

## **MEMORANDUM**

**To:** Board of Trustees

Twin Falls School District 411

**From:** Eva Craner, Director of Public Relations

**Re:** Policy Updates

**Date:** July 9, 2018

### **First Reading:**

#### **Administration recommended Changes:**

5401P Sick Leave and Sick Leave Bank

5402 Personal Leave

5404 Bereavement Leave

#### **ISBA Updates:**

2580 Use of Animals in Educational Programs

5470 Military Leave (Replaces current policy 5471)

### **Second 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

Leave that qualifies as sick leave is:

- 1) Absence prescribed by a physician for medical or diagnostic tests.
- 2) Absence due to death in the immediate family (limited to seven (7) days), when not taken as bereavement leave. The term immediate family will be interpreted as ~~parent, spouse, child, grandparent, brother, sister, uncle, aunt, or immediate in-law~~ **child, spouse, significant other, parents, parents-in-law, siblings, grandparents, and grandchildren**. (See Policy 5900, CBA, for bereavement leave for certified employees; Policy 5404 for bereavement leave for non-certified employees)
- 3) The superintendent may make judgments in favor of or denial of the use of sick leave by a district employee due to illness of a loved one whose relationship is not covered by exact policy language.

### **Sick Leave Banks**

The Twin Falls School District currently maintains three (3) sick leave banks. These are the Administrator Sick Leave Bank (ASLB), the Certified Sick Leave Bank (CSLB), and the Non-Certified Sick Leave Bank (NCSLB). The Certified Sick Leave Bank is found in the current Collective Bargaining agreement. The ASLB is as follows:

- 1) Each administrative employee of the District may participate in the ASLB. A minimum initial contribution of two (2) sick leave days prior to November 1 will be required to become a Sick Leave Bank member. A threshold of (50) days will be established in the Sick Leave Bank. When the total days available in the Sick Leave Bank falls below fifty (50) the Sick Leave Bank Committee will equally assess each member additional days required to reestablish the fifty (50) day threshold.

Sick leave days contributed will be deducted from the individual's previously accumulated sick leave. The contributed sick leave days will form a bank of sick leave days that will be available to all eligible administrators whose absence from work is due to illness or injury extending beyond their available sick leave.

- 2) In order for an administrator to be eligible for sick leave benefits from the ASLB he or she must:
  - a. Be a contributor to the Bank,
  - b. Be absent from work due to illness or accident, and
  - c. Have used all accumulated sick leave and personal leave.

All requests for use of the Bank will be related to illness or injury occurring after membership in the Bank.

- 3) Application for use of the Bank will be submitted to the ASLB Committee (ASLBC), comprised of the superintendent or designee, and two (2) district administrators appointed by the superintendent. The Committee will review the request and determine if the administrator is eligible to use the ASLB. If the Committee deems necessary, proof of illness may be required at the time of application and periodically during the granted period.
- 4) The ASLBC will have the authority to establish operational procedures necessary to implement this program. After a complete review of the application, the Committee will have the authority to make final decisions as to the disposition of the applicant's request within established operational procedures.
- 5) The maximum number of days that may be granted in any 12-month period will be the remaining number of days an administrator is contracted to work during that 12-month period, not to exceed sixty (60) days.
- 6) For the purpose of determining continuing eligibility for sick leave bank days the SLBC will calculate the 12-month period immediately preceding the commencement of the leave as the 12-month period measured forward from the date the employee first takes sick leave bank days. If the administrator does not use all of the days granted by the ASLBC the unused sick leave days will be returned to the Bank.

The Non-Certified Sick Leave Bank is as follows:

- 1) Each employee working at least four (4) hours per day in the District may participate in the NCSLB. After six (6) months of service each employee is eligible to enroll in the NCLSB. A minimum initial contribution of two (2) sick leave days is required to enroll in the Bank. Contributions will be made from the employee's sick leave accumulated to date. The length of work day will be used for comparable contribution to and withdrawal from the Bank. For example, an employee working a four (4) hour day would contribute four (4) hour days, entitling him or her to withdraw, when granted, four (4) hour days from the bank. The same will follow for employees working six (6), seven (7) or eight (8) hour days.

