

MEMORANDUM

To: Board of Trustees

Twin Falls School District 411

From: Eva Craner, Director of Public Relations

Re: Policy Updates

Date: June 11, 2018

First Reading:

Administration recommended changes:

3010P Open Enrollment

7705 Post-Issuance Tax Compliance for Tax Exempt Bonds

7705P Post-Issuance Tax Compliance Procedure for Tax Exempt Bonds

ISBA Updates:

3060 Education of Homeless Children

3525 Immunization Requirements

5710 Paraprofessionals, Teachers' Aides and Paraeducators

6200 District Organization

8100 Transportation

9100 Acquisition, Use and Disposal of School Property

Second Reading:

Administration recommended changes:

3260 Student Dress

3381 Extracurricular and Co-Curricular Participation

3400 Extracurricular Activities Drug-Testing Program

3530 Suicide

3720 School Climate

3770 Students with a Living Will and Durable POA for Health Care

4260 Records Available to Public

A. Submitting the Form

1. Varsity Sport Participation - A student who plans to participate in a varsity sport governed by the Idaho High School Activities Association (IHSA) should review IHSA 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.
2. Open Enrollment Application forms are available at any Twin Falls 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.
3. For students who reside in the Twin Falls School District, the parent/guardian completes the Open Enrollment Application form and submits it to the principal of their attendance zone school (home school).
4. For students who reside outside the Twin Falls 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.

B. Review Approval Process

1. Limited Opening - Applications will normally be considered on a “first-come first-served” basis. However, in situations where openings are limited, the Principal may give priority if a student:
 - was previously enrolled at the requested school in a prior year;
 - has a brother or sister enrolled at the requested school;
 - resides in the attendance area of another District school;
 - has a parent employed by the District; or
 - has a unique situation or extraordinary circumstances.
2. Factors which may cause an Open Enrollment Application to be denied include:
 - a. a school, grade, or program(s) has lack of available classroom space and/or staff;
 - b. the current enrollment is at or above the following:

<u>Grade</u>	<u>Class/Teacher Load Size</u>
K-1	21
2-3	21
4-5	27
6-12	161 students per teacher per day
Special Education Resource	17
Developmental Preschool	15
Spec. Ed. Self-Contained	An average of 7 students per classroom
English Language Learners (ELL)	21 per full-time ELL teacher
Alternative Schools	13 students per classroom

- c. the student has been suspended or expelled, has committed a disciplinary violation for which he/she could be suspended or expelled,
 - d. the student has a history of documented disciplinary infractions; or
 - e. it is determined that information on the Open Enrollment Application has been misrepresented or was incomplete.
3. District resident approval process:
- a. 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.
 - b. The home school principal sends the form to the out-of-attendance area (receiving school) principal.
 - c. 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.
4. Out-of-district approval process:
- a. 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.
 - b. The receiving school principal keeps the form on file.

C. Parent Notification

- 1. When the application is submitted during the enrollment time period (January 1-February 1, the principal will notify the parent/guardian of his/her decision prior to the start of the next school year.
- 2. When the application is submitted outside of the open enrollment time period, notification must be made within 60 days after an application is accepted or prior to the start of the next school year.
- 3. 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.
- 4. The letter approving the request will inform the parents of the following:
 - a. Parents must provide transportation or get student to nearest District bus stop, if space is available;

- b. State law requires reapplication on an annual basis; and
- c. Inappropriate behavior in violation of district policies may be grounds for removing the student during the school year.
- d. Special education, English Language Learners (ELL) or alternative school students must meet the requirements and the procedures established for those programs.

DEFINITION

School Days: include only those days when school is in session.

Policy History

Adopted: 12/9/13

ISBA 3/03 Update

Revised: 8/11/14

9/12/16

The purpose of these Post-Issuance Tax Compliance Procedures for Tax-Exempt Bonds is to establish policies and procedures in connection with tax-exempt bonds (the “Bonds”) issued by the School District No. 411 (the “Issuer”) so as to ensure that the Issuer complies with all applicable post-issuance requirements of Section 148 of the Internal Revenue Code (the “Code”) needed to preserve the tax-exempt status of such tax-exempt Bonds.

I. General

A. Responsibility

Ultimate responsibility for all matters relating to Issuer financings and refinancings rests with the Business Manager of the Issuer (hereinafter, the “Administrator”).

B. Compliance Checklist

Attached is a Compliance Checklist to assist in applying these Procedures.

II. Post-Issuance Compliance Requirements

A. External Advisors/Documentation

The Administrator and other appropriate Issuer personnel and/or board members shall consult with bond counsel and other legal counsel and advisors, as needed, throughout the bond issuance process to identify requirements and to establish procedures necessary or appropriate so that the Bonds will continue to qualify for the appropriate tax status. Those requirements and procedures shall be documented in the Issuer resolution(s), tax certificate(s) and/or other documents finalized at or before issuance of Bonds. Those requirements and procedures shall include future compliance with applicable arbitrage rebate requirements and all other applicable post-issuance requirements of the Code throughout (and in some cases beyond) the term of the Bonds.

