

MEMORANDUM

To: Board of Trustees
Twin Falls School District 411
From: Eva Craner, Director of Public Relations
Re: Policy Updates
Date: April 12, 2021

Second Reading:

ISBA Updates:

- 3060 Education of Homeless Children
- 4120 Uniform Grievance Procedure
- 7218 Federal Grant Financial Management System
- 7450P1 Timely Obligation of Funds
- 7455 Debarment and Suspension

Administrative Updates:

- 3290 Sexual Harassment and Intimidation of Students
- 3570 Student Record
- 4150F Request to Address the Board
- 8605 Retention of District Records

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” is defined as Children and youths who lacks fixed, regular, and adequate nighttime residence including:

1. Children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason;
2. Children and youths who are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations;
3. Children and youths who are living in emergency or transitional shelters;
4. Children and youths who are abandoned in hospitals;
5. 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, including cars, parks, public spaces, abandoned buildings, bus or train stations, or similar settings;

~~3. Children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings;~~

6. 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

7. An unaccompanied student **living in any of the circumstances described above** ~~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.~~

The term “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.

The term “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.

School Placement Choice

~~The choice regarding School~~ 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 from the school of attendance from before the student became homeless or the school last attended by the student, if such is the choice of the student's parent and such is feasible

When addressing school placement, the District's Liaison shall work with the family to address the student's transportation needs.

Factors to Determine School Placement 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 the 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, the Superintendent shall 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. 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. ~~and, If unsuccessful at the district level, to the Liaison shall, within 10 days, initiate an appeal with 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. Note: Additional transportation services may be provided to ensure the student's full participation in the District's education program;
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: 4120 Uniform Grievance Procedure
4160 Parents Right-to-Know Notices

Legal Reference: 42 USC § 11301, et seq McKinney-Vento Homeless Assistance Act of 1987
20 USC § 6311, et seq Title 1, Part A of the Elementary and Secondary Act, as amended by ESSA of 2015
20 USC § 1400 Individuals with Disabilities Education Act (IDEA)
42 USC § 1758 Child Nutrition and WIC Act of 2004
42 USC § 9831, et seq Head Start Programs
IC § 33-1404 Districts to Receive Pupils

Policy History:

ADOPTED: 8/11/14

ISBA

REVISED: 10/9/17

1/8/18

7/9/18

It is the Board's desire that administrative procedures for settling complaints and grievances of any and all persons (i.e., students, patrons, hereinafter "Grievant") be an orderly process within which solutions may be pursued. Further, it is the intent of the Board that the procedure will provide prompt and equitable resolution at the lowest possible administrative level. Additionally, it is the Board's desire that each grievant be assured an opportunity for orderly presentation and review of complaints without fear of reprisal. Certified staff grievance refer to CBA, Policy 5900; classified staff grievance refer to Policy 5800/5800P.

Grievance Procedure

This grievance procedure should be followed if a grievant believes that the Board, its employees or agents have violated the grievant's rights guaranteed by the State or federal constitutions, State or federal statutes, or Board policy, except that any allegation of sexual misconduct or sexual harassment ~~against a student~~ shall be addressed in accordance with Policy 3085.

The District will endeavor to respond to and resolve complaints without resorting to this grievance procedure and, if a complaint is filed, to address the complaint promptly and equitably. The right of a person to prompt an equitable resolution of the complaint filed hereunder shall not be impaired by the person's pursuit of other remedies. Use of this grievance procedure is not a prerequisite to the pursuit of other remedies, and use of this grievance procedure does not extend any filing deadline related to the pursuit of other remedies.

Grievances will be processed according to the step-by-step process outlined below. However, if a person designated to hear a grievance is the subject of the grievance, the grievance process will begin at the next highest step and the process shall be modified as needed to meet the objectives of the Grievance Procedure. If a grievance is directly based on official Board action, the grievance shall be directed to the Clerk of the Board. The grievance may be heard by the Board at the sole discretion of the Board.

Level 1: Informal

A grievant with a complaint is encouraged to first discuss it with the teacher, counselor, or building administrator involved, with the objective of resolving the matter promptly and informally. An exception is that complaints of sexual misconduct against a student should be addressed in accordance with Policy 3085.

Level 2: Principal

If the complaint is not resolved at Level 1, the grievant may file a written grievance stating: 1) the nature of the grievance and 2) the remedy requested. It must be signed and dated by the grievant. The Level 2 written grievance must be filed with the principal within 60 days of the event or incident, or from the date the grievant could reasonably become aware of such occurrence.

If the complaint alleges a violation of Board policy or procedure, the principal shall investigate and attempt to resolve the complaint within 30 school business days. If either party is not

satisfied with the principal's decision, the grievance may be advanced to Level 3 by requesting in writing that the Director of Elementary Programs or the Director of Secondary Programs review the principal's decision. This request must be submitted to the appropriate Director within 15 days of the principal's decision.

If the complaint alleges a violation of Title II, Section 504 of the Rehabilitation Act, or a violation of Title IX other than sexual misconduct, the principal shall turn the complaint over to the Nondiscrimination Coordinator who shall investigate the complaint. The District has appointed Nondiscrimination Coordinators to assist in the handling of discrimination complaints. The Coordinator will complete the investigation and file the report with the appropriate Director within 30 school business days after receipt of the written grievance. The Coordinator may hire an outside investigator if necessary. If the Director agrees with the recommendation of the Coordinator, the recommendation will be implemented. If the Director rejects the recommendation of the Coordinator, and/or either party is not satisfied with the recommendations from Level 2, either party may make a written appeal within 15 days of receiving the report of the Coordinator to the Superintendent.

Level 3: Director of Elementary or Secondary Programs

Upon receipt of the request for review, the Director shall schedule a meeting between the parties and the principal. The parties shall be afforded the opportunity to either dispute or concur with the principal's report. The Director shall decide the matter within 10 days of the meeting and shall notify the parties in writing of the decision. If the Director agrees with the recommendation of the principal, the recommendation will be implemented. If the Director rejects the recommendation of the principal, the matter may either be referred to an outside investigator for further review or resolved by the Superintendent.

If either party is not satisfied with the decision of the Director, the Superintendent is the next avenue for appeal. A written appeal must be submitted to the Superintendent within 15 days of receiving the Director's decision. The Board is the policy-making body of the school, however, and appeals to that level must be based solely on whether or not policy has been followed. Any individual appealing a decision of the Superintendent to the Board bears the burden of proving a failure to follow Board policy.

Level 4: Superintendent

Upon receipt of the request for review, the Superintendent shall schedule a meeting between the parties and the principal. The parties shall be afforded the opportunity to either dispute or concur with the principal's report. The Superintendent shall decide the matter within 10 days of the meeting and shall notify the parties in writing of the decision. If the Superintendent agrees with the recommendation of the principal, the recommendation will be implemented. If the Superintendent rejects the recommendation of the principal, the matter may either be referred to an outside investigator for further review or resolved by the Superintendent.

If either party is not satisfied with the decision of the Superintendent, the Board is the next avenue for appeal. A written appeal must be submitted to the Board within 15 days of receiving the Superintendent's decision. The Board is the policy-making body of the school, however,

and appeals to that level must be based solely on whether or not policy has been followed. Any individual appealing a decision of the Superintendent to the Board bears the burden of proving a failure to follow Board policy.

Level 5: The Board

Upon receipt of a written appeal of the decision of the Superintendent, and assuming the individual alleges a failure to follow Board policy, the matter shall be placed on the agenda of the Board for consideration not later than their next regularly scheduled meeting. A decision shall be made and reported in writing to all parties within 30 days of that meeting. The decision of the Board will be final.

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| Cross References: | 3085 | Sexual Harassment, Discrimination and Retaliation Policy |
| | 3085P | Title IX Sexual Harassment Grievance Procedure, Requirements and Definitions |
| | 5800 | Classified Employment, Assignment, and Grievance |
| | 5800P | Classified Employee Grievance |
| | 5900 | Collective Bargaining Agreement |

Procedure History

ADOPTED: 8/11/14

ISBA 2013

REVISED: 12/14/15

9/12/16

11/11/19

1/11/21

The District maintains a proper financial management system in order to receive both direct and state-administered grants and to expend funds associated with a grant award. Certain fiscal controls and procedures must be in place to ensure that all financial management system requirements are met.

