) proposing a budget amendment must provide written notice of the same to each Board Member at least seven days in advance of the meeting at which such budget amendment will be proposed.

Prior to the final vote on a budget amendment proposal, notice shall be posted and published once in the manner prescribed by Idaho law. The meeting to adopt a budget amendment shall be open and shall provide opportunity for any taxpayer to appear and be heard. Budget procedures shall be consistent with statutory requirements.

With timely notice of a public meeting, Trustees, by 60 percent of the members of the Board of Trustees, may declare by resolution that a budget amendment is necessary to reflect the availability of funds and the requirements of the District. Budget amendments are specifically authorized by I.C. § 33-701.

Revenue derived from maintenance and operation levies made pursuant to I.C. § 33-802(2) are excluded from budget adjustments.

Budget amendments shall be submitted to the State Superintendent of Public Instruction.

Legal Reference: I.C. § 33-701 Fiscal Year – Payment and Accounting of Funds
I.C. § 33-802(2) School Levies

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

FINANCIAL MANAGEMENT

7200

Accounting System Design

The District accounting system shall be established to present with full disclosure the financial position and results of the financial operations of the District funds and account groups in conformity with generally accepted accounting principles. The accounting system must be in compliance with the accounting system requirements established by legislative action. It shall be possible to demonstrate the accounting system's compliance with finance-related legal and contractual provisions.

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

FINANCIAL MANAGEMENT

7210

Fixed Assets and Management Discussion and Analysis (GASB Statement 34)

Purpose

The Board recognizes the need to implement the required accounting and financial reporting standards set out in Governmental Accounting Standards Board Statement 34 (“GASB 34”)

The primary objectives of implementing the GASB 34 are to assure compliance with State requirements, to properly account for both the financial and economic resources, and to provide new and additional information to users of District financial statements.

Authority

Participation and reporting shall be in accordance with Board policy, State of Idaho Fiscal Policy manuals as prepared by the office of the State of Idaho Controller’s Office, and GASB 34.

Delegation of Responsibility

The responsibility to coordinate the compilation and preparations of all information necessary to implement this policy is delegated to the Superintendent in cooperation with the District accountant.

The designated individual shall be responsible for implementing the necessary procedures to establish and maintain a fixed asset inventory, including depreciation schedules. Depreciation shall be computed on a straight-line basis over the useful lives of the assets, using an averaging convention. Normal maintenance and repairs shall be charged to expense as incurred; major renewals and betterments that materially extend the life or increase the value of the asset shall be capitalized. A schedule of accumulated depreciation shall be consistent from year to year. The basis for depreciation, including groups of assets and useful lives, shall be in writing and submitted for review to the Board of Trustees.

The Superintendent in Cooperation with the District’s Accountant shall prepare the required Management Discussion and Analysis (MD&A). The MD&A shall be in the form required by GASB Statement 34 and shall be submitted to the Board for approval prior to publication.

Prior to submission of the MD&A for Board approval, the independent auditors shall review the MD&A, in accordance with SAS No. 52, “Required Supplementary Information.”

Guidelines

In order to associate debt with acquired assets, and to avoid net asset deficits, any asset that has been acquired with debt proceeds shall be capitalized, regardless of the cost of the asset. Any assets capitalized should be depreciated using their estimated useful life, not their amortization schedule.

For all other assets not acquired by debt proceeds, the dollar value of any single item for inclusion in the fixed assets accounts shall be not less than \$5,000.

The capitalization threshold shall be set at a level that will capture at least 80 percent of all fixed assets.

The assets listed below do not normally individually meet capitalization threshold criteria:

1. Library books;
2. Classroom texts;
3. Computer equipment; and
4. Classroom furniture.

These asset category costs shall be capitalized and depreciated as groups when that group's acquisition cost exceeds the capitalization threshold in any given fiscal year.

For group asset depreciation purposes, the estimated useful life of the group may be based on the weighted average or simple average of the useful life of individual items, or on an assessment of the life of the group as a whole. Periodically, the intermediate unit shall review the estimated life of groups of assets and adjust the remaining depreciation life of the group.

Assets that fall below the capitalization threshold for GASB 34 reporting purposes may still be significant for insurance, warranty service, and obsolescence/replacement policy tracking purposes. The intermediate unit may record and maintain these non-GASB 34 asset inventories in subsidiary ledgers.

Legal Reference: Governmental Accounting Standards Board ("GASB") Statement No. 34

Policy History:

Adopted On:

Revised on:

Reviewed on:

Fund Accounting System (GASB Statement 54)

To enhance the usefulness of fund balance information, the District will provide clear fund balance classifications and use fund type definitions consistently.

The policy is designed to encourage consideration of unanticipated events that could adversely affect the financial condition of the District and jeopardize the continuation of necessary public services. The District should maintain adequate fund balances and reserves in order to:

1. Provide sufficient cash flow for daily financial needs;
2. Secure and maintain investment grade bond ratings;
3. Offset significant economic downturns or revenue shortfalls; and
4. Provide funds for unforeseen expenditures related to emergencies.

Fund Types

The accounts of the District are organized on the basis of funds, each of which is considered to be a separate accounting entity. The operations of each fund are accounted for by providing a separate set of self-balancing accounts. The following funds are maintained by the District:

1. The General Fund is used to account for all financial resources not accounted for and reported in another fund;
2. Special Revenue Funds are used to account and report the proceeds of specific revenue sources that are restricted or committed to expenditure for specific purposes other than debt service or capital projects;
3. Debt Service Funds are used to account for all financial resources restricted, committed, or assigned to expenditure for principle and interest;
4. Capital Projects Funds or Plant Facilities Funds are used to account for all financial resources restricted, committed, or assigned to expenditure for the acquisition or construction of capital assets.
5. Permanent Funds are used to account for resources restricted to the extent that only earnings, and not principle, may be used for purposes that support the District's purposes.

Note: The above list is not comprehensive and the District may have other funds such as an Activities Fund.

Fund Balance Reporting in Governmental Funds

The following definitions will be used in reporting activity in governmental funds across the District. The District may or may not report all fund types in any given reporting period, based on actual circumstances and activity.

1. **Non-spendable Fund Balance:** Includes amounts that cannot be spent because they are either:

- A. Not in spendable form; or
 - B. Legally or contractually required to be maintained intact.
2. **Restricted Fund Balance:** Includes amounts that can be spent only for the specific purposes stipulated by District policy, external resource providers, or through federal regulations or State laws or rules.
 3. **Committed Fund Balance:** Includes amounts that can be used only for the specific purposes determined by a formal action of the Board.
 4. **Assigned Fund Balance:** Includes amounts intended to be used by the District for specific purposes, but do not meet the criteria to be classified as restricted or committed. In funds other than the general fund, the assigned fund balance represents the remaining amount that is not restricted or committed.

Authority to Assign - The Board delegates to the Superintendent or designee the authority to assign amounts to be used for specific purposes. Such assignments cannot exceed the available (spendable, unrestricted, uncommitted) fund balance in any particular fund.

5. **Unassigned Fund Balance:** Includes the residual classification for the District's general fund and includes all spendable amounts not contained in the other classifications. In other funds, the unassigned classification should be used only to report a deficit balance from overspending for specific purposes for which amounts had been restricted, committed, or assigned.

Prioritization of Fund Balance Use

The Board's primary role in adopting this policy is to identify the order of spending unrestricted resources and to acknowledge that the Board is the ultimate decision making authority with regard to committing balances upon recommendation of the Superintendent or designee.

If the Board chooses not to adopt a policy addressing the order of spending, the default approach of reducing restricted, then committed, then assigned, then unassigned fund balances will be used.

Guidelines

Classifying Fund Balance Amounts: Fund balance classifications depict the nature of the net resources that are reported in a fund. An individual fund may include non-spendable resources and amounts that are restricted, committed, or assigned, or any combination of those classifications. The general fund may also include an unassigned amount.

Encumbrance Reporting: Encumbering amounts for specific purposes for which resources have already been restricted, committed, or assigned should not result in separate display of encumbered amounts. Encumbered amounts for specific purposes for which amounts have not

been previously restricted, committed, or assigned, will be classified as committed or assigned, as appropriate, based on the definitions and criteria set forth above.

Implementation and Review: The Board authorizes the Superintendent to establish any standards and procedures which may be necessary for its implementation. The Superintendent shall review this policy and any procedures regarding its implementation annually or as needed and make any recommendations for changes to the Board.

The Superintendent or designee shall provide accounting procedures for the receipt, deposit, expenditure, and withdrawal of such moneys and procedures for monthly reporting to the Board of the transactions, assets, liabilities, and fund balance for each such fund.

Legal Reference: I.C. § 33-701 et seq. Fiscal Affairs of School District
I.C. § 33-901 et seq. School Funds
Governmental Accounting Standards Board (“GASB”) Statement No. 54

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

FINANCIAL MANAGEMENT

7218

Federal Grant Financial Management System

The District maintains a proper financial management system in order to receive both direct and state-administered grants and to expend funds associated with a grant award. Certain fiscal controls and procedures must be in place to ensure that all financial management system requirements are met.

Idaho Financial Reporting Management System (IFARMS)

IFARMS provides the basis for complete financial and cost accounting, for the development of program budgets, and for the preparation of periodic financial reports. The uniformity of the system enables the District to fulfill state requirements and provides the flexibility to obtain program and account detail to meet management needs.

Financial Management Standards

The standards for financial management systems are found at 2 C.F.R. § 200.302. The required standards include:

- 1. Identification:** The District shall identify, in its accounts, all federal awards received and expended and the federal programs under which they were received. Federal program and award identification shall include the information described below under “Overview of the Financial Management/Accounting System.”
- 2. Financial Reporting:** Accurate, current, and complete disclosure of the financial results of each federal award or program will be made in accordance with the financial reporting requirements set forth in the Education Department General Administrative Regulations (EDGAR).
- 3. Accounting Records:** The District shall maintain records that adequately identify the source and application of funds provided for federally-assisted activities. These records will contain information pertaining to grant or subgrant awards, authorizations, obligations, unobligated balances, assets, expenditures, income and interest, and be supported by source documentation.
- 4. Internal Controls:** Effective control and accountability shall be maintained for all funds, real and personal property, and other assets. The District shall adequately safeguard all such property and shall assure that it is used solely for authorized purposes.

“Internal controls” are tools to help program and financial managers achieve results and safeguard the integrity of their program. Internal controls should be designed to provide reasonable assurance that the following objectives are achieved:

- A. Effectiveness and efficiency of operations;
 - B. Adequate safeguarding of property;
 - C. Assurance property and money is spent in accordance with grant program and to further the selected objectives; and
 - D. Compliance with applicable laws and regulations.
5. **Budget Control:** Actual expenditures or outlays shall be compared with budgeted amounts for each federal award.
 6. **Cash Management:** The District shall maintain written procedures to implement the cash management requirements found in EDGAR. See Policy 7450.
 7. **Allowable Costs:** The District shall maintain written procedures for determining allowability of costs in accordance with EDGAR. See Policy 7320 and Procedure 7320P.

Overview of the Financial Management/Accounting System

The District accounting system is established to present, with full disclosure, the financial position and results of the financial operations of the District in conformity with generally accepted accounting principles. The accounting system currently used is 2M. The system is in compliance with IFARMS, as required by Idaho statute. IFARMS shall be used as the basis for developing program budgets and the preparation of periodic financial reports. The District Business Manager shall be responsible for managing budgets and accounts payable. As required by 34 CFR 200.302, the District shall maintain on file award letters that include Catalog of Federal Domestic Assistance (CFDA) titles and numbers, federal award identification numbers and years, names of the federal awarding agencies, and the name of the State Department of Education (the pass-through entity), for each federal award. The funds are given unique identification numbers in the IFARMS system.

The Business Manager shall be responsible for preparing financial reports, as required for local, state, and federal agencies, for review and approval by the Board of Trustees. The financial reports shall reflect the financial activity and status of the District. These reports shall include monthly and cumulative expenditures, program budgets, and balances remaining.

Budgeting

The Planning Phase: Meetings and Discussions: Before Receiving the Grant Award Notice (GAN): The Superintendent, assisted by the Business Manager, shall be responsible for initial federal grant budget development. Initial budget development shall be based upon estimates of federal program award amounts as provided by the State Department of Education, as well as input from program and administrative staff with respect to individual program staff needs, number and assignments of paraprofessionals relative to program allocations, and need for instructional supplies and equipment. The primary considerations of initial budget development

shall be the educational needs of students and the availability of existing District resources for meeting these needs.

Budgets shall be prepared and presented in a format that clearly identifies revenue sources and amounts and budgeted expenditures, in accordance with IFARMS accounting codes, and shall be open for public inspection.

The Superintendent shall present the proposed budget to the Board for final approval of the budget and the policies reflected therein, such as proposed changes or additions to instructional programs and proposed salary schedules. Consideration of the proposed budget shall take place in an open meeting with opportunity for public comment. The approved budget shall be included in the minutes of the Board as documentation of its acceptance and approval.

After Receiving the GAN: If the Superintendent determines that final program allocations necessitate revisions to program budgets, he or she, assisted by the Business Manager with input from federal programs staff, shall discuss, review, and propose budget revisions. If proposed revisions require amendment proposals, the Superintendent will follow protocols of the amendment process.

Amending the Budget: The Superintendent shall review and approve any necessary budget amendments and shall submit those amendments to the Board at least seven days in advance of the meeting at which the amendment will be considered. The Board shall have final approval of the amended budget and consideration of the proposed budget shall take place in an open meeting with opportunity for public comment. The approved amended budget shall be included in the minutes of the Board of Trustees as documentation of its acceptance and approval.

Budget Control: The Business Manager shall prepare monthly financial reports that monitor budget performance by comparing actual to budgeted revenues and expenditures. Monthly financial reports indicate budgeted amounts, monthly expenditures, year-to-date-expenditures and percentage of budget spent. The Superintendent shall review these reports for the preceding month prior to presentation to the Board.

Accounting Records

The Business Manager shall be responsible for the maintenance of accounting records. Electronic accounting records are maintained in the 2M, and paper records are maintained on file in the District office. All accounting records shall be reviewed by the District Superintendent and, where appropriate and required, the Board. The District chart of accounts and financial reports shall be established and maintained in accordance with Generally Accepted Accounting Principles (GAAP) and IFARMS, as required by Idaho Code. Accounting records shall be available for public inspection at any time.

Spending Grant Funds

In determining what items will be included in individual program budgets, the Business Manager and the Superintendent will follow the federal cost principles and individual program statutes and regulations, as the basis for determining whether individual expenditures are allowable.

While developing and reviewing the grant budget, the District will keep in mind the difference between direct costs and indirect costs.

Direct and Indirect Costs:

1. **Determining Whether a Cost is Direct or Indirect:** Direct costs are those costs that can be identified specifically with a particular final cost objective, such as a federal award, or other internally or externally funded activity, or that can be directly assigned to such activities relatively easily with a high degree of accuracy.

Indirect costs are those that have been incurred for a common or joint purpose benefiting more than one cost objective, and not readily assignable to the cost objectives specifically benefitted, without effort disproportionate to the results achieved.

Costs incurred for the same purpose in like circumstances shall be treated consistently as either direct or indirect costs.

Identification with the federal award rather than the nature of the goods and services involved is the determining factor in distinguishing direct from indirect costs of Federal awards. Typical costs charged directly to a Federal award are the compensation of employees who work on that award, their related fringe benefit costs, the costs of materials, and other items of expense incurred for the Federal award.

The salaries of administrative and clerical staff shall normally be treated as indirect costs. Direct charging of these costs may be appropriate only if all of the following conditions are met:

- A. Administrative or clerical services are integral to a project or activity;
 - B. Individuals involved can be specifically identified with the project or activity;
 - C. Such costs are explicitly included in the budget or have the prior written approval of the federal awarding agency; and
 - D. The costs are not also recovered as indirect costs.
2. **Indirect Cost Rate:** It is at the discretion of the Council School District to use the indirect cost rate. It is the normal policy of the District not to take indirect costs on federal awards. If the District elects to take indirect costs, it shall follow the procedures for calculating the indirect cost rate prescribed by the State Department of Education and apply the policies and procedures outlined in the federal regulations as described below.

3. **Applying the Indirect Cost Rate:** Once the District has an approved indirect cost rate, the percentage is multiplied against the actual direct costs (excluding distorting items such as equipment, contracts in excess of \$25,000, pass-through funds, etc.) incurred under a particular grant to produce the dollar amount of indirect costs allowable to that award.

Once the District applies the approved rate, the funds that may be claimed for indirect costs have no federal accountability and may be used as if they were non-federal funds. For direct grants, reimbursement of indirect costs is subject to the availability of funds and statutory or administrative restrictions.

Where a federal program has a specific cap on the percentage of administrative costs that may be charged to a grant, that cap must include all direct administrative charges as well as any recovered indirect charges.

Cross Reference: 7230 Financial Reporting and Audits

Legal Reference: 2 C.F.R § 200.300 et. seq. Post Federal Award Requirements
2 C.F.R. § 200.56 Indirect (Facilities & Administrative (F&A)) Costs
2 C.F.R. § 200.413 Direct Costs
34 C.F.R. § 75.564 Reimbursement of Indirect Costs
34 C.F.R. § 76.569 Using the Restricted Indirect Cost Rate

Policy History:

Adopted on:

Revised on:

Reviewed on:

Documentation and Approval of Claims

All financial obligations and disbursements must be documented in compliance with the statutory provisions and audit guidelines. The documentation will specifically describe acquired goods and/or services, the budget appropriations applicable to payment, and the required approvals. All purchases, encumbrances and obligations, and disbursements must be approved by the administrator designated with the authority, responsibility, and control over the budget appropriations. The responsibility for approving these documents should not be delegated.

The District business office will be responsible for the development of the procedures and forms to be used in the requisition, purchase, and payment of claims.

Policy History:

Adopted on:

Revised on:

Reviewed on:

Disclaimer:

District Financial Fraud or Theft is a criminal matter and covered by State laws. This policy is merely a guideline so that all District employees understand the possible repercussions of such actions. If you have questions regarding fraud and/or theft, please contact your District legal counsel and/or your local law enforcement agency.

Council School District No. 13

FINANCIAL MANAGEMENT

7225

Financial Fraud and Theft Prevention

All District employees, Board Members, consultants, vendors, contractors, and other parties maintaining a business relationship with the District shall act with integrity and due diligence in matters involving District fiscal resources.

The Superintendent shall be responsible for developing internal controls designed to prevent and detect fraud, financial impropriety, and fiscal irregularities within the District. Every member of the District's administrative team shall be alert for any indication of fraud, financial impropriety, or irregularity within his or her areas of responsibility.

The Superintendent shall investigate reports of fraudulent activity in a manner that protects the confidentiality of the parties and the facts. All employees involved in the investigation shall be advised to keep information about the investigation confidential. While investigating and responding to the financial fraud allegations, the Superintendent or Chair of the Board will give priority to avoiding possible retaliation or reprisals.

Staff Responsibilities

Any employee who suspects that financial fraud, impropriety, or irregularity has occurred shall immediately report those suspicions to their immediate supervisor and/or the Superintendent or designee who shall have the primary responsibility for initiating necessary investigations. Additionally, the Superintendent shall coordinate investigative efforts with the District's legal counsel, auditing firm, and other internal or external departments and agencies, including the county prosecutor's office and law enforcement officials, as the Superintendent may deem appropriate.

An employee who believes they have suffered reprisal, retaliation or discrimination for a report under this policy shall report the incident(s) to the Superintendent or designee. The Board will attempt to ensure that no employee who makes such a report will suffer any form of reprisal, retaliation, or discrimination for making the report. Employees are prohibited from preventing or interfering with those who make good faith disclosures of misconduct. This policy shall not apply when an employee knowingly makes a false report.

In the event the concern or complaint involves the Superintendent, the concern shall be brought to the attention of the Chair of the Board who is hereby empowered to contact the District's legal counsel, auditing firm, and any other agency to investigate the concern or complaint.

Definition

As used in this policy, "fraud" refers to intentionally misrepresenting, concealing, or misusing information in an attempt to commit fiscal wrongdoing. Fraudulent actions include, but are not limited to:

1. Behaving in a dishonest or false manner in relation to District assets, including theft of funds, securities, supplies, or other District properties;
2. Forging or altering financial documents or accounts illegally or without proper authorization;
3. Improper handling or reporting of financial transactions;
4. Personally profiting as a result of insider knowledge;
5. Disregarding confidentiality safeguards concerning financial information;
6. Violating Board conflict of interest policies; and
7. Mishandling (destroying, removing, or misusing) financial records of District assets.

Internal Controls

The following internal controls shall be a regular practice of the District in an effort to prevent the possibility of fraud:

1. **Budgetary Transfers:** The transfer of appropriations is important for the Superintendent, purchasing agent, business official, and treasurer, and all should have written confirmation of the information. The purchasing agent shall be apprised if the transfer has been approved, the treasurer shall document it and the business official shall record it;
2. **Treasurer's Receipts:** The treasurer should have receipts and numbered duplicates for everything paid out in his or her custody;
3. **Checks:** The treasurer shall keep personal custody of any signature stamps and maintain a log for every check written;
4. **Audit:** An individual not connected to the business office should audit the check register regularly;
5. **Conduct Background Checks on Potential Business Office Employees:** Check all possible references, not just those offered, and perform criminal background checks on key business officials and other warranted positions; and
6. Segregate functions within the business office so as to avoid the opportunity for fraud without collusion.

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

FINANCIAL MANAGEMENT

7230

Financial Reporting and Audits

The Board directs that financial reports of all District funds shall be prepared in compliance with statutory provisions and generally accepted accounting and financial reporting standards. In addition to the reports required for local, State, and federal agencies, financial reports will be prepared monthly and annually and presented to the Board. The financial reports shall reflect the financial activity and status of the District funds.

Appropriate interim financial statements and reports of financial position, operating results, and other pertinent information will be prepared to facilitate management control of financial operations.

The Board directs that District audits shall be conducted in accordance with Idaho Code § 67-450B. Each audit shall be a comprehensive audit of the affairs of the District and the District funds. The audits shall comply with all statutory provisions and generally accepted governmental auditing standards, as defined by the United States Government Accountability Office. Within ten days after receiving the audit from the District's independent auditor, the School District shall file two copies of the completed audit report with the legislative counsel at:

Idaho Legislative Services Office
Legislative Services Audit
Staff of Legislative Counsel
P.O. Box 83720
Boise, Idaho 83720-0054

The report shall be filed with the State Department of Education after its acceptance by the Board of Trustees not later than November 10.

Legal Reference: I.C. § 33-701 Fiscal Year – Payment and Accounting of Funds
I.C. § 67-450B Independent Financial Audits by Government Entities

Policy History:

Adopted on:

Revised on:

Reviewed on:

Fiscal Accountability and IDEA Part B Funds

The District must ensure fiscal accountability at each phase in the use of Individuals with Disabilities Education Act (IDEA) Part B funds. The purpose of this policy is to ensure that the District complies with the State Department of Education requirements described in the *Idaho State Department of Education IDEA Funding Manual*.

Use of IDEA Part B Funds

The District shall use IDEA funds only to pay excess costs of providing special education and related services to children with disabilities. A cost is determined to be an excess cost of providing special education only if it meets each of the following criteria:

1. The cost would not exist in the absence of special education needs;
2. The cost is not also generated by students without disabilities; and
3. If the cost is specific to a particular child, it is documented if that child is on an Individual Education Plan (IEP).

The Board directs the Superintendent to establish procedures and internal controls to ensure that IDEA Part B funds are used only for allowable, excess costs of providing special education and that these costs are accounted for in the proper function/program codes described in 34 CFR 300.202-205. These procedures and controls shall also ensure the accuracy of the District's Excess Cost Calculation, as required by 34 C.F.R. 300.16 and Appendix A to 34 C.F.R.300.

The Special Education Director and the Business Manager approve all IDEA Part B expenditures (PO, invoices) following the process described in the written procedures for determining allowability of cost (cost principles).

Time and Effort Reporting

Charges to federal awards for salaries and wages must be based on records that accurately reflect the work performed. In order to determine if personnel costs are allowable under IDEA Part B, the District shall maintain auditable "time and effort" documentation that shows how each employee paid with IDEA Part B funds spent his or her compensated time. Such work shall be documented on the time and effort forms. The form shall be kept for employees paid in full or in part with federal funds or whose salary is used to meet a matching requirement in a federal program. Such documents are written reports of how the time was spent.

The Board directs the Superintendent to establish a system for time and effort reporting that complies with the requirements of OMB Circular A-87 and OMB Circular A-133 and with the 4235P Written Compensation Procedure.

Parentally-Placed Private School Children

The District must ensure that it is providing the appropriate portion of IDEA Part B funds to children receiving special education at private schools within the boundaries of the District. To accomplish this, the Board directs the Superintendent to establish procedures to accurately track and report expenditures for services provided to parentally-placed private school children.

The Special Education Director and the Business manager keep accurate records of all expenditures charged to the parentally-placed private school children budget. The documentation should be traceable to the financial report and available for inspection if requested.

Property Procurement and Tracking

The Board directs the Superintendent to establish written procedures to ensure that the District's mechanism for procurements using IDEA Part B funds conforms to the standards outlined in 34 C.F.R. 80.36 and with Policy 7400 Procurement Management System and any related procedures. The Board also directs the Superintendent to establish a system to maintain adequate inventory management of property purchased with IDEA Part B funds.

Property records in the inventory management system should include, at a minimum:

1. Property description;
2. Identification number;
3. Source of funding;
4. Acquisition date and cost;
5. The location, use, and condition of the property; and
6. Any ultimate disposition data including the date of disposal and sale price of the property.

In addition to the above information, the inventory management system should ensure that all source documents in support of the above information are maintained throughout the life and disposition of the equipment. These records should be updated frequently so that every piece of equipment purchased with federal funds can be accounted for at any given time.

Cross Reference 7400 Procurement Management System

Legal Reference: 2 C.F.R. §§200.430 Time and Effort
 34 C.F.R. §§80.36 Procurement
 34 C.F.R. §§80.42 Retention and Access Requirements for Records
 34 C.F.R. §§300.132-133 Provision of Services for Parentally-Placed
 Private School Children with Disabilities
 34 C.F.R. §§300.16 Excess Costs
 34 C.F.R. §§300.202-205 Use of Amounts
 34 C.F.R. §§300, Appendix A Excess Costs Calculation

Fiscal Accountability Checklist: For Sub-Recipients of IDEA Part B Funds
OMB Circular A-87
OMB Circular A-133

Other Reference: Idaho SDE IDEA Part B Funding Manual

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

FINANCIAL MANAGEMENT

7235F1

Federal Funds Semi-Annual Certification Form

Employee: _____ Position: _____

Reporting Period: _____

Cost Objective (Program Activity)	Grant Program	Fund Code – Function Code	Distribution of Time (Percentage of Hours)

Employee's Signature: _____ Date: _____

I hereby certify this report is an accurate representation of the total activity expended during the period indicated.

Reviewed by supervisor: _____ Date: _____

Council School District No. 13

FINANCIAL MANAGEMENT

7235F2

Personnel Activity Report

LEA Name: Council School District

For the Month of: _____

Employee: _____

Year: _____

Position: _____

Supervisor: _____

Cost Objective or Program Activity	Grant – Fund Code	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	Total	%
Leave Time																			
TOTAL																			

Cost Objective or Program Activity	Grant – Fund Code	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	Total	%

Leave Time																		
TOTAL																		

I certify that the hours reported above are a true representation of work performed.

Employee signature: _____

Date:

Immediate Supervisor signature: _____

Date:

Council School District No. 13

FINANCIAL MANAGEMENT

7235F3

Multiple Cost Objective Time and Effort Certification

Employee: _____ Position: _____

Reporting Period: _____

Cost Objective (Program Activity)	Grant Program	Fund Code – Function Code	Distribution of Time (Percentage of Hours)

Employee's Signature: _____ Date: _____

I hereby certify this report is an accurate representation of the total activity expended during the period indicated.

Reviewed by supervisor: _____ Date: _____

Written Compensation Procedure (Time and Effort)

Time and Effort Standards

All employees who are paid in full or in part with federal funds must keep specific documents to demonstrate the amount of time they spent on grant activities. This includes an employee whose salary is paid with State or local funds but is used to meet a required “match” in a federal program. These documents, known as time and effort records, are maintained in order to charge the costs of personnel compensation to federal grants.

The District’s records will accurately reflect the work performed. These records must:

1. Be supported by a system of internal controls which provides reasonable assurance that the charges are accurate, allowable, and properly allocated;
2. Be incorporated into official records;
3. Reasonably reflect total activity for which the employee is compensated, not exceeding 100% of compensated activities;
4. Encompass both federally assisted and all other activities compensated by the District on an integrated basis;
5. Comply with the established accounting policies and practices of the District; and,
6. Support the distribution of the employee’s salary or wages among specific activities or costs objectives.

Time and Effort Procedures

Federal programs staff work in multiple programs and are paid from multiple federal awards. The initial budget for program personnel is determined according the relative percentage of the total of allocations of programs in which the staff member works. Each pay period, the staff member’s salary and benefits are calculated and paid according to those initial budget percentages.

At the end of each quarter, the staff member will submit a certification of actual hours worked in each federal program during that quarter. The certification will be signed by the employee and by the business manager or other District staff with after-the-fact knowledge of the employee’s activities.

The business manager will reconcile the certification of actual work performed to budgeted amounts and will make corresponding journal entries that reflect actual hours worked in and allowable activities of each federal program.

If an employee works exclusively in a single federal program, that employee will, at least semi-annually complete Form 7235F1 Federal Funds Semi-Annual Certification Form. The form must

be completed at least twice each year and signed by the employee and staff member with after-the-fact knowledge of the employee's activities.

Federal programs staffs who work in multiple programs and are paid from multiple federal awards with no fixed schedule shall complete a Form 7235F2 Personnel Activity Report.

Positive Time Reporting

(For Districts that have implemented a financial management system that allows positive time reporting) The District may generate a time and effort report directly from the financial management system.

Legal Reference: Idaho SDE IDEA Part B Funding Manual.

Procedure History:

Promulgated on:

Revised on:

Reviewed on:

Council School District No. 13

FINANCIAL MANAGEMENT

7235PF1

Personnel Activity Report

Employee Name: _____

Employee SSN: (Optional) _____

		Percentage of Time Worked by Activity					
Month	Year	Work Activity #1	Work Activity #2	Work Activity #3	Work Activity #4	Work Activity #5	TOTAL % of Time Worked

The signature(s) below certifies this employee performed activities reflected in the attached log as distributed in the above percentages during the month specified.

Signature of Employee

Date

Position Title

Job Location/School Name

Signature of Supervisor (Optional)

Date

This certification is in support of the Time Reporting requirements consistent with SDE Recommended Tracking: “Where employees work on multiple activities or cost objectives, a distribution of wages will be supported by personnel activity report...”

Legal Reference: Idaho SDE IDEA Part B Funding Manual.

Procedure History:

Promulgated on:

Revised on:

Reviewed on:

Council School District No. 13

FINANCIAL MANAGEMENT

7235PF2

Single Federal Award or Cost Objective

This form is required to be signed twice annually by the employee(s) paid solely from a single federal fund, (for example, Title I, Title II, IDEA Part B, etc.) or who work solely on a single cost objective and should be available for audit and monitoring reviews.

SDE Recommended Tracking states “where employees are expected to work solely on a single federal award or cost objective charges for their salaries and wages will be supported by periodic certifications that the employees worked solely on the program for the period covered by the certification. These certifications will be prepared at least semi-annually and will be signed by the employee and supervisory official having first-hand knowledge of the work performed by the employee.”

I, _____, _____
(Name) (Title)

certify that 100% of my time has been spent performing duties associated with

_____*

for the period of (July 1 through December 31) or (January 1 through June 30) of the current year.
(Underline or circle the correct period)

_____ Employee Signature Date _____

_____ Supervisor Signature Date _____

**Insert the name of the federal award or cost objective. Cost objectives could include special education, IDEA Part B Maintenance of Effort Preschool program, etc.*

Legal Reference: Idaho SDE IDEA Part B Funding Manual

Council School District No. 13

FINANCIAL MANAGEMENT

7237

Retention of Records Relating to Federal Grants

The Board directs the Superintendent to ensure that fiscal records related to federal grants are retained for a minimum of six years from the obligation of funds. These records shall be available for inspection if required.

Procedures

The District shall maintain records that fully show:

1. The amount of funds under the grant or subgrant;
2. How the District uses those funds;
3. The total cost of each project;
4. The share of the total cost of each project provided from other sources;
5. Other records to facilitate an effective audit; and
6. Other records to show compliance with federal program requirements.

The District shall also maintain records of significant project experiences and results. These records and accounts shall be retained and made available for programmatic or financial audits.

In accordance with State Department of Education record retention policy 4.16.02 Administration of Federal Grant Program, the District shall maintain all fiscal and programmatic records relating to federal grants for a minimum of five years and one additional audit.

The District will destroy paper records by shredding only. In the event of the disposal of computers or electronic equipment that may contain confidential student or personnel records, the District will ensure that hard drives are appropriately “wiped” clean of information prior to disposal.

The District shall retain records based on the schedule provided [in](#) Policy 8605.

Collection and Transmission of Records

The District shall maintain electronic records in the District’s electronic records system, and paper records shall be maintained in the District office under the supervision of the Business Manager or designee. The Clerk will have authorized access as directed. Electronic and/or paper records shall be provided to awarding agencies to meet reporting requirements and to auditors and monitors, as appropriate and required. Records that are kept electronically may be transmitted electronically as allowed by 2 CFR 200.335.

Access to Records

The District shall provide the awarding agency, Inspectors General, the Comptroller General of the United States, and the pass-through entity, or any of their authorized representatives, the right of access to any documents, papers, or other records of the District which are pertinent to the Federal award, in order to make audits, examinations, excerpts, and transcripts. The right also includes timely and reasonable access to the District's personnel for the purpose of interview and discussion related to such documents.

Privacy

Access to both the District's electronic records system, personnel files, the Student Management System, confidential student files, Special Education IEP files shall be password protected in the case of electronically maintained records and kept in locked filing cabinets in the case of paper records. These records are maintained under the supervision of the Superintendent and the Business Manager, or Federal Programs Director with exclusive access to paper files and passwords for electronic systems. The District clerk may also have access to these records. Employees shall be trained in the requirements of the Family Educational Rights and Privacy Act (FERPA). If a request for confidential information is received from a source not having clear authority under FERPA or other statute, the District shall consult appropriate legal counsel prior to providing records.

Legal Reference: 34 C.F.R. §§ 75.730-.731
 34 C.F.R. §§ 75.732
 34 C.F.R. §§ 76.730-.731
 2 C.F.R. §§ 200.333-.337

Other Reference: Idaho SDE IDEA Part B Funding Manual

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

FINANCIAL MANAGEMENT

7240

Programs for Indian Children

It is the intent of the District that all American Indian children of school age have equal access to all programs, services, and activities offered in the District.

It is also the intent of the District to fully comply with the requirements of Title VIII (Impact Aid Program) of the Elementary and Secondary Education Act and regulations relating thereto. To that end, the District shall:

1. Provide tribal officials and parents of Indian children an opportunity to comment on the participation of Indian children on an equal basis in all programs and activities offered by the District;
2. Annually assess the extent to which Indian students are participating on an equal basis in the educational programs and activities of the District;
3. If and when necessary, modify its educational programs to ensure that Indian children participate on an equal basis with non-Indian children served by the District;
4. Disseminate annually all relevant applications, evaluations, program plans, and information related to the District's education programs in sufficient time to allow the tribes and parents of Indian Children an opportunity to review the materials and make recommendations on the needs of the Indian children and how the District may help those children realize the benefits of the District's education programs and activities;
5. Solicit information from tribal officials and parents of Indian children on Indian views, including information on the frequency, location, and time of meetings;
6. Notify tribal officials and parents of Indian children of the locations and times of meetings;
7. Consult and involve tribal officials and parents of Indian children in the planning and development of the District's educational programs and activities;
8. Modify its Indian policies and procedures, if and when necessary, based upon the results of the "Assessments" referenced below.

Assessments

Tribal officials and parents of Indian children are encouraged to assess the effectiveness of their input regarding the participation of Indian children in the District's educational programs and activities and the development and implementation of the District's Indian policies and procedures and share the results of such assessment with the District.

Records

For all Indian students served by the District, The District shall maintain adequate records to demonstrate the District's compliance with applicable federal law regarding funds received pursuant to Title VIII (20 USC § 7703).

Legal Reference: 20 U.S.C.S. §§ 7441, et seq. Special Programs and Projects to Improve Educational Opportunities for Indian Children.
20 U.S.C.S. §§ 7703, 7704, Policies and Procedures Relating to Children Residing on Indian Lands
34 CFR 222.94 What Provisions Must be Included in a Local Educational Agency's Indian Policies and Procedures?

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

FINANCIAL MANAGEMENT

**7240B
(Background)**

Programs for Indian Children

A policy and procedure of this nature is necessary in order to be eligible to receive Title VIII funds to provide programs for eligible Indian students.

When submitting the Impact Aid application for federal assistance, the District must provide assurance that it has established the required policies and procedures. In addition to submitting the policies and procedures, the District must ensure that:

1. Tribes and parents were informed, consulted, and involved;
2. A statement indicating that the District has on file a list of names and addresses of parents that participated in hearings or other such meetings is also provided;
3. Dates when proposed policies were considered by the Board (first reading, second reading, etc.) are also provided;
4. That policies and procedures reflect the views of parents of Indian children;
5. That policies and procedures have been disseminated to the tribes and parents; and
6. Adequate records are maintained demonstrating compliance with the federal requirements.

While the amendments provide for the involvement of parents of Indian children, such recommendations are advisory only. The Board has the final authority on policy decisions of the District.