The Administrator and other appropriate Issuer personnel and/or board members also shall consult with bond counsel and other legal counsel and advisors, as needed, following issuance of Bonds to ensure that all applicable post-issuance requirements in fact are met. This shall include, without limitation, consultation in connection with future contracts with respect to the use of bond-financed assets and future contracts with respect to output or throughput of bond-financed assets.

Whenever necessary or appropriate, the Issuer shall engage expert advisors (each a “Rebate Service Provider”) to assist in the calculation of arbitrage rebate payable in respect of the investment of bond proceeds.

B. Role of the Issuer as Issuer of Tax-Exempt Bonds

Unless otherwise provided by Issuer resolutions, agreements entered into in connection with the issuance of Bonds, or tax certificate(s), unexpended bond proceeds shall be held by the Issuer, and the investment of bond proceeds shall be managed by the Administrator. Unless otherwise provided by Issuer resolutions, agreements entered into in connection with the issuance of Bonds, or the tax certificate, the Administrator shall maintain records and shall prepare regular, periodic statements to the Issuer regarding the investments and transactions involving bond proceeds.

If an Issuer resolution provides for bond proceeds to be administered by a trustee, the Issuer shall obtain from the trustee the agreement to provide statements regarding the investments and transactions involving bond proceeds, no less than quarterly.

C. Arbitrage Rebate and Yield

Unless a tax certificate documents that bond counsel has advised that arbitrage rebate will not be applicable to an issue of Bonds:

- the Issuer shall engage the services of a Rebate Service Provider, and the Issuer or the bond trustee shall deliver statements concerning the investment of bond proceeds to the Rebate Service Provider in a manner that will enable timely calculation of arbitrage rebate;
- the Administrator and other appropriate Issuer personnel shall provide to the Rebate Service Provider additional documents and information reasonably requested by the Rebate Service Provider;
- the Administrator and other appropriate Issuer personnel shall monitor efforts of the Rebate Service Provider and assure payment of required rebate amounts, if any, no later than 60 days after each 5-year anniversary of the issue date of the Bonds, and no later than 60 days after the last Bond of each issue is redeemed; and
- during the construction period of each capital project financed in whole or in part by Bonds, the Administrator and other appropriate Issuer personnel shall monitor the investment and expenditure of bond proceeds and shall consult with the Rebate Service Provider to determine compliance with any applicable exceptions from the arbitrage rebate requirements during each 6-month spending period up to 6 months, 18 months or 24 months, as applicable, following the issue date of the Bonds.

The Issuer shall retain copies of all arbitrage reports and trustee statements as described below under “Record Keeping Requirements.”

D. Use of Bond Proceeds

The Administrator and other appropriate Issuer personnel shall:

- monitor the use of bond proceeds, the use of bond-financed assets (e.g., facilities, furnishings or equipment) and the output or throughput of bond-financed assets throughout the term of the Bonds (and in some cases beyond the term of the Bonds) to ensure compliance with covenants and restrictions set forth in applicable Issuer resolutions and tax certificates;
- maintain records identifying the assets or portion of assets that are financed or refinanced with proceeds of each issue of Bonds;
- consult with bond counsel and other professional expert advisers in the review of any management contracts or other arrangements involving use of bond-financed facilities to ensure compliance with all covenants and restrictions set forth in applicable Issuer resolutions and tax certificates;
- maintain records for any contracts or arrangements involving the use of bond-financed facilities as might be necessary or appropriate to document compliance with all covenants and restrictions set forth in applicable Issuer resolutions and tax certificates;
- meet at least annually with personnel responsible for bond-financed assets to identify and discuss any existing or planned use of bond-financed, assets or output or throughput of bond-financed assets, to ensure that those uses are consistent with all covenants and restrictions set forth in applicable Issuer resolutions and tax certificates.

All relevant records and contracts shall be maintained as described below.

E. Record Keeping Requirements

Unless otherwise specified in applicable Issuer resolutions or tax certificates, the Issuer shall maintain the following documents for the term of each issue of Bonds (including refunding Bonds, if any) plus at least an additional five years:

- a copy of the bond closing transcript(s) and other relevant documentation delivered to the Issuer at or in connection with closing of the issue of Bonds;
- 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;
- 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
- copies of all records of investments, investment agreements, arbitrage reports and underlying documents, including trustee statements.

Construction (Applicable if any bond financed projects are under construction):

- Check in with Rebate Service Provider regarding any applicable exceptions from the arbitrage rebate requirements during each 6-month spending period up to 6 months, 18 months, or 24 months following the issue date of any bond issue.
- Are there any remaining bond proceeds after completion of the project? If yes, deposit them into the bond fund. Or, remaining proceeds may be spent on other projects, provided they were included in the description used in the ballot question.
- If other funds, aside from bond proceeds, were contributed to the project, check to make sure allocations of bond proceeds have been made to the project. Allocations need to be made in writing within 18 months after project is placed in service.