Idaho Financial Reporting Management System (IFARMS)

IFARMS provides the basis for complete financial and cost accounting, for the development of program budgets, and for the preparation of periodic financial reports. The uniformity of the system enables the District to fulfill state requirements and provides the flexibility to obtain program and account detail to meet management needs.

Financial Management Standards

The standards for financial management systems are found at 2 C.F.R. § 200.302. The required standards include:

- 1. Identification:** The District shall identify, in its accounts, all federal awards received and expended and the federal programs under which they were received. Federal program and award identification shall include the information described below under “Overview of the Financial Management/Accounting System.”
- 2. Financial Reporting:** Accurate, current, and complete disclosure of the financial results of each federal award or program will be made in accordance with the financial reporting requirements set forth in the Education Department General Administrative Regulations (EDGAR).
- 3. Accounting Records:** The District shall maintain records that adequately identify the source and application of funds provided for federally-assisted activities. These records will contain information pertaining to grant or sub grant awards, authorizations, obligations, unobligated balances, assets, expenditures, income and interest, and be supported by source documentation.
- 4. Internal Controls:** Effective control and accountability shall be maintained for all funds, real and personal property, and other assets. The District shall adequately safeguard all such property and shall assure that it is used solely for authorized purposes.

“Internal controls” are tools to help program and financial managers achieve results and safeguard the integrity of their program. Internal controls should be designed to provide reasonable assurance that the following objectives are achieved:

- A. Effectiveness and efficiency of operations;
- B. Adequate safeguarding of property;

- C. Assurance property and money is spent in accordance with grant program and to further the selected objectives; and
 - D. Compliance with applicable laws and regulations.
5. **Budget Control:** Actual expenditures or outlays shall be compared with budgeted amounts for each federal award.
 6. **Cash Management:** The District shall maintain written procedures to implement the cash management requirements found in EDGAR. See Policy 7450.
 7. **Allowable Costs:** The District shall maintain written procedures for determining allowability of costs in accordance with EDGAR. See Policy 7320 and Procedure 7320P.

Overview of the Financial Management/Accounting System

The District accounting system is established to present, with full disclosure, the financial position and results of the financial operations of the District in conformity with generally accepted accounting principles. The accounting system currently used is Ivisons. The system is in compliance with IFARMS, as required by Idaho statute. IFARMS shall be used as the basis for developing program budgets and the preparation of periodic financial reports. The Director of Fiscal Affairs shall be responsible for managing budgets and accounts payable. As required by 34 CFR 200.302, the District shall maintain on file award letters that include Catalog of Federal Domestic Assistance (CFDA) titles and numbers, federal award identification numbers and years, names of the federal awarding agencies, and the name of the State Department of Education (the pass-through entity), for each federal award. The funds are given unique identification numbers in the IFARMS system.

The Director of Fiscal Affairs shall be responsible for preparing financial reports, as required for local, state, and federal agencies, for review and approval by the Board of Trustees. The financial reports shall reflect the financial activity and status of the District. These reports shall include monthly and cumulative expenditures, program budgets, and balances remaining.

Budgeting

The Planning Phase: Meetings and Discussions: Before Receiving the Grant Award Notice (GAN): Superintendent or designee shall be responsible for initial federal grant budget development. Initial budget development shall be based upon estimates of federal program award amounts as provided by the State Department of Education, as well as input from program and administrative staff with respect to individual program staff needs, number and assignments of paraprofessionals relative to program allocations, and need for instructional supplies and equipment. The primary considerations of initial budget development shall be the educational needs of students and the availability of existing District resources for meeting these needs.

Budgets shall be prepared and presented in a format that clearly identifies revenue sources and amounts and budgeted expenditures, in accordance with IFARMS accounting codes, and shall be open for public inspection.

The Superintendent or designee shall present the proposed budget to the Board for final approval of the budget and the policies reflected therein, such as proposed changes or additions to instructional programs and proposed salary schedules. Consideration of the proposed budget shall take place in an open meeting with opportunity for public comment. The approved budget shall be included in the minutes of the Board as documentation of its acceptance and approval.

After Receiving the GAN: If the Superintendent or designee determines that final program allocations necessitate revisions to program budgets, he or she, assisted by the Director of Fiscal Affairs with input from federal programs staff, shall discuss, review, and propose budget revisions. If proposed revisions require amendment proposals, the Superintendent or designee will follow protocols of the amendment process.

Amending the Budget: The Superintendent or designee shall review and approve any necessary budget amendments and shall submit those amendments to the Board at least seven days in advance of the meeting at which the amendment will be considered. The Board shall have final approval of the amended budget and consideration of the proposed budget shall take place in an open meeting with the opportunity for public comment. The approved amended budget shall be included in the minutes of the Board of Trustees as documentation of its acceptance and approval.

Budget Control: The Director of Fiscal Affairs shall be responsible for monthly financial reports that monitor budget performance by comparing actual to budgeted revenues and expenditures. Monthly financial reports indicate budgeted amounts, monthly expenditures, year-to-date-expenditures and percentage of budget spent. The Superintendent or designee shall review these reports for the preceding month prior to presentation to the Board.

Accounting Records

The Director of Fiscal Affairs shall be responsible for the maintenance of accounting records. Electronic accounting records are maintained in Ivisions and paper records are maintained on file in the District office. All accounting records shall be reviewed by the District Superintendent or designee and, where appropriate and required, the Board. The District chart of accounts and financial reports shall be established and maintained in accordance with Generally Accepted Accounting Principles (GAAP) and IFARMS, as required by Idaho Code. Accounting records shall be available for public inspection at any time.

Spending Grant Funds

In determining what items will be included in individual program budgets, the Director of Fiscal Affairs and Superintendent or designee will follow the federal cost principles and individual program statutes and regulations, as the basis for determining whether individual expenditures are allowable.

While developing and reviewing the grant budget, the District will keep in mind the difference between direct costs and indirect costs.

Direct and Indirect Costs:

1. **Determining Whether a Cost is Direct or Indirect:** Direct costs are those costs that can be identified specifically with a particular final cost objective, such as a federal award, or other internally or externally funded activity, or that can be directly assigned to such activities relatively easily with a high degree of accuracy.

Indirect costs are those that have been incurred for a common or joint purpose benefiting more than one cost objective, and not readily assignable to the cost objectives specifically benefitted, without effort disproportionate to the results achieved.

Costs incurred for the same purpose in like circumstances shall be treated consistently as either direct or indirect costs.

Identification with the federal award rather than the nature of the goods and services involved is the determining factor in distinguishing direct from indirect costs of Federal awards. Typical costs charged directly to a Federal award are the compensation of employees who work on that award, their related fringe benefit costs, the costs of materials, and other items of expense incurred for the Federal award.

The salaries of administrative and clerical staff shall normally be treated as indirect costs. Direct charging of these costs may be appropriate only if all of the following conditions are met:

- A. Administrative or clerical services are integral to a project or activity;
 - B. Individuals involved can be specifically identified with the project or activity;
 - C. Such costs are explicitly included in the budget or have the prior written approval of the federal awarding agency; and
 - D. The costs are not also recovered as indirect costs.
2. **Indirect Cost Rate:** It is at the discretion of the Twin Falls School District #411 to use the indirect cost rate. It is the normal policy of the District not to take indirect costs on federal awards. If the District elects to take indirect costs, it shall follow the procedures for calculating the indirect cost rate prescribed by the State Department of Education and apply the policies and procedures outlined in the federal regulations as described below.
 3. **Applying the Indirect Cost Rate:** Once the District has an approved indirect cost rate, the percentage is multiplied against the actual direct costs (excluding distorting items such as equipment, contracts in excess of ~~\$25,000~~ \$30,000, pass-through funds, etc.) incurred under a particular grant to produce the dollar amount of indirect costs allowable to that award.