Council School District No. 13

FINANCIAL MANAGEMENT

7240P

Federal Impact Funds

The Board adopts the following procedures as required by Title VIII (Impact Aid Program) of the Elementary and Secondary Education Act:

1. The Superintendent and/or his or her designee will meet at least two times annually with tribal officials and parents of Indian children. The purpose of the meetings will be to give tribal officials and parents of Indian children an opportunity to comment on whether Indian children are participating on an equal basis with other children in the District in the educational programs and activities offered by the District. The dates and times of these meetings will be sent to tribal officials and parents of Indian children at the beginning of each school year. In addition to the meetings, tribal officials and parents of Indian children are encouraged to contact the Superintendent at any time to provide comments or concerns regarding Indian children's equal participation in the education programs of the District.
2. Each year the Board will review this procedure and the District's Policy 7240 Programs for Indian Children.
3. The Superintendent and/or designee will review school data and the comments and/or concerns of tribal officials, parents of Indian children, the community, and staff members regarding the assessment and extent of Indian students' participation and progress in the educational programs and services of the District.
4. When assessment data indicate Indian students are not participating on an equal basis with non-Indian students or making adequate progress, tribal officials and parents of Indian children will be asked to make recommended changes.
5. The complete Title VIII application will be sent to tribal officials (and the Indian Education Center, if appropriate) and a summary prepared for all Indian parents in conjunction with the January Title VIII public hearing. Review of new or continuing programs is an ongoing process of the Board. Agendas will be regularly forwarded to Tribal officials. An annual summary will be provided at the January Title VIII public hearing. Additional information is available upon request. A Board meeting will be held, usually in January, for the discussion of the disseminated material as part of a regular Board agenda. Tribal officials and Indian parents and staff will be notified at least ten days prior to the meeting. Notice will be posted in the School District office and school offices and will be sent to the Tribal Council and Education Center for posting.
6. At the Board meeting described in 5 above, members of the Indian community will be afforded the opportunity to comment and suggest alternatives to the regularly scheduled times, locations, and frequency of pertinent meetings.
7. Tribal officials, Indian parents, the Title IX Indian Parent Committee, the IPP Committee, and Indian Education Center staff will be notified as to the location and times of meetings

in the same manner as that provided for the January Board meeting. Notice will be posted in the school's District office, at school offices, and will also be sent to the Tribal Council and the Tribal Education Center for posting.

8. The Title VIII application will be made available for review by the Title IX Parent Committee and/or the IPP Committee and other interested members of the Indian community, prior to the public meeting generally held in January.

A Board meeting to discuss equal participation of Indian students will generally be held in January.

The Title IX Parent Committee and/or the IPP Committee and interested Indian parents and tribal officials will review assessment data to develop or modify educational programs or services to allow participation of Indian students on an equal basis. These findings and recommendations will be presented to the Board in March or as required by federal guidelines.

Members of the Indian community, tribal officials, members of the Parent Committee and/or the IPP Committee, and staff will be notified of modifications to programs or services as provided in 5, above.

Procedure History:

Promulgated on:

Revised on:

Reviewed on:

Student Activity Fund

The Board is responsible for the establishment and management of student activity funds. The purpose of student activity funds shall be to account for revenues, disbursements, deposits, expenditures, assets, liabilities, and fund balances of those funds raised by students through recognized student body organizations and activities, including:

1. Admission charges for interscholastic activities;
2. The sale of yearbooks and annuals;
3. Student fee collections which are used to provide more than one activity or benefit to all of the students of a school or school building; and
4. Receipt from vending machines located on school property.

Such funds shall be used for such expenditures as athletics and student activities.

The funds collected by the schools shall be maintained in accounts requiring two authorized signatures for the distribution of funds: one signature shall be by a person designated by the Board as an assistant treasurer and the other shall be a designated signatory of the building or District.

The funds shall be deposited and expended by regular check in a bank account maintained by the District for each student activity fund. The use of the student extra- and co-curricular funds is limited to the benefit of the students. All funds collected or received for school programs, activities, or student use are, by Idaho law, public monies; and the care, custody, control, and accounting for such monies is the duty and responsibility of the treasurer and the administrative officer of the District. The treasurer of the District shall provide accounting procedures for the receipt, deposit, expenditure, and withdrawal of such moneys.

The management of student activity funds shall be consistent with sound business practices. Authority is delegated to the Superintendent to require each school within the District to conform to accounting procedures for the receipt, deposit, and withdrawal of funds. A report of the activity of these funds shall be submitted to the Board and Superintendent each month by the treasurer. This includes providing for the safekeeping of monies, proper accounting and administration of the funds, and compliance with the Board of Trustees policies and procedures. The principal is responsible for the proper collection, disbursement, and control of all school activity funds.

The official financial records of the student activity funds for any school in the District will be audited annually by a qualified public accountant or other responsible person approved by the Board. The employee responsible for maintaining student activity funds will be under bond in an amount which protects the maximum funds on hand at any time. An annual report will be prepared for the Board disclosing all results of the audit.

For other activity or student funds, the Board may create a separate fund(s) and implement procedures for the accounting and control of the same.

Projects for the raising of funds shall generally contribute to the educational experience of students and shall not detract from the instructional program. All fundraising projects must have the approval of the principal. Solicitation of funds outside the school must have the approval of the Superintendent.

Receipts

All cash and check collection will be recorded by the person receiving the collection. A cash receipt will be prepared immediately. Cash receipts are to be issued in numerical sequence.

The receipt must be filled in completely including:

1. Date;
2. The amount;
3. The name of the person or company delivering the funds;
4. The source of the funds, such as a fundraiser, yearbook payment, etc; and
5. The account code and description of the account.

An actual cash count of all money must be made by the person receiving the funds in the presence of the person delivering the funds.

Checks received will not be post-dated for any reason.

A cash receipt will not be altered for any reason. If an error occurs, the person receiving the cash or check will indicate the receipt was voided, will mark void on the receipt and file the voided receipt in numerical sequence with the copies of the receipts.

The original receipt will be given to the person delivering the money. If an individual mails a check and requests a receipt for the payment, a receipt acknowledging the check number will be prepared and returned to the individual making the payment. The copy of the receipt will be filed in numerical order and retained for auditing purposes.

Access to receipts will be limited to the individual responsible for the particular fund.

If funds are delivered to a building office when the person responsible for the school fund is out of the office, the employee receiving the cash or check will follow the receipt procedures set forth above. The funds will then be locked in a safe until the person responsible for the school fund is available. The individual who received the funds will then count the money in the presence of the person responsible for the school fund and indicate that the money was received. All funds received by clubs or school organizations must be properly documented.

All funds collected by staff members will be submitted daily to the building principal or his or her designee for receipt. No money will be kept overnight in classrooms, desks, file cabinets, or other areas within the building.

Legal Reference: I.C. § 33-705 Activity Funds

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

FINANCIAL MANAGEMENT

7270

Property Records

Property records and inventory records shall be maintained on all land, buildings, and physical property under the control of the District. Such records shall be updated annually.

Property records of facilities and other fixed assets shall be maintained on an ongoing basis. All goods purchased using federal funds shall be delivered to the District office and received by the Business Manager. Upon receipt of goods, the Business Manager shall notify the Superintendent of fulfillment of the purchase order.

The Business Manager checks all items against the invoice to ensure accuracy of delivery. Inventory items will be recorded on the Master Inventory list. No equipment shall be removed for personal or non-school use except according to Board policy.

Property records shall show, appropriate to the item recorded, the:

1. Description and identification;
2. Manufacturer;
3. Date of purchase;
4. Initial cost;
5. Location;
6. Serial number, if available; and
7. Model number, if available

For each equipment and computing device purchased with federal funds, the following information is maintained in the Special Services office mastery inventory list. The list includes the following information:

1. Serial number or other identification number;
2. Source of funding for the property;
3. Identification of title holder;
4. Acquisition date and cost of the property;
5. Percentage of federal participation in the project costs for the federal award under which the property was acquired;
6. Location, use, and condition of the property; and
7. Any ultimate disposition data including the date of disposal and sale price of the property.

In the event the property is sold, lost, or stolen, or cannot be repaired, the item will be deducted from the master inventory list. The date of the change will be listed along with the sale price if the item is sold.

Property Classifications

Equipment and supplies with a useful life of more than 1 year, including computing devices, will be engraved with “Property of Council School District Number 13” and with appropriate equipment identification.

Equipment means tangible personal property (including information technology systems) having a useful life of more than one year and a per-unit acquisition cost which equals or exceeds the lesser of the capitalization level established by the District for financial statement purposes, or \$5,000.

Supplies means all tangible personal property other than those described in § 200.33 Equipment. A computing device is a supply if the acquisition cost is less than the lesser of the capitalization level established by the District for financial statement purposes or \$5,000, regardless of the length of its useful life.

Computing devices means machines used to acquire, store, analyze, process, and publish data and other information electronically, including accessories (or “peripherals”) for printing, transmitting and receiving, or storing electronic information.

Capital assets means tangible or intangible assets used in operations having a useful life of more than one year that are capitalized in accordance with GAAP. Capital assets include:

1. Land, buildings (facilities), equipment, and intellectual property (including software) whether acquired by purchase, construction, manufacture, lease-purchase, exchange, or through capital leases; and
2. Additions, improvements, modifications, replacements, rearrangements, reinstallations, renovations or alterations to capital assets that materially increase their value or useful life (not ordinary repairs and maintenance).

Physical Inventory

A physical inventory of the property must be taken and the results reconciled with the property records at least yearly.

Each staff member will inventory property items in their room at the end of each school year. The inventory sheet is signed by the staff member taking the inventory as verification and is reviewed by the Business Manager and kept in the vault. Computer and technology equipment is inventoried through Excel and recorded in an Excel spreadsheet maintained by the Business Manager. Electronic equipment, such as iPads, are engraved with “Property of Council School District Number 13”.

Any discrepancy between physical inventory and the master inventory sheet will be researched by the Business Manager and noted on the master inventory.

Maintenance

The District shall maintain adequate maintenance procedures and records to ensure that property is kept in good condition. If an item needs repair, the Business Manager will be notified and proper

repair procedures will be determined, either in District or by sending the item to a qualified repair facility.

Lost or Stolen Items

The District maintains a control system that ensures adequate safeguards are in place to prevent loss, damage, or theft of the property.

Use of Equipment Purchased with Federal Funds

Equipment purchased with federal funds must be used in the program or project for which it was acquired as long as needed, whether or not the project or program continues to be supported by the federal award, and the District will not encumber the property without prior approval of the federal awarding agency and the pass-through entity.

During the time equipment is used on the project or program for which it was acquired, the equipment will also be made available for use on other projects or programs currently or previously supported by the federal government, provided that such use will not interfere with the work on the projects or program for which it was originally acquired. First preference for other use must be given to other programs or projects supported by the federal awarding agency that financed the equipment. Second preference is given to programs or projects under federal awards from other federal awarding agencies. Use for non-federally funded programs or projects is also permissible.

When no longer needed for the original program or project, the equipment may be used in other activities supported by the federal awarding agency, in the following order of priority:

1. Activities under a federal award from the federal awarding agency which funded the original program or project; then
2. Activities under federal awards from other federal awarding agencies.

In the event that the District no longer needs real or personal or real property, it will follow the rules, policies, and procedures required by Idaho Code §33-601(4)(b) and by Policy 9100.

Cross Reference: 7210

GASB Statement 34 (Accounting System)

Legal Reference: I.C. §33-601(4)(b)	Real and Personal Property—Acquisition, Use or Disposal of Same
I.C. § 33-701	Fiscal Year – Payment and Accounting of Funds
2 C.F.R. § 200.12	Capital Assets
2 C.F.R. § 200.20	Computing Devices
2 C.F.R. § 200.33	Equipment
2 C.F.R. § 200.94	Supplies
2 C.F.R. § 200.313	Equipment

Policy History:

Adopted on:

Revised on:
Reviewed on:

Council School District No. 13

FINANCIAL MANAGEMENT

7300

Revenues

The District will seek and utilize all available sources of revenue for financing its educational programs. This includes revenues from non-tax, local, State, and federal sources. All revenues received for the District will be properly credited to the appropriate fund and account as specified by federal and State statute and the accounting and reporting regulations for Idaho school districts.

The District will collect and deposit all direct receipts of revenues as necessary but at least once monthly. The District will make an effort to collect all revenues due from all sources, including, but not limited to, rental fees, bus fees, fines, tuition fees, other fees and charges.

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

FINANCIAL MANAGEMENT

7305

Investment of Funds

Pursuant to Idaho Code §33-701, the Board authorizes the Superintendent to invest all or part of any plant facilities reserve fund, or any fund accumulated for the payment of interest on, and the redemption of, outstanding bonds, or other obligations of the District. The Superintendent shall develop criteria and procedures for appropriate investments which shall be reviewed by the Board. A progress report of investments shall be made to the Board on a regular basis.

Policy Considerations

The investment policy shall be reviewed annually by the Superintendent or designee and recommended changes will be presented to the Board for consideration.

Investments may be made only in those instruments approved by, and in a method in conformity, with State law including any instrument permitted by law for the investment of State moneys.

Legal Reference:	I.C. § 33-701	Fiscal Year - - Payment & Accounting of Funds
	I.C. § 67-1210	Investment of Idle Moneys

Policy History:

Adopted on:

Revised on:

Reviewed on:

Advertising in Schools/Revenue Enhancement

Revenue enhancement through a variety of District-wide and District approved marketing activities, including but not limited to advertising, corporate sponsorship, signage, etc., is a Board-approved venture. These opportunities are subject to certain restrictions as approved by the Board in keeping with the contemporary standards of good taste. Such advertising will seek to model and promote positive values for the students of the District through proactive educational messages and not just traditional advertising of a product. Preferred advertising includes messages that encourage student achievement and the establishment of high standards of personal conduct.

All sponsorship contracts will allow the District to terminate the contract at least on an annual basis if it is determined that it will have an adverse impact on implementation of curriculum or the educational experience of students.

The revenue derived should:

1. Enhance student achievement;
2. Assist in the maintenance of existing District athletics and activity programs; and
3. Provide scholarships for students participating in athletic, academic, and activity programs who demonstrate financial need and merit.

Appropriate opportunities for these marketing activities include but are not limited to:

1. Fixed signage;
2. Banners;
3. District-level publications;
4. Television and radio broadcasts;
5. Athletic facilities, to include stadiums, high school baseball fields, and high school gymnasiums;
6. District-level projects;
7. Expanded usage of facilities beyond traditional use (i.e., concerts, rallies, etc.);
8. Interior and exterior of a limited number of District buses only if the advertising is associated with student art selected by the District. The only advertising information will note that the student art is sponsored by the participant in the District sponsorship. Maintenance for these buses will include but not exceed normal maintenance costs; and

9. Individual school publications (when not in conflict with current contracts).

Advertising will not be allowed in classrooms, and corporate-sponsored curriculum materials are subject to the requirements of Board policy.

The following restrictions will be in place when seeking revenue enhancement. Revenue enhancement activities will not:

1. Promote hostility, disorder, or violence;
2. Attack ethnic, racial, sexual orientation, gender identity or expression, or religious groups;
3. Discriminate, demean, harass, or ridicule any person or group of persons on the basis of gender;
4. Be libelous;
5. Inhibit the functioning of the school and/or District;
6. Promote, favor, or oppose the candidacy of any candidate for election, adoption of any bond or budget issues, or any public question submitted at any general, county, municipal, or school election.
7. Be obscene or pornographic as defined by prevailing community standards throughout the District;
8. Promote the use of drugs, alcohol, tobacco, firearms, or certain products that create community concerns;
9. Promote foods or beverages which do not meet the standards for foods sold at school described in Policy 8250. This restriction shall apply to all advertising, including signage, scoreboards, school stores, cups, packaging, vending machines, trash cans, coolers, menu boards, and food service equipment;
10. Promote any religious or political organization;
11. Use any District or school logo without prior approval; or
12. Use age-inappropriate material.

Exception

Nothing herein shall be construed to prevent advertising in publications which are published by student organizations, PTA/PTO, booster club, or other parent groups. Funds received for approved projects involving advertising in said publications may be retained by the school-related group that is sponsoring the activity as a fund-raising event.

Solicitations

Salespersons, representatives, or agents shall not solicit or contact pupils, teachers, or other employees in the school buildings or on school grounds without prior approval.

Cross Reference: 2100 Curriculum Development and Assessment
2500 Library Materials
2520 Curricular Materials
8250 Guidelines for Food and Beverages Sales

Legal References: 7 CFR § 210.30 Local School Wellness Policy
42 USC § 1758b, Section 204 Healthy and Hunger-Free Kids Act of 2010
42 USC § 1771 et seq. Child Nutrition Act of 1966
42 USC § 1751 et seq. National School Lunch Act

Policy History:

Adopted on:

Revised on:

Reviewed on:

Allowable Uses for Grant Funds

Expenditures will be aligned with approved budgeted items. Any changes or variations from the state-approved budget and grant application need prior approval from the State. When determining how the District will spend its grant funds, the Superintendent and the Business Manager will review the proposed cost to determine whether it is an allowable use of federal grant funds before obligating and spending those funds on the proposed good or service. All costs supported by federal education funds must meet the standards outlined in Education Department General Administrative Regulations, referenced below, which are provided in the bulleted list below. The Business Manager and District Superintendent must consider these factors when making an allowability determination. All costs must:

1. Be necessary and reasonable for the performance of the federal award as outlined in 7320P1.
2. Be allocable to the federal award. A cost is allocable to the federal award if the goods or services involved are chargeable or assignable to the federal award in accordance with the relative benefit received. This means that the federal grant program derived a benefit in proportion to the funds charged to the program. For example, if 50% of a teacher's salary is paid with grant funds, then that teacher must spend at least 50% of his or her time on the grant program.
3. Be consistent with policies and procedures that apply uniformly to both federally-financed and other activities of the District.
4. Conform to any limitations or exclusions set forth as cost principles in 2 CFR Part 200 or in the terms and conditions of the federal award.
5. Consistent treatment. A cost cannot be assigned to a federal award as a direct cost if any other cost incurred for the same purpose in like circumstances has been assigned as an indirect cost under another award.
6. Be adequately documented. All expenditures must be properly documented.
7. Be determined in accordance with General Accepted Accounting Principles (GAAP), unless provided otherwise in Part 200.
8. Not be included as a match or cost-share, unless the specific federal program authorizes federal costs to be treated as such. Some federal program statutes require the non-federal entity to contribute a certain amount of non-federal resources to be eligible for the federal program.
9. Be the net of all applicable credits. The term "applicable credits" refers to those receipts or reduction of expenditures that operate to offset or reduce expense items allocable to the federal award. Typical examples of such transactions are: purchase discounts, rebates or

allowances, recoveries or indemnities on losses, and adjustments of overpayments or erroneous charges. To the extent that such credits accruing to or received by the State relate to the federal award, they shall be credited to the federal award, either as a cost reduction or a cash refund, as appropriate.

Part 200's cost guidelines must be considered when federal grant funds are expended. In addition, as required by federal rules, the District will follow, as appropriate, all state and District-level requirements and policies regarding expenditures.

Helpful Questions for Determining Whether a Cost is Allowable

In addition to the cost principles and standards described in Procedures 7320P1 and P2, the Superintendent, Business Manager, and appropriate federal programs personnel can refer to this section for a useful framework when performing an allowability analysis. In order to determine whether federal funds may be used to purchase a specific cost, it is helpful to ask the following questions:

1. Is the proposed cost allowable under the relevant program?
2. Is the proposed cost consistent with an approved program plan and budget?
3. Is the proposed cost consistent with program specific fiscal rules? For example, the District may be required to use federal funds only to supplement the amount of funds available from nonfederal (and possibly other federal) sources.
4. Is the proposed cost consistent with Education Department General Administrative Regulations (EDGAR)?
5. Is the proposed cost consistent with specific conditions imposed on the grant (if applicable)?

As a practical matter, the Superintendent, Business Manager, and appropriate federal programs personnel should also consider whether the proposed cost is consistent with the underlying needs of the program. For example, program funds must benefit the appropriate population of students for which they are allocated.

Also, funds should be targeted to address areas of weakness, as necessary. To make this determination, the Superintendent, Business Manager, and appropriate federal programs personnel should review data when making purchases to ensure that federal funds to meet these areas of concern.

Legal Reference: 2 CFR §§ 200 *et seq.* Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Funds.
2 CFR §§ 200 (Subparts E and F) Cost Principles and Audit Requirements
2 C.F.R. §200.404 Reasonable Costs
2 C.F.R. §200.405 Allocable Costs
2 C.F.R. §200.406 Applicable Credits
2 C.F.R. §§ 200.420-200.475 Considerations for Selected Items of Cost

Policy History:
Adopted on:

Revised on:
Reviewed on:

Determining Necessity and Reasonableness of Expenses

Federal grant funds may only be spent on costs which are necessary and reasonable for the performance of the federal award. District staff must consider these elements when determining the reasonableness of a cost. A cost is reasonable if, in its nature and amount, it does not exceed that which would be incurred by a prudent person under the circumstances prevailing at the time the decision to incur the cost was made. For example, reasonable means that sound business practices were followed, and purchases were comparable to market prices.

When determining the allowability of a cost under a federal program, the District shall comply with the following criteria:

1. Be necessary and reasonable for the performance of the Federal award and be allocable thereto under the following principles.
2. Conform to any limitations or exclusions set forth in the following principles or in the Federal award as to types or amount of cost items.
3. Be consistent with policies and procedures that apply uniformly to both federally-financed and other activities of the District.
4. Be accorded consistent treatment. A cost may not be assigned to a Federal award as a direct cost if any other cost incurred for the same purpose in like circumstances has been allocated to the Federal award as an indirect cost.
5. Be determined in accordance with generally accepted accounting principles (GAAP), except, as otherwise provided for in 2 C.F.R. Subpart E – Cost Principles.
6. Not be included as a cost or used to meet cost sharing or matching requirements of any other federally-financed program in either the current or a prior period. See also 2 C.F.R. § 200.306(b) Cost sharing or matching.
7. Be adequately documented. See also 2 C.F.R §§ 200.300 - Statutory and national policy requirements through 200.309 - Period of performance.

When determining the reasonableness of a cost, consideration shall be given to:

1. Whether the cost is a type generally recognized as ordinary and necessary for the operation of the District or the proper and efficient performance of the federal award;
2. The restraints or requirements imposed by factors, such as: sound business practices; arm's-length bargaining; federal, state, and other laws and regulations; and terms and conditions of the federal award;

3. Market prices for comparable goods or services for the geographic area;
4. Whether the individuals concerned acted with prudence in the circumstances considering their responsibilities to the District, its employees, its students, the public at large, and the federal government;
5. Whether the District significantly deviates from its established practices and policies regarding the incurrence of costs, which may unjustifiably increase the federal award's cost.

While the relevant federal administrative rule does not provide specific descriptions of what satisfies the “necessary” element beyond its inclusion in the reasonableness analysis above, “necessary” is determined based on the needs of the program. Specifically, the expenditure must be necessary to achieve an important program objective. A key aspect in determining whether a cost is necessary is whether the District can demonstrate that the cost addresses an existing need, and can prove it. For example, the District may deem a language skills software program necessary for a limited English proficiency program.

When determining whether a cost is necessary, consideration may be given to:

1. Whether the cost is needed for the proper and efficient performance of the grant program;
2. Whether the cost is identified in the approved budget or application;
3. Whether there is an educational benefit associated with the cost;
4. Whether the cost aligns with identified needs based on results and findings from a needs assessment; and
5. Whether the cost addresses program goals and objectives and is based on program data;

Legal Reference: 2 C.F.R. §§ 200.403 - .405.

Procedure History:

Promulgated on:

Revised on:

Reviewed on:

Council School District No. 13

FINANCIAL MANAGEMENT

7320P2

Selected Items of Cost

2 CFR Part 200 examines the allowability of 55 specific cost items (commonly referred to as Selected Items of Cost). These cost items are listed in the chart below along with the rule where the allowability of the item is discussed. Please do not assume that an item is allowable because it is specifically listed in the regulation, as it may be unallowable despite its inclusion in the selected items of cost section. The expenditure may be unallowable for a number of reasons, including:

1. The express language of the regulation states the item is unallowable;
2. The terms and conditions of the grant deem the item unallowable; or
3. State/local restrictions dictate that the item is unallowable.

The item may also be unallowable because it does not meet one of the cost principles, such as being reasonable because it is considered too expensive. If an item is unallowable for any of these reasons, federal funds cannot be used to purchase it.

District personnel responsible for spending federal grant funds and for determining allowability shall be familiar with the Part 200 selected items of cost section. The Superintendent and Business Manager shall follow these rules when charging these specific expenditures to a federal grant. When applicable, the Superintendent and/or Business Manager shall check costs against the selected items of cost requirements to ensure the cost is allowable. In addition, State, District and program-specific rules may deem a cost unallowable, and District personnel shall follow those non-federal rules as well.

The selected item of cost addressed in Part 200 includes the following (in alphabetical order):

Item of Cost	Citation of Allowability Rule
Advertising and public relations costs	2 CFR § 200.421
Advisory councils	2 CFR § 200.422
Alcoholic beverages	2 CFR § 200.423
Alumni/ae activities	2 CFR § 200.424
Audit services	2 CFR § 200.425
Bad debts	2 CFR § 200.426
Bonding costs	2 CFR § 200.427
Collection of improper payments	2 CFR § 200.428

Commencement and convocation costs	2 CFR § 200.429
Compensation – personal services	2 CFR § 200.430
Compensation – fringe benefits	2 CFR § 200.431
Conferences	2 CFR § 200.432
Contingency provisions	2 CFR § 200.433
Contributions and donations	2 CFR § 200.434
Defense and prosecution of criminal and civil proceedings, claims, appeals, and patent infringements	2 CFR § 200.435
Depreciation	2 CFR § 200.436
Employee health and welfare costs	2 CFR § 200.437
Entertainment costs	2 CFR § 200.438
Equipment and other capital expenditures	2 CFR § 200.439
Exchange rates	2 CFR § 200.440
Fines, penalties, damages, and other settlements	2 CFR § 200.441
Fund raising and investment management costs	2 CFR § 200.442
Gains and losses on disposition of depreciable assets	2 CFR § 200.443
General costs of government	2 CFR § 200.444
Goods and services for personal use	2 CFR § 200.445
Idle facilities and idle capacity	2 CFR § 200.446
Insurance and indemnification	2 CFR § 200.447
Intellectual property	2 CFR § 200.448
Interest	2 CFR § 200.449
Lobbying	2 CFR § 200.450
Losses on other awards or contracts	2 CFR § 200.451
Maintenance and repair costs	2 CFR § 200.452
Materials and supplies costs, including costs of computing devices	2 CFR § 200.453

Memberships, subscriptions, and professional activity costs	2 CFR § 200.454
Organization costs	2 CFR § 200.455
Participant support costs	2 CFR § 200.456
Plant and security costs	2 CFR § 200.457
Pre-award costs	2 CFR § 200.458
Professional services costs	2 CFR § 200.459
Proposal costs	2 CFR § 200.460
Publication and printing costs	2 CFR § 200.461
Rearrangement and reconversion costs	2 CFR § 200.462
Recruiting costs	2 CFR § 200.463
Relocation costs of employees	2 CFR § 200.464
Rental costs of real property and equipment	2 CFR § 200.465
Scholarships and student aid costs	2 CFR § 200.466
Selling and marketing costs	2 CFR § 200.467
Specialized service facilities	2 CFR § 200.468
Student activity costs	2 CFR § 200.469
Taxes (including Value Added Tax)	2 CFR § 200.470
Termination costs	2 CFR § 200.471
Training and education costs	2 CFR § 200.472
Transportation costs	2 CFR § 200.473
Travel costs	2 CFR § 200.474
Trustees	2 CFR § 200.475

Likewise, it is possible for the State and/or District to put additional requirements on a specific item of cost. Under such circumstances, the stricter requirements must be met for a cost to be allowable. Accordingly, District staff shall consult federal, State, and District requirements when spending federal funds.

In order for a cost to be allowable, the expenditure must also be allowable under the applicable program statute and accompanying program regulations, non-regulatory guidance, and grant award notifications.

Procedure History:

Promulgated on:

Revised on:

Reviewed on:

Council School District No. 13

FINANCIAL MANAGEMENT

7400

Miscellaneous Procurement Standards

Procurement Generally

When making purchases with federal funds, the District will follow its procurement policies and procedures which reflect applicable State and local laws and regulations, provided that the procurement practice also conforms to applicable Federal law and the standards identified in applicable federal regulations. See Policies 7410, 7415, and 7420.

Authorization and Control

It is the policy of this District to conduct its purchasing program in a manner to ensure optimum use of District funds. The Board, or its designee, reserves the right to determine what is in the best interest of the District.

Micro-Purchase Procedures

Notwithstanding the process for Superintendent-approved purchases outlined in Policy 7406, when using federal funds the Superintendent or designee may purchase supplies or services using simplified acquisition procedures when making aggregate purchases of \$3,000 or less, and when making such purchases shall otherwise comply with all applicable District purchase order procedures.

Simplified Acquisition Procedures

When procuring goods or services, whether with federal or state funds, the District shall comply with all requirements and procedures set forth at District Policies 7410, 7415, and 7420 and applicable Idaho law. For purchases less than the federal Simplified Acquisition Threshold (currently \$150,000), the Board may adopt small purchase procedures which do not otherwise conflict with District Policies 7410, 7415, and 7420 or applicable Idaho law. Absent such Policy, all purchases for amounts less than the simplified Acquisition Threshold, shall comply with the requirements and procedures set forth at District Policies 7410, 7415, and 7420 and applicable Idaho law.

Cooperative Purchasing

The District may cooperatively enter into contracts with one or more districts to purchase materials necessary or desirable for the conduct of the business of the District provided that the purchasing cooperative follows State purchasing and federal procurement requirements.

Personnel Conflicts of Interest

No employee will make any purchase or incur any obligations for or on behalf of the District from any private business, contractor, or vendor in which or with which the employee has a direct or indirect financial or ownership interest.

Purchases or contracted services from any private business or venture in which any employee of this District has a direct or indirect financial or ownership interest will be made on a competitive bid basis strictly in accordance with the following procedures:

1. The interested employee, the business, the contractor, or the vendor will fully disclose, in writing, the employee's exact relationship to the business, the contractor, or the vendor;
2. The affected business, the contractor, or the vendor may submit a bid in compliance with the specifications outlined by the District;
3. The interested employee will not be involved in any part of the bidding process, including but not limited to, preparing specifications, advertising, analyzing, or accepting bids; and
4. This policy will apply to any organization, fund, agency, or other activity maintained or operated by the District.

No employee will solicit gifts, gratuities, favors, prizes, awards, merchandise, or commissions as a result of ordering any items or as a result of placing any purchase order with a business, contractor, or vendor on behalf of the District nor accept anything of monetary value from a business, contractor, or vendor except for unsolicited gifts of \$50 or less in value.

Violations

Any District officer, employee, or agent who violates this policy may be subject to disciplinary action, including but not limited to a fine, suspension, or termination. Violations of law shall be referred to the local, State, or federal authority having proper jurisdiction.

Cross Reference:	7218	Federal Grant Financial Management System
	7235	Fiscal Accountability and IDEA Part B Funds
	7237	Retention of Records Relating to Federal Grants
	7320	Allowable Uses for Grant Funds
	7320P1	Determining Necessity and Reasonableness of Expenses
	7400P	Procurement Under a Federal Award
	7405	Public Works Contracting and Procurement
	7407	Public Procurement of Goods and Services
	7410	Petty Cash Funds
	7415	Entering into Professional Service Contracts with Design Professionals, Construction Managers, and Professional Land Surveyors--The Request for Qualifications Procedure
	7420	Personal Reimbursements

Legal Reference: I.C. § 18-1351 Bribery and Corrupt Practices – Definitions

I.C. § 33-316 Cooperative Contracts to Employ Specialized Personnel
and/or Purchase Materials

I.C. § 74-401 et seq. Ethics in Government

2 C.F.R. § 200.67 Micropurchase

2 C.F.R. § 200.88 Simplified Acquisition Threshold

2 C.F.R. § 200.317 Procurement by States

2 C.F.R. § 200.318 General Procurement Standards

2 C.F.R. § 200.320 Methods of Procurement to be Followed

Policy History:

Adopted on:

Revised on:

Reviewed on:

Federal Award Requirements

In addition to its other policies and procedures regarding procurement, the District shall adhere to the following requirements for Federal awards:

1. Ensure that all solicitations incorporate a clear and accurate description of the technical requirements for the material, product, or service to be produced, and set forth those minimum essential characteristics and standards to which the material, product, or service must conform. The District will identify all requirements which bidders must fulfill and all other factors to be used in evaluating bids or proposals.
2. Prohibit the use of statutorily or administratively imposed state, local, or tribal geographical preferences in the evaluation of bids or proposals, except in cases where applicable federal statutes expressly mandate or encourage geographic preference. When contracting for architectural and engineering services, geographic location may be a selection criterion provided its application leaves an appropriate number of qualified firms, given the nature and size of the project, to compete for the contract
3. Provide a written method for conducting technical evaluations of the proposals received and for selecting recipients, including factors considered for the evaluation; who performs the evaluation, the number of evaluations performed, the timeframe for conducting any evaluations, and the selection of a vendor and whether another position reviews the evaluation.
4. Maintain oversight to ensure that contractors perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders.
5. Avoid acquiring unnecessary or duplicative items;
6. Consider consolidating or breaking out procurements to obtain a more economical purchase. Where appropriate, an analysis will be made of lease versus purchase alternatives and any other appropriate analysis to determine the most economical approach.
7. Maintain a list of prequalified persons, firms, or products which are used in acquiring goods and services, and include enough qualified sources to ensure maximum open and free competition.
8. Award contracts only to responsible contractors possessing the ability to perform successfully under the terms and conditions of the proposed procurement. Consideration will be given to such matters as contractor integrity, compliance with public policy, record of past performance, and financial and technical resources.
9. Maintain records sufficient to detail the history of procurement. These records will include:

- A. Rationale for the method of procurement;
 - B. Selection of contract type;
 - C. Contractor selection or rejection; and
 - D. The basis for the contract price.
10. The use of a time and materials type contract is prohibited unless the District determines that no other contract is suitable. Time and materials type contract means a contract whose cost to a District is the sum of:
- A. The actual cost of materials; and
 - B. The direct labor hours charged at hourly rates that reflect wages, general and administrative expenses, and profit.

Since this formula generates an open-ended contract price, a time-and-materials contract provides no positive profit incentive to the contractor for cost control or labor efficiency. When this type of the contract is used, it will include a ceiling price that the contractor exceeds at his or her own risk. The District will assert a high degree of oversight over such contracts in order to obtain reasonable assurance that the contractor is using efficient methods and effective cost controls.

11. The District will adhere to any additional procurement rules as applicable to specific federal programs, such as federal child nutrition programs.

Legal Reference: 2 C.F.R. §§ 200.300 *et seq.* Subpart D – Post Federal Award Requirements.

Procedure History:

Promulgated on:

Revised on:

Reviewed on:

Council School District No. 13

FINANCIAL MANAGEMENT

7400P2

Procurement Methods Under a Federal Award

This procedure shall apply to purchases with federal funds not solicited through a sealed bid process.

Competitive Proposals

The technique of competitive proposals is normally conducted when more than one source submits an offer, and either a fixed price or cost-reimbursement type contract is to be awarded. It is generally used when conditions are not appropriate for the use of sealed bids. If this method is used, the following requirements apply:

1. Requests for proposals must be publicized and identify all evaluation factors and their relative importance. Any response to publicized requests for proposals must be considered to the maximum extent practical;
2. Proposals must be solicited from an adequate number of qualified sources; and
3. Contracts must be awarded to the responsible firm whose proposal is most advantageous to the program, with price and other factors considered.

The District may use competitive proposal procedures for qualifications-based procurement of architectural/engineering (A/E) professional services whereby competitors' qualifications are evaluated and the most qualified competitor is selected, subject to negotiation of fair and reasonable compensation. This method, where price is not used as a selection factor, can only be used in procurement of A/E professional services. It cannot be used to purchase other types of services though A/E firms are a potential source to perform the proposed effort.

Contract/Price Analysis

The District performs a cost or price analysis in connection with every procurement action in excess of \$150,000, including contract modifications. A cost analysis generally means evaluating the separate cost elements that make up the total price, while a price analysis means evaluating the total price, without looking at the individual cost elements.

The method and degree of analysis is dependent on the facts surrounding the particular procurement situation; however, the District Superintendent must come to an independent estimate prior to receiving bids or proposals. 2 C.F.R. § 200.323(a).

When performing a cost analysis, the District Superintendent negotiates profit as a separate element of the price. To establish a fair and reasonable profit, consideration is given to the complexity of the work to be performed, the risk borne by the contractor, the contractor's investment, the amount of subcontracting, the quality of its record of past performance, and industry profit rates in the surrounding geographical area for similar work.

Noncompetitive Proposals (Sole Sourcing)

Procurement by noncompetitive proposals is procurement through solicitation of a proposal from only one source and may be used only when one or more of the following circumstances apply:

1. The item is available only from a single source;
2. The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation;
3. The federal awarding agency or pass-through entity expressly authorizes noncompetitive proposals in response to a written request from the District; or
4. After solicitation of a number of sources, competition is determined inadequate.

A cost or price analysis will be performed for noncompetitive proposals when the price exceeds \$150,000.

Full and Open Competition

All procurement transactions must be conducted in a manner providing full and open competition consistent with 2 C.F.R §200.319. In order to ensure objective contractor performance and eliminate unfair competitive advantage, contractors that develop or draft specifications, requirements, statements of work, or invitations for bids or requests for proposals must be excluded from competing for such procurements. Some of the situations considered to be restrictive of competition include but are not limited to:

1. Placing unreasonable requirements on firms in order for them to qualify to do business;
2. Requiring unnecessary experience and excessive bonding;
3. Noncompetitive pricing practices between firms or between affiliated companies;
4. Noncompetitive contracts to consultants who are on retainer contracts;
5. Organizational conflicts of interest;
6. Specifying only a “brand name” product instead of allowing “an equal” product to be offered and describing the performance or other relevant requirements of the procurement; and
7. Any arbitrary action in the procurement process.

Legal Reference: 2 C.F.R.§§ 200.317 - .319; .323

Procedure History:

Promulgated on:

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Reviewed on:

Requirements and Restrictions for Procurement Under a Federal Award - Competition

The following shall be required in the case of procurement under a federal grant to ensure adequate competition.

Geographical Preferences Prohibited

The District shall conduct procurements in a manner that prohibits the use of statutorily or administratively imposed state, local, or tribal geographical preferences in the evaluation of bids or proposals, except in those cases where applicable federal statutes expressly mandate or encourage geographic preference. When contracting for architectural and engineering services, geographic location may be a selection criterion provided its application leaves an appropriate number of qualified firms, given the nature and size of the project, to compete for the contract.