Investment and Proceeds Review (Annually):

- Create/update summary of investments of bond proceeds.
- Check in with Rebate Service Provider and provide summary of current investments of bond proceeds

Uses of Bond Financed Facilities Review (Annually):

- Create/update list of all properties, equipment, facilities or furnishings financed with bond proceeds, separately identified by each bond issue of the Issuer.
- Create/update list of all agreements granting long-term use (e.g., through leases or use agreements) of bond financed facilities or properties to outside persons that are not a unit of state or local government. Provide all such contracts to bond counsel for review.
- Create/update list of all agreements granting temporary use (e.g., incidental uses or daily leases) of bond financed facilities or properties to outside persons that are not a unit of state or local government.
 - Are all such uses based on the same set, uniform rates? If no, please contact bond counsel.
 - Are all agreements based on fair market value? If no, please contact bond counsel.
 - Do any of the agreements provide for use longer than a total of 50 days by any single user? If yes, please contact bond counsel.
- Create/update list of all agreements granting non-exclusive uses of bond financed facilities or properties to outside persons that are not a unit of state or local government. For example, agreements allowing private business facilities such as vending machines, kiosks, etc.

The following questions relate to **each** of the facilities/properties listed above:

- Is any of the facility/project managed by an outside organization? If yes, provide any such contracts to bond counsel for review.
- Does any party other than a governmental entity have beneficial use or rights with respect to a financed property (e.g., naming rights or the right to use a bond financed school parking lot)? If yes, please discuss with bond counsel.

Bond Pay-Off:

Check payment and redemption dates of Bond issues and upon final payment, check in with Rebate Service Provider to make a final rebate computation no later than 60 days following the bond payment or redemption date.

Rebate:

At least 60 days prior to each fifth anniversary of the issue date of each bond issue of the Issuer, check with Rebate Service Provider to ensure that appropriate rebate amounts, if any, are being calculated by the Rebate Service Provider.

Promptly following each fifth anniversary of the issue date of each bond issue of the Issuer, check with Rebate Service Provider to ensure that appropriate rebate amounts, if any, have been remitted to the IRS.

Other (Upon Occurrence):

Any time the use of a bond financed project is changed from a governmental use to a nongovernmental use (e.g., by way of sale), please notify bond counsel immediately for remedial action which must be taken within 90 days of change.

Any time the Business Manager changes, the new Business Manager shall go over the Procedures and this Checklist with bond counsel.

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 students 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 or 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 or 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 or 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 or 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
 - A. At the district level, disputes and appeals will be presented to a committee of the District Directors of Human Resources, Federal Programs, and the appropriate Director of Curriculum, either elementary or secondary programs.
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 (10) 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 or 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 or 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 or guardians of such students, and unaccompanied students, including schools, shelters, public libraries, and soup kitchens, in a manner and form understandable to the parents and guardians of homeless students, and unaccompanied students;
9. Eligibility, school selection or enrollment disputes are mediated in accordance with "Disputes," above;

10. The parent or 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 Reference: 3210 Uniform Grievance Procedure
4160 Parents Right-to-Know Notices

Legal Reference: 42 U.S.C. § 11301, et seq. McKinney-Vento Homeless Assistance Act
20 U.S.C. § 6311, et seq. Title 1, Part A, of the Elementary and
Secondary Education Act, as amended by
ESSA of 2015
20 U.S.C. § 1400 Individuals with Disabilities Education
Improvement Act of 2006
42 U.S.C. § 1758 Child Nutrition and WIC Act of 2004
42 U.S.C. § 9801-642A Improving Head Start for School Readiness
Act of 2007
I.C. § 33-1404 Districts to Receive Pupils

Policy History:

Adopted on:

Revised on:

STUDENTS

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 Exemptions
IDAPA 16.02.15 Immunization Requirements for Idaho School Children

Policy History:

Adopted on:

Revised on:

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 but is not limited to 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's Degree or higher level degree.

~~Met a rigorous required standard of quality, and can demonstrate through a formal State or local academic assessment the knowledge of and ability to assist in the instruction of reading, writing, mathematics, or the instruction of readiness of these subjects.~~

- ~~1. Completed at least two years of study at an institution of higher education;~~
- ~~2. Obtained an Associate's or higher degree; or~~

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: Policy 2010 District Plan

Legal Reference: ~~Public Law 107-110, No Child Left Behind Act of 2001~~
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:

_____ **School District No.** _____

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:

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 develop and implement clear written procedures governing how transportation to maintain children in foster care in their school of origin when in their best interest will be provided, arranged, and funded for the duration of the time in foster care, which procedures shall:~~

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.