Once the District applies the approved rate, the funds that may be claimed for indirect costs have no federal accountability and may be used as if they were non-federal funds. For direct grants, reimbursement of indirect costs is subject to the availability of funds and statutory or administrative restrictions.

Where a federal program has a specific cap on the percentage of administrative costs that may be charged to a grant, that cap must include all direct administrative charges as well as any recovered indirect charges.



Cross Reference: 7230 Financial Reporting and Audits

Legal Reference: 2 C.F.R. § 200.300 et. seq. Post Federal Award Requirements
2 C.F.R. § 200.56 Indirect (Facilities & Administrative (F&A)) Costs
2 C.F.R. § 200.413 Direct Costs
34 C.F.R. § 75.564 Reimbursement of Indirect Costs
34 C.F.R. § 76.569 Using the Restricted Indirect Cost Rate

Policy History:

ADOPTED: 12/10/18

ISBA

REVISED:

Obligations are orders placed for property and services, contracts, and subawards made, and similar transactions during a given period that require payment by the District during the same or a future period.

Funds received under a federal grant shall be considered to be obligated according to the standards provided in 34 C.F.R. § 75.707 or 34 C.F.R. § 76.707, as applicable. The following table illustrates when funds are determined to be obligated under federal regulations:

| If the obligation is for: | The obligation is made: |
|---|--|
| Acquisition of property | On the date on which the District makes a binding written commitment to acquire the property |
| Personal services by an employee of the District | When the services are performed |
| Personal services by a contractor who is not an employee of the District | On the date which the District makes a binding written commitment to obtain the services |
| Public utility services | When the District receives the services |
| Travel | When the travel is taken |
| Rental of property | When the District uses the property |
| A pre-agreement cost that was properly approved by the Secretary under the cost principles in 2 CFR part 200, Subpart E- Cost Principles. | On the first day of the project period. |

Period of Performance of Federal Funds

All obligations must occur on or between the beginning and ending dates of the grant project. This period of time is known as the period of performance. The period of performance is dictated by statute and will be indicated in the Grant Adjustment Notice (GAN). Further, certain grants have specific requirements for carryover funds that must be adhered to.

State-Administered Grants: As a general rule, state-administered federal funds are available for obligation within the year for which Congress appropriates the funds. However, given the unique nature of educational institutions, for many federal education grants, the period of availability is 27 months. Federal education grant funds are typically awarded on July 1 of each year. While the District will always plan to spend all current grant funds within the year for which the grant was appropriated, the period of obligation for any grant that is covered by the

“Tydings Amendment” is 27 months, extending from July 1 of the fiscal year for which the funds were appropriated, through September 30 of the second following fiscal year. This maximum period includes a 15-month period of initial availability, plus a 12-month period for carryover. For example, funds awarded on July 1, 2015 would remain available for obligation through September 30, 2017.

Direct Grants: In general, the period of availability for **federal** funds authorized under direct grants is identified in the GAN.

For both state-administered and direct grants, regardless of the period of availability, the District must liquidate all obligations incurred under the award not later than ~~90~~ **120** days after the end of the funding period unless an extension is authorized. Any funds not obligated within the period of availability or liquidated within the appropriate timeframe are said to lapse and must be returned to the awarding agency. Consequently, the District shall closely monitor grant spending throughout the grant cycle.

The District shall submit all financial, performance, and other reports required by the terms and conditions of the federal award before the end of this 120-day period. Any such reports required to be submitted to a pass-through entity shall be provided within 90 days of the end of the funding period, unless an extension is authorized.

Carryover

State-Administered Grants: As described above, the Tydings Amendment extends the period of availability for applicable state-administered program funds. Essentially, it permits recipients to “carry over” any funds left over at the end of the initial 15 month period into the next year. These leftover funds are typically referred to as carryover funds and continue to be available for obligation for an additional 12 months. Accordingly, the District may have multiple years of grant funds available under the same program at the same time.

Any carryover in individual federal programs is determined in an annual audit performed each year according to GAAP and State statutes. After carryover amounts are determined, they are reported and administered according to specific federal award requirements as outlined in the individual program applications.



Procedure History

ADOPTED: 12/10/18

ISBA

REVISED:

For all District programs receiving federal funds, the District shall comply with all applicable Federal regulations that restrict or prohibit transactions using Federal funds with all persons or entities that are debarred, suspended, or otherwise excluded from or ineligible for participation in Federal assistance programs or activities.

This limitation is directed by Executive Order 12549 which provides that “a person who is debarred or suspended shall be excluded from Federal financial and nonfinancial assistance and benefits under Federal programs and activities.” Thus, the District shall refrain from entering into any transaction with a person or entity which has been suspended or debarred by the U.S. Department of Education, or other federal agency from which the District has received federal funds.

Covered Federal Non-Procurement Transactions

Federal funds received by the District that are covered by this policy include, but are not necessarily limited to funds received from the following transactions:

1. Grants;
2. Cooperative agreements;
3. Scholarships;
4. Fellowships;
5. Contracts of assistance;
6. Loans;
7. Loan guarantees;
8. Subsidies;
9. Insurances;
10. Payments for specified uses; and
11. Donation agreements.

District’s Covered Transactions with Third Parties

This Policy applies to circumstances where the District enters into a procurement contract with a third party for goods and/or services, and intends to use covered federal funds to partially or fully purchase such goods and/or services, as more specifically described below:

A contract for goods or services is a “covered transaction” if any of the following applies:

1. The contract is awarded to the District pursuant to a nonprocurement transaction listed above and the amount of the contract is expected to equal or exceed \$2530,000; or
2. The contract requires the consent of an official of a federal agency. In that case, the contract, regardless of the amount, is always considered a covered transaction, and it does

not matter who awarded it. For example, it could be a subcontract awarded by a contractor at a tier below the District's nonprocurement transaction; or

3. The contract is for Federally-required audit services.

In addition, a subcontract is also a covered transaction if:

1. It is awarded by a participant in a procurement transaction under a nonprocurement transaction of a Federal agency that extends the coverage of Item 1 above, under "District's Covered Transactions with Third Parties"; and
2. The value of the subcontract is expected to equal or exceed \$2530,000.

District Responsibilities Before Entering Into Covered Transactions - Prohibition

Prior to entering into a "covered transaction" with a third party, the District shall verify the person or entity with whom it intends to do business is not excluded or disqualified by performing any one of the following:

1. Checking the Excluded Parties List System (EPLS);*
2. Collecting a certification from that person; or
3. Adding a clause or condition to the covered transaction with that person.

** The General Services Administration maintains the EPLS and makes it available to requesting parties. When a Federal agency takes an action to exclude a person under the nonprocurement or procurement debarment and suspension system, the agency enters the information about the excluded person into the EPLS. The EPLS may be accessed online at: <http://epls.arnet.gov> or <http://www.epls.gov>. If the District has a question about any person or entity on the EPLS, it should contact the point of contact for the federal agency that placed the person's name into the EPLS. The agency's point of contact is identified in the EPLS.*

In the event the third party is on the EPLS, the District shall not enter into the contemplated transaction unless and until the federal agency responsible for providing the District with the Federal funds grants a written exception.

| | | |
|------------------|------------------|---|
| Legal Reference: | 2 CFR § 200.213 | Suspension and debarment |
| | 2 CFR § 180 | Guidelines to Agencies on Government-Wide Debarment and Suspension (Nonprocurement) |
| | 13 CFR § 400.109 | Government-wide Debarment and Suspension |
| | 31 U.S.C. § 6503 | Intergovernmental financing (Cash Management Improvement Act of 1990) |

Policy History:

ADOPTED: 3/9/20

ISBA

POLICY TITLE: Federal Debarment and Suspension

POLICY NO: 7455
PAGE 3 of 2

REVISED:

Sexual harassment is a form of sex discrimination and is prohibited in the District. An employee, District agent, or student engages in sexual harassment whenever he/she makes unwelcome advances, requests sexual favors, or engages in other verbal, non-verbal or physical conduct of a sexual or sex-based nature, imposed on the basis of sex, that:

1. denies or limits the provision of educational aid, benefits, services, opportunities, or treatment, or that makes such conduct a condition of a student's academic status; or
2. has the purpose or effect of:
 - a. substantially interfering with the student's educational environment;
 - b. creating an intimidating, hostile, or offensive educational environment;
 - c. depriving a student of educational aid, benefits, services, opportunities or treatment; or
 - d. making submission to or rejection of such unwelcome conduct the basis for academic decisions affecting a student.