An employee will have been employed for a minimum of six (6) months and have accumulated a minimum of four (4) sick leave days before being eligible for the NCSLB. It is the employee's responsibility to enroll in the Bank upon the six-month employment anniversary, plus or minus 10 days. If the employee fails to enroll on his or her six-month anniversary, he or she will be provided opportunity to enroll during the annual open enrollment period.

- 2) In order for an employee to be eligible for sick leave benefits from the NCSLB, he or she must:
  - a. Be a contributor to the Bank,
  - b. Be absent from work due to accident or illness, and
  - c. Have used all of his or her accumulated sick, personal, and vacation leave.

All requests for use of the Bank will be related to illness or injury occurring after membership in the Bank.

- 3) Application for use of the NCSLB will be made to the NCSLB Committee (NCSLBC), consisting of two (2) administrators and two (2) employees appointed by the superintendent. The Committee will review requests and determine employee eligibility. If the Committee deems necessary, proof of illness may be required at the time of application and periodically during the granted period.
- 4) The NCSLBC will have the authority to establish operational procedures necessary to implement this program. After complete review of the application, the Committee will have the authority to make final decisions as to the disposition of the request within the parameters of the operational procedures.
- 5) The maximum number of days that may be granted in any one 12-month period will not exceed 60 days.
- 6) A threshold of four-hundred (400) days will be established in the NCSLB. If the total falls below the threshold, the Committee will equally assess each member the appropriate number of days to re-establish the minimum four-hundred (400) days. Sick days thus contributed will be deducted from each individuals accumulated sick leave.

If an employee wishes to discontinue participation in the NCSLB he or she must notify the Human Resources Department in writing. When membership has been discontinued, employees cannot withdraw days previously contributed.

- 7) For the purpose of determining continuing eligibility for sick leave bank days the NCSLBC will calculate the 12-month period immediately preceding the commencement of the leave as the 12-month period measured forward from the date the employee first takes sick leave bank days. If an employee does not use all of the days granted from the Bank, the unused sick leave days will be returned to the Bank.

Procedure History:

**Adopted on:**

TFSD

**Revised on:** 10/8/12

8/11/14

6/13/16

**Certified Employees**

See Collective Bargaining Agreement (Policy 5900) and Policy 5805.

**Non-Certified Employees**

Non-certified employees may receive up to a total of three (3) days leave for personal business each fiscal work year. Employees not using their personal leave will be paid fifty percent (50%) of their daily wage for each day not used. Non-certified employees will have the option of carrying forward four unused personal leave days.

The request for personal leave must be made to the non-certified employee's immediate supervisor and personal leave with pay may be granted contingent upon a suitable substitute being available and/or if the immediate supervisor determines that the non-certified employee's absence will not cause an undue burden upon the educational system of the district.

If an employee does not have seven days available for the school year, an additional day may be purchased at the current year certified guest teacher rate, or the employee's daily rate, whichever is less. No more than seven personal leave days may be used in one school year. Purchased personal leave days may not be rolled over to the next school year.

Personal leave will be limited to extenuating circumstances during the first two weeks of school, the last two weeks of school, or two days immediately preceding or following a school vacation

**LEGAL REFERENCE: ADOPTED:**

12/09/07 AMENDED: 12/08/08  
07/14/09  
09/10/12  
6/13/16

In the event of a death in the non-certified employee's immediate family the district will provide three (3) bereavement days **for up to two occurrences** during the school year. Additionally, non-certified employees may also use sick leave to an amount not to exceed seven (7) days per instance. The term immediate family will be interpreted as parent, mother/father in-law, spouse/domestic partner, children, grandchildren, grandparent, brother, sister, brother/sister in-law, uncle, aunt. Unusual cases not included herein may be brought to the attention of the superintendent of schools for consideration.