The Superintendent or designee shall implement the requirements for ensuring the 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 provided, arranged, and funded for the duration of time in foster care. These procedures must confirm the following:

1. ~~Ensure that children in foster care needing transportation to the school of origin will promptly receive transportation in a cost effective manner reasonable travel to the child's home for visitation, and reasonable travel for the child to remain in the school in which the child is enrolled at the time of placement;~~ 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: I.C. § 33-1501 Transportation Authorized
I.C. § 33-1503 Payments when Transportation Not Furnished
IDAPA 08.02.03.109 Special Education
20 USC § 6312(c) Every Student Succeeds Act Standards for Idaho
School Buses and Operations

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:

SCHOOL FACILITIES

9100

Acquisition, Use, and Disposal of School Property

Acquisition of Property

Real Property: Within one year prior to acquiring or disposing of real property, the District will cause such property to be appraised by an appraiser certified in the State of Idaho. The appraised value will be used to establish the fair market value of the property. The appraisal shall be exempt from disclosure to the public. If the Board is purchasing a site for educational purposes, such building site must be located within the boundaries of the city limits, unless, by resolution of the Board, it is determined that it would be in the best interest of the District to acquire a site outside city limits, but within the boundaries of the District.

Personal Property: The District may purchase personal property as deemed necessary for the effective operation of the District by any means deemed appropriate when the expenditure of funds will be less than ~~\$25,000~~ \$50,000. When the purchase of personal property (with the exception of curricular materials) is reasonably expected to cost ~~\$25,000~~ \$50,000 or more, the District shall comply with the statutory bidding requirements found in Chapter 28, Title 67 of the Idaho Code.

Conveyance of Property

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 empowered by the District to do so. However, the employee shall notify the Board in writing of the item(s) to be disposed of and the manner in which they will be disposed prior to disposal of the property.

Less than \$1,000: For property that has an estimated value of less than \$1,000, the Board may dispose of such property by sealed bid or by public auction. However, prior to disposal of the same at least one published advertisement is required.

\$1,000 or Greater: For property with a value of \$1,000 or greater, such property will be appraised. The Board may dispose of such property by sealed bids or by public auction to the highest bidder. Notice of the time and method of sale shall be published twice in accordance with I.C. § 33-402(g). Proof of posting as required in I.C. 33-402(h) must be acquired before the sale. Such property may be sold for cash or upon such terms and conditions as the Board determines, however, the term of the contract may not exceed ten years and must bear an annual interest rate of not less than seven percent interest. Title to property sold on contract shall remain in the District until full payment is received.

Donated Property

If property is donated to the District, the Board may sell the property without advertising or bidding within one year of the time the initial appraisal was conducted.

Exchange of Property

The Board may exchange real or personal property for other property provided that:

1. Such property is appraised;
2. 1/2 plus one of the members of the full Board determine such conveyance or exchange is in the best interest of the District; and
3. 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.

Cross Reference: 2510P Selection of Library Materials

Legal Reference: I.C. § 33-402	Notice Requirements
I.C. § 33-601	Real and Personal Property – Acquisition, Use or Disposal of Same
I.C. § 67-2801, et seq.	Purchasing by Political Subdivisions – Legislative Intent

Policy History:

Adopted on:

Revised on:

It is the desire and intent of the Twin Falls School District to adopt a dress code to create an environment in our schools that is conducive to learning and free of potential distraction or danger. The Dress for Success code supports workplace norms for appropriate attire. It is our belief that schools are in the business of learning which necessitates discipline by the individual student in all areas such as language, behavior, attendance, and dress.

Students are to observe the following guidelines regarding student attire:

1. Shirts must have a modest neckline (no cleavage) and be long enough to cover the midriff (front and back). No spaghetti straps, tank tops, tube, off-the-shoulder, halter tops, or muscle shirts will be allowed. No backless, strapless, or half tops are to be worn.
2. Clothes must conceal undergarments (boxers, thongs, undergarment straps, etc.) at all times. No see-through, excessively tight or torn, or revealing attire is permitted.
3. Shorts and skirts must be no shorter than mid-thigh at the elementary level (K-5) and just above the knee at the secondary level (6-12).
4. Pants must be worn at hip-level or higher (no excessive bagging or sagging).
5. No pajamas, slippers, or sleepwear of any kind is allowed.
6. Hats or head coverings (including sunglasses) of any kind are not allowed.
7. Shoes must be worn at all times.

Students are prohibited from wearing or carrying clothing, accessories or jewelry, or displaying piercings or tattoos, which by picture, symbol, or word, depict or allude to any of the following:

1. Drug usage, including alcohol and tobacco;
2. Controlled substances of any kind;
3. Drug paraphernalia;
4. Gangs;
5. Violence, hate groups, racial separation;
6. Sexually explicit, lewd, indecent, or offensive material; or

7. Illegal acts.

8. Visible body piercing or magnetic/glued jewelry on face, eyes, arms, hands, tongue, and feet is prohibited. Earrings, nose rings, and nose studs are allowed. Spikes, chains, wallet chains, studs, bolts, dog collars, needles, pins, sharp objects, or other jewelry deemed unsafe is not allowed at school.

9. Excessive or extreme make-up is not allowed.

There may be ~~exclusions~~ accommodations to the dress code policy for religious or health reasons.

Disciplinary actions for violation of this policy may include suspension and/or expulsion.

The Board of Trustees recognizes that it may be necessary for alternative placement schools, i.e., Bridge Academy or Magic Valley High School, ~~Transition Center, or Freshman Academy,~~ to have a different dress code. This is allowed; however, the dress code must be approved by the Board of Trustees.