The terms "intimidating", "hostile" and "offensive" include conduct which has the effect of humiliation, embarrassment, or discomfort. Examples of sexual harassment include, but are not limited to, unwelcome touching, crude jokes or pictures, discussions of sexual experiences, pressure for sexual activity, intimidation by words, actions, insults or name calling, teasing related to sexual characteristics, and spreading rumors related to a person's alleged sexual activities.

Students who believe that they may have been sexually harassed or intimidated should contact a counselor, teacher, Title IX coordinator or administrator who will assist them in the complaint process, per Policy 3085 and Procedure 3085P. Supervisors or teachers who knowingly condone, ~~or~~ fail to report, or fail to assist a student to take action to remediate such behavior of sexual harassment or intimidation, may themselves be subject to discipline.

Any District employee who is determined, after an investigation, to have engaged in sexual harassment will be subject to disciplinary action up to and including discharge. Any student of the District who is determined, after an investigation, to have engaged in sexual harassment will be subject to disciplinary action, including, but not limited to, suspension and expulsion consistent with the discipline policy. Any person knowingly making a false accusation regarding sexual harassment will likewise be subject to disciplinary action up to and including discharge with regard to employees, or suspension and expulsion with regard to students.

The District will make every effort to insure that employees or students accused of sexual harassment or intimidation is given the appropriate opportunity to defend themselves against such accusations.

To the greatest extent possible, complaints will be treated in a confidential manner. Limited disclosure may be necessary in order to complete a thorough investigation. Retaliation against persons who file a complaint is a violation of law prohibiting discrimination, and will lead to disciplinary action against the offender.

Any individual seeking further information should contact the Superintendent for the name of the current Title IX Coordinator for the District. The Superintendent shall insure that ~~the student and employee handbooks identify~~ the name, address, and telephone number of the individual responsible for coordinating the District's compliance efforts is posted on the district website and distributed to students and staff members on an annual basis.

An individual with a complaint alleging a violation of this policy which does not fall within the scope of allegations addressed by Procedure 3085P shall follow the Uniform Grievance Procedure.



Cross Reference: 4120 Uniform Grievance Procedure
3085 Sexual Harassment, Discrimination and Retaliation Policy
3085P Title IX Sexual Harassment Grievance Procedure, Requirements
and Definitions

Legal References: 20 U.S.C. § 1681, et seq. Title IX of the Educational Amendments
34 CFR Part 106
I.C. § 67-5909 Acts Prohibited

Policy History

ADOPTED: 8/11/14

REVISED: 1/11/21

Maintenance of School Student Records

The District shall maintain a record for each student that shall contain information, including but not limited to the following:

1. Birth certificate;
2. Proof of residency;
3. Unique student identifier;
4. Basic identifying information;
5. Academic transcripts;
6. Immunization records;
7. Attendance records;
8. Intelligence and aptitude scores;
9. Psychological reports;
10. Achievement test results;
11. Participation in extracurricular activities;
12. Honors and awards;
13. Verified reports or information from non-educational persons;
14. Verified information of clear relevance to the student's education;
15. Log pertaining to release of student's record; and
16. Disciplinary information.

The following are records which the District will maintain permanently:

1. Student's name;
2. Birth Certificate;
3. Proof of residency;
4. Academic transcript including graduation date; and
5. Attendance records.

Information in student files (excluding permanent records) shall be maintained for a period of three (3) years after a student graduates or permanently leaves the District.

Records for a special education student with disabilities who graduates or permanently withdraws from the District, including eligibility documentation, IEPs, consents, and written notices will, for at least ~~six (6)~~ five (5) years, be maintained until such time or when the District has been given written consent from the parent(s) and/or adult former student to destroy the records or transfer the records to the parent(s) or to the student if the student has succeeded to the rights of the parents. Such written records of individual students are confidential and shall be shredded under supervision of the staff member responsible for the records if not released to the parent(s) and/or adult former student. The records manager should maintain a log that documents the date of destruction or release of records.

The Superintendent's designee shall be responsible for the maintenance, retention, or destruction of a student's records, in accordance with the District's procedure established by the Superintendent.

The unique student identifier is a number issued and assigned by the State Department of Education to each student currently enrolled or who will be enrolled. The unique student identifier shall follow the student from each school district or local educational agency (LEA) or upon return to a school district or LEA after an absence no matter the length of absence.

Access to Student Records

The District shall grant access to student records as follows:

1. The District or any District employee shall not release, disclose, or grant access to information found in any student record except under the conditions set forth in this policy and consistent with the provisions of state and federal law.
2. The parents of a student under 18 years of age shall be entitled to inspect and copy information in the child's school records. Such requests shall be made in writing and directed to the records custodian. Access to the records shall be granted within 15 days of the District's receipt of such a request.

Where the parents are divorced or separated, both shall be permitted to inspect and copy the student's school records unless a court order indicates otherwise. The District shall send copies of the following to both parents at either one's request, unless a court order indicates otherwise or parental rights have been terminated by court order or parental agreement:

- A. Academic progress reports or records;
- B. Health reports;
- C. Notices of parent-teacher conferences;
- D. School calendars distributed to parents/guardians; and
- E. Notices about open houses and other major school events, including pupil-parent interaction.

When the student reaches eighteen (18) years of age, graduates from high school, marries, enters military service, or becomes legally emancipated all rights and privileges accorded to the parent become exclusively those of the student. The parents of dependent students, as defined by the I.R.S. (i.e. student termed dependent for income tax purposes) may have access to student educational records if the parents establish, via either a copy of the applicable tax forms and/or a Parental Affidavit for Educational Records attesting to the student's dependent status.

Access shall not be granted to the parent or the student to confidential letters and recommendations concerning the admission to a post-secondary educational institution, applications for employment, or the receipt of an honor or award, if the student has

waived his or her right of access, after being advised of his or her right to obtain the names of all persons making such confidential letters or statements.

3. The District may grant access to, or release information from, student records to employees or officials of the District or the Idaho State Board of Education, provided a current, demonstrable, educational or administrative need is shown, without parental consent or notification. Access in such cases shall be limited to the satisfaction of that need.
4. For purposes of an audit or evaluation by a federal or state-supported education program, and to comply with federal requirements related to such a program. The receiving entity must be a state or educational authority or another entity allowed by the Family Educational Rights and Privacy Act (FERPA), or must be an authorized representative of such an entity.

For each new audit, evaluation, or enforcement effort, the District shall enter into a written agreement when designating anyone other than its employee as its authorized representative. The District shall be responsible for using reasonable methods to ensure, to the greatest extent practicable, that the authorized representative

- A. Uses the personal information only for the authorized purpose;
 - B. Protects the personal information from further unauthorized disclosures or other uses; and
 - C. Destroys the personal information when it is no longer needed for the authorized purpose. Such destruction shall be effected by any specified time period set forth in the written agreement.
5. The District may grant access to, or release information from, student records without parental consent or notification to any person, for the purpose of research, statistical reporting, or planning, provided that no student or parent can be identified from the information released, and the person to whom the information is released signs an affidavit agreeing to comply with all applicable statutes and rules pertaining to school student records. Any such release in this regard shall be consistent with Idaho Code and Policy 3575 relating to the limitations on the release of student data.
6. The District shall grant access to, or release information from, a student's records pursuant to a court order or appropriate subpoena. In most instances, the parent/qualified student shall be given prompt written notice of such order/subpoena, a general statement of the documents which will be released, and the proposed date of release of the documentation requested. However, there are very limited circumstances under the USA Patriot Act where schools are required to disclose information without notice to the parent or student to the Attorney General of the United States upon an ex parte order in connection with the investigation or prosecution of terrorism crimes or other such specified situations when the court order prohibits disclosure (i.e. Federal Grand Jury Subpoena or Law Enforcement Subpoena wherein such order indicates disclosure is not permitted).