Prequalified Lists

The District shall ensure that all prequalified lists of persons, firms, or products which are used in acquiring goods and services are current and include enough qualified sources to ensure maximum open and free competition. Also, the District shall not preclude potential bidders from qualifying during the solicitation period.

Solicitation Language

The District shall ensure that all solicitations incorporate a clear and accurate description of the technical requirements for the material, product, or service to be procured. Such description shall not, in competitive procurements, contain features which unduly restrict competition. The description may include a statement of the qualitative nature of the material, product, or service to be procured and, when necessary, shall set forth those minimum essential characteristics and standards to which it must conform if it is to satisfy its intended use. Detailed product specifications should be avoided if at all possible.

When it is impractical or uneconomical to make a clear and accurate description of the technical requirements, a “brand name or equivalent” description may be used as a means to define the performance or other salient requirements of procurement. The specific features of the named brand which must be met by offers shall be clearly stated; and identify all requirements which the offers must fulfill and all other factors to be used in evaluating bids or proposals.

Legal Reference: 2 C.F.R. 200.319 Competition.

Procedure History:

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Revised on:

Reviewed on:

Council School District No. 13

FINANCIAL MANAGEMENT

7400P4

General Procurement Standards for Federal Awards

Contractor Oversight

The District shall maintain oversight to ensure that its contractors perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders.

Conflict of Interest

The following standards of conduct define conflicts of interest and governing the performance of employees engaged in the selection, award, and administration of contracts:

1. No District employee, officer, or agent may participate in the selection, award, or administration of a contract supported by a Federal award if he or she has a real or apparent conflict of interest. Such a conflict of interest is present when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm or person considered for a contract.
2. District officers, employees, and agents of the non-Federal entity must neither solicit nor accept gratuities, favors, or service or item exceeding \$50 in value from any contractors or subcontractor. Any District employee, who solicits any gift, or who accepts an unsolicited gift with a value exceeding \$50, shall be subject to disciplinary action up to and including termination. Any District officer or agent shall be immediately terminated or separated from District service.

Efficient Purchases

The District shall use all resources and assets effectively and efficiently. Accordingly, prior to any purchase request, the requestor shall evaluate the need for the item, and shall ensure that the acquisition of unnecessary or duplicative items is avoided. In addition to the previous requirements, whenever feasible, consideration should be given to consolidating or breaking out procurements to obtain a more economical purchase. Finally, where appropriate, an analysis will be made of lease versus purchase alternatives, and any similar analysis of alternatives to determine the most economical approach.

1. To foster greater economy and efficiency, and in accordance with efforts to promote cost-effective use of shared services across the Federal government, the District shall endeavor to enter into state and local intergovernmental agreements or inter-entity agreements where appropriate for procurement or use of common or shared goods and services.
2. The District shall endeavor to use Federal excess and surplus property in lieu of purchasing new equipment and property whenever such use is feasible and reduces project costs.

3. The District shall endeavor to use value engineering clauses in contracts for construction projects of sufficient size to offer reasonable opportunities for cost reductions. Value engineering is a systematic and creative analysis of each contract item or task to ensure that its essential function is provided at the overall lower cost.
4. The District shall award contracts only to responsible contractors possessing the ability to perform successfully under the terms and conditions of a proposed procurement. Consideration shall be given to such matters as contractor integrity, compliance with public policy, record of past performance, and financial and technical resources.
5. The District shall maintain records sufficient to detail the history of procurement. These records shall include, but are not necessarily limited to, the following: rationale for the method of procurement, selection of contract type, contractor selection or rejection, and the basis for the contract price.
6. The District may use time and material type contracts only after a determination that no other contract is suitable and if the contract includes a ceiling price that the contractor exceeds at its own risk. Time and material type contract means a contract whose cost to the District is the sum of:
 - A. The actual cost of materials; and
 - B. Direct labor hours charged at fixed hourly rates that reflect wages, general and administrative expenses, and profit.

This formula generates an open-ended contract price, a time-and materials contract provides no positive profit incentive to the contractor for cost control or labor efficiency. Therefore, each contract shall set a ceiling price that the contractor exceeds at its own risk. Further, the District shall assert a high degree of oversight in order to obtain reasonable assurance that the contractor is using efficient methods and effective cost controls.

7. The District alone shall be responsible, in accordance with good administrative practice and sound business judgment, for the settlement of all contractual and administrative issues arising out of procurements. These issues include, but are not limited to, source evaluation, protests, disputes, and claims. These standards do not relieve the District of any contractual responsibilities under its contracts. Violations of law shall be referred to the local, state, or Federal authority having proper jurisdiction.

Legal Reference: 2 C.F.R. § 200.318 General Procurement Standards

Procedure History:

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Council School District No. 13

FINANCIAL MANAGEMENT

7405

Public Works Contracting and Procurement

No contract involving a public works project shall be let to any contractor who is not licensed as required by the laws of this State. Further, the District shall at all times adhere to the bidding requirements for public works contracting and procurement as set out in State law.

Public Works Contractor Licensure Requirements

\$0 to \$50,000	No licensure requirement	IC 54-1903(9)
\$50,000 and above	Licensure required	IC 54-1903(9)

Exemptions from Public Works Contractor Licensure

Less than \$50,000 for construction, alteration, improvement, or repair.	Single project with any number of trades	IC 54-1903(9)
Any construction, alteration, or repair due to an emergency.	Pursuant to the provision of, Chapter 10, Title 46 Idaho Code	IC 54-1903(11)

Public Works Construction Bidding

\$0 to \$50,000	No bidding requirements	IC 67-2803(2)
\$50,000 to \$200,000	Semi-formal bidding: Issue written requests for bids describing the work to at least 3 licensed contractors. Allow 3 days for written response; objections 1 day prior to bid. Keep records for 6 months. <u>Accept low bid, or reject all bids.</u>	IC 67-2805(1)
\$200,000 and above	Formal bidding 2 Options A & B:	IC 67-2805(2)

Category A – Open to all licensed contractors. Publication requirements. Written objections allowed. May request bid security/bond. Accept low bid, or reject all bids. See code for details. (IC 67-2805(2)(a).)

Category B – Open to pre-qualified contractors. After pre-qualification is determined, the bidding process is in the same manner as Category A. (IC 67-2805(2)(b).)

Legal Reference: I.C. § 33-601 Real and Personal Property – Acquisition, Use or Disposal of Same
I.C. § 54-1903 Unlawful to Engage in Public Works Contracting Without License – Exemptions
I.C. § 67-2801 et seq. Purchasing by Political Subdivisions
I.C. § 74-401 et seq. Ethics in Government

Other Reference: Policies and Procedures Used Template, Idaho State Department of Education, <http://www.sde.idaho.gov/sped/funding/>

Policy History:

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Council School District No. 13

FINANCIAL MANAGEMENT

7405P

Public Works Contracting and Procurement

Procuring Public Works, Services, and Personal Property

District Procurement Policy

Efficient and cost-effective procurement of goods, services, and public works construction is an important aspect of District operations. The District shall endeavor to buy goods, services, and public works construction through a publicly accountable process that respects the shared goals of economy and quality. The District shall, to the extent reasonably available, endeavor to purchase goods and services from vendors with a significant Idaho economic presence.

Authorization and Control - Generally

It is the policy of this District to conduct its purchasing program in a manner to ensure optimum use of District funds. The Board, or its designee, reserves the right to determine what is in the best interest of the District.

The Superintendent is authorized to direct expenditures and purchases within the limits of the detailed annual budget for the school year and pursuant to State purchasing and federal procurement requirements. Board approval for purchase of capital outlay items is required when the aggregate total of a requisition exceeds \$5,000, except the Superintendent shall have the authority to make capital outlay purchases without advance approval when it is necessary to protect the interests of the District or the health and safety of the staff or students. The Superintendent shall establish requisition and purchase order procedures as a means of controlling and maintaining proper accounting of the expenditure of funds that align with State and federal procurement requirements. Staff members shall not obligate the District without express authority of the Board or authorized designee. Staff members who obligate the District without proper authorization may be held personally responsible for payment of such obligations, and may also be subject to discipline, up to and including termination.

All other procurement and purchases shall be made in accordance with the State and federal laws and administrative rules and with District policies and procedures.

Procuring Public Works Construction

Public Works Procurement, Projects Between \$50,000 and \$200,000: When the Board contemplates procurement of public works construction valued at or in excess of \$50,000, but in an amount less than \$200,000, the following procedures shall be followed.

1. The Board or its designee shall prepare a solicitation for bids for the contemplated public works construction, and shall deliver it in writing to no fewer than three owner-designated licensed public works contractors. Delivery may be accomplished either by electronic or physical delivery. The solicitation shall describe the construction work to be completed in sufficient detail to allow an experienced public works contractor to understand the construction project the District seeks to build.
2. In the event that it is impractical or impossible to obtain three bids for the proposed public works procurement, the District may proceed to acquire the work in any manner the Board or its designee deems best from a qualified public works contractor quoting the lowest price. When fewer than three bids are considered, a description of the District's efforts undertaken to procure at least three bids shall be documented and placed in the records of the Board, and such documentation shall be maintained for at least six months following the date of the final procurement decision.
3. The solicitation for bids shall describe the electronic or physical delivery method or methods authorized to submit a bid, the date and time by which a bid proposal must be received by the clerk, secretary, or other authorized District official, and shall provide a reasonable time to respond to the solicitation, provided that, except in the event of an emergency, such time shall not be less than three business days.
4. The solicitation shall explain that if a potential bidder has an objection to the specifications described in the solicitation, it must submit a written objection to the District. The objection must be received by the District's clerk, secretary, or other authorized person no later than one business day before the date and time of the bidders' deadline to submit bids.
5. When written bids have been received by the District, by either physical or electronic delivery, they shall be submitted to the Board or its designee, who shall present the lowest responsive bid to the Board for approval or, if the Board's designee is so authorized, approve the bid. The Board or the Board's designee is required to either approve the responsive bid proposing the lowest procurement price, or reject all bids and publish notice for bids, as before.
6. In the event two or more price quotations offered by different licensed public works contractors are the same and represent the lowest responsive bid, the Board or its authorized designee may, in the exercise of its discretion to promote the best interests of the District, accept the one it chooses.

Public Works Procurement, Projects greater than \$200,000: When the Board contemplates procuring public works construction valued in excess of \$200,000, the following procedures shall apply. The purchase of construction services shall be made pursuant to a competitive sealed bid process. The purchase shall be made from the qualified public works contractor submitting the lowest bid price complying with bidding procedures and meeting the pre-qualifications, if any are required, established by the bid documents. The competitive bidding process may follow either of two alternate procedures described in detail below, either Category A, bidding open to all licensed public works contractors; or Category B, bidding open only to licensed public works contracts who satisfy minimum requirements set by the Board or its designee.

Category A: Competitive bidding procedures shall be open to all any licensed public works contractor desiring to bid upon a public works project. For all Category A bids, the Board may consider only the amount bid, the bidder's compliance with administrative requirements of the bidding process, and whether the bidder holds the requisite license. When considering bids meeting these requirements, the Board shall award the bid to the qualified bidder submitting the lowest responsive bid.

1. The District's request for bids for a Category A procurement shall set a date and place for the public opening of bids. The District shall publish two notices soliciting bids in the District's official newspaper. The first notice shall be published at least two weeks before the date for opening bids, with the second notice to be published in the succeeding week at least seven days before the date that bids are scheduled to be opened. The notice shall succinctly describe the project to be constructed. Copies of specifications, bid forms, bidder's instructions, contract documents, and general and special instructions shall be created by the Board or its designee and shall be made available upon request by any interested bidder which also submits payment of a reasonable plan copy fee.
2. The solicitation shall explain that in the event a bidder has an objection to project specifications or bidding procedures, it must submit a written objection in writing which must be received by the Board or its designee at least three business days before the date and time the bids are scheduled to be opened. The Board or its designee shall respond to all objections in writing and shall provide written copies of the objection and the response to the objecting bidder, and deliver copies to all other bidders known to the District at that time. The Board or its designee may adjust the bidding timeframes if necessary.
3. All bids shall be delivered under sealed cover to the clerk of the Board or other designee identified in the bid solicitation documents provided to bidders by the District. On the cover of the sealed bid, the bidder must include a concise statement generally identifying the project for which the bid is submitted.
4. In the event the Board deems it to be in the best interest of the District to require bidders to provide bid security, it may do so in an amount equal to at least five percent of the amount bid. If the Board requires bid security, no bid may be considered unless it includes adequate bid security in one of the following forms designated by the Board:
 - A. Cash;
 - B. A cashier's check made payable to the District;
 - C. A certified check made payable to the District; or
 - D. A bidder's bond executed by a qualified surety company, made payable to the District.
5. Once submitted to the District, no bid may be withdrawn after the passing of date and time set in the notice for opening of the bids. When sealed bids have been received, they shall be opened in public at a designated place and time, thereafter to be compiled and submitted to the Board for award to the lowest responsive bidder, or, if a designee had been authorized to select the lowest bid, for approval of the award.

6. In the event the successful bidder fails to execute the contract, at the sole discretion of the Board, the bidder's security may be forfeited to the District and the proceeds shall be deposited in a designated fund from which the expenses of procuring substitute performance are paid.
7. In the event the successful bidder refuses or fails to execute the contract, the District may award the contract to the qualified bidder which had submitted the next lowest responsive bid. If the Board awards the contract to the next lowest qualified bidder, the District may apply the lowest qualified bidder's security to the difference between the lowest responsive bid and the next lowest responsive bid. The surplus, if any, shall be returned to the lowest bidder if cash or check is used, or to the surety on the bidder's bond if a bond is used. The District may retain reasonable administrative costs not to exceed 25% of the amount of the bidder's security.
8. In its discretion, the Board may reject all bids presented and decide to re-bid the project. Alternatively, the Board may, after finding it to be a fact, pass a resolution declaring that the project sought to be accomplished by the expenditure can be performed more economically by purchasing goods and services on the open market because the project is not a public works project.
9. If the Board chooses to award a competitively bid contract involving the procurement of public works construction to a bidder other than the apparent low bidder, the Board shall, in open session at a duly noticed Board meeting, declare its reason or reasons on the record and shall communicate such reason or reasons in writing to all bidders that submitted a competing bid.
10. In the event a participating bidder objects to the award of the project to a bidder other than the lowest responsive bidder, such bidder shall, within seven calendar days of the date of the Board's award notice, deliver to the Board clerk or designee its written objection to the Board's award, setting forth the express reason or reasons that the Board's award decision is in error. Upon receipt of such objection, the Board shall immediately stay performance of the project until after the Board addresses the contentions raised by the objecting bidder(s). To address the objection(s), the Board shall review its decision and determine whether to affirm its prior award, to modify the award, or to re-bid the project, setting forth its reason or reasons therefor. The Board's review cannot be delegated. After completion of the review process, the Board may proceed as it deems to be in the public's best interest.
11. If two or more identical bids are received, the Board may select the bidder it prefers.
12. If no bids are received, the Board may complete the project by selecting a licensed public works contractor without further competitive bidding procedures.

Category B: When following this procedure, competitive bids may only be submitted by licensed public works contractors which have satisfied the Board's preliminary supplemental qualifications. The solicitation for bids in Category B procurement consist of two stages:

1. An initial stage determining supplemental pre-qualifications for licensed contractors, either prime or specialty contractors; followed by
2. A second stage during which bids are accepted only from prequalified contractors.

The Category B procedure shall be as follows:

1. Notice of the prequalification stage of the Category B competitive bidding process shall be given in the same manner that notice of competitive bidding is provided for a Category A competitive bid request, by providing a specific date and time by which qualifications statements must be received. The Board may establish prequalification standards premised upon demonstrated technical competence; experience constructing similar facilities; prior experience with the District; available nonfinancial resources, equipment, and personnel as they relate to the subject project; as well as the contractor's overall performance history. Such request shall also include the standards the Board will use when evaluating the applicants' qualifications.
2. During the initial stage of the Category B bidding process, licensed contractors desiring to be prequalified to bid on a project must submit a written response to the Board's request for qualifications.
3. The solicitation shall explain that in the event a bidder has an objection to the prequalification procedures, it must submit a written objection which must be received by the Board or its designee at least three business days before the date and time prequalification statements are due. The Board or its designee shall respond to all objections in writing and shall provide the written response to the objecting contractor, and deliver copies to all other contractors seeking to prequalify that are known to the District at that time. The Board or its designee may adjust the bidding timeframes if necessary.
4. After a review of qualification submittals, the District may select licensed contractors that meet the prequalification standards. If any licensed contractor submits a statement of qualifications but is not selected as a qualified bidder, the Board or its designee shall supply a written statement of the reason or reasons why the contractor failed to meet the Board's prequalification standards.
5. The solicitation shall explain that any licensed contractor that fails the prequalification stage can appeal in writing any such determination to the Board within seven days after transmittal of the prequalification results. After reviewing the objection, if the Board sustains the decision that a contractor fails to meet prequalification standards, it shall state its reason or reasons in writing to the contractor. The Board's decision may be appealed to the public works contractor's license board no more than 14 days following the Board's decision. Category B prequalification procedures that are appealed shall be stayed during the pendency of the prequalification appeal until the public works contractor's license board completes its review, but in no instance more than 49 days after the appellate decision of the Board regarding prequalification. Any licensed public works contractor affected by a decision on appeal by the public works contractor's license board may, within 28 days of the final decision, seek judicial review as provided by Idaho Code 67-5201, et seq.

6. Following the conclusion of the prequalification administrative procedures, the bidding stage shall proceed by the setting of a time, date, and place for the public opening of bids. In circumstances involving prequalified prime contractors, a notice soliciting bids shall be transmitted to prequalified bidders at least 14 days before the date of opening the bids. In circumstances involving prequalified specialty or subordinate contractors, the notice soliciting bids shall be published in the same manner applicable to Category A bids. The notice shall succinctly describe the project to be constructed. Copies of specifications, bid forms, bidder's instructions, contract documents, and general and special instructions shall be made available upon request and payment of a reasonable plan copy fee by any eligible bidder.
7. Thereafter, the Board shall proceed with its solicitation of and consideration of bids from prequalified public works contractors in accordance with the procedures set forth above regarding submission and consideration of Category A bids set forth above at Category A paragraphs 2 through 12, inclusive.

Procuring Services or Personal Property, Purchases between \$50,000 and \$100,000

When the Board contemplates an expenditure to purchase or lease personal property or to procure services, other than personal property or services excluded pursuant to section Idaho Code § 67-2803, valued at or in excess of \$50,000 but not to exceed \$100,000, the procurement procedures of this policy shall apply.

1. The Board or its designee shall solicit bids from no fewer than three vendors by written means, either by electronic or physical delivery. The solicitation shall describe the personal property or services to be purchased or leased in sufficient detail to allow a vendor dealing in such goods or services to understand what the District seeks to procure.
2. The solicitation for bids shall describe the electronic or physical delivery method or methods authorized to submit a bid, the date and time by which a bid proposal must be received by the Board or its designee, and shall provide a reasonable time to respond to the solicitation, provided that, except in the event of an emergency, such time shall not be less than three business days.
3. The solicitation shall explain that a vendor's objections to specifications or bid procedures must be in writing and received by the Board or its designee at least one business day before the date and time upon which bids are scheduled to be received.
4. All timely written bids received by the District, whether submitted electronically or by physical delivery, shall be compiled and submitted to the Board or its designee who shall approve the responsive bid proposing the lowest procurement price, or shall reject all bids and publish notice for bids, as before.
5. In the event the Board determines that it is impractical or impossible to obtain three bids for the proposed procurement, the Board may acquire the property or services in the manner the Board deems to be in the District's best interest from a qualified vendor

quoting the lowest price. When fewer than three bids are considered, a description of the Board's efforts to procure at least three bids shall be documented in the Board's official records and such documentation shall be maintained for at least six months following the date of the procurement. In the event two or more bids are the same and the lowest responsive bids, the Board or its designee may exercise its discretion and select the bid it deems to be in the District's best interest.

Procuring Services or Personal Property, Purchases greater than \$100,000

When the Board contemplates a purchase or lease of personal property or the hiring of services, other than personal property or services excluded pursuant to Idaho Code § 67-2803, valued in excess of \$100,000, the following procurement procedures shall apply.

1. The purchase or lease shall be made pursuant to an open competitive sealed bid process with the procurement to be made from the qualified bidder submitting the lowest bid price that complies with bidding procedures and meets the specifications for the goods and/or services sought to be procured.
2. The request for bids shall set a date, time, and place for the opening of bids. Two notices soliciting bids shall be published in the official newspaper of the District. The first notice shall be published at least two weeks before the date for opening bids, with the second notice to be published in the succeeding week at least seven days before the date that bids are scheduled to be opened. The notice shall succinctly describe the personal property and/or services to be procured. Copies of specifications, bid forms, bidder's instructions, contract documents, as well as general and special instructions shall be made available upon request by any interested bidder.
3. The notice shall explain that written objections to specifications or bidding procedures must be received by the Board or its designee at least three business days before the date and time upon which bids are scheduled to be opened.
4. If the Board deems it to be in the District's best interest, it may require all bidders to provide bid security in an amount equal to at least 5% of the amount bid. If so required, a bid shall not be considered unless one acceptable form of security is enclosed with it, and it is submitted in a form which substantially complies with the form provided by the District. The Board may require that bid security be provided by means of the following:
 - A. Cash;
 - B. A cashier's check made payable to the District;
 - C. A certified check made payable to the District; or
 - D. A bidder's bond executed by a qualified surety company, made payable to the District.
5. No bid received by the District after the time set in the notice for opening of bids may be withdrawn. When sealed bids have been received, they shall be opened in public at a designated place and time. Thereafter the bids are compiled and submitted to the Board for award or, if a designee had been authorized, for approval of the designee's award.

6. In the event the successful bidder fails to execute the contract, the amount of the bidder's security may be forfeited to the District at the sole discretion of the Board. Thereafter the proceeds may be deposited in a designated fund out of which reasonable expenses incurred in procuring substitute performance are paid.
7. The Board may, on the refusal or failure of the successful bidder to execute the contract, award the contract to the next lowest qualified bidder. If the Board awards the contract to the next lowest qualified bidder, the amount of the lowest qualified bidder's security may be applied by the Board to the difference between the lowest responsive bid and the next lowest responsive bid, and the surplus, if any, shall be returned to the lowest bidder if cash or check is used, or to the surety on the bidder's bond if a bond is used. The Board may retain a reasonable administrative cost not to exceed 25% of the amount of the bidder's security.
8. In its discretion, the Board or its designee may reject all bids presented and re-bid or, after finding it to be a fact; the Board may pass a resolution declaring that the subject goods or services can be procured more economically on the open market.
9. If the Board chooses to award the contract for delivery of personal property or services to a bidder other than the apparent low bidder, the Board shall first declare in open session at a duly noticed public meeting its reason or reasons for the award and shall communicate such reason or reasons in writing to all bidders that responded to the District's solicitation for bids.
10. The solicitation shall explain that if any participating bidder objects to the Board's award to a bidder other than the lowest apparent bidder, such bidder shall, within seven calendar days of the date of transmittal of the notice, object in writing to the award and specifically identify the reason or reasons that the Board's award is in error. Thereafter, the Board shall stay performance of the award until after the Board reviews and addresses the bidder's objections. The Board shall then review its decision and determine whether to affirm its prior award, modify the award, or choose to re-bid and will identify its reason or reasons therefor. The Board shall not delegate this responsibility. After completion of the review process, the Board may proceed as it deems to be in the public's best interest.
11. If two or more bids are the same and the lowest responsive bids, the Board or its designee may accept the one it deems to be in the public's best interest.
12. In its discretion, when the Board purchases goods, it may forgo the above request for bids procedure and may preauthorize the purchase of goods (but not services) at a public auction.

Requests for Proposals: The Board may utilize a request for proposal process as set forth below as an alternative to the competitive bidding process required by the Procuring Services or Personal Property policy subsection set forth above, when the Board contemplates a procurement of goods or services for which the Board determines one or more of the following is true:

1. The submission of fixed specifications by the Board may prevent the discovery of a more cost-effective solution;
2. The specific need to be satisfied by the procurement is amenable to more than one solution; or
3. Factors other than price will determine the best option for the District to satisfy or solve the District's specific need.

Factors to be Considered: When the Board utilizes the request for proposal process, it may consider the following factors when evaluating the vendor's responses to the request:

1. An innovative solution that is offered;
2. Unique product features;
3. Price;
4. Vendor experience in the market;
5. Financial stability of a vendor;
6. Differences among vendors in their ability to perform contract requirements in a timely or efficient manner;
7. Ability to meet product specifications;
8. Product quality;
9. Product performance records;
10. Past performance by a vendor;
11. Future product maintenance or service requirements; and
12. Product warranties.

Requirements of a Request for Proposals

At a minimum, a request for proposals shall:

1. State the instructions of the process;
2. Identify the scope of work for the goods or services contemplated;
3. Identify the selection criteria;
4. Identify the contract terms; and
5. Identify the scoring methodology applying relative weights to factors considered.

Notification, solicitation, and consideration of objections to an award of a procurement contract pursuant to a request for proposal. The notification, solicitation, and consideration of contests concerning the award of a procurement contract pursuant to a request for proposal shall be in accordance with the same procedures and requirements set forth in the policy subsection pertaining to Procuring Services or Personal Property, subject to the selection criteria established by the Board at the outset of each such procurement. After the procurement recommendation is made to the Board under the Request for Proposal process described above, the documents and records compiled in the scoring process shall be made available for public inspection.

Procedure History:

Promulgated on:

Revised on:
Reviewed on:

Council School District No. 13

FINANCIAL MANAGEMENT

7407

Public Procurement of Goods and Services

The District shall at all times adhere to the bidding requirements for the procurement of goods and services as set out in State law.

\$0 to \$50,000	No bidding requirements	IC 67-2803(2)
\$50,000 to \$100,000	Semi-formal bidding: Issue written requests for bids describing goods or services desired to at least three vendors. Allow three days for written response, unless an emergency exists; One day for objections. Keep records for six months. <u>Accept low bid, or reject all bids.</u>	IC 67-2806(1)
\$100,000 and above	Formal bidding: Publish bid notice at least two weeks in advance of bid opening. Make bid specifications available; written objections allowed. May request bid security/bond. Can reject all if able to purchase more economically in the open market.	IC 67-2806(2)

Exemptions to Public Procurement of Goods and Services Bidding

Personal Property	Already competitive bid (piggy-backing)	IC 67-2803(1)
Less than \$50,000	Contracts or purchases of goods or services	IC 67-2803(2)
Any Amount	Payments of Wages	IC 67-2803(3)
Any Amount	Personal or professional services performed by an independent contractor. (Refer to info on qualifications in I.C. 67-2320)	IC 67-2803(4)
Any Amount	Procurement of an interest in real property – lease or purchase	IC 67-2803(5)
Any Amount	Procurement of insurance	IC 67-2803(6)
Any Amount	Costs of Joint Powers participation	IC 67-2803(7)

Any Amount	Procurement of used personal property	IC 67-2803(8)
Any Amount	Procurement from federal government general services administration (GSA) schedules or federal multiple award schedules (MAS)	IC 67-2803(9)
Any Amount	Procurement of personal property or services through contracts entered into by the division of purchasing of the department of administration of the state of Idaho	IC 67-2803(10)
Any Amount	Procurement of goods for direct resale	
Any Amount	Procurement of travel and training;	IC 67-2803(11)
Any Amount	Procurement of goods and services from Idaho correctional industries	IC 67-2803(12)
Any Amount	Procurement of repair for heavy equipment	IC 67-2803(13)
Any Amount	Procurement of software maintenance, support and licenses of an existing system or platform that was bid in compliance with state law	IC 67-2803(14)
Any Amount	Procurement of public utilities	IC 67-2803(15)
Any Amount	Procurement of food for use in jails or detention facilities	IC 67-2803(16)
Any Amount	Procurement of used equipment at an auction if authorized by the governing board	IC 67-2803(17)
Any Amount	Emergency Expenditures	IC 67-2803(18) IC 67-2808(1)

Legal Reference: I.C. § 67-2801 et seq. Purchasing by Political Subdivisions

Policy History:

Adopted on:

Revised on:

Reviewed on:

Entering into Professional Service Contracts with Design Professionals, Construction Managers, and Professional Land Surveyors—The Request for Qualifications Procedure

Selection of Public Works Professionals to be Based on Qualifications

Notwithstanding any other provision of Idaho law to the contrary, it shall be the policy of the Board that it shall make selections for all professional engineering, architectural, landscape architecture, construction management, and professional land surveying services on the basis of qualifications and demonstrated competence. The Board shall negotiate contracts or agreements for such services on the basis of demonstrated competence and qualifications for the type of services required at fair and reasonable prices.

Procedures to Select Public Works Professionals for Contracts Greater than \$25,000

In carrying out this policy the Board shall use the following guidelines when securing contracts for engineering, architectural, landscape architecture, construction management, and land surveying services on projects for which the professional service fee is anticipated to exceed the total sum of \$25,000. These guidelines do not apply to professional services contracts previously awarded for an associated or phased project for which the expenditure is otherwise exempt from the bidding process provided by law:

1. The Board or its designee will encourage persons or firms engaged in the services being solicited to submit statements of qualifications and performance data.
2. The Board or its designee will establish and make available to the public the criteria and procedures used by the District for the selection of qualified persons or firms to perform such services.
3. The Board shall select the persons or firms it determines to be best qualified to provide the required services, ranked in order of preference, pursuant to the District's established criteria and procedures.
4. The Board or its designee shall then negotiate with the highest ranked person or firm for a contract or agreement to perform such services at a price determined by the Board to be reasonable and fair to the District after considering the estimated value, the scope, the complexity, and the nature of the services provided.
5. In the event the Board or its designee is unable to negotiate a satisfactory contract or agreement with the highest ranked person or firm, it shall formally terminate such negotiations and proceed to undertake negotiations with the next highest ranked person or firm, following the procedure prescribed in Item 4, above.

6. If the Board or its designee is unable to negotiate a satisfactory contract or agreement with any of the selected persons or firms, it shall continue with the selection and negotiation process provided in this policy until a contract or agreement is reached.
7. When the Board solicits requests for qualifications and proposals for engineering, architectural, landscape architecture, construction management or land surveying services for which the professional service fee is anticipated to exceed the total sum of \$25,000, the Board or its designee shall publish public notice in the same manner as required for the bidding of public works construction projects set forth at Policy 7410.
8. In fulfilling the requirements of Items 1 through 7 of this policy, the Board may limit its selection from a list of three persons or firms selected and preapproved for consideration by the public agency or political subdivision. In establishing a preapproved list the Board shall publish notice as set forth in Item 7 of this policy. When selecting from such list, no notice shall be required.
9. In fulfilling the requirements of Items 1 through 7 of this policy, the Board may request information concerning a person's or firm's rates, overhead and multipliers, if any, however such information shall not be used by the Board or its designee for the purpose of ranking in order of preference as described in Paragraph 3 of this policy.

Approvals for Phased Projects

When the Board has previously awarded a professional services contract to a person or firm for an associated or phased project, the Board may, at its discretion, negotiate an extended or new professional services contract with the previously selected person or firm.

Cross References: Policy 7406 Procuring Public Works, Services, and Personal Property

Legal References: I.C. § 67-2320

Other Reference: Policies and Procedures Used Template, Idaho State Department of Education, <http://www.sde.idaho.gov/sped/funding/>

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

FINANCIAL MANAGEMENT

7409

Acquisition of Real and Personal Property

Procurement of Public Works, Goods or Services

Except for the purchase of curricular materials as defined at Idaho Code § 33-117A, all contracts for the construction, repair, or improvement of any real property, or the acquisition, purchase or repair of any equipment, or other personal property necessary for the operation of the School District shall be entered into in accordance with the provisions of Procedure 7405P.

Purchase of Real Property

When purchasing real property for District use, the Board may designate and purchase any real property which it finds is necessary for school purposes or for the operation of the District. After making such determination and to accomplish the purchase of the designated real property, the Board will:

1. Not more than one year prior to any purchase of real property, have such property appraised by an appraiser certified in the state of Idaho. This appraisal shall be entered into the records of the Board and shall be used to establish the value of the real property
2. Determine the size of the site necessary for school purposes. The site shall be located within the incorporated limits of any city within the District; However, if the Board finds that it is not in the best interests of the electors and the students of the District to locate the site within the incorporated limits of a city, the Board may designate a site located elsewhere within the District. The Board may do so by duly adopting a resolution setting forth the reasons for its finding.
3. In purchasing such real property, the Board shall comply with the prohibition against indebtedness set forth at Section 3, Article VIII of the Idaho Constitution:
 - A. By purchasing such real property with cash; or
 - B. By obtaining 2/3 voter approval to incur indebtedness in accordance with Section 3, Article VIII of the Idaho Constitution; or
 - C. Through issuance of voter approved bond financing as set forth at Idaho Code § 33-1103.

Cross References: Policy 7406 Procuring Public Works, Services, and Personal Property

Legal References: I.C. § 33-601 Real and Personal Property—Acquisition, Use, or Disposal of Same

I.C. § 33-1103

Definitions—Bonds—Limitation on Amount—
Elections to Authorize Issuance

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

FINANCIAL MANAGEMENT

7410

Petty Cash Funds

The use of petty cash funds shall be authorized for specific purchases only. Those purchases will include individual purchases of supplies and materials under the amount of \$50, postage, delivery charges, and freight. Individual personal reimbursements which exceed \$50 should not be made from petty cash funds. Petty cash accounts will be maintained as cash on hand, and the total dollar amount of each petty cash account will be limited to \$200 for schools and departments.

Each administrator of a school or department with a petty cash fund account may appoint and designate a fund custodian to carry out the bookkeeping and security duties. Monies which are not specifically petty cash monies shall not be co-mingled with the petty cash fund. At the conclusion of each school year, all petty cash funds must be closed out and the petty cash vouchers and cash on hand returned to the business office for processing.

The District business office shall be responsible for establishing the procedures involving the use and management of petty cash funds.

Policy History:

Adopted on:

Revised on:

Reviewed on:

Personal Reimbursements

While it is recommended that all purchases of goods or services be made within established purchasing procedures, there may be an occasional need for an employee to make a purchase for the benefit of the District from personal funds. In that event, an employee will be reimbursed for a personal purchase under the following criteria:

1. It is clearly demonstrated that the purchase is of benefit to the District;
2. The purchase was made with the prior approval of an authorized administrator;
3. The item purchased was not available from resources within the District; and
4. The claim for personal reimbursement is properly accounted for and documented with an invoice/receipt.

The District business office will be responsible for the development of the procedures and forms to be used in processing claims for personal reimbursements.

Policy History:

Adopted on:

Revised on:

Reviewed on:

Travel Allowances and Expenses

Every District employee and Board Member will be reimbursed for travel expenses while traveling outside of the District and engaged in official District business. All travel expenses must be reported on the District-approved travel voucher forms and, for employees, approval must be granted prior to traveling by the employee's supervisor and the Superintendent. The District will adhere to the State Travel Policy, which can be found at <https://goo.gl/eDiSGc>.

The District business office will be responsible for the development of procedures and forms to be used in connection with travel expense claims and reimbursements.

Types of Travel

In District Expenses: District employees and Board Members shall be reimbursed for actual and necessary expenses incurred within the District while attending to District business. Actual mileage driven for pre-approved in-District travel shall be reimbursed. It is the responsibility of the Board to review travel within the District by the Superintendent or by Board Members.

Meals incurred inside the District shall not be reimbursed, except for banquets attended to represent the District.

Out of District Travel: Travel outside of the District must be pre-approved. Board Members shall obtain Board approval prior to incurring out of District expenses, and employees shall obtain prior approval from their supervisor and the Superintendent.

Actual monies spent for food while on out of District trips requiring an overnight stay shall be reimbursed.

District employees and Board Members shall be reimbursed for actual and necessary expenditures incurred outside the District.

Documentation of Expenses

Expenses not in compliance with this policy shall not be reimbursed or paid by the Board.

Prior to reimbursement of actual and necessary expenses, the District employee or Board Member must submit a detailed receipt indicating the date, purpose, and nature of the expense for each claim item and any appropriate travel expense or voucher form. Expenses requiring prior approval must also include a copy of the written prior approval. Employees shall submit their receipts, travel expense forms, and voucher forms to the Superintendent. The Superintendent and Board

Members shall submit such documentation to the Board. Failure to provide a detailed receipt will make the expense non-reimbursable.

In exceptional circumstances, the Board may allow a claim without a proper receipt. Written documentation explaining the exceptional circumstances will be maintained as part of the District's record of the claim.

The Board directs the Superintendent to promulgate procedures specifying which expenses shall be reimbursable for travel of different distances and durations.

Travel Costs Under Federal Award

General: Travel costs are the expenses for transportation, lodging, subsistence, and related items incurred by employees who are in travel status on official business of a grant recipient. Such costs may be charged on an actual cost basis, or on a per diem or mileage basis in lieu of actual costs incurred, or on a combination of the two, provided the method used is applied to an entire trip and not selected days of the trip and results in charges consistent with those normally allowed in like circumstances in the recipient's non-federally funded activities and in accordance with the recipient's written travel reimbursement policies.

Lodging and subsistence: Costs incurred by employees and officers for travel, including costs of lodging, other subsistence, and incidental expenses, shall be considered reasonable and otherwise allowable only to the extent such costs do not exceed charges normally allowed by the District in its regular operations as the result of its written travel policy. In addition, if these costs are charged directly to the federal award, the District will maintain documentation justifying the following:

1. Participation of the individual is necessary to the federal award; and
2. The costs are reasonable and consistent with this policy and any related procedures.

Temporary dependent care costs above and beyond regular dependent care that directly results from travel to conferences are allowable provided that:

1. The costs are a direct result of the individual's travel for the federal award;
2. The costs are consistent with this policy and any related procedures; and
3. Are temporary, lasting only during the travel period.

Travel costs for dependents are unallowable, except for travel of duration of six months or more with prior approval of the federal awarding agency.

Commercial air travel: Airfare costs in excess of the basic, least expensive unrestricted accommodations class offered by commercial airlines are unallowable except when such accommodations would:

1. Require circuitous routing;
2. Require travel during unreasonable hours;
3. Excessively prolong travel;
4. Result in additional costs that would offset the transportation savings; or

5. Offer accommodations not reasonably adequate for the traveler's medical needs.

Legal Reference: I.C. § 33-701 Fiscal Year – Payment and Accounting of Funds
 2 C.F.R. § 474 Travel Costs

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

FINANCIAL MANAGEMENT

7440

District Credit Cards

The Board of Trustees permits the use of District credit cards by certain school officials to pay for actual and necessary expenses incurred in the performance of work-related duties for the District.