Policy History:

**ADOPTED: 12/08/08**

TFSD

**AMENDED: 9/10/12**

**8/11/14**

**1/8/18**

Use of Animals in Educational Programs

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

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

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

Animals Regularly or Periodically Housed in Classrooms

1. No animal shall be housed in any school classroom without pre-approval of the building principal.
  - A. A classroom teacher seeking to house an animal in the classroom shall annually submit such request in writing explaining the educational purpose of having an animal(s) in the classroom setting. A request must be provided for all animals to be housed in a classroom.
  - B. The teacher signing this request application is responsible for assuming primary responsibility for the animal and shall be designated as the animal's supervising teacher.
2. The supervising teacher who has been granted permission to house (an) animal(s) in the classroom shall provide formal classroom instruction to students regarding sanitation in the handling of animals and shall require all individuals handling animals to subsequently wash his or her hands thoroughly with soap and water.
3. Any student handling any animal must be directly supervised by the supervising teacher.
  - A. Only the supervising teacher or students designated by the supervising teacher may handle a classroom animal.



B. Handling of any animals should be age appropriate, considering the disease-related risks of certain animals (i.e. hamsters, guinea pigs, and gerbils – Salmonella bacteria and Lymphocytic choriomeningitis virus; reptiles and amphibians - Salmonella bacteria; farm animals – E. coli, Salmonella, Campylobacter and Cryptosporidium).

C. Should any student or employee be injured, including but not limited to animal bites or scratches, associated with the handling of a classroom animal, the supervising teacher is responsible for immediately reporting such event, in writing, to the building principal and assuring the student or employee is directed to the school's office for appropriate medical care.

1. If appropriate, a District accident/injury report will be completed.
2. The school's personnel shall notify the student's parent/guardian.
3. If appropriate, personnel shall notify public health officials.
4. At no time shall any student be exposed to an inherently dangerous animal or any animal which due to size, nature, or aggression could cause injury to a student.

4. Animals shall be handled humanely and in a healthy environment. If animals are to be kept in the classroom on days when classes are not in session, the supervising teacher shall be responsible for making arrangements for their care and safety.

5. Animals shall be displayed in enclosed cages or tanks or under otherwise appropriate restraints.

A. Cleaning any enclosure, cage, tank/aquarium, or other holding enclosure for any classroom animal or otherwise coming into contact with the materials that have been removed from any cleaned enclosure, cage, tank, aquarium, or other holding enclosure should be age appropriate, voluntary and at the discretion of the supervising teacher.

6. Animals must be clean and free of intestinal parasites, fleas, ticks and mites.

7. Animals shall not be brought in or obtained from the wild. If sought by the building principal, the supervising teacher shall provide proof of purchase or proof of transfer of the animal in question.

8. Animals maintained in a school classroom shall not have access to or contact with wild animals.

9. Classroom animals shall not be permitted to freely roam about any classroom or other area of the school.

10. No animal shall be allowed in any area of the school where food or drink is prepared.

11. Absent pre-approval from the Building principal, food for animals must be stored in air-tight closed containers, preferably hard plastic.

A. The supervising teacher and the building principal shall, at the time the animal comes into the school setting, confer as to the manner and method of feeding of such animal.

B. The supervising teacher shall agree with the directive of feeding of the animal or the animal shall not be permitted to be present at school.

12. The supervising teacher shall be responsible for the proper cleaning and disinfection of any area in which the animal is present.

A. The supervising teacher shall be responsible for the disposal of animal waste, using appropriate plastic bags and disposable gloves and sanitary cleansers.

13. Prior to the animal being brought into the classroom, the supervising teacher is responsible for assuring that no special permits, licenses, or other requirements (i.e. health/medical certification or examinations) are necessary to own and house the animal. If a permit, license, or other requirement does exist associated with the animal, it is solely the supervising teacher's responsibility comply with such requirements and to provide the building principal with a copy of documentation assuring compliance. Any animal not in compliance shall not be brought into the school's setting. Any health care records associated with the animal shall be maintained in the classroom and is the responsibility of the supervising teacher.

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

#### Visiting Animals to the Schools

1. As part of an educational program, there may be isolated instances in which an animal is brought into the school's setting. Prior to any such animal coming into the school setting, approval must be obtained from the building principal.

2. The animal's owner agrees to hold the District, its employees, and agents harmless for any injury to the animal, including death, and any injury to any individual, including the handler, school staff, or school student.

#### Animal Dissection and Experiments

1. Experiments on living animals are prohibited; however, behavior studies that do not impair and animal's health or safety are permissible only after having obtained written pre-approval from the building principal.