7. The District shall grant access to or release information from any student record as specifically required by federal or state statute.
8. The District shall grant access to, or release information from, student records to any person possessing a written, dated consent, signed by the parent or eligible student with particularity as to whom the records may be released, the information or record to be released, and the reason for the release. One copy of the consent form will be kept in the records, and one copy shall be mailed to the parent or eligible student by the ~~records custodian~~ Superintendent. Whenever the District requests the consent to release certain records, the records custodian shall inform the parent or eligible student of the right to limit such consent to specific portions of information in the records.
9. The District may release student records to the Superintendent or an official with similar responsibilities in a school in which the student has enrolled or intends to enroll, upon written request from such official.
10. Prior to the release of any records or information under items 6, 7, 8, and 9 above, the District shall provide prompt written notice to the parents or eligible student of this intended action except as specified in item 6. This notification shall include a statement concerning the nature and substance of the records to be released and the right to inspect, copy, and challenge the contents.
11. The District may release student records or information in connection with an emergency, without parental consent, if the knowledge of such information is necessary to protect the health or safety of the student or other persons. The records custodian shall make this decision taking into consideration the nature of the emergency, the seriousness of the threat to the health and safety of the student or other persons, the need for such records to meet the emergency, and whether the persons to whom such records are released are in a position to deal with the emergency. Any release that is made must be narrowly tailored considering the immediacy, magnitude, and specificity of the information concerning the emergency and the information should only be released to those persons whose knowledge of the information is necessary to provide immediate protection of the health and safety of the student or other individuals (i.e. law enforcement, public health officials, trained medical personnel). The exception is temporarily limited to the period of the emergency and does not allow for a blanket release of personally identifiable information from a student's records. The District shall notify the parents or eligible student as soon as possible of the information released, the date of the release, the person, agency, or organization to which the release was made, and the purpose of the release and the same information shall be recorded in the student's record log.
12. The District will comply with an *ex parte* order requiring it to permit the U.S. Attorney General or designee to have access to a student's school records without notice to or consent of the student's parent(s)/guardian(s).

13. The District may charge a fee for copying information in the student's records. No parent or student shall be precluded from copying information because of financial hardship. See Policy 4260 for information regarding the District copy fee schedule.
14. A log of all releases of information from student records, including all instances of access granted, whether or not records were copied, shall be kept and maintained as part of such records. This log shall be maintained for the life of the student record and shall be accessible only to the parent or eligible student, records custodian, or other such person. The log of release shall include:
 - A. Information released or made accessible;
 - B. The name and signature of the records custodian;
 - C. The name and position of the person requesting the release or access;
 - D. The legitimate interests the parties had in requesting or obtaining the information;
 - E. The date of the release or grant of access;
 - F. A copy of any consent to such release; and
 - G. Any additional information required by state or federal law.

Directory Information

The District may release certain directory information regarding students, except that parents may prohibit such a release. Directory information shall be limited to:

1. Name;
2. Address;
3. Gender;
4. Grade level;
5. Birth date and place;
6. Photograph;
7. Parents'/guardians' names and addresses;
8. Academic awards, degrees, and honors;
9. Information in relation to school-sponsored activities, organizations, and athletics;
10. Major field of study; and
11. Period of attendance in school.

The notification to parents and students concerning school records will inform them of their right to object to the release of directory information.

Military Recruiters/Institutions of Higher Education

Pursuant to federal law, the District is required to release the names, addresses, and telephone numbers of all high school students to military recruiters and institutions of higher education upon request. The notification to parents and students concerning school records will inform them of their right to object to the release of this information.

Student Record Challenges

The parents may challenge the accuracy, relevancy, or propriety of the records, except for grades, and references to expulsions or out-of-school suspensions, if the challenge is made when the student's school records are being forwarded to another school. They have the right to request a hearing at which each party has:

1. The right to present evidence and to call witnesses;
2. The right to cross-examine witnesses;
3. The right to counsel;
4. The right to a written statement of any decision and the reasons therefore; and
5. The right to appeal an adverse decision to an administrative tribunal or official, to be established or designated by the State Board.

The parents may insert a written statement of reasonable length describing their position on disputed information. The school will include a statement in any release of the information in dispute.



Procedure History

ADOPTED: 8/11/14

ISBA

REVISED: 1/11/16

REQUEST TO ADDRESS THE BOARD

NOTICE

DUE TO THEIR SENSITIVE NATURE, COMMENTS OR COMPLAINTS ABOUT PERSONNEL OR INDIVIDUAL STUDENTS WILL ONLY BE HEARD IN EXECUTIVE SESSION. ADDITIONALLY, OTHER TOPICS YOU WISH TO ADDRESS MAY ONLY BE APPROPRIATE FOR EXECUTIVE SESSION. IN SUCH INSTANCES, THE BOARD WILL DETERMINE IF YOUR COMMENTS ARE APPROPRIATE FOR OPEN OR EXECUTIVE SESSION AND WILL NOTIFY YOU ACCORDINGLY.

A PERSON WHO DISRUPTS THE EDUCATIONAL PROCESS OR WHOSE PRESENCE IS DETRIMENTAL TO THE MORALS, HEALTH, SAFETY, ACADEMIC LEARNING, OR DISCIPLINE OF THE PUPILS OR WHO LOITERS IN SCHOOLS OR ON SCHOOL GROUNDS, IS GUILTY OF A MISDEMEANOR.

Any complaint about the District, including instruction, discipline, District personnel policy, procedure or curriculum, should be referred through proper administrative channels before it is presented to the Board. All complaints should be resolved through proper channels in the following order:

1. Teacher or Staff
2. Principal or Supervisor
3. Director or Administrator
4. Superintendent
5. Board of Trustees

If these channels have been exhausted, this form should be filled out and handed to the Board Clerk prior to the beginning of the meeting.

The Board of Trustees follows a written agenda, a copy of which is available to assist you in participating in the meeting.

If you have indicated on this form your desire to speak, at the appropriate time, the Chair will announce your name.

You will have the floor a maximum of three (3) minutes.

The Board of Trustees encourages input from the public. If you want the Board to receive more information than time permits, please reduce your concerns to written form and send them to the Board Clerk. Written comments must include name, address, and telephone number.

All individuals appearing before the Board are expected to follow these guidelines:

1. Address the Board only at the appropriate time as indicated on the agenda and when recognized by the Board Chair.
2. Identify oneself and be brief. Comments shall be limited to three (3) minutes. In unusual circumstances, and when an individual has made a request in advance to speak for a longer period of time, the individual may be allowed to speak for no more than five (5) minutes.
3. The Board Chair may shorten or lengthen an individual's opportunity to speak. The Chair may also deny an individual the opportunity if the individual has previously addressed the Board on the same subject within the past two months.
4. The Board Chair shall have the authority to determine procedural matters regarding public participation not otherwise defined in Board policy.

**TWIN FALLS SCHOOL DISTRICT #411
REQUEST TO ADDRESS BOARD OF TRUSTEES**

UNSCHEDULED DELEGATIONS

Important: Before filling out this form, please use the checklist to verify that all steps in the protocol have been followed.

NAME: _____

ADDRESS: _____

PHONE NUMBER: _____

SUBJECT to be presented (include the pertinent Agenda item): _____

A brief written outline is attached.

Check if any of the below identified subject matters are matters you wish to address in your presentation to the Board:

- _____ The hiring of a public school employee.
- _____ The qualifications of any individual employed/prospective employee.
- _____ The evaluation or performance of any individual employed by the District.
- _____ A complaint or concern about any individual employed by the District.
- _____ A complaint or concern about any student enrolled at the District.