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/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 or 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/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.

Cross Reference: 3311 Prohibition of Gang Activity

Legal Reference: I.C. 33-506
I.C. 33-512(6)

Policy History:

Adopted: 8/11/14

Revised: 9/14/15

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.** I.C. § 33-512(12). As representatives of their school and District, students participating in such activities are expected to meet high standards of behavior.

Interscholastic, extracurricular, and co-curricular activities will be defined as: A school sponsored activity in which a coach or supervisor of the activity is a paid position. These activities are defined by the Idaho High School Activities Association (IHSAA). These activities include but are not limited to: Baseball, Basketball, Cross Country, Football, Golf, Soccer, Softball, Swimming, Tennis, Track & Field, Volleyball, Wrestling, Cheer, Dance, Music, Debate, Drama, and Speech.

Students of the Twin Falls School District, who wish to participate in interscholastic activities, must adhere to the Idaho High School Activities Association (IHSAA) rules and regulations; this district's activities association; local city ordinances and the laws of the State of Idaho; and this district's policies.

Interscholastic activities and competitions are recognized as a valid part of the total school program. Expenditure of school district funds in accordance with the district's expenditure and budgetary regulations is authorized for the support of these activities. The district will maintain membership in the IHSAA for the appropriate grade levels.

All student participants in a sponsored IHSAA activity must purchase a school activity card.

Students are not required to have parental permission to join extracurricular clubs but must have parental permission to participate in any athletic team. In addition, extracurricular clubs may engage in specific activities for which parental permission must be obtained prior to the student participating in the specific activity.

I. GENERAL REGULATIONS:

Participation Policies

A. Sportsmanship

All schools and athletic programs will comply with Twin Falls School District policies and with the Idaho High School Activities Association (IHSAA) sportsmanship guidelines manual. Sportsmanship, as defined by the IHSAA, is those qualities of behavior which are characterized by generosity and genuine concern for others. Further, awareness is expected of the impact of an individual's influence on others' behavior as well. Coaches, administration, athletes, and spectators should exhibit sportsmanship.

B. Use of Equipment and Facilities

The use of equipment and facilities are to be cleared with the building principal or their designee.

C. Participation Standards

Activities will be open to all students (subject to tryouts, when applicable) and administered according to the following standards:

1. The building principals or their designees of each school shall certify the eligibility of all participants in accordance to the participation requirements stated herein. This includes home schooled and dual enrolled students.
2. Activities Minimum GPA Requirements
 - a. Students who wish to participate in high school activities will be subject to eligibility requirements. Students must be enrolled full-time and must have passed 6 of 8 classes and maintain a 2.0 overall GPA in the semester prior to the beginning of the season. This policy applies to all students in the Twin Falls School District in grades 9-12. All activities governed by the Idaho High School Activities Association are covered by this policy. Students falling below the minimum standard will become academically ineligible (see definition below.) Any student on academic probation (see definition below) who fails to meet the requirements of that probation will also become academically ineligible.

Definitions:

***Academically Ineligible** – Any student whose previous semester GPA is below 2.0 or did not pass 6 of 8 courses will be deemed academically ineligible. Any student on academic probation who has an I (incomplete), D or an F for two or more consecutive grading periods in the same class will be declared academically ineligible. Academically ineligible students will not be allowed to participate in competitive contests within their chosen activities. Students will have the opportunity to attend tutoring (see definition below) in an effort to bring their grades back up to a level above the 2.0 minimum; If a student earns C's or above in all classes on their progress report, he/she will be declared eligible.

***Academic Probation** If a student has a D or an F in any class, he/she shall be placed on Academic Probation. During the probation period the student will still be able to practice and participate in the chosen activity. While on probation, the student will be required to attend tutoring until there is verification from the teacher that the grade is above a D. If the student fails to attend tutoring or still has a D or an F for two consecutive grading periods, he/she shall become academically ineligible.

*** Tutoring** – All students will be required to attend academic tutoring at least two times a week until there is verification from the teacher that the student no longer has a D or an F. The tutoring may be provided the following ways:

- i. Tutoring provided by the classroom teacher in that particular class.
- ii. Study tables led by coaches.
- iii. Student peer tutors with approved supervision.
- iv. Student may attend school-wide extra help sessions.
- v. Any other tutoring approved by principal or designee.

b. **High School grades will be pulled as follows:**

Fall Sports:

Check 2nd semester grades from previous year

Check 1st qtr. Mid-term

Check 1st qtr. Report card

Check 2nd qtr. Mid-term if needed

Winter Sports:

Check 2nd semester grades from previous year

Check 2nd qtr. Mid-term

Check 1st semester grades from current year

Check 3rd qtr. Mid-term if needed

Spring Sports:

Check 1st semester grades.

Check third qtr. Report card

Check 4th qtr. Mid-term

*Eligibility for participation in fall activities will be based on the student's semester GPA from the end of the previous semester (spring). Grades will be checked by the coaches with the 1st progress report at 4 weeks. All students with an I, D or an F will be placed on Academic Probation.