All credit cards will be in the name of the School District. Credit cards may only be used for legitimate District business expenditures. The use of credit cards is not intended to circumvent the District's policy on purchasing. Purchases that are unauthorized, illegal, represent a conflict of interest, are personal in nature, or violate the intent of this policy may result in credit card revocation and discipline of the employee.

The Superintendent shall monitor monthly the use of each credit card by reviewing credit card expenditures and reporting any serious problems and/or discrepancies directly to the Board.

Credit Card Users

A list of those individuals that will be issued a District credit card will be maintained in the Business Office and reported to the Board each year at its regular meeting in July. Credit card users must take proper care of the credit card(s) and take all reasonable precautions against damage, loss, or theft. Any damage, loss, or theft must be reported immediately to the Business Office and to the appropriate financial institution. Failure to take proper care of credit cards or failure to report damage, loss, or theft may subject the employee to financial liability.

Users must submit detailed documentation, including itemized receipts for services, travel, and/or other actual and necessary expenses which have been incurred in connection with school-related business for which the credit card has been used. Failure to provide a proper receipt can make the employee responsible for expenses incurred.

Credit Card Limits

The District shall establish a credit line not to exceed \$15,000 for each card issued and an aggregate credit limit of \$45,000 for all cards issued to the District.

Return of Credit Card

A District employee who is no longer employed by the District shall return the credit card upon termination to the Superintendent no later than five calendar days after termination.

Misuse and/or Unauthorized Use

An employee who violates a provision of this policy shall have his or her credit card revoked immediately and shall be subject to disciplinary action as determined by the Superintendent and

shall be reported to local law enforcement. If the Superintendent violates a provision of this policy, he or she shall be subject to disciplinary action as determined by the Board and shall be reported to local law enforcement.

Additional Procedures

The Superintendent, in consultation with the Assistant Superintendent and/or Business Manager, may establish additional procedures governing the issuance and use of District credit cards that do not contradict any part of this policy. Each cardholder shall be apprised of the procedures governing the use of the credit card and a copy of this policy and accompanying procedures shall be given to each cardholder.

Legal Reference: I.C. § 18-5701 Misuse of Public Money by Officers
 I.C. § 18-5703 Definitions

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

FINANCIAL MANAGEMENT

7440F

District Credit Card Holder Agreement

By my signature I hereby acknowledge that I have read and understand the Council School District's credit card policy. Furthermore, I affirm that I will not use the credit card for personal reasons. I understand that a violation of this agreement may result in disciplinary action up to and including termination, and possible legal action.

Signature

Position

Printed Name

Date Signed

Federal Cash Management Policy

All responsible District employees shall comply with applicable methods and procedures for payment that minimize the time elapsed between the District's receipt of federal funds and their disbursement by the District, as required by and in accordance with the Cash Management Improvement Act of 1990. Generally, the District receives payment of federal funds from the State Department of Education on a reimbursement basis.

According to guidance from the U.S. Department of Education (USDE), when calculating the interest earned on USDE grant funds, regardless of the date of obligation, interest is calculated from the date that the federal funds are drawn down from the G5 system until the date on which those funds are disbursed by the District.

Payment Methods

1. **Reimbursements:** The District will initially charge federal grant expenditures to nonfederal funds.

The District Grant Accountant or Business Manager shall request reimbursement for actual expenditures incurred under the federal grants monthly. All reimbursements are based on actual disbursements, not on obligations. Reimbursement requests shall be submitted on a District form to the State Department of Education.

The Superintendent or his or her designee shall promulgate a procedure specifying any further requirements.

Consistent with State and federal requirements, the District shall maintain source documentation supporting the federal expenditures; such as invoices, time sheets, and payroll stubs; and will make such documentation available for the State Department of Education to review upon request.

Reimbursements of actual expenditures do not require interest calculations.

2. **Advances:** To the extent the District receives advance payments of federal grant funds; the District shall strive to expend the federal funds on allowable expenditures as expeditiously as possible. Specifically, the District shall attempt to expend all drawdowns of federal funds within 72 hours of receipt.

The District shall hold federal advance payments in interest-bearing accounts, unless an allowable exception applies. The District shall begin to calculate interest earned on cash balances once funds are deposited into the District's account.

Interest shall be calculated quarterly. Within 30 days of the end of the quarter, the District shall remit interest earned. The District may retain up to \$500 of interest earned per year.

The Superintendent or his or her designee shall promulgate a procedure specifying the process for remitting interest.

Legal Reference: 2 CFR § 200.305
31 CFR § 205
31 U.S.C. § 6503

Payment
Rules and Procedures for Efficient Federal-State
Funds Transfers
Intergovernmental financing (Cash Management
Improvement Act of 1990)

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

FINANCIAL MANAGEMENT

7450P1

Timely Obligation of Funds

When Obligations are Made

Obligations are orders placed for property and services, contracts, and subawards made, and similar transactions during a given period that require payment by the District during the same or a future period.

Funds received under a federal grant shall be considered to be obligated according to the standards provided in 34 C.F.R. § 75.707 or 34 C.F.R. § 76.707, as applicable. The following table illustrates when funds are determined to be obligated under federal regulations:

If the obligation is for:	The obligation is made:
Acquisition of property	On the date on which the District makes a binding written commitment to acquire the property
Personal services by an employee of the District	When the services are performed
Personal services by a contractor who is not an employee of the District	On the date which the District makes a binding written commitment to obtain the services
Public utility services	When the District receives the services
Travel	When the travel is taken
Rental of property	When the District uses the property
A pre-agreement cost that was properly approved by the Secretary under the cost principles in 2 CFR part 200, Subpart E- Cost Principles.	On the first day of the project period.

Period of Performance of Federal Funds

All obligations must occur on or between the beginning and ending dates of the grant project. This period of time is known as the period of performance. The period of performance is dictated by statute and will be indicated in the Grant Adjustment Notice (GAN). Further, certain grants have specific requirements for carryover funds that must be adhered to.

State-Administered Grants: As a general rule, state-administered federal funds are available for obligation within the year that Congress appropriates the funds for. However, given the unique nature of educational institutions, for many federal education grants, the period of availability is 27 months. Federal education grant funds are typically awarded on July 1 of each year. While the District will always plan to spend all current grant funds within the year the grant was appropriated for, the period of obligation for any grant that is covered by the “Tydings Amendment” is 27 months, extending from July 1 of the fiscal year for which the funds were appropriated through September 30 of the second following fiscal year. This maximum period includes a 15-month period of initial availability, plus a 12-month period for carryover. For example, funds awarded on July 1, 2015 would remain available for obligation through September 30, 2017.

Direct Grants: In general, the period of availability for funds authorized under direct grants is identified in the GAN.

For both state-administered and direct grants, regardless of the period of availability, the District must liquidate all obligations incurred under the award not later than 90 days after the end of the funding period unless an extension is authorized. Any funds not obligated within the period of availability or liquidated within the appropriate timeframe are said to lapse and must be returned to the awarding agency. Consequently, the District shall closely monitor grant spending throughout the grant cycle.

Carryover

State-Administered Grants: As described above, the Tydings Amendment extends the period of availability for applicable state-administered program funds. Essentially, it permits recipients to “carry over” any funds left over at the end of the initial 15 month period into the next year. These leftover funds are typically referred to as carryover funds and continue to be available for obligation for an additional 12 months. Accordingly, the District may have multiple years of grant funds available under the same program at the same time.

Any carryover in individual federal programs is determined in an annual audit performed each year according to GAAP and State statutes. After carryover amounts are determined, they are reported and administered according to specific federal award requirements as outlined in the individual program applications.

Procedure History:

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Council School District No. 13

FINANCIAL MANAGEMENT

7450P2

Federal Program Income

Definition

Program income means gross income earned by a federal grant recipient that is directly generated by a supported activity or earned as a result of the federal award during the grant's period of performance.

Program income includes, but is not limited to, income from fees for services performed, the use or rental of real or personal property acquired under federal awards, the sale of commodities or items fabricated under a federal award, license fees and royalties on patents and copyrights, and principle and interest on loans made with federal award funds. Interest earned on advances of federal funds is not program income. Except as otherwise provided in federal statutes, regulations, or the terms and conditions of the federal award program, income does not include rebates, credits, discounts, and/or interest earned. Additionally, taxes, special assessments, levies, fines, and other such revenues raised by a recipient are not program income unless the revenues are specifically identified in the federal award or federal awarding agency regulations as program income. Finally, proceeds from the sale of real property, equipment, or supplies are not program income.

Use of Program Income

The default method for the use of program income for the District is the deduction method. Under the deduction method, program income is deducted from total allowable costs to determine the net allowable costs. Program income will only be used for current costs unless the District is otherwise directed by the federal awarding agency or pass-through entity. The District may also request prior approval from the federal awarding agency to use the addition method. Under the addition method, program income may be added to the Federal award by the Federal agency and the non-Federal entity. The program income must then be used for the purposes and under the conditions of the Federal award.

While the deduction method is the default method, the District shall always refer to the GAN prior to determining the appropriate use of program income.

It is the policy of the District that no program income will be generated in federal programs. If program income is generated, the Business Manager shall account for it in accordance with the District's normal accounting procedures, utilizing the special revenue accounting codes of IFARMS, and track as program income attributable to a specific federal program.

Procedure History:

Promulgated on:

Revised on:

Reviewed on:

Council School District No. 13

FINANCIAL MANAGEMENT

7500

New Fees or Increase of Fees

The Superintendent or designee shall review annually fees assessed to determine if an increase, decrease, new fee, or other change is necessary. The Superintendent or designee shall report the fee findings to the Board at least annually.

In the event a fee increase of four percent or less from the prior fee amount is necessary, the Board can review and vote on such a fee increase. However, in the event a fee increase of five percent or more from the prior fee amount is necessary, the Board shall hold a hearing upon such proposed fee increase at a regular or special meeting of the Board.

The Board shall provide notice of the meeting according to Idaho Code § 63-1311A. Meeting notice shall include the reason for the meeting, (i.e. the Board is considering a fee increase that is in excess of five percent of the amount of fees last collected prior to such decision). If the Board is considering assessing a new fee, the meeting notice shall indicate such.

Cross Reference: 3440 Student Fees, Fines & Charges
 7300 Revenues

Legal reference: I.C. § 33-603 Payment of Fees or Returning of Property
 I.C. § 60-106 Qualifications of Newspapers Printing Legal Notices
 I.C. § 63-1311A Advertisement of and Hearing on Fee Increases

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

FINANCIAL MANAGEMENT

7600

Declaration of Financial Emergency

This section and related Board policies shall apply in the instance of a financial emergency. However, any subsequently enacted statute or amendment to existing statutes shall have control over this policy and replace this policy as well as all other related policies, procedures, and forms.

The Board of Trustees is dedicated to sound and efficient financial management. Recognizing the limitations and fluctuations in funding and the potential negative impact on the District's fiscal status due to historical revenue and/or expenditure issues, the District must take specific action to ensure education remains the primary goal and responsibility of the District. In the event that the financial situation of the District necessitates such action, the Board will consider a declaration of financial emergency.

Prior to declaring a financial emergency, the Board shall hold a public meeting for the purpose of receiving input concerning possible solutions to the financial problems facing the District.

Legal reference:	I.C. § 33-402	Notice Requirements
	I.C. § 33-515	Issuance of Renewable Contracts
	I.C. § 33-522	Financial Emergency
	I.C. § 33-801	School District Budget

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

FINANCIAL MANAGEMENT

7600F1

Declaration of Financial Emergency Resolution

DECLARATION OF FINANCIAL EMERGENCY

WHEREAS, the State Department of Education has certified that conditions (a) (b) and/or (c) (include all that have been met) of Idaho Code Section 33-522(2) have been met;

WHEREAS, the Board of Trustees of the Council School District Number 13 met on _____(insert date) to review the financial state of the District;

WHEREAS, the Board of Trustees posted notice on _____(insert date) of a public meeting to gather input concerning possible solutions to the financial emergency facing the District;

WHEREAS, the Board of Trustees held a public meeting on _____(insert date) to gather input concerning possible solutions to the financial emergency facing the District pursuant to Idaho Code Section 33-522(1); and

WHEREAS, the Board of Trustees project that the District's general fund balance, excluding funds restricted by State or federal law and considering both anticipated expenditures and revenue is less than 5 ½ percent of the District's unrestricted general fund budget pursuant to Idaho Code Section 33-522(2)(f) and thus the District has determined that the required condition in paragraph (f) of Idaho Code Section 33-522(2) has been met;

NOW, THEREFORE BE IT RESOLVED, on _____(insert date) that the Board of Trustees of the Council School District Number 13 declares a financial emergency pursuant to Idaho Code Section 33-522 for the Fiscal Year ____ (insert year).

Council School District No. 13

FINANCIAL MANAGEMENT

7600F2

Declaration of Financial Emergency Resolution

DECLARATION OF FINANCIAL EMERGENCY

WHEREAS, the Board of Trustees of the Council School District Number 13 met on _____(insert date) to review the financial state of the District;

WHEREAS, the Board of Trustees posted notice on _____(insert date) of a public meeting to gather input concerning possible solutions to the financial emergency facing the District;

WHEREAS, the Board of Trustees held a public meeting on _____ (*insert date*) to gather input concerning possible solutions to the financial emergency facing the District pursuant to Idaho Code Section 33-522(1);

[NOTE: Select from one of the following, or both of the following, if applicable in regard to paragraph (d) or paragraph (e)]

WHEREAS, pursuant to paragraph (d) of subsection 33-522(2), Idaho Code, the Board of Trustees has determined that the amount of property tax revenue to be collected by the District that may be used for any general fund purpose, with the exception of any emergency levy funds, is reduced from the prior fiscal year, and the amount of said reduction represents more than 1½ percent of the District’s general fund budget for combined State and local revenues from the prior fiscal year;

WHEREAS, pursuant to paragraph (e) of subsection 33-522(2), Idaho Code, the Board of Trustees has determined that the District’s general fund has decreased by at least 1½ percent from the previous year’s level due to a decrease in funding or natural disaster, but not as a result of a drop in the number of support units or the index multiplier calculated pursuant to section 33-1004A, Idaho Code, or a change in the emergency levy; and

WHEREAS, the State Department of Education has certified that the conditions set forth in paragraph (f) of section 33-522(2), Idaho Code, have been met in that the District’s unrestricted general fund balance, which excludes funds restricted by State or federal law and considering both anticipated expenditures and revenue, is less than 5½ percent of the District’s unrestricted general fund budget at the time the financial emergency is declared or for the fiscal year for which the financial emergency is declared;

NOW, THEREFORE BE IT RESOLVED, on _____ (*insert date*) that the Board of Trustees of the Council School District Number 13 declares a financial emergency pursuant to Idaho Code Section 33-522 for the Fiscal Year ____ (*insert year*).

Council School District No. 13

FINANCIAL MANAGEMENT

7600P

Declaration of Financial Emergency Procedure

Financial Emergency Declaration Requirements

If the State Department of Education certifies that one or more of the conditions below in paragraphs 1, 2, or 3 are met, then the Board of Trustees may declare a financial emergency if it determines that the condition in paragraph 6 is also met. Alternatively, the Board may declare a financial emergency if it determines that either of the conditions in paragraph 4 or 5 of this subsection are met and the State Department of Education certifies that the condition set forth in paragraph 6 is also met.

1. Any of the base salary multipliers in section 33-1004E, Idaho Code, are reduced by 1½ percent or more from any prior fiscal year.
2. The minimum instructional salary provision in section 33-1004E, Idaho Code, is reduced by 1½ percent or more from any prior fiscal year.
3. The amount of total general fund money appropriated per support unit is reduced by greater than 3 percent from the original general fund appropriation per support unit of any prior fiscal year.
4. The amount of property tax revenue to be collected by the District that may be used for any general fund purpose, with the exception of any emergency levy funds, is reduced from the prior fiscal year, and the amount of said reduction represents more than 1½ percent of the District's general fund budget for combined State and local revenues from the prior fiscal year.
5. The District's general fund has decreased by at least 1½ percent from the previous year's level due to a decrease in funding or natural disaster, but not a result of a drop in the number of support units or the index multiplier calculated pursuant to section 33-1004A, Idaho Code, or a change in the emergency levy.
6. The District's unrestricted general fund balance, which excludes funds restricted by State or federal law and considering both anticipated expenditures and revenue, is less than 5½ percent of the District's unrestricted general fund budget at the time the financial emergency is declared or for the fiscal year for which the financial emergency is declared.

Negotiations

Upon the declaration of financial emergency, the Board shall have the power to reopen the salary and benefits compensation aspects of the negotiated agreement, including the length of the certificated employee contracts and the amount of compensation and benefits. And, if the parties to the negotiated agreement mutually agree, the Board shall also have the power to reopen the other matters contained within the negotiated agreement directly affecting the financial circumstance in the District.

The Board and the local education association will meet and confer in good faith for the purpose of reaching agreement on such issues. If an agreement has not been reached, the Board may impose its last, best offer following the outcome of the due process hearing.

Due Process Hearing

If the Board takes action after the declaration of a financial emergency and such action is directed at more than one certificated employee and if mutually agreed to by both parties, the Board shall use the following procedure to conduct a single, joint due process hearing for all affected certificated employees within 67 days of the declaration of financial emergency or on or before June 22, whichever shall occur first. The due process hearing shall not be required if the Board and the local education association reach an agreement.

1. The Superintendent or any other duly authorized administrative officer of the District may recommend the change in the length of the term stated in the current contract or reduce the salary of any certificated employee by filing with the Board written notice specifying the purported reasons for such changes.
2. Upon receipt of such notice, the Board acting through its duly authorized administrative official, shall give the affected employees written notice of the reductions and the recommendation of the change in the length of the term stated in the current contract or the reduction of salary, along with written notice of a hearing before the Board prior to any determination by the Board.
3. The hearing shall be scheduled to take place not less than six days nor more than 14 days after receipt of the notice by the employees. The date provided for the hearing may be changed by mutual consent.
4. The hearing shall be open to the public.
5. All testimony at the hearing shall be given under oath or affirmation. Any member of the Board, or the clerk of the Board, may administer oaths to witnesses or affirmations by witnesses.
6. The employees may be represented by legal counsel and/or by a representative of a local or State education association.
7. The Chair of the Board, or the designee of the Chair, shall conduct the hearing.
8. The Board shall cause an electronic record of the hearing to be made or shall employ a competent reporter to take stenographic or steno-type notes of all the testimony at the hearing. A transcript of the hearing shall be provided at cost by the Board upon request of the employee.
9. At the hearing the Superintendent or other duly authorized administrative officer shall present evidence to substantiate the reduction contained in such notice.
10. The employees may produce evidence to refute the reduction. Any witness presented by the Superintendent or by the employees shall be subject to cross-examination. The Board may also examine witnesses and be represented by counsel.
11. The affected employees may file written briefs and arguments with the Board within three days after the close of the hearing or such other time as may be agreed upon by the affected employees and the Board.
12. Within seven days following the close of the hearing, the Board shall determine and, acting through its duly authorized administrative official, shall notify the employees in writing whether the evidence presented at the hearing established the need for the action taken.

Length of Financial Emergency

A financial emergency shall be effective for one fiscal year unless the District qualifies in subsequent years due to additional reductions or applicable conditions.

Annual Meeting and Notice Requirements

If a financial emergency has been declared, the notice of annual meeting and the notice of the annual budget hearing shall be posted for not less than five days, and by such further notice as shall provide reasonable notice to the patrons of the District if publication in a newspaper is not feasible. If the District has declared a financial emergency, no later than 14 days prior to its annual meeting, the Board shall have prepared a budget and held a public hearing.

Contract Date Impact

The time requirements of sections 33-514(2) and 33-515(2), Idaho Code, shall not apply in the event a financial emergency is declared.

Procedure History:

Promulgated on:

Revised on:

Reviewed on:

Council School District No. 13

FINANCIAL MANAGEMENT

7700

Bond Account

Creation, Purpose, and Maintenance of Bond Account

Payment of principal and interest due on bonds shall be made by the District from an account (the “bond account”) established under the resolution(s) authorizing bonds (“bond resolution(s)”). As required by the bond resolution, the bond account shall be maintained separate and apart from any other accounts of the District. A separate subaccount under the bond account shall be established for each series of bonds. All bond tax receipts and bond levy subsidy payments, hereinafter defined, shall be credited to the bond account separate and apart from the funds for the payment of principal or interest on any other series of bonds, and separate and apart from any non-bond levy revenues of the District, as hereinafter defined.

The bond account shall be monitored by the District’s Business Manager. Unless otherwise provided by District resolutions, agreements entered into in connection with the issuance of bonds, or any tax certificate with respect thereto, the Business Manager shall maintain records and shall prepare regular, periodic statements regarding the investments, deposits, and disbursements involving funds held in the bond account.

Definitions

“Bond Guaranty Programs” mean collectively the programs of the State of Idaho pursuant to the Idaho School Bond Guaranty Act, Title 33, Chapter 53, Idaho Code, and the School District Bond Credit Enhancement Program under Title 57, Chapter 7, Idaho Code.

“Bond Levy Subsidy Payments” mean subsidy payments received by the District from the State of Idaho bond levy equalization fund under Sections 33-906, 33-906A, and 33-906B, Idaho Code or any successor provision.

“Bond Tax Receipts” mean funds derived from the District’s general obligation bond levy under the applicable Bond Resolution, levied, assessed, certified, extended, and collected by the District or on behalf of the District by the county or counties annually at the time when and in the manner in which other general taxes of the District are levied, upon all the taxable property within the limits of the District, in addition to all other authorized taxes and assessments in the amount specified by Sections 33-802 and 33-802A, Idaho Code.

“Investment Securities” means such investments as shall be legal investments for such funds under Idaho law as then in effect.

“Non-Bond Levy Revenues” mean revenues, including but not limited to, property tax revenues and operating levy property tax revenues, State funds in replacement of property tax revenues, sales tax revenue sharing funds, or other funds collected on the District’s behalf by the Counties and then disbursed to the District.

Deposit of Funds into Bond Account; Payment of Bonds

There shall be deposited into the applicable subaccount under the bond account no later than five days of receipt:

1. Bond tax receipts;
2. Bond levy subsidy payments; and
3. Such other funds as the District shall designate as irrevocably available to pay principal and interest on the applicable bonds.

These deposits shall be in amounts sufficient to meet the payments of principal and interest on bonds as the same mature, as provided in the applicable bond resolution. Non-bond levy revenues shall not be deposited into the bond account.

The District shall pay debt service on bonds from funds held in the bond account pursuant to the provisions of the applicable bond resolution, but nothing herein contained shall be construed to prevent the District from paying the interest on or the principal of bonds from any other funds in its hands and available for that purpose.

Investment of Funds in Bond Account

Moneys held in the bond account and subaccounts thereunder shall be invested and reinvested by the District to the fullest extent practicable in investment securities which mature not later than such times as shall be necessary to provide moneys when needed for payment of debt service on bonds. All investment earnings shall be retained in the bond account.

For purposes of investment of funds in the bond account, the District may consider earnings on funds held in the bond account which are not expected to be used to pay principal and interest on bonds to be held for the purpose of paying principal and interest on other bonds issued or to be issued by the District or to be used for any lawful purpose of the District.

State Guaranty Programs

In the event bonds are guaranteed by the Bond Guaranty Programs, and pursuant to the applicable bond resolution, the District shall transfer moneys from the bond account to the paying agent sufficient for the scheduled debt service payment on the bonds at least 15 days before each principal or interest payment date for the bonds, pursuant to the provisions of the applicable bond resolution.

Use of Funds in Bond Account

The District shall use the funds held in the bond account for the timely payment of principal (including any redemption premium) and interest on the District's bonds, and related expenses,

and for no other purposes. Upon payment in full of the bonds, remaining funds in the bond account may be applied by the District in the manner provided by law.

Legal Reference:	Title 33 Chapter 53	Idaho School Bond Guaranty Act
	I.C. § 33-802 et. seq.	Budget and Tax Levy
	I.C. § 33-906 et. seq.	School Funds
	I.C. § 57-728	Credit Enhancement Program for School District Bonds

Policy History:

Adopted on:

Revised on:

Reviewed on:

Bond Continuing Disclosure and Certification Requirements

Designation of Administrator

The District hereby designates the Business Manager (the “Administrator”) to have the primary responsibility to ensure compliance with the applicable securities laws and rules relating to issued bonds. The Administrator shall review these procedures annually. The Administrator will consult with Bond Counsel and/or the District's legal counsel and advisors, as necessary, to ensure that the District complies with the Bond Disclosure Agreement. This will include, without limitation, consultation in connection with any potential changes in ratings of the bonds or changes in finances or operations of the District.

The Administrator will actively participate in the preparation of all primary disclosure materials. The Administrator will review and prepare all post-issuance disclosure materials, including, without limitation, the materials for the District’s financial statements and the information described in the Required Annual Filings, and events required to be disclosed under the rule known as the Material Event Filings, and any other voluntary or required disclosure to the market.

The Administrator will review all primary and post-issuance disclosure materials and consult with all officers, employees, directors, agents, and officials of the District as necessary to ensure that such materials do not contain materially false information or omit material information that investors would want to know in making an informed investment decision about the bonds.

The Administrator will also obtain appropriate training in the issuance of municipal bonds, securities law disclosure, proficiency in the use of Electronic Municipal Market Access (EMMA), and update such training on an annual basis or as new developments arise.

Duties of the Administrator

Upon the issuance of any bonds, or annually in the absence of such issuance, the Administrator shall update Required Annual Filings to reflect the requirements of the Disclosure Agreements of the District and the requirements thereof.

Within the time specified under each Disclosure Agreement, the Administrator will submit, or cause to be submitted through a disclosure agent if one has been appointed, the District’s Required Annual Filing to the Municipal Securities Rulemaking Board (MSRB) via EMMA.

Not more than five days after the submission of the Required Annual Filing to the MRSB, the Administrator shall provide to the Superintendent and the Board of Trustees written confirmation that the Annual Required Filing has been submitted and filed properly with the MSRB through

EMMA. The Administrator shall independently verify by access to EMMA that the Required Annual Filing has been filed and properly appears on EMMA.

In the event that the Required Annual Filing is not completed in time to submit the Required Annual Filing to the MRSB through EMMA within the time specified, the Administrator will file a notice of occurrence of such event in accordance with the policy and procedures set forth below under “Reporting of Events,” and in accordance with the Rule, and submit the Required Annual Filing as soon as it is available.

Reporting of Events

The Administrator will make, or cause to be made through a disclosure agent if one has been appointed, all required Material Event Filings via EMMA consistent with the requirements of the Rule.

The occurrence of certain events, including payment defaults, requires a Material Event Filing without the need for a materiality determination (*i.e.* they are deemed material under the rule). These include:

1. Principal and interest payment delinquencies;
2. Unscheduled draws on debt service reserves reflecting financial difficulties;
3. Unscheduled draws on credit enhancements reflecting financial difficulties;
4. Substitution of credit or liquidity providers, or their failure to perform;
5. Adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the security, or other material events affecting the tax status of the security. [**Note: A routine IRS audit is reportable because it could lead to an adverse tax opinion.**]
6. Defeasances;
7. Rating changes;
8. Bankruptcy, insolvency, receivership, or similar event of the obligated person;
9. Other events, such as non-payment related defaults, must be analyzed to determine if the event is material and if so, a Material Event Filing is required. The Administrator will consult with Bond Counsel regarding any questions as to whether an event has occurred and what filings are required. These include:
 - A. The consummation of a merger, consolidation, or acquisition involving an obligated person or the sale of all or substantially all of the assets of the obligated

person, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material.

- B. Nonpayment-related defaults, if material.
- C. Modifications to rights of security holders, if material.
- D. Bond calls, if material, and tender offers.
- E. Release, substitution or sale of property securing repayment of the securities, if material.
- F. Appointment of a successor or additional trustee or the change of name of a trustee, if material.

The Administrator shall establish appropriate procedures within the District such that officers and employees of the District who have access to material information of the kind that would be required to be disclosed under a Material Event Filing are aware of the requirements of the Disclosure Agreement, and that such officers and employees will report such events to the Administrator in a timely manner. As soon as the Administrator learns of the occurrence of an event that is either deemed material or that knowledge of such an event would be material under applicable securities law, the Administrator will prepare and file, or cause to be filed, in a timely manner not in excess of ten business days of the occurrence, a Material Event Filing via EMMA. Not more than five days after the submission of a Material Event Filing to the MRSB, the Administrator shall independently verify by access to EMMA that the Material Event Filing has been filed and properly appears on EMMA.

Nothing in a Disclosure Agreement prevents the District from making a voluntary filing with the MSRB of other material information in addition to the events that give rise to a Material Event Filing under the rule and the Disclosure Agreement.

Failure to File

In the event the Administrator fails to make any Required Annual Filing or Material Event Filing, the Administrator shall immediately notify the officer of the District to whom the Administrator reports of such failure to file and will cooperate fully to consider whether the District should engage a Disclosure Agent if one has not already been engaged, or take other action to ensure future filings are made on a timely basis.

Correspondence from Securities and Exchange Commission (SEC)

Upon receipt of any correspondence from the SEC, the Administrator will immediately notify the District, provide the District with a copy of such correspondence, and develop a plan of action to respond to the SEC inquiry.

Record-Keeping Requirements

Unless otherwise specified in applicable District resolutions or tax certificates, the District shall maintain the following documents for the term of each issue of bonds (including refunding bonds, if any) plus at least an additional three years:

1. A copy of the bond closing transcript(s) and other relevant documentation delivered to the District at or in connection with closing of the issue of bonds;
2. A copy of all material documents relating to capital expenditures financed or refinanced by bond proceeds, including (without limitation) construction contracts, purchase orders, invoices, trustee requisitions and payment records, as well as documents relating to costs reimbursed with bond proceeds, and records identifying the assets or portion of assets that are financed or refinanced with bond proceeds;
3. A copy of all contracts and arrangements involving private use of bond-financed assets or for the private use of output or throughput of bond-financed assets; and
4. Copies of all records of investments, investment agreements, arbitrage reports, and underlying documents, including trustee statements.

Legal Reference: Municipal Securities Rulemaking Board Rule Book (Updated October 1, 2016)
<http://www.msrb.org/msrb1/pdfs/MSRB-Rule-Book-PDF-Current-Quarter.pdf>

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

NONINSTRUCTIONAL OPERATIONS

8000

Goals

In order for students to obtain the maximum benefits from their educational program, a complex set of support services must be provided by the District. These services are essential to the success of the District, and the staff that provides them is an integral part of the educational enterprise. Because resources are always scarce, all assets of District operations, including non-instructional support services, shall be carefully managed in order to obtain maximum efficiency and economy. To that end, the goal of the District is to seek new ways of supporting the instructional program that shall maximize the resources directly available for students' learning programs.

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

NONINSTRUCTIONAL OPERATIONS

8100

Transportation

The Board of Trustees' primary concern in providing transportation services to students is the safety and protection of the health of students.

Requirements

The District shall provide transportation to and from school for a student who:

1. Resides at least 1½ miles from the nearest appropriate school, determined by the nearest and best route from the junction of the driveway of the student's home¹ and the nearest public road to the nearest door of the school the student attends or to a bus stop, whichever the case may be;
2. Is a student with a disability whose IEP identifies transportation as a related service; or
3. In the judgment of the Board, has another compelling and legally sufficient reason to receive transportation services, including the age, health, or safety of the student.

The type of transportation provided by the District may be by a school bus or other vehicle, or by such individual transportation as paying the parent or guardian for individually transporting the student. The Board may pay board and room reimbursements to a parent when a student resides within a non-transportation area (an area of a school district designated by the Board as impractical, by reason of scarcity of students, remoteness, or condition of roads) but is otherwise eligible for transportation and cannot be transported in any authorized manner. The Board may authorize children attending nonpublic schools to ride a school bus provided that space is available and a fee to cover the per-seat cost for such transportation is collected.

Homeless Students

Homeless students shall be transported in accordance with the McKinney-Vento Homeless Assistance Act and State law.

Foster Children

The Superintendent or designee shall implement the requirements for ensuring educational stability for all children in foster care. Each of these provisions must emphasize the child's best interest determination. A written guideline must provide clarity to each school and staff member governing the transportation protocol for students in foster care. This includes the facilitation of transportation to the school of origin (when in the student's best interest). Transportation will be

¹ A day care center, family day care home, or a group day care facility may substitute for the student's residence for student transportation to and from school.

provided, arranged, and funded for the duration of time in foster care. These procedures must confirm the following:

1. Children in foster care needing transportation to the school of origin will promptly receive that transportation in a reasonable and cost effective manner. and;
2. Ensure that, if there are additional costs incurred in providing transportation to maintain children in foster care in their schools of origin, the District will provide transportation to the school of origin if:
 - A. The local child welfare agency agrees to reimburse the District for the cost of such transportation;
 - B. The District agrees to pay for the cost of such transportation; or
 - C. The District and the local child welfare agency agree to share the cost of such transportation.

Safety

The District shall provide each new school bus driver with a school bus driver training program before allowing him or her to drive a bus carrying students. The District shall provide all experienced school bus drivers with at least ten hours of refresher school bus driver training each fiscal year. Such training shall meet the requirements described in the *Standards for Idaho School Buses and Operations*. Documented training similar to that required by the District may be used to comply with new school bus driver training hours, unless the driver has a gap of more than four years in their previous driving experience.

The Superintendent or designee shall develop written rules establishing the procedures for bus safety and emergency exit drills, and for student conduct while riding on buses, including for students with special needs.

The District shall ensure that transportation personnel have access to a library of resources to assist them in operating safe and efficient transportation services. These resources shall include:

1. Applicable federal, State, and local laws, codes, and regulations;
2. Applicable manuals and guidelines;
3. Online access to internet and other resources; and
4. Applicable trade journals and organizations' publications.

Cross Reference: 3060 Education of Homeless Children
8110 Safety Busing
8120 Bus Routes, Stops and Non-Transportation Zones

Legal Reference: 20 USC § 6312(c) Every Student Succeeds Act Standards for Idaho School Buses and Operations
I.C. § 33-1501 Transportation Authorized
I.C. § 33-1503 Payments when Transportation Not Furnished
IDAPA 08.02.03.109 Special Education

Other Reference: Federal Highway Safety Guideline 17
Idaho Department of Education, Idaho's School Bus Driver Training
Classroom Curriculum

Policy History:

Adopted on:

Revised on:

Reviewed on:

Extracurricular Transportation

The term “extracurricular” refers to activities or events which are supplements to the regular instructional program and do not involve class credit, including, but not limited to athletics, speech, debate, music, band, student groups and/or organizations, and community activities.

The use of school buses is strictly limited to school activities. Buses may not be loaned or leased to non-school groups unless permission is specifically granted by the Board. On all activity runs, buses will be operated by a qualified bus driver, and only authorized activity participants, professional staff, and chaperones assigned by the administration may ride the bus.

The determination as to whether to provide transportation for students, spectators, or participants to and from extracurricular activities shall be made solely by the District. This determination shall include, but is not limited to, the decision to provide transportation, the persons to be transported, the type or method to be utilized, all transportation scheduling and coordination, and any other transportation arrangements or decisions. Employees who are involved in extracurricular activities shall be advised by the administration as to the transportation arrangements made, if any.

District employees wishing to undertake independent arrangement, scheduling, or coordination of transportation for extracurricular activities shall do so only when specifically directed or approved by the Superintendent or his or her designee. District employees will notify the Superintendent or designee of all transportation details and/or arrangements made after authorization. District employees shall not use a personal vehicle to transport students.

A duplicate copy of the passenger list will be made for all activity trips. One copy will remain with the professional staff member in charge on the bus and one copy will be given to the Activities Director before the bus departs.

All buses used to transport students on activity trips shall be in safe mechanical and good working condition.

At its discretion, the District may charge fees for transportation of students to and from extracurricular activities where attendance is optional.

Student Travel to/from Extracurricular or Co-Curricular Activity

Unless other travel arrangements are authorized, students will board the bus at the school designated as point of origin for the trip and will return to the point of origin in the bus. There will be no stops along the designated route to pick up or discharge students.

The only variation allowed in this regulation is the release of students to parents in a face-to-face situation at the close of the activity before buses begin the return trip. Such release will require a signed, dated note from the parent.

Responsibility for extracurricular transportation, when not provided by the District, will remain with the parent, who will be required to sign a waiver and release of claims prior to the extracurricular activity or event. Such waiver and release of claims shall remain on file at the school.

The activity must provide at least one instructor, coach, or adult sponsor for each bus on a special trip who shall be familiar with or provided a copy of this policy. The bus driver will be responsible for the safe operation of the bus. The sponsor will be responsible for supervision of students and enforcement of bus rules. Any adult designated by the principal as a sponsor will have such authority.

Cross Reference: 3380 Extracurricular and Co-Curricular Participation Policy
 8100 Transportation
 8105F Extracurricular Transportation Liability Waiver

Legal Reference: I.C. § 33-512(12) Governance of Schools
 I.C. § 33-1501 Transportation Authorized
 IDAPA 08.02.02.190 Program Operations

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

NONINSTRUCTIONAL OPERATIONS

8105F

Extracurricular Transportation Liability Waiver

I, _____, parent or guardian of _____ (student) hereby have chosen to provide transportation for this child TO and FROM all extracurricular activities or events for which District transportation is not provided.

I understand that by signing this waiver, I take full responsibility for the transportation of this child TO and FROM all extracurricular activities and events during the 20___/20___ school year for which District transportation is not provided. I also understand that this waiver releases the District from any and all liability or claims regarding the transportation of this child TO and FROM extracurricular activities or events for which District transportation in not provided.

Signature of Parent/Guardian

Date

Extracurricular Transportation Discipline

Before departure on each activity trip, all students provided with transportation by the District will be instructed on the location of all emergency exits and their operation. This instruction will include a general review of safe riding practices, rules, and procedures.

Students must follow all school bus rules with this exception: Food and drink not in glass containers will be allowed on the bus with permission of the principal. However, any debris must be cleaned up at the end of the trip and before students leave the bus.