****Please deliver a completed copy of this form to the Board's Clerk prior to the commencement of the Board Meeting.**

PLEASE NOTE: Inasmuch as the school Board agenda is usually quite full:

- Speakers are asked to limit their presentations to three minutes as directed by the Board chairman. The clerk will signify the two-minute mark during the presentation.
- Any group of persons wishing to speak to the Board about the same issue or topic should select one spokesperson to represent them.
- Speakers will be respectful; no offensive or inappropriate comments or language.
- The Board reserves the right to limit the total time provided for discussion of a situation or topic.

TFSD Protocol Checklist

1. Have you tried to come to a resolution with the staff member closest to the problem?
☐ Yes Date _____
☐ No
2. Have you discussed and tried to resolve the issue or problem with the principal or immediate supervisor?
☐ Yes Date _____
☐ No
3. Have you tried to resolve the issue or problem with the Director of Elementary Programs or the Director of Secondary Programs?
☐ Yes Date _____
☐ No
4. Have you met with the superintendent to try to resolve this issue?
☐ Yes Date _____
☐ No
5. Attach the written request asking to be placed on the agenda.

Signature

Date

In compliance with Idaho Code, the Board of Trustees establishes the following guidelines to provide administrative direction pertaining to the retention and/or disposal of District records. This schedule likewise identifies the anticipated physical location of where such records may be kept or maintained by the District, in addition to the possible document retention of all categories of records on the school's servers and computer systems.

The District's Public Records Coordinator, in conjunction with the Superintendent, or designee, is responsible for the maintenance, safeguarding and destruction of the District's records. Performance of such duties shall be in cooperation with the District's Business Office, Director of Maintenance and Transportation, Technology Coordinator, the Principals at the school's buildings and other administrative personnel employed by the District. However, each school employee is likewise responsible for having knowledge of this policy and the requirement to safeguard the District's records, electronic or otherwise, consistent with the chart below.

The District's Public Records Coordinator shall work in conjunction with the District's Technology department to assure that the school's staff is aware of the routine destruction of electronic District records, including emails, such that they are able to assure that the District's public records are retained consistent with this schedule, regardless of whether they are maintained in a hard copy or an electronic copy. In such a process, the District's employees need to retain District records included on the schedule below, particularly student educational records, personnel records, and investigative records, in a format that is not part of the District's routine electronic records destruction and/or notify the technology personnel of the District that a particular document is not to be destroyed as part of the routine destruction of electronic records.

Unless otherwise prohibited by applicable law, all District records may be maintained electronically and/or in hard physical copy.

Method of Destroying Official Records

The District's official records, and any copy thereof that may be deemed to be confidential and/or not intended to be disseminated to the public, will be shredded before disposal.

Destruction of Electronic Mail/e-mail

The District will store electronic mail/e-mails for a minimum period of 500 days. All email not otherwise maintained in the employee's email account will be automatically deleted from the District's system at the end of this retention period. It is the responsibility of every district employee to assure that District documents that need to be retained for a longer period of time due to federal law, state law or the provisions of this policy are retained accordingly and in a different format than electronic mail. An employee's failure to retain District documents

accordingly could serve as a basis for discipline, up to and including possible termination.

Suspending of Destroying Official Records

The District will immediately cease the destruction of all relevant records, including electronic records, even if destruction is authorized by an approved Retention Schedule, for the following reasons:

1. If the District receives a Public Records request;
2. If the District believes that an investigation or litigation is imminent; or
3. If the District is notified that an investigation or litigation has commenced.

The Public Records Coordinator, Superintendent, and Board Clerk are responsible for carrying out this policy.

If relevant records exist in electronic formats (such as email, digital images, word processed documents, databases, backup tapes, etc.) the District's Administrative personnel shall notify its information technology staff to cease the destruction of records relating to the subject matter of the suit/potential suit or investigation. Failure to cease the destruction of relevant records could result in penalties against the District.

District records shall be retained and/or disposed of as follows:

DISTRICT RECORDS RETENTION SCHEDULE

| Retention Codes | | |
|--|--|--|
| AC —After closed, terminated, completed, expired, settled, or last date of contact FE —Fiscal Year End (June 30 th) | LA —Life of Asset PM —Permanent US —Until Superseded | DO – District Office SB – School Buildings DM – District Maintenance DT – District Transportation |
| RECORDS DESCRIPTION | RETENTION PERIOD | |
| ADMINISTRATION —ATTENDANCE—ANNUAL ATTENDANCE SUMMARIES BY BUILDING | PM | DO, SB |
| ADMINISTRATION —ATTENDANCE—Enrollment attendance data | 3 years | DO, SB |
| ADMINISTRATION —BALLOTS AND OATHS OF ELECTION—until canvassed and recorded in the minutes | Not less than 8 months following election | DO |
| ADMINISTRATION —BALLOTS FOR BOND ELECTIONS | a. Not less than 60 days after bonds have been delivered to purchaser b. Not less than 8 months following bond election | DO |
| ADMINISTRATION —CONTRACTS AND LEASES | AC +6 years | DO |
| ADMINISTRATION —GENERAL CORRESPONDENCE | 3 years | DO, SB |

DISTRICT RECORDS RETENTION SCHEDULE

| Retention Codes | | |
|--|---|--|
| AC —After closed, terminated, completed, expired, settled, or last date of contact FE —Fiscal Year End (June 30 th) | LA —Life of Asset PM —Permanent US —Until Superseded | DO – District Office SB – School Buildings DM – District Maintenance DT – District Transportation |
| RECORDS DESCRIPTION | RETENTION PERIOD | |
| ADMINISTRATION—DONATION/GIFT RECORDS | PM | DO, SB |
| ADMINISTRATION—BOARD MEETINGS—AGENDA AND MINUTES: Official minutes and agenda of open meetings | PM | DO |
| ADMINISTRATION—BOARD MEETINGS—CLOSED: Certified agendas or tape recordings of closed meetings | PM—Restricted Access | DO |
| ADMINISTRATION—ORGANIZATION CHARTS: Any documentation that shows program accountability | PM | DO, SB, DM, DT |
| ADMINISTRATION—EDUCATION PROGRAM REVIEW RECORDS | AC+3 years | DO, SB |
| ADMINISTRATION—OFFICIAL STATE DEPARTMENT REPORTS | PM | DO |
| ADMINISTRATION—SCHOOL CERTIFICATION REPORTS | PM | DO |
| ANNUAL REPORTS | PM | DO |
| APPEAL AND REVIEW RECORDS —Records may include but are not limited to narrative history or description of appeal; minutes and testimony; exhibits; reports and findings of fact; final orders, opinions, conclusions, or decisions; audio recordings; hearing schedules and lists of participants; and related correspondence and documentation. | PM | DO |
| BOARD MEMBER RECORDS —Series documents board activities and serves as a reference source for board members. Records may include but are not limited to correspondence, plans, statements of goals and objectives, minutes, committee reports, budgets, financial statements, reports, and other reference material. Records are often compiled in a notebook for each member. | AC+3 years NOTE: Some materials may warrant long-term retention. These materials should be reviewed for archival materials. | DO |
| BOARD RECORDS —Series documents the official proceedings of the board meetings. Records may include agendas; minutes; meeting notices; items for board action; contested case hearings schedules; committee reports; exhibits; and related correspondence and documentation. Records may also include audio recordings of meetings used to prepare summaries. | PM | DO |