*Eligibility for participation in winter activities will be based on the student's semester GPA from the end of the previous semester (spring).

Grades will also be checked by the coaches when tryouts begin. All students with an I, D or an F will be placed on Academic Probation.

*Eligibility for participation in spring activities will be based on the student's semester GPA from the end of the 1st semester (fall). Grades will be also checked by the coaches when tryouts begin. All students with an I, D or an F will be placed on Academic Probation.

- c. If at any time during the season when the student fails to meet the eligibility standards as stated in this policy, the student will be required to follow the above guidelines. All student participants in high school activities and their parents will be required to read and sign a copy of this policy acknowledging their understanding of the guidelines herein.

- d. Middle School participation standards and grade checks will be as follows:

Eligibility for participation in Fall Activities will be determined by the student's GPA in the 3rd week from the start of school. Grades will be checked by coaches and Activities Director weekly with the first progress report at 3 weeks. All students with an I, D, or an F will be placed on Academic Probation.

Eligibility for participation in Winter Activities will be based on the student's GPA at the start of the season. Grades will be checked by coaches and Activities Director when tryouts begin, as well as weekly after the first 3 weeks of the season. All students with an I, D, or an F will be placed on Academic Probation.

Eligibility for participation in Spring Activities will be based on the student's GPA at the start of the season. Grades will also be checked by coaches and the Activities Director when tryouts begin, as well as weekly after the first 3 weeks of the season. All students with an I, D, or an F will be placed on Academic Probation.

- e. 7th -8th graders who don't pass enough credits the previous semester must have an academic administrative approved program to participate the next semester. Each participant may only be eligible for (1) one academic program contract per year.

D. Other Participation Requirements

All participants and their parent/guardian must have completed and returned the Twin Falls Extracurricular Activities Pledge Sheet.

1. Notwithstanding any other district policy violation, any civil or criminal law infraction or conduct by a student participant that is determined by the team head coach and building athletic/activities director to be detrimental to the activity program, school or school district will result in counseling by the team head coach and the building athletic/activities director with possible suspension or expulsion from activities.
2. The following travel policy applies to extracurricular activities:
 - a. School District approved transportation must be used.
 - b. Any out-of-state transportation must have prior approval by the school board in accordance to district policy.
 - c. In accordance to Idaho Code, at any time that school district approved transportation is being driven by a coach or other authorized individual, the driver must possess a valid Idaho Commercial Driver's License when the occupant load, including the driver, is 16 or more individuals.
 - d. Participants must travel together to and from contests away from their school in transportation provided by the school. The exceptions are:
 - i. Injury to a participant which would require alternate transportation.
 - ii. Arrangements between the participant's parent/guardian and the coach for the student participant to return with his/her parent/guardian.
 - iii. Participants are *not* allowed to ride with friends or family members other than a parent or guardian.
3. Violations requiring administrative action as established in the "Students Rights and Responsibilities" will entail:
 - a. Where the violation and disciplinary action involves in-school or out-of-school suspension, the participant shall not participate in practice or contest during the time of suspension.
 - b. Where suspension from school has resulted, the participant may be subject to suspension or expulsion from the activities team for the remainder of the season.
4. Theft or malicious destruction of any school or individual equipment or property is not to be tolerated. Participants found to be responsible for the theft or malicious destruction of school property will be suspended from the team. A decision regarding further competition will be made by the building

athletic/activities director, and the designated building administrator.

II. SCHOOL ATTENDANCE REQUIREMENTS:

1. A student must be in school at least one-half (½) day in order to participate in an activity that day. An exception would be made if the student has an approved medical appointment; in which case, the student must present to the attendance supervisor a signed statement from the doctor. This pertains to practice sessions and contests.
2. For athletic activities, a student who has been injured and has had medical treatment cannot participate again without a doctor's release.

III. DRUGS - ALCOHOLIC BEVERAGES - TOBACCO PRODUCTS:

Use or possession of alcoholic beverages, tobacco (including the types described in Policy 3305) and/or illicit drugs by activities program participants is prohibited. The consequences will apply as outlined in Policy 3321.

- IV. In activities where the season is not dictated by the IHSAA (i.e., speech, debate, music, and drama), the building principal, building athletic/activities director and team head coach will define the season.
- V. The rules and regulations in this code shall apply to any violation on or off the school premises during the season of participation.
- VI. Additional team rules and regulations recommended by the team head coach must be approved in writing by the building principal and building athletic/activities director.



Policy History:
Adopted: 12/08/08
EMT 2004
Amended: 7/13/09
 8/11/14
 9/14/15

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/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 6-12 who wish to participate in school sponsored activities in which a coach or supervisor of the activity is a paid position.

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 (3400F), 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 TFSD secondary schools.