If a student causes a disruption or hazard on the bus, a hearing will be held with the principal, driver, instructor, coach or adult sponsor, parent/guardian, and student. The driver, instructor, coach or adult sponsor, parent/guardian, and the student will have the opportunity to share with the principal their perceptions of the problem. If the principal finds that there has been an infraction of bus rules, he or she will take the following action:

1. On the first infraction, the student will be warned that following any further infraction he or she will be declared ineligible for transportation to the extracurricular or co-curricular activities for one event;
2. On the second infraction during a semester, the student will be declared ineligible for transportation to the extracurricular or co-curricular activity for one event; and
3. On the third infraction during a semester, the student will be declared ineligible for transportation to the extracurricular or co-curricular activities for the remainder of the semester.

Based on the severity of the problem as it relates to respect and safety for others, the principal may bypass step #1 and/or step #2 above and immediately declare the student ineligible for transportation for two weeks or for the remainder of the semester.

Procedure History:

Promulgated on:

Revised on:

Reviewed on:

Safety Busing

Safety busing is the transportation of a student who lives less than 1½ miles from school when, in the judgment of the Board of Trustees, the age, health, and/or safety of the students warrants such action.

The Board will only consider requests for safety busing for students living less than 1½ miles from school when a student walking to school would entail one or more of the following:

1. Unsupervised crossing of a heavily traveled multi-lane roadway requiring beyond-age-level comprehension of complex traffic hazards;
2. Walking along an arterial road and highway permitting 50 mile per hour speeds;
3. Crossing an intersection in competition with a high volume of right-turning vehicles without the benefit of adult supervised crossing;
4. Walking in the traffic lane of an arterial or collector street because of the absence of sidewalks or usable shoulders which are at least three feet wide;
5. Walking beside or over unprotected waterways;
6. Walking routes which are temporarily interrupted by major road construction, building construction, or utility construction;
7. Walking routes interrupted by numerous high traffic volume business driveways; or
8. Other unique circumstances or extraordinary factors.

The existence of any of the above criteria does not automatically qualify an area for safety busing. The Board may also consider evaluation factors including but not limited to traffic count, traffic gap times, posted speed, width of roadway, width of walking area, length of time students would be exposed to area of concern, age of pupils, number of pupils, and traffic control signs and markings as well as written comments from parents, patrons, and school personnel prior to a vote on the issue. Further, the Board shall consider the criteria set out in its measuring and scoring instrument, with an appropriate “cut off” for safety busing purposes when the scoring element used indicates hazards that are “reasonable” for students to encounter during their walk to and from school, which by this reference is incorporated and attached to this policy as Exhibit 1.

Each year, no later than the regular Board meeting in August, the Board shall review and vote on all requests for new safety busing locations. The Board may annually approve the formation of an ad hoc supplemental transportation committee for the purpose of objectively evaluating all hazardous routes less than 1.5 miles from the student’s home to school, using the Board approved measuring instrument. The Superintendent or his or her designee is directed to review all existing safety busing locations at intervals of no more than three years.

Cross Reference: 8100 Transportation
8120 Bus Routes, Stops and Non-Transportation Zones

Legal Reference: I.C. § 33-1501 Transportation Authorized

Other Reference: <http://www.sde.idaho.gov/student-transportation/files/forms-lists/regulations/SISBO-Manual.pdf>
Standards for Idaho School Buses and Operations

Policy History:

Adopted on:

Revised on:

Reviewed on:

Exhibit 1 is the measuring instrument form used by the District.

Hours of Service of Drivers

The maximum driving time for passenger-carrying vehicles shall be as follows, subject to the exceptions and exemptions provided by law. The District shall not permit or require any driver to drive a passenger-carrying commercial motor vehicle:

1. For more than ten hours following eight consecutive hours off duty; or
2. For any period after having been on duty 15 hours following eight consecutive hours off duty.

Additionally, the District shall not permit or require a driver of a passenger-carrying commercial motor vehicle to drive for any period after:

1. Having been on duty 60 hours in any seven consecutive days if the employing motor carrier does not operate commercial motor vehicles every day of the week; or
2. Having been on duty 70 hours in any period of eight consecutive days if the employing motor carrier operates commercial motor vehicles every day of the week.

Drivers shall use Federal Motor Carrier Safety Administration (FMCSA) over-the-road hours-of-service trip logs, a trip agenda, or other trip documentation validating applicable driving hours on all out-of-District trips.

Cross Reference: 8100 Transportation

Legal Reference: FMCSA: § 395.5: Maximum driving time for passenger-carrying vehicles

Other Reference: Idaho Department of Education, Idaho's School Bus Driver Training Classroom Curriculum

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

NONINSTRUCTIONAL OPERATIONS

8120

Bus Routes, Stops, and Non-Transportation Zones

Each year, no later than the regular Board meeting in August, the Superintendent or his or her designee shall present their recommendation for bus routes, school safety busing zones, and non-transportation zones to the Board of Trustees. The Board shall consider student health and safety in considering the recommendations of the Superintendent or designee.

Definitions

“Safety Busing Zone” shall mean the transportation of a student who lives less than 1½ miles from school when, in the judgment of the Board, the age, health, or safety of the student warrants such action. See Policy 8110 Safety Busing.

“Non-Transportation Zone” shall mean an area of the District designated by the Board which is not served by District transportation because of scarcity of students or remoteness, or because the condition of roads makes such service impractical.

Establishing Bus Routes

In order to operate the transportation system as safely and efficiently as possible, the following factors shall be considered in establishing bus routes:

1. School bus routes shall be established with due consideration of the sum total of local conditions affecting the safety, economic soundness, and convenience of its operation including road conditions, condition of bridges and culverts, hazardous crossings, presence of railroad tracks and arterial highways, extreme weather conditions and variations, length of route, number of families and children to be serviced, availability of turn-around points, capacity of bus, and other related factors. Further, the Board of Trustees shall consider the criteria set out in its measuring and scoring instrument. See Policy 8110 Safety Busing, Exhibit 1.
2. School bus drivers are encouraged to make recommendations in regard to establishing or changing routes.
3. Parents should be referred to the Superintendent or designee for any request of change in routes, stops, or schedules.
4. At least once each year, the transportation supervisor or the District’s school bus driver trainer shall evaluate each route for the purpose of assessing the safety of routes and bus stops. Documentation of the route evaluation shall be retained by the District.

Bus Stops

Buses should stop only at designated places approved by school authorities. Exceptions should be made only in cases of emergency and inclement weather conditions. Bus stops shall be chosen with safety and protection of the health of the student in mind.

School loading and unloading zones are to be established and marked to provide safe and orderly loading and unloading of students. The principal of each building is responsible for the conduct of students waiting in loading zones.

Delay in Schedule

The schedule for pickup and delivery of children shall be followed as accurately as possible. The driver is to notify the administration of a delay in schedule. The administration will notify parents on routes and radio stations, if necessary.

Responsibilities - Pupils

Pupils must realize that safety is based on group conduct. Talk should be in conversational tones at all times. There should be no shouting or loud talking which may distract the bus driver. There should be no shouting at passersby. Pupils should instantly obey any command or suggestions from the driver and/or his or her assistants.

A pupil may be denied transportation upon a showing of good cause. The reason for the denial of transportation services shall be provided to the parent(s)/guardian(s) in writing.

Responsibilities - Parents

The interest and assistance of each parent is a valued asset to the transportation program. Parents' efforts towards making each bus trip a safe and pleasant experience are requested and appreciated. The following suggestions are only three of the many ways parents can assist:

1. Ensure that students are at the bus stop in sufficient time to efficiently meet the bus;
2. Properly prepare children for weather conditions; and
3. Encourage school bus safety at home. Caution children regarding safe behavior and conduct while riding on the school bus.

Safety

The Superintendent shall develop written rules establishing the procedures for bus safety and emergency exit drills which comply with State law and Federal Highway Safety Guideline 17 for student conduct while riding on buses.

If the bus and driver are present, the driver is responsible for the safety of his or her passengers, particularly for those who must cross a roadway prior to loading or after leaving the bus. Except in emergencies, no bus driver shall order or allow a student to board or disembark at other than his or her assigned stop unless so authorized by the Superintendent. In order to assure the safety of all, the bus driver may hold students accountable for their conduct during the course of transportation and may recommend corrective action against a student. Bus drivers are expressly prohibited from using corporal punishment.

Further, the Board shall consider the criteria set out in its measuring and scoring instrument which, by this reference, is incorporated and attached to this policy.

The bus driver is responsible for the use of the warning and stop signaling systems and the consequent protection of his or her passengers. Failure to use the system constitutes negligence on the part of the driver.

Inclement Weather

The Board recognizes the unpredictability and resulting dangers associated with the weather in Idaho. To achieve the maximum safety for children and efficiency of operation, the Superintendent is empowered to make decisions as to the emergency operation of buses, the cancellation of bus routes, and the closing of schools in accordance with his or her best judgment. The Board may develop guidelines in cooperation with the Superintendent to assist him or her in making such decisions.

Cross Reference: 8110 Safety Busing

Legal Reference: I.C. § 33-1501 Transportation Authorized
I.C. § 33-1502 Bus Routes—Non-Transportation Zones
I.C. § 49-1422 Overtaking and Passing a School Bus

Other Reference: Standards for Idaho School Buses and Operations
Idaho Department of Education, Idaho's School Bus Driver Training
Classroom Curriculum

Policy History:

Adopted on:

Revised on:

Reviewed on:

Transportation of Students with Disabilities

Transportation shall be provided as a related service when a student with a disability requires special transportation in order to benefit from special education or to have access to an appropriate education placement. Transportation needs may include, but are not limited to, the following:

1. Travel to and from school and between schools;
2. Travel in and around school buildings or to those activities which are a regular part of the student's instructional program;
3. Specialized equipment (such as special or adapted buses, lifts, and ramps) if required to provide special transportation for a student with disabilities; and
4. Other services that support the student's use of transportation, such as:
 - A. Special assistance, such as an aide on the bus and assistance getting on and off the bus;
 - B. Safety restraints, wheelchair restraints, and child safety seats;
 - C. Accommodations, such as preferential seating, a positive behavioral support plan for the student on the bus, and altering the bus route; or
 - D. Training for the bus driver regarding the student's disability or special health-related needs.

The Child Study Team that develops the disabled student's Individualized Education Program will determine on an individual basis when a student with a disability requires this related service. Such recommendations must be specified on the student's IEP. Only those children with disabilities who qualify for transportation as a related service under the provisions of the IDEA shall be entitled to special transportation. All other children with disabilities in the District have access to the District's regular transportation system under policies and procedures applicable to all students of the District. Utilizing the District's regular transportation service shall be viewed as a "least restrictive environment."

Mode of Transportation

One of the District's special education buses will be the preferred mode of transportation. Exceptions may be made in situations where buses are prohibited from entering certain subdivisions due to inadequate turning space or where distance from school may seriously impact bus scheduling. In such situations, other arrangements such as an individual transportation contract may be arranged with the parents. Such voluntary agreement shall stipulate in writing the terms of reimbursement.

Cross Reference: 3340 Corrective Actions and Punishment
 8140 Student Conduct on Buses

Legal Reference: 20 U.S.C. § 1400 et seq. Individuals with Disabilities in Education Act (IDEA)

IDAPA 08.02.03.109 Special Education
Idaho Special Education Manual

Policy History:

Adopted on:

Revised on:

Reviewed on:

Student Conduct on Buses

Riding the school bus is a privilege for students, not a right. Students are expected to follow the same behavioral standards while riding School District vehicles as are expected on school property and at school activities, functions, and events and additional specific transportation safety rules. All school rules are in effect while a student is riding a District vehicle or at a school bus stop.

The Superintendent shall establish written rules of conduct for students riding school buses. Such rules shall be reviewed annually by the Superintendent and revised if necessary. If the rules are substantially revised, they shall be submitted to the Board for approval.

A copy of the rules of conduct for students riding buses shall be provided to students at the beginning of the year. The classroom teacher and bus driver shall review the rules with the students at the beginning of each school year. A copy of the rules shall be posted in each bus and shall be available upon request at the District office and in each building principal's office.

The bus driver shall be responsible for enforcing the rules, and shall work closely with the parent and the building principal to modify a student's behavior. The rules shall include consistent consequences for student misbehavior.

Recommendations for permanent termination of bus privileges will be referred to the Superintendent for final determination. The termination may be appealed to the Board. No further appeal shall be allowed.

A recommendation to terminate bus privileges shall be accompanied by a written record of the incident(s) that led to the recommendation. Said written record shall be provided to the parent/guardian of the student whose bus privileges are being revoked.

Discipline of Students with Disabilities

If a student's IEP team determines that special transportation is required and documents it on the IEP, all procedures under the IDEA 2004 must be followed with regard to the student and transportation. A suspension from bus transportation depends on whether bus transportation is identified on the IEP:

1. If bus transportation is on the IEP, a suspension from the bus would be treated as a suspension from school. An exception to this is if the District provides transportation in some other way, such as transportation in lieu of, because transportation is necessary.
2. If bus transportation is not on the IEP, a suspension from the bus would not be counted as suspension from school. In this situation, the student and the parent would have the same obligation to get to and from school as a student without a disability who had been suspended from the bus.

Cross Reference: 3330
8130

Student Discipline
Transportation of Students with Disabilities

Legal Reference: I.C. § 33-205
I.C. § 33-1501

Denial of School Attendance
Transportation Authorized

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

NONINSTRUCTIONAL OPERATIONS

8150

Unauthorized School Bus Entry

The Board of Trustees hereby instructs the Superintendent to place the following notice at the entrance to all school buses which warns against unauthorized school bus entry:

NOTICE

A person shall be guilty of a misdemeanor if that person:

- (a) Enters a school bus with intent to commit a crime;
- (b) Enters a school bus and disrupts or interferes with the driver; or
- (c) Enters a school bus and refuses to disembark after being ordered to do so by the driver.

Legal Reference: I.C. § 18-1522 Unauthorized School Bus Entry—Notice

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

NONINSTRUCTIONAL OPERATIONS

8160

Contracting for Transportation Services

If the Board enters into a contract for transportation services, the contractor shall operate such equipment according to District policy and the rules and regulations of the State Board of Education. All contracts for the transportation of students shall be in writing in a form approved by the Superintendent of Public Instruction. The contract shall be in effect for not more than five years. Prior to entering into a contract for transportation services, the District must advertise and bid for such services. The contract shall be awarded to the lowest responsible bidder. In determining what bid is the lowest responsible bidder, in addition to other enumerated specifications, the District will not only take into consideration the amount of the bid. The District will also consider the skill, ability, and integrity of a contractor to do faithful and conscientious work and promptly fulfill the contract according to the letter and spirit. References may be contacted.

A copy of the contract for transportation services will be filed with the Supervisor of Pupil Transportation in the Department of Education

Legal Reference: I.C. § 33-1501 Transportation Authorized
I.C. § 33-1510 Contracts for Transportation Service
IDAPA 08.02.02.190.05 Contract for Transportation Services

Policy History:

Adopted on:

Revised on:

Reviewed on:

[DISCLAIMER: THE PORTION OF THIS POLICY REGARDING DISTRICT-OWNED VEHICLES PROVIDED TO EMPLOYEES IS FOR INFORMATIONAL PURPOSES ONLY. IF YOU HAVE QUESTIONS ABOUT TAXABLE FRINGE BENEFITS AND HOW THIS APPLIES TO YOUR DISTRICT EMPLOYEES, PLEASE CONTACT YOUR DISTRICT TAX ADVISOR OR LEGAL COUNSEL.]

District-Owned Vehicles

The District owns and maintains certain vehicles. Included among them are pickups, school buses, and vans. These are for use by properly authorized personnel of the District for District business purposes.

Any driver who receives a citation for a driving violation while operating a District vehicle shall personally pay all fines levied. All citations received while the driver is a District employee, whether operating a District vehicle or not, must be reported and may result in disciplinary action up to and including termination.

District Bus and Vehicle Maintenance

Buses used in the District's transportation program shall be in safe and legal operating condition. All buses shall conform to standards of construction prescribed by the State Board of Education and inspections as required by law. The Superintendent shall establish a specific list of tasks that bus drivers shall perform on a daily basis. All other District vehicles shall be maintained following established programs as developed by the Superintendent.

District-Owned Vehicles Provided to Employees

The District owns vehicles which certain employees use for commuting to and from work and for other District-related travel. Any mileage driven in a District-owned vehicle that is not for official District business will be considered a taxable fringe benefit to the employee driving the vehicle. This taxable fringe benefit will be in addition to the employee's annual salary and will be reported on the individual employee's W-4.

Records of mileage and use other than official District business must be recorded in a diary or log.

Unauthorized personal use of the vehicles or failure to report personal mileage and use may be subject to disciplinary action up to and including termination of employment. No employee, friend, associate, or family member of any employee may use a District-owned vehicle for personal use other than de minimis personal use by the employee.

This policy and taxable fringe benefit will be reviewed annually to verify that the policy is in compliance with IRS regulations.

Legal Reference: I.C. § 33-1506 Inspection of School Buses
IDAPA 08.02.02.160 Maintenance Standards and Inspections
Standards for Idaho School Buses and Operations
Idaho Department of Education, Idaho's School Bus Driver Training Classroom
Curriculum

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

NONINSTRUCTIONAL OPERATIONS

8170P

District-Owned Vehicles

The Board adopts this procedure to establish guidelines, obligations, and expectations of employees who, within the scope of their employment, have occasion to operate District-owned vehicles and equipment, or personal vehicles for official District purposes.

District Vehicles and Equipment

Authorization for Use

Council School District employees shall operate District owned vehicles and equipment only when the employee:

1. Is authorized by their position and/or supervisor to act as the operator of a vehicle or piece of equipment;
2. Holds a valid Idaho operators license for each class of vehicle or piece of equipment they are approved to operate. The District may verify license status by checking motor vehicle records; and
3. Has demonstrated to the supervisor's satisfaction that they are qualified to operate the vehicle or piece of equipment.

Responsibilities of Vehicle or Equipment Operator

Employees operating District vehicles and equipment shall:

1. Inspect vehicles or equipment before operating to ensure the vehicle or equipment will function in a safe manner;
2. Refrain from eating or engaging in other activities which may distract an individual from safely operating a vehicle or piece of equipment;
3. Operate such vehicles and equipment in a safe, responsible manner, and in compliance with State laws and regulations governing vehicle use;
4. Pull off to a safe area and stop driving to use a cell phone in a vehicle;
5. Be personally responsible for traffic fines and/or penalties arising from their violation of traffic laws while operating such vehicles or equipment;
6. Refrain from operating any such vehicles or equipment when under the influence of controlled substances, medications, or mental or physical conditions which could impair their ability to properly operate a vehicle or piece of equipment;

7. Return such vehicles and equipment daily to the District facility designated for that vehicle or piece of equipment unless it is taken to the operator's residence as authorized in this procedure;
8. If the vehicle or piece of equipment is taken to the operator's residence as authorized by this procedure, the operator shall ensure the vehicle or equipment is made available for routine maintenance as well as unscheduled maintenance when required;
9. Report any loss, redaction, or suspension of their operator license or endorsements status to their supervisor as soon as they are notified of the licensing status change;
10. Report all accidents immediately to the supervisor and/or to the Risk Management Specialist so that they can be reported to the District's insurance carrier. All Commercial Driver's License holders shall comply with federal and State laws regarding the reporting of accidents, citations, or driving convictions and shall immediately report such occurrences to their supervisor;
11. Use of District fueling cards and facilities, maintenance and repair facilities, and supplies shall be limited to bonafide District vehicles and equipment. District materials and facilities shall not be used for personal benefit;
12. Not allow other persons to use their refueling card or request that others allow them to use refueling cards which are not assigned to them; and
13. Be evaluated in connection with their use of District vehicles and equipment as part of their annual job performance review.

Prohibited Conduct of Vehicle/Equipment Operator

Any employee involved in one or more of the following circumstances while operating District vehicles and equipment will immediately lose their operational authorization:

1. Unlawful use, distribution, dispensing, manufacture, or possession of a controlled substance;
2. Operating any District vehicle or piece of equipment while under the influence of alcohol, any drug, or the combined influence of alcohol and any drug;
3. Use of any District vehicle or piece of equipment for illegal or unauthorized purposes;
4. Operating a vehicle or piece of equipment in a manner which endangers the safety or life of others;
5. Any negligent use of District owned vehicles or pieces of equipment.

Any employee who has engaged in any of the items listed in the above section of this procedure, regardless of whether it occurred while operating a District vehicle or piece of equipment, may be permanently prohibited from operating District vehicles and equipment, and/or subject to disciplinary action, up to and including termination.

Emergency Callout

In specific instances, the Superintendent and/or department directors may establish specific positions and/or classes of employees who are subject to emergency callout. These employees or classes of employees may be assigned a District vehicle to keep at their personal residence in order to more quickly respond to emergency circumstances. Employees so designated, may be changed at any time by the Superintendent and/or department director without consultation or negotiation with the affected employee or classes of employees. When an employee is designated to have a District vehicle at their residence for emergency callout use, the vehicle shall not be used for personal purposes.

Disposal of Vehicles and Equipment

All vehicles and equipment shall be disposed of only by sales events and methods which are approved by the Board and by rules adopted by the State for disposal of District property. Each sales event must be approved individually by the Board. Revenue received from the sale of school buses will be placed in a separate account and used only for the purchase of school buses.

Accident Management Procedures

Council School District establishes the following guidelines for reporting, investigating, and documenting all accidents, collisions, and incidents involving District vehicles and equipment:

1. All accidents, collisions, or vandalism (herein collectively referred to as “accidents”) involving District vehicles, regardless of the amount of damages or personal injuries sustained, shall be reported immediately to the driver’s supervisor and/or any other identified District personnel. Failure to report an accident shall be cause for disciplinary action;
2. Drivers shall report all school bus accidents to local school authorities and the appropriate law enforcement agency in accordance with Title 49, Chapter 13 of Idaho Code. Subsequent to the accident or incident, a Uniform School Bus Accident/Injury or appropriate Incident Report Form shall be completed by the driver or transportation supervisor and submitted to the State Department of Education within 15 days.
3. An employee involved in any accident while operating District vehicles or equipment may be required to submit to a drug and alcohol test. Failure to submit to a drug and alcohol test; or testing positive for drug use; or prohibited levels of alcohol as outlined in applicable law; shall be subject to disciplinary action, up to and including termination;
4. An accident report shall be completed within 24 hours of any accident regardless of the amount of damage sustained to any District vehicle or equipment;
5. All accidents shall be investigated by a designated District Safety Coordinator or his or her designee;
6. All accidents involving any personnel injury and/or accidents for which the estimated damages exceed \$1,000 shall be reviewed by the Safety Committee;

7. The Safety Committee shall hold a fact-finding meeting to determine if the accident was preventable or non-preventable.
 - A. The driver involved in the accident has the right to attend the fact-finding meeting to explain the situation and answer questions of the Committee;
 - B. The Committee shall inform the driver of their findings in a timely manner; and
 - C. An employee may appeal the findings and recommendations of the Committee by following the appeals procedure outlined in the District Grievance Procedure.

8. Administrative actions shall be taken based on the findings and recommendations of the Committee as follows:
 - A. If the accident was non-preventable, a statement to that effect shall be included in the employee's personnel file and no disciplinary action will be recommended.
 - B. If the accident was preventable, procedures of remediation and disciplinary action shall be implemented according to the degree of culpability, severity of the accident, and service record of the employee.

9. Driver Education instructors shall not be disciplined under these driver accident guidelines for vehicle accidents resulting from the actions of student drivers who are operating District vehicles under the instructor's supervision, as part of the District Driver Education course unless a valid investigation by the District or a court of law finds the instructor was grossly negligent in their instruction or driving supervision.

Definitions

"Equipment" for purposes of this procedure means utility vehicles, and construction and lawn equipment.

"Vehicle" for purposes of this procedure means buses, vans and passenger vehicles, and maintenance and delivery trucks.

Procedure History:

Promulgated on:

Revised on:

Reviewed on:

Council School District No. 13

NONINSTRUCTIONAL OPERATIONS

8180

Driver Training and Responsibility

Bus drivers shall observe all State statutes and administrative rules governing traffic safety and school bus operation. The District shall, at the beginning of each school year, provide each driver with a copy of the District's written rules for bus drivers and for student conduct on buses.

Each bus driver shall meet the qualifications established by the State Department of Education, including, but not limited to the following:

1. Be over the age of 18 years of age;
2. Be of good moral character;
3. Not be addicted to the use of intoxicants or narcotics;
4. Possess a valid and appropriate commercial driver's license and other endorsements required by law, and, if applicable, a waiver for insulin-dependent diabetes mellitus issued by the State Department of Education; and
5. Be medically qualified under the physical examination standards of the federal motor carrier safety regulations; provided, however, that individuals with insulin-dependent diabetes mellitus, who are otherwise medically qualified under the physical examination standards of the federal motor carrier safety regulations, may request a waiver for this condition from the State Department of Education as provided in Idaho Code § 33-1509.

When a teacher, coach, or other certified staff member is assigned to accompany students on a bus, such person shall be primarily responsible for the behavior of the students in his or her charge. The bus driver shall have final authority and responsibility for the bus. The Superintendent shall establish written procedures for bus drivers.

Legal Reference: I.C. § 33-1508 Operation of School Buses
I.C. § 33-1509 School Bus Drivers – Definition – Qualification – Duties
I.C. § 49-105 Definition - Drivers Licenses
IDAPA 08.02.02.170 School Bus Drivers and Vehicle Operation
FMCSA 382.105

Other Reference: Standards for Idaho School Buses and Operations
Idaho's School Bus Drivers Training - Classroom Curriculum
Idaho's School Bus Drivers Training - Behind the Wheel Curriculum

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

NONINSTRUCTIONAL OPERATIONS

8185

Use of Wireless Communication Devices by Bus Drivers

While the Board of Trustees believes the use of wireless communication devices by District bus drivers is important to provide instant communication regarding emergencies as well as to convey other important District information, bus drivers shall be subject to the restrictions outlined in this policy to ensure safe use of personal or District wireless communication devices.

For purposes of this policy, wireless communication device is defined as any device intended to facilitate communication, including but not limited to cell phones, two-way radios, walkie talkies, palm pilots, blackberries, PDAs, beepers, pagers, etc.

Bus drivers shall not place or receive communications on any personally owned wireless communication device while passengers are loading or unloading from the bus or while the bus is in motion.

Under usual circumstances, use of District owned wireless communication devices shall be allowed when used to assist a driver and/or dispatcher in the necessary communications periodically needed to safely deliver children from home to school, from school to school, from school to home, and on activity trips. A school bus driver is prohibited from operating a school bus while using a cellular telephone, except:

1. During an emergency situation;
2. To call for assistance if there is a mechanical breakdown or other mechanical problem;
3. Where a cellular telephone is owned by the District and used as a two-way radio; and
4. When the school bus is parked.

Bus drivers may not use hands-free devices, unless there is an emergency situation. Bus drivers shall under no circumstances place or receive communications unrelated to District business while on duty.

Violation of this policy may subject the driver to disciplinary action up to and including termination.

Legal Reference: 49 CFR 392.82 Wireless Communication Devices

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

Emergencies Involving Transportation Vehicles

In the event of an accident or other emergency, the bus driver shall follow the emergency procedures developed by the Superintendent. A copy of the emergency procedures shall be located in each bus. To ensure the success of such emergency procedures, each bus driver shall conduct an emergency evacuation drill within the first six weeks of each school semester. The District shall conduct such other drills and procedures as may be necessary.

To allow evacuation in the event of an emergency, items belonging to those riding the bus must be safely stowed and secured away from any aisle or emergency exit. To ensure that aisles and emergency exits are kept clear at all times, the Superintendent may issue rules limiting the size or number of items riders may bring with them on the bus.

Reference: Federal Highway Safety Guideline 17

Policy History:

Adopted on:

Revised on:

Reviewed on:

District Vehicle Idling

The Board is committed to transporting students on school buses in a safe manner. Further, the Board recognizes that accumulated emissions from school buses can be harmful to students, bus drivers, and others in the area of the idling buses. Unnecessary bus or District vehicle idling emits pollutants, wastes fuel, and wastes financial resources.

District Vehicle Idling Times

1. When school buses arrive at loading and unloading areas to drop off or pick up passengers, the school bus driver should turn off the bus as soon as possible to eliminate idling time and reduce harmful emissions;
2. The school bus should not be restarted until it is ready to depart;
3. School buses should not idle, on or off of school grounds, for longer than five minutes unless:
 - A. They are waiting in traffic;
 - B. They are loading or unloading students with special needs;
 - C. There are safety or emergency situations;
 - D. The driver is in the process of receiving or discharging passengers on a public highway or public road;
 - E. There are maintenance or mechanical situations, inspections, or repair; or
 - F. There are extreme weather conditions and the purpose is to warm the interior of the bus.
4. All District vehicles should follow the above guidelines as applicable.

Reference: Standards for Idaho School Buses and Operations

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

NONINSTRUCTIONAL OPERATIONS

8200

Local School Wellness

[The Healthy, Hunger-Free Kids Act of 2010 requires that the parents, students, District staff, administrators, Trustees, food services staff, school health professionals, teachers of physical education, and the public be allowed to provide input on the development of this policy. This model policy is intended only as a starting point for this dialogue.]

It is the goal of Council School District to strive to make a significant contribution to the general well being, mental and physical capacity, and learning ability of each student and afford them the opportunity to fully participate in the education process. Council School District promotes healthy schools by supporting wellness, good nutrition, and regular physical activity as a part of the total learning environment. The District supports a healthy environment where children learn and participate in positive dietary and lifestyle practices. By facilitating learning through the support and promotion of good nutrition and physical activity, our school contributes to the basic health status of children. Improved health optimizes student performance potential and ensures that no child is left behind.

Healthy eating is demonstrably linked to reduced morbidity and risk of mortality from many chronic diseases.

The Board directs the Superintendent to inform and update the public, including parents, students, and others in the community, about the content and implementation of the wellness policy. Such information may be provided on the District website, through dissemination of student handbooks, or in any other manner the Superintendent may deem appropriate.

Definition

For the purposes of this policy the school day is defined as midnight before to 30 minutes after the end of the instructional school day.

Goals for Wellness Promotion

The District shall review and consider evidence-based approaches in establishing goals for school based activities to promote student wellness. This may include review of the “Smarter Lunchroom” tools and strategies.

To ensure the health and well being of all students, it is the policy of the District to:

1. Ensure that foods sold at school during the school day meet or exceed the nutritional standards required by the USDA’s National School Lunch Program, the National School Breakfast Program, and the Smart Snacks in Schools regulations. Exceptions can be made for infrequent food sales fundraisers that occur no more than the number of times determined appropriate by the Idaho State Department of Education during the school year

and are not held during school meal times. Fundraisers will be tracked at each school site by a designee of the Superintendent in charge of compliance at that site;

2. Ensure that non-compliant and non-exempt fundraising food sales will not occur on school grounds during the school day. The District operates under United States Department of Agriculture (USDA) program regulations of the National School Lunch Program, National School Breakfast Program, and the Smart Snacks in Schools regulations. These regulations apply to food sold during the school day in school stores, vending machines, and other venues. (Note: There are many healthy fundraising options available to schools including selling books, fresh produce, school spirit merchandise, or other non-food items during the school day. Fundraising activities involving the sale of food consumed outside of school, such as frozen pizza sales, are exempt from the nutrition standards.);
3. Ensure that celebrations that involve food during the school day be limited to no more than one party per class per month and that each party include no more than one food or beverage that does not meet nutrition standards for Smart Snacks in Schools. The District will disseminate a list of healthy party ideas to parents and teachers.

[Note: The USDA has no role in regulating foods brought from home, but school districts are required to set nutrition guidelines for foods served at school other than those that are sold. The Smart Snacks in Schools regulations only affect foods that are sold on school grounds during the school day. Time honored traditions like treats for birthdays, or foods at an afterschool sporting event, are not subject to those standards.];

The District shall also take measures to promote nutrition and physical activity, engage in nutrition education, and conduct wellness activities. For this purpose, the District may:

1. Ensure that all District schools become certified as a Healthier US Schools Challenge schools and/or enroll as a Team Nutrition schools;
2. Host at least one health fair each year;
3. Draft and regularly distribute a wellness newsletter for students and parents;
4. Review Smarter Lunchroom Movement best practices and evaluate each school's ability to implement them;
5. Promote healthy eating patterns through classroom nutrition education coordinated with the comprehensive health education program including education, health, and food services;
6. Provide 160 minutes of physical education per week to elementary students and 240 minutes per week to middle school students;
7. Offer a recognition or reward program for students who exhibit healthy behaviors.
8. Start a walking or physical activity club at each school;
9. Offer at least one after school physical activity programs;
10. Ensure students have access to hand-washing facilities prior to meals;
11. Annually evaluate the marketing and promotion of the school meal program;
12. Share school meal nutrition information with students and families;
13. Offer students taste-testing or menu planning opportunities;
14. Participate in Farm to School activities and/or have a school garden;
15. Advertise and promote nutritious foods and beverages on school grounds;
16. Offer nutritious foods and beverages at lower prices than other foods and beverages;

17. Offer fruits or non-fried vegetables everywhere foods are sold;
18. Use student feedback to improve the quality of the school meal programs;
19. Offer a staff wellness program;
20. Provide District staff with adequate pre-service and ongoing in-service training that focuses on program administration, nutrition, physical activity, safety, the importance of modeling healthy behaviors, and strategies for behavioral change; and
21. Participate in community partnerships to support wellness programs, projects, events, or activities.

Nutrition Standards

To promote student health and reduce childhood obesity, the District requires all schools within the District to comply with the nutrition standards established by the USDA with respect to all food that is available on school grounds during the school day.

Community Participation

The District shall invite parents, students, representative food service staff of the school food authority, teachers of physical education, school health professionals, the Board, school administrators, and the general public to participate in the development, implementation, and periodic review of this policy.

The Superintendent shall annually make available to the public the content of the policy and an assessment of the implementation of this policy including:

1. The extent to which schools under the jurisdiction of the District are in compliance with the wellness policy;
2. The extent to which the District's wellness policy compares to model local school wellness policies; and
3. A description of the progress made in attaining the goals of the wellness policy.

Methods of providing this information to the public may include developing or disseminating printed or electronic materials to families of school children and other members of the school community at the beginning of the school year, or posting the local wellness policies and an assessment of their implementation on the District or school website. The assessment of the implementation of the policy shall be conducted at least once every three years.

Record Retention

The District shall retain the following records relating to the wellness policy:

1. The written local school wellness policy;
2. Documentation demonstrating the community was involved in the development, implementation, and periodic review of the wellness policy;
3. Documentation of the assessment of the wellness policy; and
4. Documentation to demonstrate the public was notified annually as required by this policy.

Monitoring Compliance

The Superintendent shall designate one or more District officials or school officials to ensure that each school complies with this policy.

Cross-Reference: 2310 Nutrition Education
2315 Physical Activity Opportunities and Education
8230 Nutrition Standards

Legal Reference: Sec. 204, Child Nutrition and WIC Reauthorization Act of 2004
42 USC § 1758b, Section 204 Healthy and Hunger-Free Kids Act of 2010
42 USC § 1771 et seq. Child Nutrition Act of 1966
42 USC § 1751 et seq. National School Lunch Act
7 CFR Parts 210 Nutrition School Lunch and School Breakfast Programs: Final Rule
7 CFR § 210.30 Local School Wellness Policy
Smart Snacks in School Regulations by the United States Department of Agriculture

Other References: Idaho Wellness Policy Progress Report, Idaho State Department of Education
Implementation and Monitoring Plan, Idaho State Department of Education
Wellness Policy Guidelines—Elements of Implementation for Final Rule, Idaho State Department of Education
<http://www.sde.idaho.gov/cnp/sch-mp/snacks.html>

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

NONINSTRUCTIONAL OPERATIONS

8210

District Nutrition Committee

With the purposes of monitoring the implementation of the District's wellness policies, evaluating policy progress, serving as a resource to school sites, and revising the policies as necessary, a District-wide nutrition committee is hereby established to develop, implement, monitor, and review District-wide nutrition and physical activity policies. The Board specifically acknowledges that community participation is essential to the development and implementation of successful school wellness policies.

Following initial development, the committee will meet a minimum of two times annually for continued assessment.

Committee membership will consist of:

1. A Board Member;
2. The District food service coordinator;
3. A school health professional, such as a dietician or school nurse;
4. A parent representative from each school level;
5. A student representative from each school level;
6. A member of the general public;
7. A staff member representative from each school level;
8. An administrative representative as committee co-chair; and
9. The physical education and health program leader as committee co-chair.

Appointments to the committee will be made by the Board Chair.

Development

To help with the initial development of the District's wellness policies, each school in the District will conduct a baseline assessment of the school's existing nutrition and physical activity environments and policies. The results of those school-by-school assessments will be compiled at the District level to identify and prioritize needs.

Monitoring

The Superintendent or designee will ensure compliance with established District-wide nutrition and physical activity wellness policies. In each school, the principal or designee with authority will ensure compliance with those policies in his or her school and will report on the school's compliance with the District Superintendent or designee.

School food service staff, at the school or District level, will also ensure compliance with nutrition policies within school food service areas and will report on this matter to the Superintendent (or, if done at the school level, to the school principal).

Council School District No. 13

NONINSTRUCTIONAL OPERATIONS

8220

Food Services

The District supports the philosophy of the National School Lunch and Breakfast Programs and shall provide wholesome, appetizing, and nutritious meals for children in the District's schools. Because of potential liability to the District, the food services program shall not accept donations of food without the approval of the Board and the appropriate agency, such as the local public health district and/or the United States Department of Agriculture (USDA). Should the Board approve a food donation, the Superintendent shall establish inspection and handling procedures for the food and determine that the provisions of all State and local laws have been met and consult with local public health districts before selling the food as part of the school meals.

Community Involvement

The District shall promote activities to involve students and parents in the school lunch and breakfast programs. Such activities may include teaching students about good nutrition practices and involving the school faculty and the general community in activities to enhance the program.

To the maximum extent practical, the District shall inform families about the availability of breakfast for students. Information shall be distributed just prior to or at the beginning of the school year. Additional reminders may be sent throughout the school year and/or posted to the District's website.

United States Department of Agriculture Foods

The District shall use USDA foods made available under the Federal Food Distribution Program for school meals.