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| COMPUTER SYSTEMS-BACKUPS —Backups on tape, disk, cd, dvd, etc. CAUTION: Records stored in this format can be subpoenaed during litigation. | US or 1 year | DO |
| EQUIPMENT-HISTORY FILE —Equipment service agreements, includes maintenance agreements, installation, and repair logs, etc. | LA+3 years | DO, DM, DT |
| EQUIPMENT MANUALS —Instruction and operating manuals | LA | DO, SB, DM, DT |
| EQUIPMENT WARRANTIES | AC+1 year | DO, SB, DM, DT |
| FACILITIES OPERATIONS-APPRAISALS —Building or property | 3 years | DO |
| FACILITIES OPERATIONS-BUILDINGS PLANS AND SPECIFICATIONS —Includes architectural and engineering drawings, etc. | PM For leased structures retain AC+2 years | DO, DM |
| FACILITIES OPERATIONS-BUILDINGS, CONSTRUCTION CONTRACT, INSPECTION RECORDS AND PROJECT FILES —Building construction contracts, surety bonds and inspection records, Planning, design, construction records & all bids, etc. | LA | DO, SB, DM |
| FACILITY OPERATIONS—DAMAGE REPORTS; LOST AND STOLEN PROPERTY REPORTS | FE+3 years | DO, SB, DM, DT |
| FACILITY OPERATIONS-PROPERTY DISPOSAL RECORDS —Documenting disposal of inventoried property | PM | DO |
| FACILITY OPERATIONS-PROPERTY MANAGEMENT SEQUENTIAL NUMBER LOGS —Property logs | US+3 years | DO, SB, DM |
| FACILITY OPERATIONS-SECURITY ACCESS RECORDS —Documents the issuance of keys, identification cards, passes, passwords, etc. | AC+2 years AC=Until superseded, date of expiration or date of termination, whichever is sooner | DO, SB, DM |
| FACILITY OPERATIONS-SURPLUS PROPERTY SALE REPORTS | PM | DO, DM |
| FACILITY OPERATIONS-UTILITY USAGE REPORTS | 1 year | DO, DM |
| FACILITY OPERATIONS-VEHICLE OPERATION LOGS | 1 year | DO, DT |
| FISCAL-ACCOUNTS PAYABLE/RECEIVABLE LEDGERS | FE+3 years | DO, SB |
| FISCAL-ANNUAL FINANCIAL REPORTS | PM | DO, SB, DM, DT |
| FISCAL-ANNUAL OPERATING BUDGETS | FE+3 years | DO, SB, DM, DT |
| FISCAL-APPROPRIATION REQUESTS —Includes any supporting documentation in the appropriation request | FE+3 years | DO, SB, DM, DT |
| FISCAL-FINAL AUDIT REPORTS | PM | DO, SB |
| FISCAL-BANK STATEMENTS | FE+3 years | DO, SB |
| FISCAL-CANCELLED CHECKS —Stubs/Warrants/Drafts | FE+3 years | DO, SB |
| FISCAL-CAPITAL ASSET RECORDS | LA+3 years | DO, SB, DM, DT |
| FISCAL-CASH RECORDS —Cash deposit slips; cash receipts log | FE+3 years | DO, SB |
| FISCAL-DEEDS AND EASEMENTS —Proof of ownership and right-of-way on property | PM | DO |

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| FISCAL -detail chart of accounts—One for all accounts in use for a fiscal year | FE+3 years | DO, SB |
| FISCAL -EXPENDITURE JOURNAL OR REGISTER | FE+3 years | DO, SB |
| FISCAL -EXPENDITURE VOUCHERS—Travel, payroll, etc. | FE+3 years | DO, SB, DM, DT |
| FISCAL -EXTERNAL REPORTS—Special purpose, i.e. federal financial reports, salary reports, etc. | FE+3 years | DO, SB, DM, DT |
| FISCAL -FEDERAL TAX RECORDS—Includes FICA records | AC+4 years AC=Tax due date, date the claim is filed, or date tax is paid whichever is later | DO |
| FISCAL -FEDERAL FUNDING RECORDS—Title I; Chapter 2; Title VI-B | FE+5 years Or until all pending audits or reviews are completed | DO |
| FISCAL —FEDERAL—USDA | AC+3 years AC=submission of final expenditure | DO |
| FISCAL -GENERAL LEDGERS; GENERAL JOURNAL VOUCHERS | FE+3 years | DO, SB |
| FISCAL -GRANTS—State and Federal | AC+3 years AC=End of grant or satisfaction of all uniform administrative requirements for the grant CAUTION: Retention requirements may vary depending on the specific federal funding agency | DO, SB |
| FISCAL -INSURANCE CLAIM FILES | AC+3 years AC=Resolution of claim | DO |
| FISCAL -INSURANCE POLICIES—all types | AC+5 years AC=expiration or termination of policy according to its terms | DO |
| FISCAL -LONG-TERM LIABILITY RECORDS—Bonds, etc. | AC+4 years AC=retirement of debt | DO |
| FISCAL -RECEIPTS JOURNAL OR REGISTER | FE+3 years | DO, SB, DM, DT |
| FISCAL -RECONCILIATIONS | FE+3 years | DO, SB |
| FISCAL -REIMBURSABLE ACTIVITIES—Requests & approval for reimbursed expenses for travel, training, etc. | FE+3 years | DO, SB |
| FISCAL -RETURNED CHECKS—Uncollectable warrants or drafts | AC+3 years AC=After deemed uncollectible | DO, SB |
| FISCAL -SIGNATURE AUTHORIZATIONS—Records authorizing an employee to initiate financial transactions for agency. Also, spending authority limits | US+FE+3 years | DO |
| LEGAL -LITIGATION FILES-- | PM CAUTION: May contain attorney-client privileged information | DO, SB, DM, DT |

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| LEGAL-OPEN RECORDS REQUESTS —documentation relating to approved or denied requests for records under Idaho Public Records Law | PM | DO |
| LEGAL-OPINIONS AND ADVICE —Does not include legal opinions or advice rendered on a matter in litigation or with regard to pending litigation | PM CAUTION: May contain attorney-client privileged information | DO, SB |
| INSTRUCTIONAL —Distance learning instruction that is recorded by the District. Such recording is not required by this policy. | Until one month following the end of the semester | Electronic |
| NEWS OR PRESS RELEASES | PM | DO, SB |
| PERSONNEL-ACCUMULATED LEAVE ADJUSTMENT REQUEST —Used to create and adjust employee leave balances | FE+5 years | DO, SB, DM, DT |
| PERSONNEL-APPLICATIONS FOR EMPLOYMENT—HIRED —Applications, etc. required by employment advertisement | AC+5 years AC=Termination of employment | DO, SB, DM, DT |
| PERSONNEL-APPLICATIONS FOR EMPLOYMENT—NOT HIRED —Applications, resumes, etc. required by employment advertisement | AC+2 years AC=Date position is filled | DO, SB, DM,DT |
| PERSONNEL-BENEFIT PLANS | US+5 years | DO |
| PERSONNEL-COMPLAINT RECORDS —Complaints received and records documenting their resolution | FE+3 years CAUTION: If a complaint becomes the subject of litigation, it is subject to a longer retention period | DO, SB, DM, DT |
| PERSONNEL-CORRECTIVE ACTION —those actions which do not affect pay, status or tenure and are imposed to correct or improve job performance | PM CAUTION: If during the retention period these records are used to support personnel disciplinary action, the records should be retained according to Personnel Disciplinary Action series. | DO, SB, DM, DT |
| PERSONNEL-DISCIPLINARY ACTION DOCUMENTATION —those actions that affect pay or status. They include demotion, dismissal, etc. | PM | DO, SB, DM, DT |
| PERSONNEL-EMPLOYEE STATEMENTS (Affidavits) —for insurance, personnel or other uses for which Administration has sought such statements | PM | DO, SB, DM, DT |
| PERSONNEL-EMPLOYEE BENEFITS —documents relating to selection of benefits other than insurance | US+ 5 years | DO |
| PERSONNEL-EMPLOYEE COUNSELING RECORDS —Notes, etc. relating to job-specific counseling | PM | DO, SB, DM, DT |
| PERSONNEL-EMPLOYEE DEDUCTION AUTHORIZATIONS —documents relating to all deductions of pay | AC+5 years AC=After termination of employee or after amendment, expiration or termination of authorization, whichever is sooner. | DO |
| PERSONNEL-EMPLOYEE EARNINGS RECORDS | PM | DO |
| PERSONNEL-EMPLOYEE INSURANCE RECORDS —District copy of selection records by employees of insurance offered by the District | US+ 5 years | DO |