Testing Procedures

1. The selection of participants to be tested will be done randomly by the principal/administrative designee, and selections will be made from time to time throughout the school year. Names will be drawn from one (1) 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/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/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 twenty-four (24) ounces of fluid. If still unable to produce a specimen within two (2) hours, the student will be taken to the principal's office and told he/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/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/she left the collection site. The principal/administrative designee must 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/administrative designee will be responsible for escorting students to the collection site. The student should bring all materials with him/her to the collection site and should not be allowed to go to his/her locker. (The administrator should not bring all the students drawn from the pool to the collection site simultaneously. Calling four (4) or five (5) 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, perhaps 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/she may notify the administrator that he/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 himself/herself in the restroom to provide a urine specimen. The supervisor will wait outside the restroom. The student will have two (2) 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/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/administrative designee will be notified of a student testing positive (that is, if the test shows that drug residues are in the student's system after using at least two (2) different types of analyses). The principal/administrative designee will notify the student and his/her parent/guardian. The student or his/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/her parent/guardian.
4. If the test is verified positive, the principal/administrative designee will meet with the student and his/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/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/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/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/her parent/guardian.
3. Counseling and subsequent treatment by non-school agencies are the financial responsibility of the student or his/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 (IHSAA) 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 Reference: 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: 8/11/14

ISBA

Revised on:

Although 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 District may, in its sole discretion, provide the following programs in order to prevent adolescent suicide by:

1. Offering and providing help and assistance including early identification;
2. Support and/or counseling by school support personnel ~~for low risk students;~~
3. Referral to appropriate sources outside the school ~~for high and moderate risk students;~~
4. Attendance to the rights of the student and his/her family; and
5. After care support by the school for faculty, staff, and students after a sudden death has occurred.



Legal Reference: I.C. § 33-512B Suicidal tendencies – Duty to warn.

Policy History:

Adopted on: 8/11/14

Revised on:

This school district recognizes that the growth of a student, both academically and personally, reflects not only the educational programs and goals of the district, but also the atmosphere in which the student attends school. To the extent possible, this school district is committed to providing an educational setting where the students feel safe, are challenged to grow academically and personally, are treated with respect by the district personnel and other students, and are disciplined fairly by district personnel.

To provide such an educational setting, this board of trustees has adopted policies and procedures, as mandated by the Idaho State Board of Education in the following areas:

1. School Climate
2. Discipline
3. Violence Prevention
4. Student Harassment
5. Student Health
6. Possessing Weapons on Campus
7. Substance Abuse--tobacco, alcohol, and other drugs
8. Suicide Prevention
9. Drug-free School Zones
10. Building Safety including Evacuation Drills
11. Relationship Abuse and Sexual Assault Prevention and Response

The board of trustees will review these policies and procedures on an annual basis to determine whether or not they are meeting the needs of the students, school district, and community.



LEGAL REFERENCE:

Idaho Code Section 33-1612
IDAPA 08.02.03.160

Policy History:

ADOPTED: 12/08/08

EMT 2001

AMENDED: 8/11/14; 10/12/15

ATTACHMENT:

Annual Policy Review Checklist

ANNUAL POLICY REVIEW CHECKLIST

Topic	Model Policy No.	Policy Name	15-16	16-17	17-18
School Climate	3720	School Climate	X	X	X
	5120	Equal Employment Opportunity	X	X	X
Discipline	3346	Restraint or Seclusion of Student	X	X	X
	3750	Prohibition of Weapons	X	X	X
	3370	Searches and Seizures	X	X	X
	3550	Removal of Student During School Hours	X	X	X
	3740	Student Expulsion/Denial of Enrollment	X	X	X
	3360	Disciplining of Students with Disabilities	X	X	X
	3362	Disciplining Students with Disabilities (IDEA)	X	X	X
	3363	Disciplining Students with Disabilities (Section 504)	X	X	X
	3750	Theft or Destruction of School Property	X	X	X
	3311	Prohibition of Gang Activities	X	X	X
	3760	Assault and Battery	X	X	X
	3321	Student Drug, Alcohol and Tobacco Use	X	X	X
Violence Prevention	3730	Prohibition of Weapons	X	X	X
	3370	Searches and Seizures	X	X	X
	3780	Theft or Destruction of School Property	X	X	X
	3311	Prohibition of Gang Activities	X	X	X
	3760	Assault and Battery	X	X	X

Topic	Model Policy No.	Policy Name	15-16	16-17	17-18
Student Harassment	3295	Hazing, Harassment, Intimidation, Bullying, Cyber Bullying, Menacing	X	X	X
	3285	Relationship Abuse and Sexual Assault Prevention & Response	X	X	X
	3365	Student Sex Offenders	X	X	X
Student Health	3510	Administering Medication	X	X	X
	3515	Food Allergy Management	X	X	X
	3520	Contagious or Infectious Diseases	X	X	X
	3540	Emergency Care	X	X	X
	3570	Health Records	X	X	X
	3525	Immunization Requirements	X	X	X
	3530	Suicide	X	X	X
	3770	Students with a Living Will	X	X	X
Gun-free Schools	3730	Prohibition of Weapons	X	X	X
Substance Abuse-tobacco, alcohol and other drugs	3321	Student Drug, Alcohol and Tobacco Use	X	X	X
	5846	Employee Drug and Alcohol Use	X	X	X
	5847	Employee Drug and Alcohol Testing	X	X	X
	3400	Extracurricular Activities Drug-Testing Program	X	X	X
Suicide Prevention	3530	Suicide	X	X	X
Drug-free School Zones	3321	Student Drug, Alcohol and Tobacco Use	X	X	X
	5846	Employee Drug and Alcohol Use	X	X	X
	5847	Employee Drug and Alcohol Testing	X	X	X
	3400	Extracurricular Activities Drug-Testing Program	X	X	X