Qualifications of School Food Service Staff

Qualified nutrition professionals will administer the school meal programs. As part of the District's responsibility to operate a food service program, continuing professional development opportunities may be provided to select District nutrition professionals. These development programs should include appropriate certification and/or training programs for child nutrition directors, school nutrition managers, and cafeteria workers, according to their levels of responsibility. The District may work with the School Nutrition Association for such professional development offerings.

Free and Reduced Price Food Services

The District shall provide free and reduced price meals to students according to the terms of the National School Lunch Program (NSLP) and the National School Breakfast Program (SBP). The

District shall inform parents of the eligibility standards for free or reduced price meals. The identity of students receiving free or reduced price meals will be confidential in accordance with the guidelines for the NSLP and SBP. A parent has the right to appeal any decision with respect to his or her application for free or reduced price food services to a designated hearing official.

The amount charged for such meals shall be sufficient to cover all costs of the meals, including preparation labor, food costs, handling costs, utility costs, and equipment depreciation costs.

Every effort is to be made to eliminate any social stigma attached to, and prevent the overt identification of, students who are eligible for free and reduced-price school meals. Toward this end, the availability of school meals to all students will be promoted and electronic identification of students and payment systems utilized where feasible.

Summer Food Service Program

If more than 50 percent of a school's students are eligible for free or reduced-price school meals, that school may sponsor the Summer Food Service Program.

Legal Reference: 42 U.S.C. 1751 et seq. National School Lunch Act
7 CFR Parts 210.12 Student, Parent, and Community Involvement

Policy History:

Adopted on:

Revised on:

Reviewed on:

Nutrition Standards

The District shall provide school meals which meet or exceed the nutritional standards required by United States Department of Agriculture (USDA) program regulations of the National School Lunch Program (NSLP) and the National School Breakfast Program (SBP). Additionally, the District shall comply with requirements of the Healthy and Hunger Free Kids Act of 2010 and the Smart Snacks in Schools standards with regard to the nutritional content of all food sold or provided by the school, including school meals, a la carte items, foods sold from vending machines, and foods sold for fundraisers. The District permits the sale or distribution of nutrient dense, Smart Snack compliant foods for all school functions and activities as well as non-food items. Nutrient dense foods are those foods that provide students with calories rich in the nutrient content needed to be healthy. In an effort to support the consumption of nutrient dense foods in the school setting the District has adopted the federal nutrition standards cited above for the sale of foods and beverages on school grounds.

The standards focus on reducing sugar, sodium, and high-fat foods and increasing healthy food items like whole grains, fruits, and vegetables.

Calorie Range: Schools shall ensure the meals offered to children comply with USDA calorie levels.

Trans Fat: Schools shall eliminate foods containing trans fat on the nutrition label.

Whole Grains: All grain offerings shall be whole grain rich.

Fruits and Vegetables: Schools shall offer, at a minimum, one fruit on all points of service for breakfast. Schools shall offer at least one fruit and one non-fried vegetable at all points of lunch service each day. Schools shall offer a variety of fresh fruits and vegetables when possible.

Milk: Schools shall offer fat-free and low-fat unflavored milk at all points of service. Schools may not sell 2% and whole milk. Flavored milk offerings must be **low fat or** skim milk.

Water: Schools shall make water available to students during meal service free of charge.

Legumes: Schools shall offer legumes (dry beans and peas) at least one time per week along with other required vegetable subgroups.

Sodium: Schools shall limit sodium to meet NSLP and SBP standards.

Condiments: Schools shall not have salt shakers or packets available. Schools shall not have sugar dispensers or packets available. Schools shall accurately reflect condiment usage in nutrient analysis and on production records. Schools are encouraged to use low-fat condiments and/or control portions of high-fat condiments.

Cross Reference: 2305 Nutrition Services
8250 Guidelines for Food and Beverages Sales

Legal Reference: 42 U.S.C. 1751 et seq. National School Lunch Act
7 CFR Parts 210 Nutrition School Lunch and School Breakfast Programs: Final
Rule
Smart Snacks in School Regulations by the United States Department of
Agriculture
Smart Snacks in School Policy by the Idaho State Department of Education—
Child Nutrition Programs

Other Reference: [http://www.sde.idaho.gov /cnp/sch0mp/snacks.html](http://www.sde.idaho.gov/cnp/sch0mp/snacks.html)

Policy History:

Adopted on:

Revised on:

Reviewed on:

Water Consumption/Water Bottle Policy

The Board of Trustees recognizes the importance of water consumption and encourages increased consumption of water throughout the day. Staff members should be particularly sensitive to student needs for water during periods of hot weather. Students shall be allowed to carry water bottles during the school day using the water bottle policy shown below. Teachers may need to call for extra water breaks too. Even during periods of moderate temperature, staff members should remind students of the value of consuming water.

In addition, water sales should be a significant option through school vending and concession services. Water should be available during mealtimes at no cost, at least through water fountains.

Water Bottle Policy

When students bring water bottles for use during school:

1. Water bottles must be clear and have secure caps;
2. Students may not share water bottles;
3. Empty bottles should, on a regular basis, be recycled (if appropriate), discarded, or taken home for sanitized reuse;
4. Students misusing water bottles will be subject to disciplinary actions;
5. Teachers have discretion in determining classroom use;
6. Water bottles may not be used in computer labs, science labs, or the library; and
7. Water bottles may not be re-filled during classroom instruction.

Policy History:

Adopted on:

Revised on:

Reviewed on:

School Meals

This policy supports the mission of the District, including providing an environment that cultivates maximum student potential. Nutrition influences a child's development, health, well-being, and potential for learning. To afford students the opportunity to fully participate in the educational process, students must attend school with minds and bodies ready to take advantage of their learning environment. This policy encourages all members of the school community to create an environment that supports lifelong healthy eating habits. Decisions made in all school programming need to reflect and encourage positive nutrition messages and healthy food choices.

National School Lunch Program and the National School Breakfast Program

1. The full meal program will follow the United States Department of Agriculture (USDA)'s National School Lunch Program (NSLP) and the National School Breakfast Program (SBP) Nutrition Standards as well as Smart Snacks in Schools regulations, and offer a variety of fruits and vegetables. All of the grains served shall be whole grain rich;
2. The meals served will be appealing and attractive to children; and
3. The NSLP and SBP provider shall follow the Nutrition Standards for these programs when determining the items in a la carte sales.

Breakfast

To ensure that all children have breakfast, either at home or at school, and in order to meet their nutritional needs and enhance their ability to learn, District schools will:

1. To the extent possible, operate the School Breakfast Program;
2. To the extent possible, arrange bus schedules and utilize methods to serve school breakfasts that encourage participation, including serving breakfast in the classroom, "grab-and-go" breakfast, or breakfast during morning break or recess;
3. Notify parents and students of the availability of the School Breakfast Program; and
4. Encourage parents to provide a healthy breakfast for their children through newsletter articles, take-home materials, or other means.

Lunchroom Climate

1. A lunchroom environment that provides students with a relaxed, enjoyable climate should be developed; and
2. The Board encourages schools to make the lunchroom environment a place where students have adequate space to eat and pleasant surroundings.

Meal Times and Scheduling Recommendations

District schools, to the greatest extent possible, should:

1. Provide students with at least ten minutes to eat after sitting down for breakfast and 20 minutes after sitting down for lunch;
2. Schedule meal periods at appropriate times, e.g., lunch should be scheduled between 10:00 AM and 2:00 PM;
3. Not schedule tutoring, club or organizational meetings, or activities during mealtimes unless students may eat during such activities;
4. Schedule lunch periods in elementary schools to follow recess periods;
5. Provide students access to hand washing or hand sanitizing before they eat meals or snacks; and
6. Take reasonable steps to accommodate the tooth-brushing regimens of students with special oral health needs such as orthodontia or high tooth decay risk.

Legal Reference: 42 U.S.C. 1751 et seq. National School Lunch Act
7 CFR Parts 210 Nutrition School Lunch and School Breakfast Programs:
Final Rule
Smart Snacks in School Regulations by the United States Department of
Agriculture

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Council School District No. 13

NONINSTRUCTIONAL OPERATIONS

8245

Unpaid School Meal Charges

The District adopts the following policy to ensure District employees, families, and students have a shared understanding of expectations regarding meal charges. The policy seeks to allow students to receive the nutrition they need to stay focused during the school day, avoid identifying to other students or bystanders students with insufficient funds to pay for school meals, and maintain the financial integrity of the school nutrition program.

Unpaid Meal Charges

When a student's school meal account funds are exhausted, a student paying the full or reduced price for meals may not charge any amount to his or her school meal account unless authorized by the building principal. Students may charge breakfasts and/or lunches and/or afternoon snacks up to the maximum amount. Charging of a la carte or extra items to a student's account will not be permitted.

Students who have charged the maximum amount and cannot pay out of pocket for a meal will not be provided an alternate meal.

Students who qualify for free meals shall never be denied a reimbursable meal, even if they have accrued a negative balance from previous purchases.

The District will make reasonable efforts to notify families when meal account balances reach \$10, prior to going into a negative balance. If an account does have a negative balance, additional communications will be advanced to the family in order to seek payment for the negative fund balance and to re-establish a positive account balance for the student's use. At least one written warning shall be provided to a student and his or her parent or guardian prior to denying meals for exceeding the District's charge limit. Families will be notified by letter or email.

This notice may include a copy or description of this policy and information regarding how to apply for free or reduced price meals, including contact information for the federal programs director, who can help them with the application process. Active efforts to encourage eligible households to apply for free or reduced lunch may be used to prevent meal charges.

If payment of the negative balance is not received within 20 days of the maximum charge limit being attained, the debt will be turned over to the Superintendent or the Superintendent's designee for collection. If the debt is not paid within 10 days of mailing the final notice of the negative account balance, it shall be considered bad debt for the purposes of federal law concerning unpaid meal charges. Such bad debt must be restored using non-federal funds, from sources such as the District's general fund, special funding from state or local governments, or other sources. Efforts to collect payment may include use of collection agencies, small claims court, or any other method permitted by law, provided the benefits of potential collections outweigh the costs incurred to achieve those collections.

Students and parents/guardians of students are encouraged to prepay meal costs. Payments for school meals may be made by:

1. Bringing payment to the school OR District office; or
2. Making payment on the District website;

Notification

The District will provide a copy of this policy to all households at the start of school each year and to families and students that transfer into the District at the time of transfer. All District staff responsible for enforcing any aspect of the policy shall also receive a copy of this policy. It may also be communicated to school social workers, school nurses, the homeless liaison, or other staff members who may assist students in need. The District may also make this policy available in student handbooks, on the District website, or by other means deemed appropriate.

Records

Records of how and when this policy is communicated to households and staff will be retained.

The District shall also retain documentation of the handling of bad debt, including:

1. Evidence of efforts to collect unpaid meal charges in accordance with the this policy;
2. Evidence the collection efforts fell within the timeframe and methods established by this policy;
3. Financial documentation showing when the unpaid meal charge(s) became an operating loss; and
4. Evidence any funds written off as bad debt were restored to the nonprofit school food service account using non-Federal sources.

Charitable Assistance

The District may establish an unpaid meal charges fund to cover the cost of unpaid meal charges. Charitable groups, individuals, school fundraisers, and others may donate to this fund. Parents/guardians of children who pay the full amount for school meals and who have funds left over in their school meals account at the end of the school year may be offered the option of donating these funds to the unpaid meal charges fund.

If the District chooses to establish an unpaid meal charges fund, the Superintendent or his or her designee shall establish procedures for the use of such funds.

Other Reference: 2017 Edition: Overcoming the Unpaid Meal Challenge: Proven Strategies from Our Nation's Schools, United States Department of Agriculture
Unpaid Meal Charges: Guidance Q&As, March 23, 2017, United States Department of Agriculture

Legal Reference: SP 46-2016, Unpaid Meal Charges: Local Meal Charge Policies, United States Department of Agriculture

Policy History:

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Guidelines for Food and Beverages Sales

This policy shall apply to all foods sold outside of reimbursable school meals, such as through vending machines, cafeteria a la carte snack lines, fundraisers, school stores, etc.

The District encourages the use of nutrient dense foods for all school functions and activities. Nutrient dense foods are those foods that provide students with calories rich in the nutrient content needed to be healthy. At any school function (parties, celebrations, feasts, sporting events, etc.) healthy food choice options should be available. All foods will adhere to Smart Snack regulations, unless approved by an administrator as an exemption.

Elementary Schools

The school food service program will approve and provide all food and beverage sales to students in elementary schools. Given young children's limited nutrition skills, food in elementary schools should be sold as balanced meals. If available, foods and beverages sold individually should be limited to low-fat and non-fat milk, fruits, vegetables, and whole grains.

Middle/Junior High and High Schools

In middle/junior high and high schools, all foods and beverages sold individually outside the reimbursable school meal programs (including those sold through a la carte [snack] lines, vending machines, student stores, or fundraising activities) during the school day will meet the nutrition standards found in the Smart Snacks in Schools regulations.

Vending Machines

The Board of Trustees has determined that there shall be no installations of vending machines except as approved by the Superintendent. The Superintendent will have the authority to determine whether such machines may be installed, where they will be placed, and during which hours they might be used. All revenue produced from this source shall be deposited in the designated activity fund as approved by the Board. Revenues may be spent only on those purposes for which general revenue may be expended.

All vending sales shall comply with the standards of the Smart Snacks in Schools regulations and documentation of compliance shall be retained.

Snacks

Snacks served during the school day or in after-school care or enrichment programs will make a positive contribution to children's diets and health, with an emphasis on serving fruits and

vegetables as the primary snacks and water as the primary beverage and will meet the standards of the Smart Snacks in Schools regulations. Schools will assess if and when to offer snacks based on timing of school meals, children's nutritional needs, children's ages, and other considerations. The District will disseminate a list of healthful snack items to teachers, after-school program personnel, and parents. The District will also use the Smart Snacks calculator.

If eligible, schools that provide snacks through after-school programs will pursue receiving reimbursements through the National School Lunch Program.

Fundraising Activities and Concessions

Any fundraising requires administrative approval and will be tracked by school site.

Any food items sold at the school site during the school day, defined as from midnight until a half-hour after the end of the instructional day, and intended for consumption there, must meet the requirements of the Smart Snacks in Schools regulations, except for exempt fundraisers. The number of exempt fundraisers held annually may not exceed the number established by the Idaho State Department of Education unless special permission is granted by the State Department of Education.

Any fundraising activities that involve foods not intended for consumption in schools, such as the sale of cookie dough or frozen pizza outside of school, shall also be exempt.

Foods sold at exempt fundraisers may not be sold in competition with school meals in the food service area during any meal service. To create a school environment that supports the promotion of healthy food and beverage choices for children, it is important to consider all venues where food and beverages are consumed or sold. The following recommendations are made to promote healthy choices for children related to fund-raising activities supported by the school:

1. Offer only non-food items that raise funds such as books, gift wrap, candles, plants, flowers, school promotional items, etc.; and
2. Whenever food and beverages are sold that raise funds for the school through fundraisers exempted as outlined above, include healthy food choices as well.

Organizations operating concessions at school functions should include healthy food choices in their offerings. It is recommended that groups market these healthy options at a lower price to encourage selection by students. If these foods and beverages are consumed on school grounds, during the school day, and are not exempt fundraisers, they must comply with the Smart Snacks in Schools regulations.

School-Sponsored Events

Foods and beverages sold at school-sponsored events during the school day, from midnight until a half-hour after the end of the instructional day, and held on school grounds (such as, but not limited to, athletic events, dances, or performances) will meet the nutrition standards outlined in the Smart Snacks in Schools regulations, unless they are exempt fundraisers as described above.

However, the Smart Snacks in Schools standards do not apply to items sold during non-school hours.

Cross Reference: 3420 Student Fund Raising Activities

Legal Reference: Smart Snacks in School Regulations by the United States Department of Agriculture

Other Reference: <http://www.sde.idaho.gov/cnp/sch-mp/snacks.html>

Policy History:

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Teacher to Student Incentive

Children learn preferences for foods made available to them, including those that are unhealthy. There are many disadvantages to using food as a reward:

1. It undermines nutrition education being taught in the school environment;
2. It encourages over-consumption of foods high in added sugar and fat; and
3. It teaches children to eat when they're not hungry as a reward to themselves.

Teachers are encouraged to consider non-food items as teacher to student incentives. Should teachers decide to use food items as an incentive, they are encouraged to adhere to the District Nutritional Standards.

The following are zero-cost alternatives to using food as a reward:

1. Sit by friends;
2. Watch a video;
3. Read outdoors;
4. Teach the class;
5. Have extra art time;
6. Enjoy class outdoors;
7. Have an extra recess;
8. Play a computer game;
9. Read to a younger class;
10. Get a no homework pass;
11. Make deliveries to the office;
12. Listen to music while working;
13. Play a favorite game or puzzle;
14. Earn play money for privileges;
15. Walk with a teacher during lunch;
16. Eat lunch outdoors with the class;
17. Be a helper in another classroom;
18. Eat lunch with a teacher or principal;
19. Dance to favorite music in the classroom;
20. Get "free choice" time at the end of the day;
21. Listen with a headset to a book on audiotape; and
22. Have a teacher read a special book to the class.

The following are low-cost alternatives to using food as a reward:

1. Select a paperback book;
2. Enter a drawing for donated prizes;
3. Take a trip to the treasure box stocked with non-food items;
4. Get stickers, pencils, and other school supplies;

5. Receive a video store or movie theater coupon;
6. Get a set of flash cards printed from a computer; and
7. Receive a “mystery pack” including items such as a notepad, folder, sports card, etc.

Policy History:

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Reviewed on:

Council School District No. 13

NONINSTRUCTIONAL OPERATIONS

8300

Emergency and Disaster Preparedness

The Board recognizes the importance of being prepared for various types of emergencies, both natural and human, that could occur while school is in session. This necessitates the development of appropriate plans and procedures to deal with such emergencies at school facilities or involving school transport. It is important that students, employees, and parents be knowledgeable about the various emergency plans and procedures and be prepared should such an emergency occur.

Development of Crisis Management Plan

The District will develop and maintain a Crisis Management Plan to act as a guide for District Trustees, administration, staff, students, parents, and community members to address potential crises in the District.

The Crisis Management Plan will provide procedures for the District and for each site, and will be used prior to, during, or after any emergency situation.

The Superintendent or designee shall be responsible for directing the development of a comprehensive Crisis Management Plan. This plan will be shared with representatives of local municipalities and appropriate emergency personnel. The Crisis Management Plan will be reviewed annually by the Crisis Management Committee, which shall include representatives of principals and site managers. The Crisis Management Plan will be maintained by the Superintendent working in conjunction with the County Emergency Management Coordinator and the County Sheriff.

Each principal and site manager shall receive a copy of the Crisis Management Plan and shall provide inservice training on plan implementation.

The District Crisis Management Plan serves as the foundation for the development, training, and implementation of individual site and program plans.

Legal Reference: IDAPA 08.02.03.160 Safe Environment and Discipline

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

NONINSTRUCTIONAL OPERATIONS

8300P1

Emergency and Disaster Preparedness

[DISCLAIMER: THE EMERGENCY AND DISASTER POLICIES CONTAINED HEREIN ARE FOR INFORMATIONAL PURPOSES ONLY. THE POLICIES ARE A SAMPLE OF THE POLICIES THAT A DISTRICT CAN INCORPORATE. CONTACT YOUR LOCAL LAW ENFORCEMENT, MEDICAL PROVIDERS, AND/OR COUNTY OFFICES FOR PARTICULAR POLICIES THAT ARE APPLICABLE FOR YOUR DISTRICT.]

Council School District 13 has developed procedures for dealing with existing and potential student and school crises. The Crisis Management Plan should include Crisis Response Procedures and Critical Incident Procedures. An important component of the Plan is a set of interagency guidelines with various city and county agencies to aid timely communication and help coordinate services between the agencies and individual schools or the entire District. Crisis Response Procedures guide staff in responding to more frequently occurring crises, such as deaths of students or teachers and other traumatic events, which can affect the school community for days. These procedures are intended to be time-limited, problem-focused interventions designed to identify and resolve the crisis, restore equilibrium, and support productive responses. The crisis team uses crisis response procedures to help administrators:

1. Gather information;
2. Establish communication with families;
3. Disseminate accurate information to faculty and students;
4. Intervene directly with students most likely to be affected;
5. Increase the available supportive counseling for students and staff; and
6. Guide students in helpful ways to remember the deceased.

Critical Incident Procedures help school personnel handle potentially dangerous events such as an armed intruder in a school and other life-threatening events. The District has developed a Plan which emphasizes a coordinated interagency approach. A Code Blue has been established in all school buildings to provide a uniform method of warning staff and students of high risk situations involving imminent danger to life or limb.

The Council School District 13 Crisis Management Plan procedures provide benefits for students, parents, and the District. The procedures provide an organized, systematic method for helping students. Staff members know under what circumstances and how to refer a student for help. Crisis Team members operate within specific guidelines to make collaborative decisions and share the responsibility for these often difficult, stressful situations. Parents and other members of the community are assured that the District has established procedures which better prepare schools to respond to crisis.

The interagency agreements have fostered stronger collaborative relationships and have led to improved communication about students and family events that could impact the schools.

In the event of an emergency, employees are expected to remain at their worksite to ensure the safety and security of students under their care and/or the school's care until otherwise directed by the school administrator or person in charge. Those employees who have a child in another school should have arrangements in place for the care of their child by others until they can be released from their duties. Employees are strongly encouraged to take all steps necessary to provide for the well being of their family in advance of any major disaster. This will hopefully moderate fears and concerns sufficiently to permit rapid and effective completion of assigned tasks to ensure the well-being of students and staff.

Possible Hazards in Idaho

An emergency is a sudden, unexpected occurrence requiring immediate action to stabilize a situation. Emergencies may affect school facilities and/or school transportation and may prevent use for an unspecified period of time.

The Crisis Management Plan should address a range of events and hazards caused by nature or humans, such as:

1. Severe weather;
2. Bus crashes;
3. Bomb threats;
4. Student or staff deaths;
5. Chemical or hazardous material spills;
6. Fire;
7. School shootings;
8. Medical emergencies;
9. Acts of terror or war; and
10. Natural disasters such as earthquakes, tornados, floods, and volcanic eruptions.

Direct responsibility for what may occur immediately following a response to a 911 call will lie with the first responders, such as police or fire department. The District's first responsibility is to ensure the immediate safety of students and staff by activating the appropriate Crisis Management Plan.

To assist and expedite setup, the Board directs that emergency plans and procedures be developed, implemented, and maintained for all schools, District facilities, and school buses, and that:

1. All employees be informed about the emergency plans and procedures to be followed at their work site to ensure their safety and the safety of others;
2. Students and employees practice the emergency procedures implemented at their school or work site;
3. Parents be advised of the emergency procedures developed at the school their child attends by September 30;
4. If materials and supplies beyond those normally provided by the School District are to be kept on hand to augment the school emergency procedures, then it shall be the responsibility of each school to obtain and maintain such supplies in good order; and

5. This policy be reviewed annually.

Sequence of Crisis Management

The Crisis Management Plan should include the sequences of managing a disaster. Those sequences are as follows:

1. Mitigation and Prevention addresses what schools and Districts can do to reduce or eliminate risk to life and property;
2. Preparedness focuses on the process of planning for the worst-case scenario;
3. Response is devoted to the steps to take during a crisis; and
4. Recovery deals with how to restore the learning and teaching environment after a crisis.

Crisis management is a continuous process in which all phases of the plan should be reviewed and revised. Additional sequence steps to analyze in preparing the Crisis Management Plan are described below.

Mitigation and Prevention

The goal of mitigation is to decrease the need for response as opposed to simply increasing response capability.

1. Connect with community emergency responders to identify local hazards;
2. Review the last safety audit to examine school buildings and grounds;
3. Determine who is responsible for overseeing violence prevention strategies in each school;
4. Encourage staff to provide input and feedback during the crisis planning process;
5. Review incident data;
6. Determine major problems in your school with regard to student crime and violence;
7. Assess how the school addresses these problems; and
8. Conduct an assessment to determine how these problems, as well as others, may impact your vulnerability to certain crises.

Preparedness

Good planning will facilitate a rapid, coordinated, effective response when a crisis occurs.

1. Determine what crisis plans exist in the District, school, and community;
2. Identify all stakeholders involved in crisis planning;
3. Develop procedures for communicating with staff, students, families, and the media;
4. Establish procedures to account for students during a crisis;
5. Gather information about the school facility, such as maps and the location of utility shutoffs; and
6. Identify the equipment that needs to be assembled to assist staff in a crisis.

Response

A crisis is the time to follow the crisis plan and make use of your preparations.

1. Determine if a crisis is occurring;
2. Identify the type of crisis that is occurring and determine the appropriate response;
3. Activate the incident management system;
4. Ascertain whether an evacuation, reverse evacuation, lockdown, or shelter-in-place needs to be implemented;
5. Maintain communication among all relevant staff at officially designated locations;
6. Establish what information needs to be communicated to staff, students, families, and the community;
7. Monitor how emergency first aid is being administered to the injured; and
8. Decide if more equipment and supplies are needed.

Recovery

During recovery, return to learning and restore the infrastructure as quickly as possible.

1. Strive to return to learning as quickly as possible;
2. Restore the physical plant as well as the school community;
3. Monitor how staff are assessing students for the emotional impact of the crisis;
4. Identify what follow up interventions are available to students, staff, and first responders;
5. Conduct debriefings with staff and first responders;
6. Assess curricular activities that address the crisis;
7. Allocate appropriate time for recovery;
8. Plan how anniversaries of events will be commemorated; and
9. Capture “lessons learned” and incorporate them into revisions and trainings.

Prepare for Immediate Response

When a crisis occurs, quickly determine whether students and staff need to be evacuated from the building, returned to the building, or locked down in the building. Plan action steps for each of these scenarios.

Evacuation requires all students and staff to leave the building. The evacuation plan should include backup buildings and other locations. Evacuation plans should include contingencies for weather conditions. Additionally, plans should include transportation options for students with disabilities.

Reverse Evacuation requires all students and staff to leave the outdoors and return to the building quickly. Once staff and students are safely in the building, you may find the situation calls for a lockdown.

Lockdowns are called for when a crisis occurs outside of the school and an evacuation would be dangerous. A lockdown may also be called for when there is a crisis inside and movement within the school will put students in jeopardy.

Define Roles and Responsibilities

How will the school operate during a crisis? Define what should happen, when, and at whose direction; that is, create an organizational system. This should involve many of the school staff. Important tasks will be neglected if each person is responsible for more than one function. School staff should be assigned to the following roles:

1. School commander;
2. Liaison to emergency responders;
3. Student caregivers;
4. Security officers;
5. Medical staff; and
6. Spokesperson.

The District will work with law enforcement officers and emergency responders to identify crises that require an outside agency to manage the scene, such as fires, bomb threats, and hostage situations.

Assigned Roles for School District Staff During a School Emergency

Superintendent:

1. Establish and implement a plan for the crisis. Form and coordinate the crisis team;
2. Maintain an active file of helping agencies within the community. The names of contact persons will be included;
3. Maintain an active file of community persons, such as counselors, doctors, psychologists, and ministers. Information regarding services and follow-up services will be included;
4. Create letters to notify parents of continuing care that is available to students. Available care will include local and State agencies, as well as school-based care;
5. Develop an information sheet for parents, teachers, and others. Information will include topics such as talking with students, signs of depression, and others relating to crisis stress;
6. Develop a schedule for activities for the first day of school following the crisis with support services;
7. Maintain follow-up activities such as referrals for help outside the school services setting;
8. Report immediately to the local hospital if students or adults are being sent to that hospital for treatment. If more than one hospital is admitting students or adults, coordinate communication among those hospitals and the District. Assign and direct other District staff to assist in those hospitals;
9. Coordinate communication between the hospital and the District office;
10. Meet and talk with the parents of students and spouses of adults who have been admitted to the hospital; and
11. Be aware of the requirements of the Health Insurance Portability and Accountability Act and provide all appropriate information based on those requirements.

Superintendent: During an Emergency:

1. Direct all operations of the District in the management of the emergency;
2. Gather information on all aspects of the emergency for use in making appropriate decisions about the management of the emergency;
3. Assess the emergency situation and assign tasks based on the overall needs for managing the emergency;
4. Direct all activities of District and school staff in the management of the emergency;
5. Stay in contact with the leaders of the emergency service agencies and the law enforcement agencies working with the emergency;
6. Authorize the release of information to the public;
7. Keep the Board informed of emergency status;
8. Develop plans and scenarios in which District technological resources can be dispersed effectively to emergency sites;
9. Make recommendations regarding the restarting of school activities from support services;
10. Serve as a liaison between the emergency school site and the emergency support teams that may be needed;
11. Coordinate and direct communication between the emergency site and county and State agencies; and
12. The Elementary Principal will assist the Superintendent and serve in this capacity in the absence of the Superintendent.

Building Principals:

1. Be familiar with District office support available to principals;
2. Make a school crisis plan, crisis management handbook, and emergency management kit readily available to appropriate staff;
3. Remain at your respective school until the end of the school day;
4. When all students and staff members have left campus for the day, be prepared to report to the Superintendent; and
5. Perform tasks assigned by the Superintendent.

High School and Elementary Secretaries:

1. From the school office, direct all school staff;
2. Establish and maintain lines of communication between the school and the emergency site;
3. For off campus emergencies, lines of communication must be established for the involved school, as well. Such lines of communication may also include couriers;
4. Handle overflow telephone calls at the emergency site;
5. Manage the teachers and classified staff from the school office;
6. Assign resources (persons and materials) to various sites for specific needs;
7. Communicate with the other school in the District during the emergency period; and
8. Arrange for the delivery of outside services and materials needed for the management of the emergency.

District Clerk:

1. Notify risk management of the emergency;
2. Coordinate with Maintenance/Grounds Director as needed to:

- A. Obtain and direct the placement of generators when power must be restored for a temporary period;
 - B. Coordinate and direct the acquisition of water when there is a disruption of water and sewer services;
 - C. Coordinate and direct contact to provide access to school grounds for emergency medical services, local police and sheriff's departments, fire departments, and the highway patrol; and
 - D. Help coordinate and direct search-and-rescue operations when needed.
3. Coordinate with Food Director to:
- A. Provide meals for students, staff and emergency personnel.
4. Coordinate with director of transportation as needed to provide:
- A. Bus transportation for students and staff;
5. Coordinate with Technology Director to;
- A. Supervise the use of the school computer system for communication with the District office and electronic bulletin board system;
 - B. As needed, report various sites involved in the communication system if there are problems in that system; and
 - C. Provide technical support for all communications hardware and software.
6. Arrange for the payment of monies needed to respond to emergency situations. Authorize purchases and payments for such resources;
7. Collect and disseminate information to the media. Be aware of deadlines, the need for information accuracy, and other issues related to the media and the performance of their jobs;
8. Plan and coordinate press interviews to help the news media meet deadlines;
9. Create and disseminate press releases;
10. Respond to rumors through the dissemination of accurate information;
11. Organize a network of key people, such as police, fire, and health authorities, within the community through which accurate information can be disseminated;
12. Be aware of the requirements of the Freedom of Information Act and provide all appropriate information based on those requirements;
13. Plan and coordinate live and taped presentations. Press conferences can go out live. Updates for the public can be taped and aired as needed;
14. Coordinate information to be shared with school and District personnel during and after the crisis;
15. Act as a liaison between the media and District personnel whose attention must be focused on the immediate problems of managing the crisis without constant interruption;
16. Arrange interviews for the media with key school and District staff who are involved in the emergency or who act as spokespersons for the District; and
17. Establish and maintain a clearinghouse for calls and requests from schools, the community, parents, and the media and refer those to the appropriate person or place.

Procedure History:

Promulgated on:

Revised on:

Reviewed on:

Council School District No. 13

NONINSTRUCTIONAL OPERATIONS

8300P2

Explosion or Fallen Aircraft Procedure

In the event a mishap occurs, such as an explosion or a downed aircraft (crash) near a school or District building, take the following actions:

1. Immediately take cover under tables, desks, and other objects which will give protection against falling glass or debris.
2. After the effects of the explosion and/or fire have subsided, notify the District Office. Give your name and describe the location and nature of the emergency.
3. If necessary, or when directed to do so, activate the building alarm.
4. When the building evacuation alarm is sounded or when told to leave by District or building officials, walk quickly to the nearest marked exit and ask others to do the same.
5. Assist people with handicaps in exiting the building. Do not use elevators in case of fire. Do not panic or create panic in others.
6. Once outside, move to a clear area that is at least 500 feet away from the affected building. Keep streets and walkways clear for emergency vehicles and crew. Know your assembly points.
7. If requested, assist emergency crews as necessary.
8. Do not return to an evacuated building unless told to do so by a District or building official.

Procedure History:

Promulgated on:

Revised on:

Reviewed on:

Hazardous Material Spill

Hazardous chemicals may be utilized within the District in various locations. Tractor trailers or contractors traveling on District property may have hazardous chemicals that may threaten the environment of the District property in the event of a spill. The following steps will be followed in the event of a chemical or radiation spill:

9. Any spill of hazardous chemicals or radioactive materials will be reported immediately to the building principal and District office.
10. When reporting, be specific about the material involved and approximate quantities. The building principal will initiate the appropriate hazardous material response teams to effectively clean up the spill.
11. The Emergency Coordinator on site should vacate the affected areas at once and seal it off to prevent further contamination of other areas until the arrival of the Building Principal. At no time should someone re-enter an area that has already been evacuated.
12. If the evacuation is required, the person on site should activate the building alarm and follow standard evacuation routes that do not cross the area where the spill is located.

Procedure History:

Promulgated on:

Revised on:

Reviewed on:

Council School District No. 13

NONINSTRUCTIONAL OPERATIONS

8300P4

Bomb Threat

1. If you observe a suspicious object or potential bomb on District property, DO NOT HANDLE THE OBJECT! Clear the area immediately and call the building principal.
2. Any person receiving a phone call bomb threat should attempt to ask the caller:
 - A. When is the bomb going to explode?
 - B. Where is the bomb located?
 - C. What kind of bomb is it?
 - D. What does it look like?
 - E. Why did you place the bomb?
 - F. What is your name?

Normally the caller will not answer these questions, but may make comments. During this time the person answering the phone should attempt to listen to background noises, qualities of the voice of the caller, or any information that may be gathered from noises or sounds heard during the conversation.

3. Keep talking to the caller as long as possible and record the following:
 - A. Time of call;
 - B. Age and sex of caller;
 - C. Speech pattern, accent, possible nationality, etc.;
 - D. Emotional state of caller; and
 - E. Background noise.
4. AFTER THE CALL, IMMEDIATELY DIAL *69. IF THE CALLER'S NUMBER IS AVAILABLE, YOU WILL NEED TO NOTE THE NUMBER AND REPORT IT TO THE BUILDING PRINCIPAL.
5. Report the incident immediately to the building principal. The building principal will notify the Emergency Coordinator. A decision will be made as to whether the building or area will be evacuated.
6. **Building or Buildings Not Evacuated:** The Emergency Coordinator may lead a search of the area. Employees in the affected area may be asked to assist in identifying items or conducting a brief search under the direction of the building principal.
7. **Building or Buildings Evacuated:** Once a decision is made by a building or District official to evacuate the building, relay information directing others to evacuate the building. After your

responsibilities are complete, calmly evacuate the building. Once outside, stay away from buildings, vehicles, and trash containers.

Procedure History:

Promulgated on:

Revised on:

Reviewed on:

Council School District No. 13

NONINSTRUCTIONAL OPERATIONS

8300P4F

Bomb Threat Report Form

Time call received: _____ Date: _____

Exact words of person making the call: _____

Questions to Ask

When is the bomb going to explode? _____

Where is the bomb right now? _____

What kind of bomb is it? _____

What does it look like: _____

Why did you place the bomb? _____

What is your name? _____

Are you a student? _____

Location where call was received: _____

Telephone number where call was received: _____

Description of Caller's Voice: Male Female Tone/accnt: _____

Background noise: _____

Violent or Criminal Behavior

Immediately contact the building principal if hostile or violent behavior, actual or potential, is witnessed.

1. Initiate immediate contact with security to ensure that a timely response is begun before a situation becomes uncontrollable.
2. Leave the immediate area whenever possible and direct others to do so.
3. Should gunfire or explosives threaten the campus, you should take cover immediately using all available concealment. Close and lock doors when possible to separate yourself and others from the armed suspect.

Hostage Situation

If taken hostage:

1. Be patient. Time is on your side. Avoid drastic action.
2. The initial 45 minutes are the most dangerous. Follow instructions and be alert. Captors could be emotionally unbalanced. Don't make mistakes which could harm your well-being.
3. Don't speak unless spoken to, and then only when necessary. Don't talk down to or attempt to rationalize with the captor. Avoid appearing hostile. Maintain eye contact with the captor at all times if possible but do not stare.
4. Try to rest. Avoid speculating. Comply with instructions as best you can. Avoid arguments. Expect the unexpected, including severe mood swings, irrational actions, etc. Displaying a certain amount of fear may work to your advantage.
5. Do not make quick or sudden moves. If you must go to the bathroom or need medications or first aid, ask your captors.

Be observant when you are released or if you escape. The personal safety of others may depend on what you remember about the situation.

Procedure History:

Promulgated on:

Revised on:

Reviewed on:

Earthquake

During an earthquake, remain calm and quickly follow the steps outlined below:

1. If indoors, seek refuge in a doorway or under a desk or table. Stay away from glass windows, shelves, and heavy equipment.
2. If outdoors, move quickly away from buildings, utility poles, and other structures. Always avoid power or utility lines as they may be electrified.
3. If in a motor vehicle, stop in the safest place available, preferably away from power lines and trees. Stop as quickly as safety permits but stay in the vehicle for the shelter it offers.
4. After the initial shock, evaluate the situation and if emergency help is necessary, call the building principal. Protect yourself at all times and be prepared for aftershocks.
5. Damaged facilities should be reported to Plant Operations. Note: Gas leaks and power failures create specific hazards.
6. If an emergency exists, activate the building alarm.

Procedure History:

Promulgated on:

Revised on:

Reviewed on:

Council School District No. 13

NONINSTRUCTIONAL OPERATIONS

8300P7

Severe Weather Emergency: Tornado or Lightning Procedure

The District secretary will monitor the National Weather Service and will initiate notifications when severe weather bulletins are issued for the immediate area.

A Tornado/Thunderstorm/Wind Watch indicates that atmospheric conditions are conducive to the development of the stated warning. Normal operations will continue. Employees should keep a close eye on changing weather conditions and be prepared to take action if necessary.

A Tornado/Thunderstorm/Wind Warning indicates that the hazardous condition stated has been spotted or identified on radar. When these conditions immediately threaten the campus, the District secretary will issue notification through fax messages or telephone communications to the building principals.

Hazardous weather conditions can develop in seconds and may not allow for formal means of communication. In the event an employee feels that weather is immediately threatening, they will take cover. They will also instruct students, employees, and others in the immediate area to find a wall near the interior of the building away from windows and exterior doors. Individuals will curl up in a “ball” or fetal position near the wall, place their hands over their heads, and remain in that position until the severe weather passes.

Do not leave the building or initiate a building evacuation during these circumstances. When severe weather strikes, power may be disrupted causing alarms to sound. If fire is not immediately present and a clear exit is maintained, everyone should remain until severe weather passes.

Procedure History:

Promulgated on:

Revised on:

Reviewed on:

Council School District No. 13

NONINSTRUCTIONAL OPERATIONS

8300P8

Natural Gas Leak

In the event a natural gas leak is discovered or suspected:

1. Turn off the gas valve serving the building or area;
2. Open windows and doors to dissipate the fumes; and
3. The building principal should evacuate the building by the most appropriate means.

The public utilities company and local fire department shall be notified by the secretary, principal, or any person aware of the emergency.

Note: Do not assume that these public utilities and the local fire department have been notified. It is preferred that several people notify them rather than run the risk of complete omission.

Procedure History:

Promulgated on:

Revised on:

Reviewed on:

Broken Water Main

In the event of a broken water main in the building, or on the grounds:

1. The water main shall be turned off;
2. Notify the building principal;
3. Water in the building shall be removed immediately to prevent damage to floors and floor coverings; and
4. The building principal shall notify the local water department to coordinate any activities necessary to correct the emergency.

Procedure History:

Promulgated on:

Revised on:

Reviewed on:

Disclaimer:

The Automated External Defibrillator policies and procedures contained herein are for informational purposes only. The policies are a sample of the policies that a District can incorporate. If your District is contemplating implementation of an AED, it is recommended that prior to implementation, a policy and procedure is in place.

Council School District No. 13

NONINSTRUCTIONAL OPERATIONS

8310

Automated External Defibrillators

The Council School District Board of Trustees recognizes the need to make Automatic External Defibrillators (AEDs) available in its buildings. Early access defibrillation has been recognized as a significant factor in the survival of incidents of sudden cardiac arrest. Therefore, it is the policy of the District that the implementation and use of AEDs is authorized in the buildings of the District in accordance with Idaho Code §5-337.

The Superintendent shall assign an AED Team Coordinator. The Superintendent and AED Team Coordinator will request individuals to be part of the AED Team. The AED Team shall work with the District to implement and maintain the AED program.

The Superintendent shall work with the AED Team to develop a program with procedures governing the use of the AEDs within the District. The program procedures shall be incorporated into the District's Emergency Preparedness Plan.

The Superintendent shall designate a school physician to serve as an emergency health care provider to monitor the program and ensure that all designated responders are properly trained and that AEDs are properly maintained. The District and Emergency Health Care Provider shall develop a written collaborative agreement which contains all the provisions for administration and use of this equipment, including training requirements, location of AED units, the maintenance and inspection of AEDs, and the identification of local emergency response providers.

Employees will be authorized to utilize an AED only after successfully completing initial and recurrent training courses approved by the American Heart Association for AEDs and CPR. The District will provide American Heart Association AED training for employees deemed to require such training by the AED Team or Superintendent. Employees who are certified will be designated as authorized users after a review of their credentials and approval by the school physician.

Requirements for the frequency of recurrent training will be as specified by the issuing organization of the individual employees' certification. Acceptable certification will consist of completion of an American Heart Association AED and CPR course.

Legal Reference: I.C. § 5-337 Immunity for Use of Automated External Defibrillator (AED)

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

NONINSTRUCTIONAL OPERATIONS

8310F1

Automated External Defibrillators

**COUNCIL SCHOOL DISTRICT
AUTOMATED EXTERNAL DEFIBRILLATOR (AED)
INSPECTION AND INVENTORY**

Building: _____

Device Location: _____

DATE TIME r-Routine p-Post Use										
<i>Inventory Items:</i>										
Storage cabinet intact										
AED exterior intact										
Battery installed and functional										
Spare battery available										
AED self test										
AED user guide available										
CPR guide available										
Two sets of electrodes										
Two Incident Report Forms										
Pen										
Two Mouth barrier devices										
Razor										
Scissors										
Two pairs of Non-latex gloves										
Gauze pads or towel										
Initials of Inspector										

Corrective Action Required and Completed:

Date	Details	Reported to Superintendent	Initials

Automated External Defibrillators

**COUNCIL SCHOOL DISTRICT
AUTOMATED EXTERNAL DEFIBRILLATOR (AED)
INCIDENT REPORT**

Date of Incident: _____ Time of Incident: _____

Location of Incident (which building, where in building, etc.): _____

Patient's Age: _____ Patient's Sex: _____ Male _____ Female

CPR prior to defibrillation: _____ Attempted _____ Not Attempted

Cardiac Arrest: _____ Not Witnessed _____ Witnessed by Bystander
_____ Witnessed by AED team member

Estimated time (in minutes) from arrest to CPR: _____

Shock: _____ Indicated _____ Not Indicated

Estimated time (in minutes) from arrest to 1st AED shock: _____

Number of shocks: _____

Additional Comments: _____

Patient Outcome at Incident Site:

- | | |
|--|---------------------------------------|
| _____ Return of pulse and breathing <input type="checkbox"/> | _____ No return of pulse or breathing |
| _____ Return of pulse with no breathing | _____ Became responsive |
| _____ Return of pulse, then loss of pulse | _____ Remained unresponsive |

Name of AED Operator: _____

Transporting Ambulance: _____

Name of Facility Patient was Transported To: _____

Name of Emergency Health Care Provider: _____

Signature of Health Care Provider

Date of Report

This report is to be completed by the Emergency Health Care Provider or AED User within 5 business days of use of an AED.

The completed report must be mailed/returned to: _____

Automated External Defibrillators

AED Program Implementation and Procedures

In implementing the AED Program, the AED Team shall prepare a written plan that must specify:

1. Where the AED will be placed;
2. The individuals who are authorized to operate the AED;
3. How AED use will be coordinated with an emergency medical service providing services in the area where the AED is located;
4. The medical supervision that will be provided;
5. The maintenance that will be performed on the AED;
6. Records that will be kept by the program;
7. Reports that will be made of AED use; and
8. The name, location, and telephone number of a physician, or other individual designated by the physician, to provide medical supervision of the AED program.

Identify the AED Team

The Superintendent and AED Team coordinator will request individuals to be part of the AED Team. The Superintendent and AED Team coordinator will consider many factors in choosing the number and members of the AED Team. The size and layout of each school and its operating hours should be considered. Staff members who already provide medical services, such as a school nurse, and those present when students are exercising, such as coaches, trainers, lifeguards, and physical education teachers, should be considered members of the AED Team. Additionally, when selecting team members consider possible staff turnover and who will be present even after school hours, such as administrators, custodians, coaches, etc.

Coordinate with Local Emergency Medical Services (EMS)

The AED Team shall work with the local EMS to coordinate clear procedures for smooth victim “hand-off” to EMS when EMS arrives. Additionally, EMS may provide guidance on equipment choice and placement, training and medical direction, and may check the equipment each year as part of the District’s annual fire inspection.

Prescription from Physician/Medical Direction

A collaborative agreement must be established between the District and a physician to oversee the administration of the District’s AED program. This collaborative agreement will be renewed on a biannual basis starting from the date of the original agreement. The physician will review the District plan and suggest modifications at least annually.

The physician will approve the “standing orders” rescuers should follow when using an AED in a medical emergency. The physician may sign off on training plans, policies, and procedures; update

them to take into account new treatment recommendations; evaluate data recorded on an AED during a medical emergency; and help assess each use of an AED to suggest any improvements.

AED Equipment and Vendor Selection

When choosing an AED vendor, the AED Team shall inquire as to the reputation of the vendor for reliability, durability, and ongoing support. The vendor may provide expertise in training, site assessment, and policies and procedures. When selecting AED equipment and a vendor, important considerations include:

1. How many AEDs can be purchased or are being donated and where to locate each AED. Locations should be reevaluated when and if additional units are purchased or donated;
2. Reputation of the AED manufacturer for product quality, reliability, and customer service;
3. Compatibility with the equipment of the local EMS;
4. Easy operation with clear voice prompts;
5. Biphasic technology and ability to adjust shocks and energy levels to match the victim's needs;
6. Defibrillation electrodes that are pre-connected to the AED;
7. Maintenance-free batteries;
8. Direct field service team for on-site download of AED data;
9. Validated computer-based refresher training;
10. Availability of reduced energy defibrillation electrode for victims younger than eight years of age; and
11. Vendor ability to provide a complete implementation solution.

Additional Development of Procedures

The AED Team shall develop additional procedures and incorporate them into the District's Emergency Preparedness Plan and this AED Plan. Points to include in the additional procedures include:

1. Actions those who witness a cardiac emergency should take, such as one person starting CPR while others rush for the AED, notify the main office, and make sure local EMS is called;
2. How to notify internal trained responders using walk-talkies, cell phones, radios, or the building public address system, for example;
3. Who is responsible for bringing the AED to a victim;
4. Who will notify the community's EMS team, such as by using a phone near the AED or alerting the main office to call local EMS;
5. How EMS will be directed to the exact location within the school, perhaps by having someone meet paramedics at the front door and escort them to the victim;
6. Standing orders stating when the AED should be used (only on victims who are unconscious, without a pulse, and who show no signs of circulation nor normal breathing);

7. Procedures to follow if an AED is moved from the building to a playing field, such as notifying the main office or school nurse about its location and how to contact the person who has it (via cell phone or radio for example);
8. How to handle data the AED records during use, including the patient's heart rhythm, AED analysis, and any shock delivered; and
9. What to do after an event, such as downloading and transferring data from an AED, notifying the medical director, reviewing the event to determine how procedures might be improved, replenishing supplies, returning the AED to service, and stress debriefing to help responders handle their emotions after a rescue effort.

Responsibility for Operation, Maintenance, and Record-Keeping

The school nurse at each building in which an AED is installed shall be responsible for the following:

1. Checking the defibrillator(s) in the building on a regular basis, at least weekly;
2. Verifying that the unit is in the proper location;
3. Verifying that the unit has all of the appropriate equipment, including battery, mask, case, emergency pack, gloves, etc.;
4. Verifying that the unit is ready for use, and that it has performed its self-diagnostic evaluation;
5. The replacement of equipment and supplies for the AED;
6. The repair and service of the AED;
7. Assisting the District with proper in-house training for other individuals; and
8. Reporting the need for revising the AED policy and procedures.

If the nurse notes any problems, or the AED's self-diagnostic test has identified any problems, or the unit is placed "out-of-service", the nurse must contact the Superintendent and all members of the AED Team immediately.

After performing an AED check, the nurse shall make a note on an AED service log indicating that the unit has been inspected and that it was found to be "In-Service" or "Out-of-Service."

The AED Team coordinator shall be responsible for the following:

1. In the absence of the school nurse, the AED Team Coordinator shall complete the school nurse's responsibilities stated above. In the event the AED Team coordinator is not available weekly to perform these responsibilities (such as during spring, winter, or summer break), the AED Team coordinator shall designate an individual who will be available during these times. The designated individual shall be on the AED Team and be trained on the school nurse responsibilities stated above.
2. Maintain on file all specifications and technical information sheets for each approved AED model assigned or donated to the District or school.

3. Maintain copies of the certifications and training records of the AED Team, including CPR and AED certification.
4. Provide and schedule opportunities for training certification and refresher training.
5. Assist the District with proper in-house training for other individuals.
6. Report the need for revising the AED policy and procedures

Refresher Training

Refresher training shall occur at least once every year or sooner if the equipment, policies, or procedures change. Only those individuals who complete refresher training can be members of the AED Team.

HIPPA

No member of the AED Team shall disclose health-related information or student information regarding any person upon whom an AED is used unless it is to a local emergency medical service or licensed physician or nurse.

Procedure History:

Promulgated on:

Revised on:

Reviewed on:

Council School District No. 13

NONINSTRUCTIONAL OPERATIONS

8320

Fire Drills and Evacuation Plans

Goal

The Board recognizes the importance of being prepared for emergencies and the role fire drills play in being prepared. The emergency evacuation drill trains staff and students and evaluates their efficiency and effectiveness in carrying out emergency evacuation procedures.

Frequency

Monthly fire drills are required for all occupants. The frequency shall be allowed to be modified in severe climates and the fire code official shall have the authority to modify the frequency.

First Evacuation Drill

The first evacuation drill of the school year must be completed within ten days of the beginning of classes.

Time

Fire drills shall be held at unexpected times and under varying conditions to simulate the unusual conditions that occur in case of fire. Emergency evacuation drills shall be conducted at different hours of the day or evening, during the changes of classes, when the school is at assembly, during the recess or gymnastic periods, or during other times to avoid distinction between drills and actual fires.

Assembly Points

Outdoor assembly areas shall be designated and shall be located a safe distance from the building being evacuated so as to avoid interference with fire department operations. The assembly areas shall be arranged to keep each class separate to provide accountability of all individuals.

Record Keeping

Records shall be maintained of emergency evacuation drills and include:

1. Identity of the person conducting the drill;
2. Date and time of the drill;
3. Notification method used;
4. Staff members on duty and participating;
5. Number of occupants evacuated;

6. Special conditions simulated;
7. Problems encountered;
8. Weather conditions when occupants were evacuated; and
9. Time required to accomplish a complete evacuation.

Fire Safety and Fire Evacuation Plans

Fire safety and evacuation plans, emergency procedures, and employee training programs shall be approved by the fire code official and be prepared and maintained by the school.

Fire Evacuation Plan

The fire evacuation plan must include:

1. Emergency egress or escape routes and whether evacuation of the building is to be complete or, where approved, by selected floors or areas only;
2. Procedures for employees who must remain to operate critical equipment before evacuating;
3. Procedures for accounting for employees and occupants after the evacuation has been completed;
4. Identification and assignment of personnel responsible for rescue or emergency medical aid;
5. The preferred and any alternative means of notifying occupants of a fire or emergency;
6. The preferred and any alternative means of reporting fires and other emergencies to the fire department or designated emergency response organization;
7. Identification and assignment of personnel who can be contacted for further information or explanation of duties under the plan; and
8. A description of the emergency voice or alarm communication system alert tone and preprogrammed voice messages, where provided.

Fire Safety Plans

The fire safety plan must include:

1. The procedures for reporting a fire or other emergency;
2. The life safety strategy and procedures for notifying, relocating, or evacuating occupants;
3. Site plans indicating the following:
 - A. The occupancy assembly point;
 - B. The location of fire hydrants; and
 - C. The normal routes of fire department vehicle access

4. Floor plans identifying the locations of the following:
 - A. Exits;
 - B. Primary evacuation routes;
 - C. Secondary evacuation routes;
 - D. Accessible egress routes;
 - E. Areas of refuge;
 - F. Manual fire alarm boxes;
 - G. Portable fire extinguishers;
 - H. Occupant-use hose stations; and
 - I. Fire alarm annunciators and controls.
5. A list of major fire hazards associated with the normal use and occupancy of the premises, including maintenance and housekeeping procedures;
6. Identification and assignment of personnel responsible for maintenance of systems and equipment installed to prevent or control fires; and
7. Identification and assignment of personnel responsible for maintenance, housekeeping, and controlling fuel hazard sources.

In the Event of a Fire

All incidents of unintentional fires will be reported to the building principal whether or not fire department response is required. All department heads, supervisors, etc. will ensure that their employees are aware of the location of fire extinguishers and fire alarm pull boxes in their work area(s). All employees should be made aware of the location of the fire extinguishers and fire alarm pull boxes in their work area(s). All employees should be made aware of emergency evacuation routes for their work area, the location of the fire exit windows, etc.

Do not use the elevators in the event of a fire.

In the event of a fire:

1. Promptly direct the charge of the fire extinguisher toward the base of the flame. If an emergency exists, activate the building alarm and contact the building principal.
 - A. If a minor fire appears controllable, immediately contact, or direct someone in the area to contact, the building principal.
 - B. For large fires that do not appear controllable, immediately activate the building alarm and contact, or direct someone to contact the building principal. Close all doors while exiting the building to reduce oxygen and slow the spread of fire. Do not lock the doors!
2. Assist in the evacuation of the building. Smoke is the greatest danger in a fire, so be prepared to stay near the floor where the air will be less toxic.

3. If trapped on a second story or higher, hang an article of clothing out of the window to signal security officers. Anyone trapped in the room should remain close to the floor to avoid smoke.

During an evacuation, direct crowds away from fire hydrants and roadways, and clear sidewalks immediately adjacent to the building. Ask bystanders to assist in watching windows, doorways, etc. for persons who may be trapped inside. Do not attempt to rescue them. Notify fire department personnel.

Legal Reference: I.C. § 41-253 Adoption of International Fire Code
IDAPA 08.02.03.160 Safe Environment and Discipline
IDAPA 18.01.50 Rules of the Idaho Department of Insurance, Title 01,
Chapter 50, "Adoption of the 2006 *International Fire Code*."
2006 Idaho Fire Code

Policy History:

Adopted on:

Revised on:

Reviewed on:

NONINSTRUCTIONAL OPERATIONS

8320P

Emergency Drills, Rules, and Procedures

The purpose of a drill is to train students, under staff direction, to move safely, quickly, and quietly from any location within the building to an assigned evacuation area outside.

The following rules and procedures will be complied with in the school:

1. Evacuation routes will be posted in each room. These routes will indicate the primary and alternate exits and evacuation area to which the student should proceed upon leaving the building. During the first week of the school year, rules for emergency evacuation will be discussed with each class using the room;
2. A distinct alarm signal will be used for emergency drills only; another signal will be established by District Administration for return to class. Building evacuations will also occur upon notification by District officials or public safety officers.
3. If the District implements the emergency call tree, persons with calling responsibilities are encouraged to use the following verbiage:

“This is _____ calling from the Council School District Office. The Emergency Call procedure has been activated.

This will be followed by a script containing information relative to the emergency and specific actions to be taken.

4. No student or staff member is to remain in the building during emergency drills;
5. Staff should assist people with handicaps in exiting the building. The elevators shall not be used in case of fire and/or potential power loss.
6. All persons should exit according to their posted evacuation routes and proceed to assigned locations a safe distance from the building. If the exit is blocked, persons should use the nearest marked exit and alert others to do the same.
7. It is each student’s responsibility to move quickly, quietly, and in an orderly manner through the assigned exit to the assigned evacuation area. This should be a clear area that is at least 500 feet away from the affected building. All persons shall keep out of streets, fire lanes, hydrant areas, and walkways for emergency vehicles and personnel. Students, staff, and volunteers should know their assembly points.
8. The teacher will be responsible for:

- A. Seeing that windows and doors are closed with doors locked;
- B. Assuring that electrical equipment and gas jets are turned off;
- C. Maintaining order during the evacuation; and
- D. Taking the grade book and checking roll when the class is in the assigned evacuation area. The name of any student not accounted for will be reported immediately to the Building Administrator.

No staff or students may return to an evacuated building unless told to do so by a District or building official.

A report stating the date and time that the drill was conducted, and the time required to complete the evacuation will be made.

Procedure History:

Promulgated on:

Revised on:

Reviewed on:

Council School District No. 13

NONINSTRUCTIONAL OPERATIONS

8500

Risk Management

The Board believes the District must identify and measure risks of loss due to the damage or destruction of District property or to claims against the District by others claiming to have been harmed by the action or inaction of the District, its offices, or staff. A risk management program shall be implemented to reduce or eliminate risks where possible, and to determine which risks the District can afford to assume. Such a program shall consider the benefits, if any, of joining with other units of local government for joint purchasing of insurance, joint self-insuring, or joint employment of a risk manager. The Trustees shall assign the primary responsibility for the administration and supervision of the risk management program to a single person. The Board shall review the status of the risk management program each year.

The District shall purchase and pay for surety bonds for the Superintendent, clerk, and such other staff and in such amounts as the Board shall from time to time determine to be necessary for honest performance of the staff in the conduct of the District's financial operations.

Cross Reference: 8520

Inspection of School Facilities

Legal Reference: I.C. § 33-701
I.C. § 33-1613

Fiscal Year – Payment and Accounting of Funds
Safe Public School Facilities Required

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

NONINSTRUCTIONAL OPERATIONS

8510

District Safety

The Board recognizes that safety and health standards should be incorporated into all aspects of the operation of the District. Rules for safety and prevention of accidents shall be posted in compliance with Occupational Safety and Health Act (OSHA) requirements. Injuries and accidents shall be reported to the District office.

Cross Reference: 9400 Safety Program

Legal Reference: Occupational Safety and Health Act

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

NONINSTRUCTIONAL OPERATIONS

8520

Inspection of School Facilities

To ensure the safety and health of children and staff, the District shall, at least once a year, subject the facilities of the District to an independent inspection for the purposes of determining whether such facilities comply with safety and health standards and other codes and requirements of Idaho law. The safety inspection will be conducted by a professionally qualified independent inspector or done pursuant to Title 39, Chapter 80, Idaho Code. The safety inspection report shall be provided to the Board of Trustees and to the administrator of the Division of Building Safety for review.

After having the opportunity to review the inspection report, the Board shall identify any unsafe or unhealthy conditions and take the necessary steps to abate such conditions. Should any unsafe and unhealthy conditions remain beyond the school year in which such conditions were reported, the Board shall identify such conditions as not having been abated and take all necessary steps as soon as is practical to abate such conditions.

For purposes of this policy, the term “facilities” means school buildings, administration buildings, playgrounds, athletic fields or any other facilities or property used by schoolchildren or school personnel in the normal course of educational services.

Emergency Evacuation Plan

The District shall ensure the safety and health of students and staff by having in place at all times an emergency evacuation plan. The District will cooperate and coordinate with city, county, and State emergency personnel. The District shall review its emergency evacuation plan annually to determine whether the procedures in place require modification. The Plan will be posted in the District office as well as in every school building in the District. The Plan will be provided to each staff member at the beginning of the school year. In addition, the District will educate parents and patrons in the District by providing periodic information regarding the Plan.

Council School District No. 13

NONINSTRUCTIONAL OPERATIONS

8530

Property Damage

The District shall maintain a comprehensive insurance program which shall provide adequate coverage, as determined by the Board, in the event of loss or damage to school buildings, equipment, or other school property, including motor vehicles.

The comprehensive insurance program shall maximize the District's protection and coverage while minimizing the costs for insurance. This program may include alternatives for sharing the risk between the District and the insurance carrier, and through self-insurance plans.

If, as a result of loss on real property, the District receives less than \$5,000, such proceeds may be credited to the general fund.

Privately-Owned Property

The District shall not assume responsibility for the maintenance, repair, or replacement of any privately-owned property brought to a school or District function unless the use or presence of such property has been specifically requested in writing by the administration.

Cross Reference: 8705 Transportation Liability Insurance

Legal Reference: I.C. § 33-701 Fiscal Year – Payment and Accounting of Funds

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

NONINSTRUCTIONAL OPERATIONS

8600

Records Management

A fireproof, waterproof vault will be provided for the retention of public records, including but not limited to minutes, annual audit reports, etc. and for employment and student records.

The Clerk shall be the Public Records Custodian under the supervision of the Superintendent, and the assistant clerk shall be the alternate custodian of records.

Personnel files and student files are confidential and are to be disclosed only as provided in policy and/or by law. A record of persons examining or copying personnel files or student files, other than administrative staff, shall be kept for each employment file and student file.

All public records will be provided to the public in accordance with the laws of the State of Idaho and District Policy 4260.

Record Safety

The Superintendent or designee, shall create and enforce a procedure in an effort to keep the District's data and vital records safe and secure in the event of a possible disaster. Examples of vital records include personnel files, student records, fiscal documents (financial and insurance), etc.

In creating the procedure, the Superintendent or designee shall consider the following:

1. Physical security;
2. Backup storage security;
3. Backup schedule;
4. Rotate backups;
5. Remote access;
6. Personnel authentication;
7. Backup infrastructure security;
8. Duplicating records for off-site storage; and
9. Storing computer tapes and disks in fireproof, waterproof safes.

The procedures should provide for a written comprehensive disaster recovery plan. Such a plan ensures that vital records are backed up daily and that the District will be able to recover operations quickly. In the event of a disaster, the identification and protection of vital records is of great importance.

Legal Reference: Title 74 Chapter 1 Public Records Act

Policy History:

Adopted on:

Revised on:

Reviewed on:

Retention of District Records

In compliance with Idaho Code, the Board of Trustees establishes the following guidelines to provide administrative direction pertaining to the retention and/or disposal of District records. This schedule likewise identifies the anticipated physical location where such records may be kept or maintained by the District, in addition to the possible document retention of all categories of records on the school's servers and computer systems.

The District's Public Records Custodian(s), in conjunction with the Superintendent, or designee, is responsible for the maintenance, safeguarding, and destruction of the District's records. Performance of such duties shall be in cooperation with the District's Business Office, Directors of Maintenance and Transportation, Technology Coordinator, the Principals at the school's buildings, and other administrative personnel employed by the District. However, each school employee is likewise responsible for having knowledge of this policy and the requirement to safeguard the District's records, electronic or otherwise, consistent with the chart below.

The District's Public Records Custodian(s) shall work in conjunction with the District's Technology department to assure that the school's staff is aware of the routine destruction of electronic District records, including emails, such that they are able to assure that the District's public records are retained consistent with this schedule, regardless of whether they are maintained in a hard copy or an electronic copy. In such a process, the District's employees need to retain District records included on the schedule below, particularly student educational records, personnel records, and investigative records, in a format that is not part of the District's routine electronic records destruction and/or notify the technology personnel of the District that a particular document is not to be destroyed as part of the routine destruction of electronic records.

Unless otherwise prohibited by applicable law, all District records may be maintained electronically and/or in hard physical copy.

Method of Destroying Official Records

The District's official records, and any copy thereof that may be deemed to be confidential and/or not intended to be disseminated to the public, will be shredded before disposal.

Destruction of Electronic Mail/e-mail

The District will store electronic mail/e-mails for a maximum period of three years after the matter is closed, terminated, completed, expired, settled or last date of contact. All email will be automatically deleted from the District's system at the end of this retention period. It is the responsibility of every district employee to assure that District documents that need to be retained for a longer period of time due to federal law, State law, or the provisions of this policy are

retained accordingly and in a different format than electronic mail. An employee’s failure to retain District documents accordingly could serve as a basis for discipline, up to and including possible termination.

Suspending of Destroying Official Records

The District will immediately cease the destruction of all relevant records, including electronic records, even if destruction is authorized by an approved Retention Schedule, for the following reasons:

1. If the District receives a Freedom of Information Act (FOIA) request;
2. If the District believes that an investigation or litigation is imminent; or
3. If the District is notified that an investigation or litigation has commenced.

The Public Records Custodian(s) and Superintendent are responsible for carrying out this policy.

If relevant records exist in electronic formats (such as email, digital images, word processed documents, databases, backup tapes, etc.) the District’s Administrative personnel shall notify its information technology staff to cease the destruction of records relating to the subject matter of the suit/potential suit or investigation. Failure to cease the destruction of relevant records could result in penalties against the District.

District records shall be retained and/or disposed of as follows:

DISTRICT RECORDS RETENTION SCHEDULE

Retention Codes		
AC —After closed, terminated, completed, expired, settled, or last date of contact	LA —Life of Asset	DO – District Office
FE —Fiscal Year End (June 30 th)	PM —Permanent	SB – School Buildings
	US —Until Superseded	DM – District Maintenance
		DT – District Transportation
RECORDS DESCRIPTION	RETENTION PERIOD	
ADMINISTRATION —ATTENDANCE-- ANNUAL ATTENDANCE SUMMARIES BY BUILDING	PM	DO, SB
ADMINISTRATION —ATTENDANCE— Enrollment attendance data	3 yr	DO, SB
ADMINISTRATION —BALLOTS AND OATHS OF ELECTION—until canvassed and recorded in the minutes	Not less than 8 months following election	DO

DISTRICT RECORDS RETENTION SCHEDULE

Retention Codes		
AC —After closed, terminated, completed, expired, settled, or last date of contact FE —Fiscal Year End (June 30 th)	LA —Life of Asset PM —Permanent US —Until Superseded	DO – District Office SB – School Buildings DM – District Maintenance DT – District Transportation
RECORDS DESCRIPTION	RETENTION PERIOD	
ADMINISTRATION —BALLOTS FOR BOND ELECTIONS	a. Not less than 60 days after bonds have been delivered to purchaser b. Not less than 8 months following bond election	DO
ADMINISTRATION —CONTRACTS AND LEASES	AC +6 yr	DO
ADMINISTRATION —GENERAL CORRESPONDENCE	3 yr	DO, SB
ADMINISTRATION —DONATION/GIFT RECORDS	PM	DO, SB
ADMINISTRATION —BOARD MEETINGS—AGENDA AND MINUTES: Official minutes and agenda of open meetings	PM	DO
ADMINISTRATION —BOARD MEETINGS—CLOSED: Certified agendas or tape recordings of closed meetings	PM—Restricted Access	DO
ADMINISTRATION —ORGANIZATION CHARTS: Any documentation that shows program accountability	PM	DO, SB, DM, DT
ADMINISTRATION —EDUCATION PROGRAM REVIEW RECORDS	AC+3 yr	DO, SB
ADMINISTRATION —OFFICIAL STATE DEPARTMENT REPORTS	PM	DO
ADMINISTRATION —SCHOOL CERTIFICATION REPORTS	PM	DO
ANNUAL REPORTS	PM	DO
APPEAL AND REVIEW RECORDS —Records may include but are not limited to narrative history or description of appeal; minutes and testimony; exhibits; reports and	PM	DO

DISTRICT RECORDS RETENTION SCHEDULE

Retention Codes		
<p>AC—After closed, terminated, completed, expired, settled, or last date of contact</p> <p>FE—Fiscal Year End (June 30th)</p>	<p>LA—Life of Asset</p> <p>PM—Permanent</p> <p>US—Until Superseded</p>	<p>DO – District Office</p> <p>SB – School Buildings</p> <p>DM – District Maintenance</p> <p>DT – District Transportation</p>
RECORDS DESCRIPTION	RETENTION PERIOD	
findings of fact; final orders, opinions, conclusions, or decisions; audio recordings; hearing schedules and lists of participants; and related correspondence and documentation.		
<p>BOARD MEMBER RECORDS—Series documents board activities and serves as a reference source for board members. Records may include but are not limited to correspondence, plans, statements of goals and objectives, minutes, committee reports, budgets, financial statements, reports, and other reference material. Records are often compiled in a notebook for each member.</p>	<p>AC+3 yr NOTE: Some materials may warrant long-term retention. These materials should be reviewed for archival materials.</p>	DO
<p>BOARD RECORDS—Series documents the official proceedings of the board meetings. Records may include agendas; minutes; meeting notices; items for Board action; contested case hearings schedules; committee reports; exhibits; and related correspondence and documentation. Records may also include audio recordings of meetings used to prepare summaries.</p>	PM	DO
<p>COMPUTER SYSTEMS-BACKUPS—Backups on tape, disk, CD, DVD, etc. CAUTION: Records stored in this format can be subpoenaed during litigation.</p>	US or 1 year	DO
<p>EQUIPMENT-HISTORY FILE—Equipment service agreements, includes maintenance agreements, installation, and repair logs, etc.</p>	LA+3 yr	DO, DM, DT
<p>EQUIPMENT MANUALS—Instruction and operating manuals</p>	LA	DO, SB, DM, DT

DISTRICT RECORDS RETENTION SCHEDULE

Retention Codes		
AC —After closed, terminated, completed, expired, settled, or last date of contact FE —Fiscal Year End (June 30 th)	LA —Life of Asset PM —Permanent US —Until Superseded	DO – District Office SB – School Buildings DM – District Maintenance DT – District Transportation
RECORDS DESCRIPTION	RETENTION PERIOD	
EQUIPMENT WARRANTIES	AC+1 yr	DO, SB, DM, DT
FACILITIES OPERATIONS-APPRAISALS —Building or property	3 yr	DO
FACILITIES OPERATIONS-BUILDINGS PLANS AND SPECIFICATIONS —Includes architectural and engineering drawings, etc.	PM For leased structures retain AC+2	DO, DM
FACILITIES OPERATIONS-BUILDINGS, CONSTRUCTION CONTRACT, INSPECTION RECORDS AND PROJECT FILES —Building construction contracts, surety bonds and inspection records, Planning, design, construction records, and all bids, etc.	LA	DO, SB, DM
FACILITY OPERATIONS—DAMAGE REPORTS; LOST AND STOLEN PROPERTY REPORTS	FE+3 yr	DO, SB, DM, DT
FACILITY OPERATIONS-PROPERTY DISPOSAL RECORDS —Documenting disposal of inventoried property	PM	DO
FACILITY OPERATIONS-PROPERTY MANAGEMENT SEQUENTIAL NUMBER LOGS —Property logs	US+3 yr	DO, SB, DM
FACILITY OPERATIONS-SECURITY ACCESS RECORDS —Documents the issuance of keys, identification cards, passes, passwords, etc.	AC+2 yr AC =Until superseded, date of expiration, or date of termination, whichever is sooner	DO, SB, DM
FACILITY OPERATIONS-SURPLUS PROPERTY SALE REPORTS	PM	DO, DM

DISTRICT RECORDS RETENTION SCHEDULE

Retention Codes		
AC —After closed, terminated, completed, expired, settled, or last date of contact FE —Fiscal Year End (June 30 th)	LA —Life of Asset PM —Permanent US —Until Superseded	DO – District Office SB – School Buildings DM – District Maintenance DT – District Transportation
RECORDS DESCRIPTION	RETENTION PERIOD	
FACILITY OPERATIONS-UTILITY USAGE REPORTS	1 yr	DO, DM
FACILITY OPERATIONS-VEHICLE OPERATION LOGS	1 yr	DO, DT
FISCAL-ACCOUNTS PAYABLE/RECEIVABLE LEDGERS	FE+3 yr	DO, SB
FISCAL-ANNUAL FINANCIAL REPORTS	PM	DO, SB, DM, DT
FISCAL-ANNUAL OPERATING BUDGETS	FE+3 yr	DO, SB, DM, DT
FISCAL-APPROPRIATION REQUESTS —Includes any supporting documentation in the appropriation request	FE+3 yr	DO, SB, DM, DT
FISCAL-FINAL AUDIT REPORTS	PM	DO, SB
FISCAL-BANK STATEMENTS	FE+3 yr	DO, SB
FISCAL-CANCELLED CHECKS — Stubs/Warrants/Drafts	FE+3 yr	DO, SB
FISCAL-CAPITAL ASSET RECORDS	LA+3 yr	DO, SB, DM, DT
FISCAL-CASH RECORDS —Cash deposit slips; cash receipts log	FE+3 yr	DO, SB
FISCAL-DEEDS AND EASEMENTS — Proof of ownership and right-of-way on property	PM	DO
FISCAL-detail chart of accounts —One for all accounts in use for a fiscal year	FE+3 yr	DO, SB
FISCAL-EXPENDITURE JOURNAL OR REGISTER	FE+3 yr	DO, SB
FISCAL-EXPENDITURE VOUCHERS — Travel, payroll, etc.	FE+3 yr	DO, SB, DM, DT

DISTRICT RECORDS RETENTION SCHEDULE

Retention Codes		
AC —After closed, terminated, completed, expired, settled, or last date of contact FE —Fiscal Year End (June 30 th)	LA —Life of Asset PM —Permanent US —Until Superseded	DO – District Office SB – School Buildings DM – District Maintenance DT – District Transportation
RECORDS DESCRIPTION	RETENTION PERIOD	
FISCAL-EXTERNAL REPORTS —Special purpose, i.e. federal financial reports, salary reports, etc.	FE+3 yr	DO, SB, DM, DT
FISCAL-FEDERAL TAX RECORDS — Includes FICA records	AC+4 yr AC=Tax due date, date the claim is filed, or date tax is paid whichever is later	DO
FISCAL-FEDERAL FUNDING RECORDS —Title I; Chapter 2; Title VI-B	FE+5 yr Or until all pending audits or reviews are completed	DO
FISCAL—FEDERAL—USDA	AC+3 yr AC=submission of final expenditure	DO
FISCAL-GENERAL LEDGERS; GENERAL JOURNAL VOUCHERS	FE+3 yr	DO, SB
FISCAL-GRANTS —State and Federal	AC+3 yr AC=End of grant or satisfaction of all uniform administrative requirements for the grant CAUTION: Retention requirements may vary depending on the specific federal funding agency	DO, SB
FISCAL-INSURANCE CLAIM FILES	AC+3 yr AC=Resolution of claim	DO
FISCAL-INSURANCE POLICIES —all types	AC+5 yr AC=expiration or termination of policy according to its terms	DO
FISCAL-LONG-TERM LIABILITY RECORDS —Bonds, etc	AC+4 yr AC=retirement of debt	DO

DISTRICT RECORDS RETENTION SCHEDULE

Retention Codes		
AC —After closed, terminated, completed, expired, settled, or last date of contact FE —Fiscal Year End (June 30 th)	LA —Life of Asset PM —Permanent US —Until Superseded	DO – District Office SB – School Buildings DM – District Maintenance DT – District Transportation
RECORDS DESCRIPTION	RETENTION PERIOD	
FISCAL-RECEIPTS JOURNAL OR REGISTER	FE+3 yr	DO, SB, DM, DT
FISCAL-RECONCILIATIONS	FE+3 yr	DO, SB
FISCAL-REIMBURSABLE ACTIVITIES —Requests and approval for reimbursed expenses for travel, training, etc.	FE+3 yr	DO, SB
FISCAL-RETURNED CHECKS — Uncollectable warrants or drafts	AC+3 yr AC=After deemed uncollectible	DO, SB
FISCAL-SIGNATURE AUTHORIZATIONS —Records authorizing an employee to initiate financial transactions for agency. Also, spending authority limits	US+FE+3 yr	DO
LEGAL-LITIGATION FILES--	PM CAUTION: May contain attorney-client privileged information	DO, SB, DM, DT
LEGAL-OPEN RECORDS REQUESTS —documentation relating to approved or denied requests for records under Idaho Public Records Law	PM	DO
LEGAL-OPINIONS AND ADVICE —Does not include legal opinions or advice rendered on a matter in litigation or with regard to pending litigation	PM CAUTION: May contain attorney-client privileged information	DO, SB
NEWS OR PRESS RELEASES	PM	DO, SB
PERSONNEL-ACCUMULATED LEAVE ADJUSTMENT REQUEST —Used to create and adjust employee leave balances	FE+5 yr	DO, SB, DM, DT
PERSONNEL-APPLICATIONS FOR EMPLOYMENT—HIRED —Applications, etc. required by employment advertisement	AC+5 yr AC=Termination of employment	DO, SB, DM, DT