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| PERSONNEL-EMPLOYEE RECOGNITION RECORDS —Awards, incentives, etc. | PM | DO, SB, DM, DT |
| PERSONNEL-EMPLOYMENT ANNOUNCEMENT | 2 years | DO |
| PERSONNEL-EMPLOYMENT CONTRACTS | Original dates of hire +50 years | DO |
| PERSONNEL-EMPLOYMENT ELIGIBILITY —Documentation or verification of Federal report form INS I-9 | PM | DO |
| PERSONNEL-EMPLOYMENT SELECTION RECORDS —all records that document the selection process: i.e. polygraph, physicals, interview notes, etc. | 2 years CAUTION: Does not include criminal history checks | DO, SB, DM, DT |
| PERSONNEL-FORMER EMPLOYEE VERIFICATION RECORDS —minimum information includes name, social security number, exact dates of employment and last known address | PM | DO |
| PERSONNEL-GRIEVANCE RECORDS —review of employee grievances against policies and working conditions, etc. Includes record of actions taken. | PM | DO, SB, DM, DT |
| PERSONNEL-HIRING PROCESS—CRIMINAL HISTORY CHECKS —criminal history record information on job applications | PM | DO |
| PERSONNEL-JOB PROCEDURE RECORD/JOB DESCRIPTION —any document detailing duties of positions on position-by-position basis | US+8 years | DO, SB, DM, DT |
| PERSONNEL-LEAVE STATUS REPORT —cumulative report for each pay cycle showing leave status | FE+3 years | DO |
| PERSONNEL-LIABILITY RELEASE FORM —statements of employees, patrons, etc. who have released the district from liability | PM | DO |
| PERSONNEL-LICENSE AND DRIVING RECORD CHECK | PM | DO, DT |
| PERSONNEL-OVERTIME AUTHORIZATION & SCHEDULE | 5 years | DO, SB, DM, DT |
| PERSONNEL-PAYROLL-DIRECT DEPOSIT APPLICATION/AUTHORIZATION | US+3 years | DO |
| PERSONNEL-PAYROLL-INCOME ADJUSTMENT AUTHORIZATION ---used to adjust gross pay, FICA, retirement or compute taxes | US+3 years | DO |
| PERSONNEL-PERFORMANCE EVALUATION | PM | DO, SB, DM, DT |
| PERSONNEL-PERSI ENROLLMENT FILE | PM | DO |
| PERSONNEL-PERSI RECORD OF HOURS WORKED —Irregular help, half-time or greater | Date of hire +50 years | DO |
| PERSONNEL-PERSI TERMINATION RECORD | PM | DO |
| PERSONNEL-PERSONNEL INFORMATION —documents that officially change pay, titles, benefits, etc. | PM | DO |
| PERSONNEL-POLICY AND PROCEDURES MANUAL —any manual, etc. that establishes standard employment procedures | PM | DO, SB, DM, DT |
| PERSONNEL-RESUME-UNSOLICITED | 1 year | DO, SB, DM, DT |
| PERSONNEL-SICK LEAVE POOL DOCUMENTATION —requests submitted, approvals, number of hours transferred in and out, etc. | LA+3 years | DO |
| PERSONNEL-TIME CARD AND TIME SHEET | PM | DO, SB, DM, DT |

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| PERSONNEL-TIME OFF AND/OR SICK LEAVE REQUEST | FE+3 years | DO, SB, DM, DT |
| PERSONNEL-TRAINING AND EDUCATIONAL ACHIEVEMENT RECORD-INDIVIDUAL —records documenting training, testing or continued education | PM | DO, SB, DM, DT |
| PERSONNEL-UNEMPLOYMENT CLAIM RECORD | 5 years | DO |
| PERSONNEL-UNEMPLOYMENT COMPENSATION RECORDS | AC+5 years | DO |
| PERSONNEL-W-2 & W-4 FORMS | 5 years from date of termination | DO |
| PERSONNEL—WORKER’S COMPENSATION POLICIES | AC+10 years AC=expiration of policy | DO |
| PROCUREMENT-PERFORMANCE BOND —bonds posted by individuals or entities under contract with District | PM | DO |
| PROCUREMENT-PURCHASING LOG —Log, etc. providing a record of purchase orders issued, orders received, etc. | FE+3 years | DO, SB, DM, DT |
| PROCUREMENT-BID DOCUMENTATION —includes bid requisition/authorizations, invitation to bid, bid specifications, and evaluations | FE+3 years CAUTION: If a formal written contract is the result of a bid, etc., the bid and its supporting documentation must be retained for the same period as the contract. | DO, DM, DT |
| RECORDS MANAGEMENT —RECORDS RETENTION SCHEDULE; DISPOSITION LOG (listing records destroyed or transferred); CONTROL MATERIALS (indexes, card files, etc.); DESTRUCTION APPROVAL SIGN-OFFS | PM | DO, SB, DM, DT |
| SAFETY-ACCIDENT REPORTS | 8 years* For Minors, 8 years after minor reaches age of 18 | DO, SB, DM, DT |
| SAFETY-DISASTER PREPAREDNESS AND RECOVERY PLANS | PM | DO, SB, DM, DT |
| SAFETY-EVACUATION PLANS | PM | DO, SB |
| SAFETY-FIRE ORDERS —issued by fire marshal to correct deficiencies in compliance with the fire code | AC+3 years AC=deficiency corrected | DO, SB, DM |
| SAFETY-HAZARDOUS MATERIALS DISPOSAL RECORDS —Material safety data sheets must be kept for those chemicals currently in use that are affected by the Hazard Communication Standard in accordance with 29 CFR § 1910.1200(g). | PM | DO, DM |
| SAFETY-INCIDENT REPORTS —Reports concerning incidents which, upon investigation, were of a non-criminal nature | 3 years (or 30 years*) *Exposure records require 30 year retention per 29 CFR § 1910.1020(d)(ii)(B)Footnote(1) | DO, SB, DM, DT |
| SAFETY-INSPECTION RECORDS —Fire, safety, and other inspection records of facilities and equipment | AC+3 years AC=Date of the correction of the deficiency, if the inspection report reveals a deficiency. | DO, SB, DM |
| SAFETY-MATERIAL DATA SAFETY SHEETS | 30 years after the end of use of the substance | DO, DM |
| SAFETY-WORKPLACE CHEMICAL LISTS | 30 years | DO, SB, DM |

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| STUDENTS-EDUCATION RECORDS —Student’s name, birth date, <u>last address</u> , dates of attendance, graduation date and grades earned | PM | DO, SB |
| STUDENTS-SPECIAL EDUCATION RECORDS —educational records, including eligibility documentation and IEPs | FE+6 5 years | DO, SB |
| STUDENTS-MEDICAID RECORDS -claims, reimbursements, and supporting documentation | FE +5 years | DO, SB |
| VEHICLE-INSPECTION, REPAIR AND MAINTENANCE RECORDS | LA+1 year | DO, DT |
| VEHICLE-TITLE AND REGISTRATION | 1 year | DO, DT |
| VOLUNTEER RECORDS —records may include recruitment and selection records, volunteer personnel and intern personnel information forms, intern agreements, volunteer and intern time records, emergency notification forms, insurance documentation and correspondence | AC+3 year AC=End of term of volunteer or intern | DO, SB |
| WEBSITE/WEB PAGES — INTERNET/INTRANET—system development documentation for initial setup; subsequent changes and content of pages | PM | DO, SB |

In the event that District records do not correspond to any of the above listed categories, the Superintendent will determine the period of retention for a particular record.



Legal References:

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| I.C. § 33-407 | Return of Canvass of Elections |
| I.C. § 33-508 | Duties of Clerk |
| I.C. § 33-701(8) | Fiscal Year—Payment and Accounting of Funds |
| I.C. § 56-209h | Administrative Remedies |
| I.C. § 74-119 | Agency Guidelines |
| SDE Idaho Special Education Manual Revised 2009, Chapter 11, Section E | |
| SDE Administrator’s Handbook 1.43 | |
| Federal Regulation | |
| Idaho Records Management Guide, August, 2013 | |

Policy History:

ADOPTED: 8/11/14

ISBA/TFSD

REVISED: 1/11/16
10/10/16
11/11/19
1/11/21