A. In order to obtain principal approval, the classroom teacher must submit a written request providing details as to the behavior study to be conducted, the manner and details of the study, and how the health and welfare of students and the animal will be safeguarded.

- A. Such request shall be submitted no later than five school days prior to the desired start of the behavior study.
2. The dissection of dead animals or parts of dead animals shall be allowed in a classroom only when the dissection exercise contributes to or is part of the approved educational program of the classroom.
    - A. All dissection of animals and the parts of dissected animals shall be confined to the classroom.
    - B. Students who object to performing, participating in, or observing the dissection of animals shall be excused from the classroom during such educational activity without penalty, discipline, or negative impact upon the student's grade. Alternate projects will be assigned to any such non-participating student.

Prohibited Animals

1. Regardless of the desired educational purpose, the following live animals are prohibited in any school facility, for any time or purpose:
  - A. Inherently dangerous animals;
  - B. Any venomous or toxin producing animals;
  - C. Aggressive or unpredictable animals;
  - D. Stray animals;
  - E. Mammals at high risk for having or transmitting rabies; and
  - F. Any animal on the Idaho Invasive Species List for which proper state permitting and documentation of ownership has not been obtained prior to classroom housing (i.e. Snapping Turtle, Red Eared Slider, Mediterranean Gecko, Brahminy Blind Snake, Monk Parakeet, and Nutria).
2. The building principal may prohibit any animal from being present upon the school's property on a case by case basis.

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

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

Policy History:

Adopted on:

Revised on:

Leaves of Absence - Military Leave

General Policy

All District employees, other than those who are employed on a temporary basis, are entitled to military leave of absence when ordered to active duty for training as members of the Idaho National Guard or any component of the U.S. Armed Forces. Employees who volunteer, are drafted, or are ordered to extended active duty with any component of the U.S. Armed Forces, shall be entitled to reinstatement to their former positions or comparable positions if the right is exercised in a timely manner as noted below.

The District shall notify each employee entitled to rights and benefits under the Uniformed Services Employment and Reemployment Rights Act (USERRA) of their rights, benefits, and obligations under USERRA and those of the District.

Notice to District

All employees will provide written and oral notice of upcoming military training to the District as soon as reasonably practical. The employee or an appropriate officer of the branch of military in which the employee will serve may provide the notice. Employees who are ordered for such duty will provide one copy of their orders to the Superintendent. Notice will include date of departure and date of return for purposes of military training 90 days prior to the date of departure.

Military Leave for Training or Short Term Duty

Employees who are required to attend active duty, inactive-duty training, funeral honors duty, or field or coast defense training as a Reserve of the armed forces or member of the National Guard shall not suffer any loss of salary, seniority, or efficiency rating during the first 15 work days of such absence in any fiscal year. Leave will be without loss of benefits.

In the case of a part-time employee, military leave for training or short-term duty shall accrue at a rate of 15 days per year multiplied by a percentage determined by dividing by 40 the number of hours in the regularly scheduled workweek of that employee during that fiscal year. Unused leave shall accumulate until it totals 15 days.

Completion of Military Training

Upon completion of military training, the employee shall give evidence of the satisfactory completion of such training immediately thereafter. The employee shall be restored to his or her previous or similar position with the same status, pay, vacation leave, sick leave, bonus,

advancement, and seniority. Such seniority shall continue to accrue during such period of absence.

### Benefits for Uniformed Service Personnel On Active Duty

Salary: *\*(Note: Federal law does not require an employer to pay the salary of an employee on military leave except as specified in “Military Leave for Training or Short Term Duty” above.)\**

### Pension and Retirement Plans

Pension and retirement plans are considered a benefit to which reinstated employees are entitled. Any normal contributions will continue to be made for service members who are absent for 90 days or fewer. If the employee has been absent for military service for 91 days or more, the District may elect to delay making retroactive pension contributions until the employee submits satisfactory reemployment documentation.