DISTRICT RECORDS RETENTION SCHEDULE

Retention Codes		
AC —After closed, terminated, completed, expired, settled, or last date of contact FE —Fiscal Year End (June 30 th)	LA —Life of Asset PM —Permanent US —Until Superseded	DO – District Office SB – School Buildings DM – District Maintenance DT – District Transportation
RECORDS DESCRIPTION	RETENTION PERIOD	
PERSONNEL-APPLICATIONS FOR EMPLOYMENT—NOT HIRED— Applications, resumes, etc. required by employment advertisement	AC+2 yr AC=Date position is filled	DO, SB, DM,DT
PERSONNEL-BENEFIT PLANS	US+5 yr	DO
PERSONNEL-COMPLAINT RECORDS— Complaints received and records documenting their resolution	FE+3 yr CAUTION: If a complaint becomes the subject of litigation, it is subject to a longer retention period	DO, SB, DM, DT
PERSONNEL-CORRECTIVE ACTION— those actions which do not affect pay, status, or tenure and are imposed to correct or improve job performance	PM CAUTION: If during the retention period these records are used to support personnel disciplinary action, the records should be retained according to Personnel Disciplinary Action series.	DO, SB, DM, DT
PERSONNEL-DISCIPLINARY ACTION DOCUMENTATION— those actions that affect pay or status. They include demotion, dismissal, etc.	PM	DO, SB, DM, DT
PERSONNEL-EMPLOYEE STATEMENTS (Affidavits)— for insurance, personnel or other uses for which administration has sought such statements	PM	DO, SB, DM, DT
PERSONNEL-EMPLOYEE BENEFITS— documents relating to selection of benefits other than insurance	US+5 yr	DO,
PERSONNEL-EMPLOYEE COUNSELING RECORDS— Notes, etc. relating to job-specific counseling	PM	DO, SB, DM, DT

DISTRICT RECORDS RETENTION SCHEDULE

Retention Codes		
AC —After closed, terminated, completed, expired, settled, or last date of contact FE —Fiscal Year End (June 30 th)	LA —Life of Asset PM —Permanent US —Until Superseded	DO – District Office SB – School Buildings DM – District Maintenance DT – District Transportation
RECORDS DESCRIPTION	RETENTION PERIOD	
PERSONNEL-EMPLOYEE DEDUCTION AUTHORIZATIONS —documents relating to all deductions of pay	AC+5 yr AC=After termination of employee or after amendment, expiration, or termination of authorization, whichever is sooner.	DO
PERSONNEL-EMPLOYEE EARNINGS RECORDS	PM	DO
PERSONNEL-EMPLOYEE INSURANCE RECORDS —District copy of selection records by employees of insurance offered by the District	US+ 5 yr	DO
PERSONNEL-EMPLOYEE RECOGNITION RECORDS —Awards, incentives, etc.	PM	DO, SB, DM, DT
PERSONNEL-EMPLOYMENT ANNOUNCEMENT	2 yr	DO
PERSONNEL-EMPLOYMENT CONTRACTS	Original dates of hire +50 yr	DO
PERSONNEL-EMPLOYMENT ELIGIBILITY —Documentation or verification of Federal report form INS I-9	PM	DO
PERSONNEL-EMPLOYMENT SELECTION RECORDS —all records that document the selection process: i.e. polygraph, physicals, interview notes, etc.	2 yr CAUTION: Does not include criminal history checks	DO, SB, DM, DT
PERSONNEL-FORMER EMPLOYEE VERIFICATION RECORDS —minimum information includes name, social security number, exact dates of employment and last known address	PM	DO

DISTRICT RECORDS RETENTION SCHEDULE

Retention Codes		
AC —After closed, terminated, completed, expired, settled, or last date of contact FE —Fiscal Year End (June 30 th)	LA —Life of Asset PM —Permanent US —Until Superseded	DO – District Office SB – School Buildings DM – District Maintenance DT – District Transportation
RECORDS DESCRIPTION	RETENTION PERIOD	
PERSONNEL-GRIEVANCE RECORDS —review of employee grievances against policies and working conditions, etc. Includes record of actions taken.	PM	DO, SB, DM, DT
PERSONNEL-HIRING PROCESS—CRIMINAL HISTORY CHECKS —criminal history record information on job applications	PM	DO
PERSONNEL-JOB PROCEDURE RECORD/JOB DESCRIPTION —any document detailing duties of positions on position-by-position basis	US+8 yr	DO, SB, DM, DT
PERSONNEL-LEAVE STATUS REPORT —cumulative report for each pay cycle showing leave status	FE+3 yr	DO
PERSONNEL-LIABILITY RELEASE FORM —statements of employees, patrons, etc. who have released the District from liability	PM	DO
PERSONNEL-LICENSE AND DRIVING RECORD CHECK	PM	DO, DT
PERSONNEL-OVERTIME AUTHORIZATION & SCHEDULE	5 yr	DO, SB, DM, DT
PERSONNEL-PAYROLL-DIRECT DEPOSIT APPLICATION/AUTHORIZATION	US+3 yr	DO
PERSONNEL-PAYROLL-INCOME ADJUSTMENT AUTHORIZATION ---used to adjust gross pay, FICA, retirement or compute taxes	US+3 yr	DO

DISTRICT RECORDS RETENTION SCHEDULE

Retention Codes		
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RECORDS DESCRIPTION	RETENTION PERIOD	
PERSONNEL-PERFORMANCE EVALUATION	PM	DO, SB, DM, DT
PERSONNEL-PERSI ENROLLMENT FILE	PM	DO
PERSONNEL-PERSI RECORD OF HOURS WORKED —Irregular help, half-time or greater	Date of hire +50 yr	DO
PERSONNEL-PERSI TERMINATION RECORD	PM	DO
PERSONNEL-PERSONNEL INFORMATION —documents that officially change pay, titles, benefits, etc.	PM	DO
PERSONNEL-POLICY AND PROCEDURES MANUAL —any manual, etc. that establishes standard employment procedures	PM	DO, SB, DM, DT
PERSONNEL-RESUME-UNSOLICITED	1 yr	DO, SB, DM, DT
PERSONNEL-SICK LEAVE POOL DOCUMENTATION —requests submitted, approvals, number of hours transferred in an out, etc.	LA+3 yr	DO
PERSONNEL-TIME CARD AND TIME SHEET	PM	DO, SB, DM, DT
PERSONNEL-TIME OFF AND/OR SICK LEAVE REQUEST	FE+3 yr	DO, SB, DM, DT
PERSONNEL-TRAINING AND EDUCATIONAL ACHIEVEMENT RECORD-INDIVIDUAL —records documenting training, testing, or continued education	PM	DO, SB, DM, DT

DISTRICT RECORDS RETENTION SCHEDULE

Retention Codes		
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RECORDS DESCRIPTION	RETENTION PERIOD	
PERSONNEL-UNEMPLOYMENT CLAIM RECORD	5 yr	DO
PERSONNEL-UNEMPLOYMENT COMPENSATION RECORDS	AC+5 yr	DO
PERSONNEL-W-2 & W-4 FORMS	5 yr from date of termination	DO
PERSONNEL—WORKER’S COMPENSATION POLICIES	AC+10 yr AC=expiration of policy	DO
PROCUREMENT-PERFORMANCE BOND —bonds posted by individuals or entities under contract with District	PM	DO
PROCUREMENT-PURCHASING LOG —Log, etc. providing a record of purchase orders issued, orders received, etc.	FE+3 yr	DO, SB, DM, DT
PROCUREMENT-BID DOCUMENTATION —includes bid requisition/authorizations, invitation to bid, bid specifications, and evaluations	FE+3 yr CAUTION: If a formal written contract is the result of a bid, etc., the bid and its supporting documentation must be retained for the same period as the contract.	DO, DM, DT
RECORDS MANAGEMENT —RECORDS RETENTION SCHEDULE; DISPOSITION LOG (listing records destroyed or transferred); CONTROL MATERIALS (indexes, card files, etc.); DESTRUCTION APPROVAL SIGN-OFFS	PM	DO, SB, DM, DT
SAFETY-ACCIDENT REPORTS	8 yrs* For Minors, 8 yrs after minor reaches age of 18	DO, SB, DM, DT
SAFETY-DISASTER PREPAREDNESS AND RECOVERY PLANS	PM	DO, SB, DM, DT
SAFETY-EVACUATION PLANS	PM	DO, SB

DISTRICT RECORDS RETENTION SCHEDULE

Retention Codes		
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RECORDS DESCRIPTION	RETENTION PERIOD	
SAFETY-FIRE ORDERS —issued by fire marshal to correct deficiencies in compliance with the fire code	AC+3 yr AC=deficiency corrected	DO, SB, DM
SAFETY-HAZARDOUS MATERIALS DISPOSAL RECORDS —Material safety data sheets must be kept for those chemicals currently in use that are affected by the Hazard Communication Standard in accordance with 29 CFR § 1910.1200(g).	PM	DO, DM
SAFETY-INCIDENT REPORTS —Reports concerning incidents which, upon investigation, were of a non-criminal nature	3 yr (or 30 yr*) *Exposure records require 30 year retention per 29 CFR § 1910.1020(d)(ii)(B)Footnote(1)	DO, SB, DM, DT
SAFETY-INSPECTION RECORDS —Fire, safety, and other inspection records of facilities and equipment	AC+3 yr AC=Date of the correction of the deficiency, if the inspection report reveals a deficiency.	DO, SB, DM
SAFETY-MATERIAL DATA SAFETY SHEETS	30 yrs after the end of use of the substance	DO, DM
SAFETY-WORKPLACE CHEMICAL LISTS	30 yr	DO, SB, DM
STUDENTS-EDUCATION RECORDS — Student’s name, birth date, last address, dates of attendance, graduation date and grades earned	PM	DO, SB
STUDENTS-SPECIAL EDUCATION RECORDS —educational records, including eligibility documentation and IEPs	FE+6 yr	DO, SB
STUDENTS-MEDICAID RECORDS -claims, reimbursements, and supporting documentation	FE +5 yr	DO, SB

DISTRICT RECORDS RETENTION SCHEDULE

Retention Codes		
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RECORDS DESCRIPTION	RETENTION PERIOD	
VEHICLE-INSPECTION, REPAIR AND MAINTENANCE RECORDS	LA+1 yr	DO, DT
VEHICLE-TITLE AND REGISTRATION	1 yr	DO, DT
VOLUNTEER RECORDS —records may include recruitment and selection records, volunteer personnel and intern personnel information forms, intern agreements, volunteer and intern time records, emergency notification forms, insurance documentation and correspondence	AC+3 yr AC=End of term of volunteer or intern	DO, SB
WEBSITE/WEB PAGES —INTERNET/INTRANET—system development documentation for initial setup; subsequent changes and content of pages	PM	DO, SB

In the event that District records do not correspond to any of the above listed categories, the Superintendent will determine the period of retention for a particular record.

Legal References: I.C. § 33-407 Return of Canvass of Elections
 I.C. § 33-508 Duties of Clerk
 I.C. § 33-701(8) Fiscal Year—Payment and Accounting of Funds
 I.C. § 56-209h Administrative Remedies
 I.C. § 67-4131 Records Management Services—Rules, Guidelines, Procedures
 I.C. § 74-101 Definitions
 I.C. § 74-119 Agency Guidelines
 SDE Idaho Special Education Manual Revised 2009, Chapter 11, Section E
 SDE Administrator’s Handbook 1.43
 Federal Regulation
 Idaho Records Management Guide, August, 2013

Policy History:

Adopted on:
Revised on:
Reviewed on:

Health Insurance Portability and Accountability Act

The Board has determined that it meets the definition of a hybrid of covered entities under the Health Insurance Portability and Accountability Act (HIPAA) since the District offers health-care provider programs and services that include electronic billing for the reimbursement of services under Idaho Medicaid programs, or contracts with another entity to provide such services, it is subject to HIPAA. In all electronic transactions involving student education records information, the District will adhere to the transaction requirements of HIPAA and the confidentiality requirements of the Family Education Rights and Privacy Act (FERPA).

Additionally, because the District self-insures a health plan and self-administers an Internal Revenue Service Section 125 plan it also meets the health plan definition under HIPAA. Accordingly, the District will safeguard the protected health information of employees from use or disclosure that may violate standards and implementation specifications to the extent required by law.

As a covered entity, the District will meet the national electronic transaction standards and applicable requirements of federal law designed to ensure the security of projected health information of employees and student education record information created or received by the District.

In order to meet the notice requirements under the health-care provider provisions of the law, information will be provided to students and parents of their rights under FERPA in accordance with established procedures.

The Superintendent will designate an individual responsible for responding to HIPAA inquires, complaints and for providing adequate notice of employee rights and District duties under the health plan provisions of the Act. Notice will include the privacy provisions of the law, and uses of employee protected health information and disclosures that may be made by the District. Training will be provided to all current staff and new employees determined by the District to have access to the protected health information of employees and student education records. Training will be provided within a reasonable period of time after the individual's hiring, and to those employees when their duties may be impacted by a change in the District's policy and/or procedures.

Individuals who believe their privacy rights have been violated may file a complaint in accordance with established District procedures. Employee complaints may also be filed directly with the U.S. Secretary of Health and Human Services. There shall be no retaliation by the District against any person who files a complaint or otherwise participates in an investigation or inquiry into an alleged violation of an individual's protected privacy rights. All complaints received will be promptly investigated and documented, including their final disposition.

The Superintendent will ensure that satisfactory assurance has been obtained from any business associate performing HIPAA-covered activities or functions on behalf of the District that the

protected health information it receives from the District will be protected. Such assurance will be in the form of a written agreement, or may be included as a part of the District's contract with the business associate.

Employees in violation of this policy or procedures established to safeguard student education records information and the projected health information of employees will be subject to discipline up to and including dismissal.

The Superintendent is directed to ensure an assessment of District operations is conducted to determine the extent of the District's responsibilities as a covered entity under HIPAA and to develop internal controls and procedures necessary to implement this policy and meet the requirements of the law. The procedures shall include provisions for record keeping, documentation of the District's compliance efforts and appropriate administrative, technical, and physical safeguards to protect the privacy of student education records and employee protected health information and to ensure that any request is limited to information reasonably necessary to accomplish the purpose for which the request is made.

In the event of a change in the law that may impact this policy or established District procedures, the Superintendent shall ensure appropriate revisions are recommended for Board approval, necessary changes are implemented, and notification is made to staff and others, as appropriate. This policy and any other policies, procedures, or directions relating to the implementation of the Health Insurance Portability and Accountability Act of 1996 are to be documented in written form. This documentation may be electronic. Such records are to be retained for at least six years following their creation or last date effective, whichever is later. These documents will be made available to those responsible for implementing the procedures to which the documentation pertains.

This documentation shall be reviewed periodically, and updated as needed, in response to environmental or operational changes affecting the security of the electronic protected health information.

Legal Reference: Health Insurance Portability and Accountability Act of 1996, P.L. 104-191, 42 U.S.C. 1320d-1320d-8; 45 CFR Parts 160 and 164.
Health Insurance Portability and Accountability Act of 1996, 29 C.F.R 164.316b
Family Educational Rights and Privacy Act, 20 U.S.C. Section 1232g; 34 CFR Part 99 (2000)

Policy History

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

NONINSTRUCTIONAL OPERATIONS

8700

Computer Software

The unauthorized copying of any computer software which is licensed or protected by copyright is theft. Failure to observe software copyrights and/or license agreements may result in disciplinary action by the District and/or legal action by the copyright owner.

No District-owned computing resources should be used for unauthorized commercial purposes. Illegal copies of copyrighted programs may not be made or used on school equipment. The legal or insurance protection of the District will not be extended to employees who violate copyright laws.

The principal of the school and Superintendent are the only individuals who may sign license agreements for software for the school.

Cross-Reference: 2150 Copyright

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

NONINSTRUCTIONAL OPERATIONS

8800

Drones

It is the policy of Council School District 13 to maintain a safe learning environment. The District has determined that unapproved use of drones poses a safety hazard. The use or possession of unmanned aircraft or aerial systems (UAS), also known as drones, is prohibited for any purpose by any person or entity at any District-sponsored event; game; match; tournament; or anywhere in, on, or directly above or upon property or premises owned, maintained or used by the District for any purpose, unless otherwise preempted by applicable State or federal law. The District reserves the right to remove or refuse admission to any individual who violates this policy. The District further reserves the right to exclude any individual who violates this policy from future District events. Violators may also be reported to appropriate authorities, including the Federal Aviation Administration (FAA). Students or employees violating this policy shall be subject to formal disciplinary action pursuant to District policies.

Use of Unmanned Aircraft (Drones)

An unmanned aircraft, or drone (hereinafter “drone”), is an aircraft that is:

1. Capable of sustained flight in the atmosphere;
2. Flown within visual line of sight of the person operating the aircraft; and
3. Flown for hobby or recreational purposes.

Appropriate Use

School Related: Teachers/staff, students (over 16 years old) may, with pre-approval from the District’s Administration, and if part of a school program or activity, operate a drone on school property solely for the limited purpose of the administrative pre-approval.

Non-School Related: Visitors and unsupervised students are prohibited from operating drones on District property.

The following guidelines must be adhered to by anyone flying a drone on District property:

1. Absent specific written permission from the District’s Administration, all drones operating on District property must weigh no more than 55 lbs. If a drone weighs between .55 and 55 pounds, the individual must register the device online. The school shall request proof of the drone owner/operator with regard to the device’s registration.
2. Operators must not operate a drone within five miles of any airport without prior notification and confirmation from airport authorities.

3. Operators must abide by any other airspace restrictions.
4. Operators must not operate a drone above an altitude of 400 feet above ground level and must remain clear of surrounding obstacles.
5. Operators must maintain safe control and line of sight with the drone during all stages of operation. Drones may only be flown during daylight and in weather that allows 3 miles of visibility from the place the drone is being operated.
6. Operators must maintain a safe operating distance from crowds and may not fly over stadiums, sports events, emergency response efforts, or any people who are not directly involved in the operation of the drone.
7. Operators must ensure drone operations do not interfere with manned aircraft operations.
8. Data collected by a drone can only be used for educational purposes and may not be sold for profit.
9. If there is a plan to fly drones over property that is not owned by the District, written permission from the owner of the property must be provided to the Superintendent or his or her designee. Those operating drones on property not owned by the District must adhere to all requirements of this policy.
10. Operators assume all risk of damage to property and bodily injuries that may occur due to unsafe operation of any drones.

The Superintendent or designee may require those using the drone to:

1. Supply proof of insurance meeting liability limits established by the District;
2. Sign an agreement holding the District harmless from any claims of harm to individuals or damage to property; and
3. Meet additional requirements as determined appropriate by the District.

Inappropriate Use

Inappropriate use of drones includes, but is not limited to, the following:

1. Violating any State or Federal laws or rules or any District policy;
2. Taking pictures of property or persons without consent;
3. Violating safe operating protocols as defined in drone user manual and as directed by the supervising staff member;
4. Deliberately annoying another person, interfering with another's work, insulting or attacking others, or harassing others; and
5. Take-offs or landings on District property contrary to this policy or pre-approval of the District's administration.

Violations

District staff shall monitor for inappropriate use of District drone technology as defined by this policy. Violators may be subject to disciplinary action up to and including suspension or expulsion for students and termination for employees. Violators may also be subject to civil penalties pursuant to Idaho Code § 21-213(3).3

Legal Reference: Memorandum: Educational Use of Unmanned Aircraft Systems (UAS),
Federal Aviation Administration
The FAA Modernization and Reform Act of 2012, Section 336. Special
Rule for Model Aircraft
I.C. § 21-213 Restrictions on Use of Unmanned Aircraft Systems

Other References: Unmanned Aircraft Systems, Federal Aviation Administration,
https://www.faa.gov/uas/getting_started/

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

SCHOOL FACILITIES

9000

Goals

The Board recognizes the importance the physical plant plays in enhancing the instructional program. The Board shall develop a program to maintain and/or upgrade the buildings and grounds of the District. Facilities represent a long-term investment of the District. The functional utility of such facilities can be increased with a regular maintenance program monitored by staff.

The Board further recognizes the importance of planning in order to provide the anticipated facility needs of the future. The District will review demographic factors as changes make such reviews necessary.

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

SCHOOL FACILITIES

9100

Use, and Disposal of School Property

Conveyance of Property

Within one year prior to conveyance, all real and personal property with an estimated value of \$1,000 or greater shall be appraised, which appraisal shall be entered in the records of the Board.

\$1,000 or Greater: For property with a value of \$1,000 or greater, the property may be sold at public auction or by sealed bids, as the Board shall determine, to the highest bidder. Such property may be sold for cash or for such terms and conditions as the Board shall determine for a period not exceeding ten years, with the annual rate of interest on all deferred payments not less than 7% per annum. The title to all property sold on contract shall be retained in the name of the District until full payment has been made by the purchaser, and title to all property sold under a note and mortgage or deed of trust shall be transferred to the purchaser at the point of sale under the terms and conditions of the mortgage or deed of trust as the Board shall determine. Notice of the time and the conditions of such sale shall be published twice, and proof thereof made, in accordance with subsections (2) and (3) of section 33-402, Idaho Code. The Board may accept the highest bid, may reject any bid, or reject all bids. During the sealed bid or public auction process, no real property of the District can be sold for less than its appraised value. If, thereafter, no satisfactory bid is made and received, the Board may proceed under its own direction to sell and convey the property for the highest price the market will bear.

Less than \$1,000: The Board may sell personal property, with an estimated value of less than \$1,000, without appraisal, by sealed bid or at public auction, provided that there has been not less than one published advertisement prior to the sale of said property. When the appraised value of the property is less than \$1,000, one single notice by publication shall be sufficient, and the property shall be sold by sealed bids or at public auction. The Board may accept the highest bid, may reject any bid, or reject all bids.

Less than \$500: For property that has an estimated value of less than \$500, the property may be disposed of in the most cost-effective and expedient manner by an employee of the District empowered for that purpose by the Board, provided however, such employee shall notify the Board prior to disposal of said property.

Donated Property

If real property was donated to the District the Board may, within a period of one year from the time of the appraisal, sell the property without additional advertising or bidding. Otherwise, the Board must have new appraisals made and again publish notice for bids, as with other property.

Exchange of Property

The Board may exchange real or personal property for other property provided that:

1. One-half (1/2) plus one of the members of the full Board determines such conveyance or exchange is in the best interest of the District; and
2. A resolution is passed authorizing such exchange of real and/or personal property to any of the following:
 - A. U.S. government;
 - B. City;
 - C. County;
 - D. State of Idaho;
 - E. Hospital district;
 - F. School district;
 - G. Public charter school;
 - H. Idaho Housing and Finance Association;
 - I. Library district;
 - J. Community college district;
 - K. Junior college district; or
 - L. Recreation district.

Prior to any transfer or conveyance of any real or personal property as set forth above, the Board shall have the property appraised by an appraiser certified in the state of Idaho, which appraisal shall be entered in the records of the Board and shall be used to establish the value of the real or personal property. Provided however, if the Board finds it is in the District's best interests to trade personal property to a person or entity for like kind personal property, the Board may vote to elect to do so. The Board may elect to abstain from an appraisal of the personal property if the estimated value of such property is less than \$5,000.

Equipment Acquired Under a Federal Award: When it is determined that original or replacement equipment, as defined in Policy § 7270, acquired under a federal award is no longer needed for the original project or program or for other activities currently or previously supported by a federal awarding agency, the Superintendent or Business Manager will contact the awarding agency (or pass-through for a state-administered grant) for disposition instructions.

Generally, disposition of equipment is dependent on its fair market value (FMV) at the time of disposition. If the item has a current FMV of \$5,000 or less, it may be retained, sold, or otherwise disposed of with no further obligation to the federal awarding agency. If the item has a current FMV of more than \$5,000, the federal awarding agency is entitled to the federal share of the current market value or sales proceeds.

If acquiring replacement equipment, the District may use the equipment to be replaced as a trade-in or sell the property and use the proceeds to offset the cost of the replacement property. The District will use whatever means available to ensure the highest possible return on any items sold.

Capital expenditures for special purpose equipment are allowable as direct costs, provided that items with a unit cost of \$5,000 or more have the prior written approval of the Federal awarding agency or pass-through entity. Therefore, the District should request prior approval from the State Department of Education for the purchase or the disposition of equipment purchased with federal funds that have a value of \$5,000 or more.

Cross Reference:	§ 2510P	Selection of Library Materials
Legal References:	2 CFR § 200.313(e) 2 CFR § 200.439(b)(2)	Equipment. Disposal Equipment and Other Capital Expenditures
	I.C. § 33-402	Notice Requirements
	I.C. § 33-601	Real and Personal Property – Acquisition, Use or Disposal of Same
	I.C. § 67-2801, <i>et seq.</i>	Purchasing by Political Subdivisions
	I.C. § 74-107(3)	Records Exempt from Disclosure – Appraisals

Policy History:

Adopted on:

Revised on:

Reviewed on:

Contractor License, Surety Bonds, and Insurance

No contract shall be awarded to any contractor who is not licensed as required by the laws of this State. Before any contract is awarded to any person, such person shall furnish to the District performance and payment bonds that shall become binding upon award of the contract to a contractor as follows:

1. Performance bonds in an amount not less than 85 percent of the contract amount for the sole protection of the District; and
2. Payment bond in an amount not less than 85 percent of the contract amount for the protection of persons supplying labor or materials, or renting or otherwise supplying equipment to the contractor and/or his or her subcontractors in the prosecution of the work performed under the contract.

Legal References: I.C. § 54-1902 Unlawful to Engage in Public Works
 Contracting Without License
 Public Contracts Bond Act
 I.C. § 54-1925 *et seq.*

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

SCHOOL FACILITIES

9300

Operation and Maintenance of District Facilities

The District seeks to maintain and operate facilities in a safe and healthful condition. The facilities manager, in cooperation with the principals, fire chief, and county sanitarian, shall periodically inspect plants and facilities. He or she shall provide for a program to maintain the District physical plant by way of a continuous program of repair, maintenance, and reconditioning. Budget recommendations shall be made each year to meet these needs and any such needs arising from an emergency.

The facilities manager shall formulate and implement energy conservation measures. Principals and staff are encouraged to exercise other cost-saving procedures in order to conserve the resources of the District in their buildings.

Cross References:	§ 8520	Inspection of School Facilities
	§ 9400	Safety Program
	§ 9500	Security

Legal References:	I.C. § 33-701	Fiscal Year – Payment and Accounting of Funds
	I.C. § 33-1613	Safe Public School Facilities Required

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

SCHOOL FACILITIES

9400

Safety Program

The Board acknowledges the importance of safety for students, staff, and others having business with the District. In addition, programs that advocate safety education, accident prevention, proper supervision, and OSHA Regulations are important protective measures and are also a means to promote a culture of safety awareness. The Board directs the Superintendent to form a District-wide Safety Committee to research and assess available programs and make recommendations to the Board for the implementation of these programs.

The Board also directs the District Safety Committee to develop an Exposure Control Plan to eliminate or minimize work-related exposure to bloodborne pathogens, particularly Human Immunodeficiency Virus (HIV) and Hepatitis B Virus.

Cross References: § 8520 Inspection of School Facilities
 § 9300 Operation and Maintenance of District Facilities

Legal References: 29 CFR 1910.1030 The Bloodborne Pathogens Standard
 I.C. § 33-512 Governance of Schools

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

SCHOOL FACILITIES

9500

Security

Security means not only maintenance of buildings, but also protection from fire hazards and faulty equipment and safe practices in the use of electrical, plumbing, and heating equipment. The Board requires close cooperation with local police, fire, and sheriff departments and with insurance company inspectors to do safety programs and training to ensure employees are using safe practices.

Access to school buildings and grounds outside of regular school hours shall be limited to staff whose work requires access. An adequate key control system shall be established which shall limit access to buildings to authorized staff and shall safeguard against the potential entry of unauthorized persons.

Records and funds shall be kept in a safe place and under lock and key when required.

Locks and other protective devices designed to be used as safeguards against illegal entry and vandalism shall be installed when appropriate to the individual situation. Employment of security guards may be approved in situations where special risks are involved. All incidents of vandalism and burglary shall be reported to the Superintendent immediately and to law enforcement agencies as appropriate.

Cross Reference: § 9300 Operation and Maintenance of District Facilities

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

SCHOOL FACILITIES

9600

Facilities Operations

The operation of the District's facilities shall be the responsibility of the Superintendent through the facilities manager. The facilities manager shall manage the operation of the facilities through the head custodians of the District's school facilities.

An adequate staff of custodial personnel will be employed by the District to operate the District's facilities. This responsibility shall include, but not necessarily be limited to, the following:

1. Adequate and timely operation of each facility's heating system;
2. Proper care of the District's physical properties, including walls, floors, roofs, ceilings, and equipment in those facilities;
3. Adequate care of and timely lamp replacement in each facility's lighting system; and
4. Proper care of each facility's grounds and playgrounds.

Because of the nature of facility operations, this service shall be provided not only during the normal scheduled working day and working year, but shall also occur during those times when the building is occupied outside of regular hours.

Policy History:

Adopted on:

Revised on:

Reviewed on:

Waste Management and Recycling

The practice of discarding materials used in school facilities is wasteful of natural resources, energy, and money. The Board, in an effort to set an example of stewardship of our natural resources and to develop responsible citizenship in our students, declares that resource conservation is to be made an integral part of the physical operation of the school system and of the school curriculum. Therefore, it shall be the policy of the District that:

1. The District will integrate the concept of resource conservation, including waste reduction and recycling, into the environmental education curriculum at all levels.
2. The amount of waste of consumable materials is to be decreased by:
 - a. Reduction of the consumption of consumable materials wherever possible;
 - b. Full utilization of all materials prior to disposal; and
 - c. Minimization of the use of non-biodegradable products wherever possible.
3. The District will cooperate with, and participate in, recycling efforts being made by the local and State governments. As systems for the recovery of waste and recycling are developed, the District will participate by appropriately separating and allowing recovery of recyclable waste products.
4. The District will purchase, where financially viable, recycled products and will also encourage suppliers, both private and public, to make recyclable products and unbleached paper products available for purchase by public schools.
5. Representatives of the District will actively advocate, where appropriate, for resource conservation practices to be adopted at local, regional, and State levels.

Policy History:

Adopted on:

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Reviewed on:

Council School District No. 13

SCHOOL FACILITIES

9700

District-Wide Asbestos Program

It is the intent of the District that the Asbestos Hazard Emergency Response Act (AHERA) and all of its amendments, alterations, and changes be complied with by all District employees, vendors, and contractors.

The District shall develop and continually update an asbestos management plan for each school, including all buildings that they lease, own, or otherwise use as school buildings, and submit the plan to the Idaho Department of Environmental Quality for approval. A copy of each school's plan shall also be kept at the school and made available to the public for review. The District shall notify parents, teachers, employees, and employee organizations (in writing) of the availability of management plans. The management plan shall include a description of the steps taken to notify such groups and a dated copy of the notification.

After an initial inspection of the schools to identify possible asbestos-containing building materials, the District shall conduct an inspection every three years to determine whether the condition of known or assumed asbestos-containing building materials has changed and will make recommendations on managing or removing the materials. These inspections and any response actions must be performed by trained, licensed professionals. Every six months, the District will survey the condition of these materials to assure that they remain in good condition. Forms for noting the condition of these materials shall be included in the management plan.

The District will train all maintenance and custodial staff on asbestos and how to deal with it, and notify short-term or temporary workers on the locations of the asbestos-containing building materials. Such training will be conducted within 60 days of hire. Warning labels will be posted in routine maintenance areas where asbestos was previously identified or assumed. The District will ensure that plans and procedures to minimize the disturbance of asbestos-containing building materials are set and followed.

The Superintendent or his or her designee shall be trained and designated as the person responsible for ensuring that these requirements are implemented.

Legal References: 15 U.S.C. § 2650 Asbestos Hazard Emergency Response Act,

40 C.F.R. § 763.93 Asbestos Management Plans,

Policy History:

Adopted on:

Revised on:

Reviewed on:

Hazard Mitigation – Chemistry Lab Disposal

The Board of Trustees shall strive to ensure the safety of District students and staff. All students and staff shall practice proper and safe disposal of toxic hazards. Toxic hazards exist in substances used in schools such as in laboratories, science classrooms, and kitchens; in the cleaning of school buildings, buses, and equipment; and the maintenance of school grounds.

This policy primarily focuses on chemistry lab waste disposal. Teachers should instruct students, ensure that no experiment will be dangerous if safe procedures are followed throughout, and ensure that proper precautions are taken to avoid contaminating the environment.

Chemical Waste

All laboratory work with chemicals eventually produces chemical waste. Staff and students associated with the science laboratory share responsibility to minimize the amount of waste produced and to dispose of chemical waste in a way that has the least impact on the environment. Depending upon what is contained in the waste, some waste must be professionally incinerated or deposited in designated landfills, while other waste can be neutralized or discharged.

Waste Storage Prior to Disposal

All waste should be stored in properly labeled containers. The label should contain the date, type of waste, and any other pertinent information required by the disposal company. Waste should be segregated to avoid unwanted reactions and to allow for cost-effective disposal. Waste should be stored in closed containers except when additional waste is being added. Each school science department should maintain a central, secure waste storage area.

Disposing of Waste

Teachers should be aware of the appropriate method of disposal for any chemical used in the school laboratory. Teachers should make disposal options a part of all laboratory instructions for students. For chemical waste produced, teachers should instruct students as to the appropriate method of disposal, including disposing of the substance in a disposal container or down the drain.

Policy History:

Adopted on:

Revised on:

Reviewed on:

Council School District No. 13

SCHOOL FACILITIES

9800

Naming of School Facilities

The Council School District No. 13 Board of Trustees is responsible for the naming and renaming of all schools and school facilities within the District. It is the desire of the Board that each new building or facility within the District is given a name that lends dignity and status to the school and facility. In fulfilling this responsibility, the Board will make every effort to respect community preferences.

The naming or renaming of a school or facility may occur under the following circumstances:

1. When a new school is built;
2. When two or more schools have the same name (for example, an elementary school and a middle school), one school may request a new name while the other retains the original name; and
3. When a new facility is built to replace an existing facility which will be closed.

The following guidelines should be considered when naming a school or facility:

1. A proposed school name may be a person, place, or thing;
2. Proposed names should not be a person whose primary identification is of a religious nature;
3. Distinguished persons proposed for the school name must have been deceased for at least six months and should have made significant contributions to the community, county, state, or nation;
4. A person's moral character should also be considered;
5. Persons proposed for the school name shall not be a relative of any employee or School Board Trustee; and
6. Geographic names may also be considered. These names should be clearly identifying, widely known and recognized.

Committee for Naming of Schools and/or Facilities

The Superintendent or designee will convene a committee for the naming of schools and/or facilities. The committee will consist of:

1. Two students;
2. Two teachers;
3. Two parents; and
4. The principal of the school or the Superintendent.

The committee will work together and form a list of suggested school names. The committee will then present the list to the Board of Trustees for final decision.

Policy History:

Adopted on:

Revised on:

Reviewed on:

Memorials on School Grounds

From time to time there may be a desire to honor a deceased student or employee of the District. Any individual or group considering honoring a deceased member of the school community shall place their request in writing and submit their request to the Board. The Board or its designee will contact the family of the deceased to discuss such memorial arrangements. The Board may allow memorials to take place on a case-by-case basis and may not grant authorization to every request.

In considering requests for permanent memorials, the Board will take into account the recommendations of the Superintendent regarding the cost to the District for future maintenance and upkeep of the memorial that might accrue to the District.

In the event the Board approves a memorial to be placed on school grounds, it is strongly recommended that such memorials be in the form of a living memorial, such as a tree. This living memorial may be marked with a permanent stone and plaque of modest size indicating the name and relevant information of the person to be memorialized. Other types of memorials may be considered for approval by the Board using the same process indicated above. Any type of memorial, including wording on a plaque, as well as any memorial service on school property, must be approved by the Board or its designee.

Any memorial, permanent or temporary, such as a tree or plaque may be removed, transplanted, taken down, or discarded by the District in the event the school is experiencing demolition, modifications, if the tree has died, or for any other reason that the Board determines that the memorial should be removed or moved. Individuals wishing to place a memorial of any kind must realize that the memorial may not be a permanent fixture on school property and the District has no responsibility to move the same.

In lieu of a physical memorial, the Board suggests that a permanent memorial for the deceased student or staff be limited in form to perpetual awards or scholarships. Contributions to a general scholarship fund established by the District may be made. Memorial scholarships may be accepted and awarded under criteria approved by the District in honor of persons who have special significance to the students, District, or community. Items received become the property of the District and will be used for the purpose for which they were donated.

The Board recognizes that memorials of flowers, personal messages, and mementoes are often created at lockers, parking spaces, and other areas on District property upon such losses or events. The display of all remembrances will be temporary in nature, and will be removed in a timely manner and offered to the family.

Requests may be made to the Board to memorialize an individual or event in school yearbooks, at graduation ceremonies and other District activities. Activities will not detract from scheduled

classroom or school activities. The celebration of student accomplishments may, with prior Board or designee approval, be authorized.

Policy History:

Adopted on:

Revised on:

Reviewed on:

Cross Reference:	8300	Emergency & Disaster Preparedness
	8510	District Safety
	9400	Safety Program

Legal Reference:	I.C. § 33-1613	Safe Public School Facilities Required
	IDAPA 08.02.03.160	Safe Environment and Discipline

Policy History:

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