Topic	Model Policy No.	Policy Name	15-16	16-17	17-18
Building Safety Including Evacuation Drills	8320	Fire Drills & Evacuation Plans	X	X	X
	9400	Safety Program	X	X	X
	9890	Trespass on School District Properties	X	X	X

This district has a statutory duty to protect the health, welfare, and safety of all students enrolled in the district. Medical personnel who are employed by the district or whose medical services are contracted by the district also have statutory duties to adhere to certain protocols. This district's medical personnel or health care providers will **not** honor a student's Do Not Resuscitate Order, Living Will, Durable Power of Attorney, "consent to care", or other similar document refusing medical care.

The district does not follow and will not assume any responsibility for failure to follow any document refusing medical care, whether by the District or emergency medical personnel. The district bears no responsibility or liability if the emergency medical personnel are not made aware of the existence of such a document.

In the event a parent/guardian wishes to place such a document in their child's student file, they shall present it to a district administrator. Such administrator shall inform the parent/guardian of this policy and advise the parent/guardian that such document will not be honored by the District. A copy of the document(s) will be placed in the student's educational record. Nursing staff will also be notified and provided a copy of such document(s).

The parent/guardian shall also be informed that if he or she wishes such document to be shared with any medical personnel in the case of an emergency, the document on file with the District must be updated at the start of each school year and every six months thereafter, or at the start of every semester thereafter. Additionally, the parent/guardian shall provide school officials with written permission to release such document to emergency medical personnel each time an update to the document is provided.

In the event emergency medical services personnel are called by this district to assist a student, district personnel who are present and knowledgeable of a current written ~~consent-to-care~~ document refusing medical care will make a reasonable effort to inform the medical services personnel of the ~~consent-to-care~~ document and provide them with a copy of such document. Whether the document will be followed is at the discretion of the emergency medical services personnel.

Medical treatment that is medically inappropriate or futile is not required.

No health care provider shall be civilly or criminally liable or subject to discipline for unprofessional conduct for acts or omissions carried out or performed in good faith pursuant to the directives in a facially valid POST form or living will or the holder of a facially valid durable power of attorney or a directive for health care.

DEFINITIONS

“Cardiopulmonary resuscitation” or “CPR” means measures to restore cardiac function and/or support ventilation in the event of cardiac or respiratory arrest.

“Comfort care” means treatment and care to provide comfort and cleanliness given in an attempt to protect and enhance quality of life without artificially prolonging that life. “Comfort care” includes: oral and body hygiene; reasonable efforts to offer food and fluids orally; medication, positioning, warmth, appropriate lighting, and other measures to relieve pain and suffering; and privacy and respect for the dignity and humanity of the patient.

“Emergency medical services personnel” means the personnel of a service engaged in providing initial emergency medical assistance, including, but not limited to, first responders, emergency medical technicians, advanced emergency medical technicians, and paramedics.

“Health care provider” means any person or entity licensed, certified, or otherwise authorized by law to administer health care in the ordinary course of business or practice of a profession, including emergency or other medical services personnel.

“Persistent vegetative state” means an irreversible state that has been medically confirmed by a neurological specialist who is an expert in the examination of nonresponsive individuals in which the person has intact brain stem function but no higher cortical function and no awareness of self or environment.

“Physician orders for scope of treatment (POST) form” means a standardized form containing orders by a physician that states a person’s treatment wishes.

“Physician orders for scope of treatment (POST) identification device” means standardized jewelry that can be worn around the wrist, neck, or ankle, and which has been approved by the Department of Health and Welfare.

“Terminal condition” means an incurable or irreversible condition that, without the administration of life-sustaining procedures, will, in the opinion of a physician, result in death if it runs its usual course.



LEGAL REFERENCE:

Idaho Code Sections

33-512(4)

39-4501 through 39-4515

Czaplicki v. Gooding Joint School District No. 231, 775 P.2d 640 (1989)

Policy History:

ADOPTED: 8/11/14

EMT 2009

AMENDED: 10/12/15

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 Clerk of the Board~~ **Public Relations Director or designee** shall 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 #8605. 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 then 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 - 25¢ per page [cannot exceed actual cost] 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 cost per page for copies and the hourly rate of employees and attorneys involved in responding to the request.

Cross Reference:	4260	Records Available to Public
	3570-3570P	Student Records
	4130	Public Access to District Website
	8605	Retention of District Records

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: 8/11/14
ISBA 2013; 2015
Revised on: 1/11/16