### Medical Insurance

Health benefits will be offered to the extent they are available to other employees on leave. An employee performing military service for 30 days or fewer is not required to pay more than the normal employee share of any health premium. If the employee’s military service is for 31 days to 24 months, the health plan will offer continuous coverage. An employee on military leave may elect to continue health care coverage through the District for up to 24 months after the military leave begins or for the period of military service, whichever is shorter. The District’s obligation to provide health benefits ends once an employee’s military leave exceeds 24 months. When the employee is reinstated, a waiting period or exclusion cannot be imposed if health coverage would have been provided to the employee had he or she not been absent for military service.

### Reporting to District Once Military Leave is Complete

The standard military service length and reporting times are:

**1 to 30 Days of Military Service:** The employee reports to the District by the beginning of the first scheduled work day that falls eight hours after the end of the last calendar day of military service.

**31 to 180 Days of Military Service:** The employee must submit an application for reemployment no later than 14 days after completion of service in the armed forces. If the 14<sup>th</sup> day falls on a day when the District’s offices are not open or available to accept a reemployment application, the time extends to the next business day.

**181 Days or More of Military Service:** The employee must submit an application for reemployment no later than 90 days after completion of military service. If the 90<sup>th</sup> day falls on a

day when the employee's offices are not open or available to accept a reemployment application, the time extends to the next business day.

**Cases of Disability:** Employees who are hospitalized or recovering from a disability that was incurred or aggravated during the period of military service leave have up to two years to submit an application for reemployment.

There is an exception to these guidelines for those employees who, through no fault of their own, find themselves in a situation that makes it impossible or unreasonable to meet the required timetables. In those cases the employee must return to work as soon as possible.

### Disqualification From Returning to Work

There are four conditions that disqualify an employee from exercising his or her right to reemployment after military service:

1. A dishonorable or bad conduct discharge;
2. Separation from the service under "other than honorable conditions";
3. A commissioned officer's dismissal via court martial or by order of the President; and
4. When a service member has been dropped from the rolls for being absent without authority or for civilian imprisonment.

### Reinstatement to Positions After Extended Duty

Employees who volunteer, are drafted, or are called to active duty for extended periods will be placed on "Military Leave of Absence" upon written application and will be entitled to reinstatement to their former or similar positions upon their return and under the following conditions:

1. They must not have remained on active duty beyond their first opportunity for honorable or general release; and
2. They must report to claim reinstatement within the timelines specified under "Reporting to District Once Military Leave is Complete" above.

After an employee has been absent for 31 days or more of military service, the District may ask the employee or the employee's military unit for documentation showing that:

1. The employee submitted a timely application for reemployment;
2. The employee's length of military service has not exceeded the five year limitation; and
3. The employee's separation from the military service meets the requirement for reemployment.

As a general rule, employees returning from military service must be reemployed in the job that they previously held, or would have attained had they not been absent for military service. If the employee was disabled while on military duty, or a disability is aggravated by military service, the District will make reasonable efforts to accommodate the disability

Legal Reference:	I.C. § 46-407	Militia and Military Affairs/Reemployment Rights
	I.C. § 46-224	Militia and Military Affairs/Entitled to Restoration of Position After Leave of Absence for Military Training
	I.C. § 46-225	Militia and Military Affairs/Vacation, Sick Leave, Bonus and Advancement Unaffected by Leave
	38 USC §§ 4301	Uniformed Services Employment and Reemployment Act (“USERRA”).
	5 USC § 6323	Military Leave; Reserves and National Guardsmen

**Policy History:**

Adopted on:

Revised on:



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 (IHSSA) should review IHSSA rules prior to submitting an Open Enrollment Application. Certain school transfers will lead to a student being ineligible to play at the varsity level for one year.
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**

**3525**

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.

<b>Summary of Immunization Requirements</b>			
<b>Immunization Requirement</b>	<b>Child born after September 1, 2005</b>	<b>Child born after September 1, 1999 through September 1, 2005</b>	<b>Child born on or before September 1, 1999</b>
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

<b>Summary of Seventh Grade Immunization Requirements</b>		
<b>Immunization Requirement</b>	<b>Child admitted to 7<sup>th</sup> grade prior to the 2011-2012 school year</b>	<b>Child admitted to the 7<sup>th</sup> grade during the 2011-2012 school year and each year thereafter</b>
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 home<sup>1</sup> 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:~~

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<sup>1</sup> 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: